

TITLE 11-C

WATERWORKS AND SEWERAGE

- CHAPTER 1. DIRECTOR OF PUBLIC WORKS**
- CHAPTER 2. REQUIREMENTS FOR WATER SERVICES**
- CHAPTER 3. WATER RATES**
- CHAPTER 4. SPAVINAW WATER DISTRICT**
- CHAPTER 5. REQUIREMENTS FOR USE OF SANITARY SEWERAGE SYSTEM**
- CHAPTER 6. PRIVATE SEWER DISTRICTS**
- CHAPTER 7. SANITARY SEWER USER CHARGE SYSTEM**
- CHAPTER 8. SPECIAL FUNDS AND TRUST FUNDS**
- CHAPTER 9. BILLING AND COLLECTIONS**
- CHAPTER 10. APPROVAL OF WATER LINE AND SEWER LINE EXTENSIONS OR IMPROVEMENTS**
- CHAPTER 11. PENALTIES**
- CHAPTER 12. REQUIREMENTS FOR INDUSTRIAL USERS TO DISCHARGE TO THE SANITARY SEWER SYSTEMS**
- CHAPTER 13. RESTRICTED USE OF WATER IN TIMES OF SHORTAGES**
- CHAPTER 14. GREASE HANDLING AND HAULING**

CHAPTER 1

DIRECTOR OF PUBLIC WORKS

- Section 100. Definitions.
- Section 101. Duties of the Director of Public Works.
- Section 102. Right to Enter.
- Section 103. Fluoridation of Water Supply Authorized.
- Section 104. Approval of State Health Department.
- Section 105. Testing Standards.

SECTION 100. DEFINITIONS

A. **Director.** Unless otherwise specified, for purposes of this title, "Director" shall mean the duly appointed Director of Public Works and/or his designated representative.

B. **Superintendent of Waterworks and Sewerage.** For all purposes of the Revised Ordinances of the City of Tulsa, "Superintendent of Waterworks and Sewerage," "Director of Water and Sewer" and other terms of similar import, shall mean the duly appointed Director of Public Works or his designated representative. The Director of

Public Works or his designated representative shall perform the duties assigned to the Superintendent of Waterworks and Sewerage or Director of Water and Sewer in the Revised Ordinances of the City of Tulsa or the statutes of the state of Oklahoma.

Ord. No. 17301

SECTION 101. DUTIES OF THE DIRECTOR OF PUBLIC WORKS

The Director shall be responsible for the supervision and control of the construction, extension, improvement, management, maintenance and operation of the waterworks and sewerage systems of the City of Tulsa. Pursuant to the Charter of the City of Tulsa, the Director shall discharge such duties under the supervision, authority and control of the Utility Board, subject to the approval of the Mayor. He shall inspect all water system installations, all sanitary sewers, and all sewage disposal plants to insure that they are properly maintained and operated. He shall keep a record of all inspection reports in connection with the construction, operation and maintenance of the water and sanitary sewer systems and the sewage disposal plants of the City of Tulsa.

It shall be the duty of the Director to supervise all construction work and to inspect all sanitary sewer work installed or to be installed in the City of Tulsa. He shall exercise a general supervision over all connections made to the sanitary sewerage system. He shall inspect all sanitary sewer connections to private or public property, up to and including the place where such sanitary sewer work connects with the soil pipe; and the use of such connection shall not be allowed without his approval. It shall be his duty to see that all excavations are properly restored to a safe condition and usage. He shall, upon completion of any new sanitary sewer mains, branches, or laterals, make final inspection and report to the Utility Board and Mayor as to whether or not they conform in all respects with any contract relating thereto.

It shall be the duty of the Director to keep a plat book upon which shall be shown the district number, size, and location of all sanitary sewer mains, wye connections, manholes, and other appurtenances.

It shall be the duty of the Director to make reports to the Mayor of any sanitary sewers which are inadequate to supply proper drainage for their respective areas.

The Director is hereby empowered to make rules, regulations and specifications necessary to make effective the provisions of this title, which rules, regulations and specifications when approved by the Council and placed on file in the office of the City Clerk, shall have the force and effect of law. In making such rules, regulations and specifications and in applying them to particular cases, the Director shall consider the future needs and requirements, topography, present and future population, changes in population densities within the City's corporate limits, economy of operation and maintenance and all things necessary, convenient or expedient for the preservation of health and safety of the City of Tulsa as related to the facilities under his jurisdiction. In addition to this general authority, he shall have the authority to create, designate and

determine all things dealing with the supply of water and the provisions for sewage disposal from the City of Tulsa not in conflict with the Charter or Revised Ordinances of the City of Tulsa.

SECTION 102. RIGHT TO ENTER

As provided by law, the Director, or any designated employee, shall have the right to enter in and upon any grounds or premises served by the waterworks system and sanitary sewer system of the City of Tulsa for the purpose of maintaining and operating the waterworks system, the sanitary sewerage system and the sewage treatment plants.

SECTION 103. FLUORIDATION OF WATER SUPPLY AUTHORIZED

The Director is hereby authorized and directed to institute fluoridation of the water supply of the City of Tulsa, the maximum content of fluoride to be not more than one and two tenths (1.2) parts per million.

Ord. No. 6565

SECTION 104. APPROVAL OF STATE HEALTH DEPARTMENT

The application of fluorides to the City water supply shall be started only after the Oklahoma State Health Department has:

1. Received plans and specifications as required by law;
2. Approved the type of chemical feeding equipment to be installed and used;
3. Approved the installation of equipment, plant layout, and methods of handling the fluoride compounds to assure the safety of employees;
4. Approved the methods of analysis and control to be used in determining the fluoride content of the water before and after the addition of fluorides; and
5. Appraised and approved the qualifications of the personnel who will make the necessary analyses to control the application of fluorides.

Ord. No. 6565

SECTION 105. TESTING STANDARDS

The control and testing of the water before and after fluoridation, the method of determining the fluoride content of the water, and the test for the purity of the fluoride chemical shall, in all respects, comply with the rules and standards set up by the Oklahoma State Department of Health.

Ord. No. 6565

CHAPTER 2**REQUIREMENTS FOR WATER SERVICES**

- Section 200. Scope.
- Section 201. Definitions.
- Section 202. Application.
- Section 203. Service Contract.
- Section 204. Service Connections.
- Section 205. Abandoned Connections.
- Section 206. Unlawful Connections, Operation or Tampering.
- Section 207. Meter Rules.
- Section 208. Meter Changes.
- Section 209. Fire Protection Service.
- Section 210. Duct Meters and Irrigation Meters.
- Section 211. Owner's Duty to Repair.

SECTION 200. SCOPE

This chapter shall include all general requirements and restrictions in respect to the connection, use, protection and maintenance of all water lines forming a part of the waterworks system of the City of Tulsa.

SECTION 201. DEFINITIONS

As used in this title, the following terms shall have the meanings given herein.

A. **Premise** shall mean any plat or tract of ground, regardless of size or plat, under individual ownership and/or individual use and occupancy where the water service is metered independently of any other use.

B. **Service Connection** shall include the following:

1. **House Service or House Service Line** shall include all water lines receiving water from any meter, regardless of size, supplied by mains of the City of Tulsa to a single premise; and

2. **Fire Protection Service** shall mean any water line constructed with the objective of furnishing an auxiliary supply of water for fire fighting purposes within a single premise.

C. **Meter** shall mean an apparatus installed between the main and the service connection for measuring and recording the quantity of water used by any premise during any interval of time.

D. **Master Meter** shall mean an apparatus installed at the point of supply for more than one (1) premise as defined by contract for measuring and recording the quantity of water used during any interval of time by the party contracting with the City.

E. **City** shall mean the City of Tulsa, Oklahoma, a municipal corporation acting through the Utility Board and the City's duly authorized officers or agents.

F. **City's Service** shall mean that part of the waterworks system extending from the water main to the meter, including the meter and appurtenances, for the purpose of supplying any water from any main of the City of Tulsa.

G. **City Main** shall mean any water line of whatever size or extent for which the City of Tulsa is responsible for the operation, repair and maintenance."

H. **Deduct Irrigation Meter** shall mean an apparatus installed on the service connection for measuring and recording the quantity of water used by a lawn irrigation system.

I. **Irrigation Meter** shall mean an apparatus installed between the main and service connection for measuring and recording the quantity of water used by a lawn irrigation system.

Ord. No. 19501

SECTION 202. APPLICATION

Any person desiring to have premises connected with the water supply of the City of Tulsa shall present at the office of the Director an application on a form to be provided by the Director containing the name of the applicant, a description of the lot, block and addition, and the official house number of the premises on which the water is desired. The application shall be signed by the applicant or his duly authorized agent and shall be filed with the Director. At the time of filing, the applicant shall pay to the Director the fees for installation of water service as hereinafter provided, and the applicant shall be issued a receipt therefor.

SECTION 203. SERVICE CONTRACT

The application required herein shall contain a contract requiring the applicant to pay for the water supplied at the rate and in the manner specified in such contract and shall reserve to the City of Tulsa the right to charge and collect the rates and enforce the penalties provided for in this title in the manner herein provided, to change the rates at any time by ordinance, to temporarily discontinue the service at any time without notice to the consumer and to install a meter or meters to register the water consumed. The contract shall recite that it is subject to all the provisions of this title and of any

ordinance of the City of Tulsa relating to the subject, hereafter passed, and shall provide that the City of Tulsa shall not be held responsible for any damages, by water or other cause, resulting from defective plumbing or appliances on the premises installed by the owner or occupants of the premises; and that the fact that agents of the City have inspected the plumbing and appliances shall not be pleaded as a basis of recovery in case of damage to premises from defective plumbing or appliances installed by the owner or occupant of such premises. The contract shall further provide that, in case the supply of water shall be interrupted or shall fail by reason of accident or any other causes whatsoever, the City shall not be liable for damages for such interruption or failure, nor shall such failure or interruption for any reasonable period be held to constitute a breach of contract on the part of the City or in any way relieve the consumer from performing the obligations of his contract.

No contract shall be entered into which will render or continue to render any service to any person against whom there is any unsatisfied claim for previous services or any unpaid charges of any kind; provided, however, that the City may for good cause shown enter into agreement with such person to render service upon the payment of such claim in installments.

SECTION 204. SERVICE CONNECTIONS

No premise shall be allowed to have more than one (1) service connection unless a special permit therefor is given by the Director. The granting of such permit shall be subject to such conditions as the Director shall impose, and such permit may be revoked at any time the Director may elect. Every separate premise supplied by City mains shall have its own separate service connection with the City main, and the premise so supplied will not be allowed to supply water to any other premise. The Director shall keep a record of the date when water is turned on for each premise.

A. Connection Within or Outside the Corporate Limits.

1. **Permanent Service Connection.** When application is made for water service for a premise abutting upon a street upon which there is a main, after payment of the connection fees and execution of a contract, the owner shall employ a City certified service installation contractor for the service installation. The service shall be connected to the main by extending the piping at right angles from the main toward the property line to a point designated by the Director. The City's service installation contractor shall be responsible for workmanship and materials associated with the service installation for a period of one (1) year, after which it shall be maintained by the City of Tulsa.

2. **Temporary Service Connection.** When application is made for water service to property not abutting upon a street upon which there is a main, the owner shall pay the connection fee and all other applicable City fees, shall execute a contract,

and shall employ a City certified service installation contractor to install the City's service. A temporary service connection shall be permitted only for an existing house or building or where a City of Tulsa building permit has been issued for the location. Such service shall be subject to all the restrictions imposed upon any other service, whether permanent or temporary. From the point of service connection, any temporary house service shall be extended at the applicant's expense to serve the property described in the application; provided, however, that the applicant shall obtain all necessary rights-of-way and easements for the house service in such manner that the house service shall not be in conflict with the physical extension of a future main, shall be responsible at all times for the operation, repair and maintenance of the house service and shall hold the City of Tulsa harmless against any and all claims for damage by reason of the construction, removal, operation or repair of the house service.

B. Adjustments in Service and Service Connections.

1. **Adjustments Due to Street Paving or Grading.** All service pipe shall be laid not less than thirty (30) inches from the surface of the ground where the street grade is already established. In the event that the street grade has not been established, all service pipe shall be laid, insofar as can be determined, in such manner as to avoid its being damaged or displaced upon the grading and paving of the street. The Director shall readjust all service connections in conflict with such future grading and paving and shall have such access on private property as shall be necessary to maintain such pipe during construction. Owners of premises shall readjust their house service from the end of the City's service or meter.

2. **Cutting Pavement.** Where it becomes necessary within the corporate limits to excavate or cut any paved street or road to install a service connection, the water service installation contractor shall secure a permit for such cut as required by the Revised Ordinances of the City of Tulsa. If such cut is made outside the corporate limits, then the water service installation contractor shall secure such a permit as required by the jurisdiction having authority.

3. **Transferring Temporary Service Connections.** When a main is subsequently constructed in front of any premise served by a temporary service connection, the Director shall, after notifying the owner or tenant thereof, transfer the service connection to the new main without charge and, at the same time, shall eliminate the temporary service connection, and the owner shall arrange his house service pipes and connect same to the permanent service at his own expense.

4. **Transferring Service Connections From Master Meter Contracts.** Whenever a new main is laid in any street, owners of premises on such street or within one-half (1/2) block on side streets, who are being supplied with City water from a master meter contract, shall make application for a tap and, with a separate service connection, shall connect to the main in front of the premises at the applicant's own

expense. Should the applicant fail to make application and payment for the service connection within thirty (30) days after written notice, the Director may notify the owner of the master meter to discontinue water service to any such premise. Should the owner of the master meter fail to discontinue water service to any such premise after thirty (30) days' notice in writing, the Director may discontinue water service to such master meter and cause the same to be disconnected from the City main.

SECTION 205. ABANDONED CONNECTIONS

Whenever a service connection is to be abandoned or no longer used, the Director may cut out or remove such service connection. Thereafter, should a service connection be required to the premises, a new service shall be placed only if the owner makes an application and pays for a new service connection in the manner specified herein.

SECTION 206. UNLAWFUL CONNECTIONS, OPERATION OR TAMPERING

A. **Unlawful Connections.** It shall be unlawful for any person to make any connections with any service, or to make any repairs, additions or alterations of any pipe, stop cock, stop and waste cock, or any other fixture connected with or designed to be connected with the waterworks system, except in compliance with this title, and all such work must pass inspection by the Plumbing Inspector before being covered. A licensed plumber may have a service key which he shall keep in his possession with which he may shut off the water at the curb cock for the purpose of making repairs within the premises. No person other than licensed plumbers shall use such key, and plumbers doing work thereon shall leave the water shut off at the curb cock on all premises which are newly connected. On all other premises, the plumber shall leave the curb cock in the condition in which it was found when such work was commenced.

B. **Permission to Connect.** It shall be unlawful for any person to make any connection with any fixture or to connect any pipe with any main or water pipe of the City's waterworks system without first obtaining permission so to do from the Director.

C. **Hydrant Offense.** It shall be unlawful for any person, except a member of the Fire Department of the City of Tulsa or a person authorized by the Director or by the provisions of this title, to open, operate, close, turn on, turn off, interfere with, attach any pipe or hose to or connect anything to any gate valve, stop cock or fire hydrant belonging to the City of Tulsa, whether on private property or not.

D. **Obstructing Fire Hydrants.** It shall be unlawful for any person to obstruct the access to any fire hydrant by placing around or upon such fire hydrant any stone, brick, lumber, dirt or other material.

E. **Damage to System.** It shall be unlawful for any person, unless duly authorized by the Director or the provisions of this title, to disturb, displace, interfere with, cover up, damage or destroy any water mains, water pipe, meter, meter box, machinery, tools, building, fire hydrants, curb cocks, curb box or any other property belonging to, or under the control of the City of Tulsa. It shall be unlawful to enclose by fencing, a water meter or fire hydrant which is located within the public right-of-way.

SECTION 207. METER RULES

All water meters connected to the City's service shall be furnished by the City of Tulsa. All such meters shall be under the exclusive control of the City and shall not be removed or tampered with except by duly authorized representatives of the City of Tulsa. In all cases where meters are lost, injured, destroyed, or damaged by the negligence of the occupant of the premises served through such meters or by his agents or contractors, such meters shall be replaced or repaired by or under the direction of the Director, and the cost shall be charged against the occupant of the premises. If the cost of making such repairs is not paid upon the date next following for the payment of water service, the service to such premises shall be discontinued.

The size of the water meter to be used on any service connection shall be designated by the Director. If at any time a meter is found to be of unsuitable size for the quantity of water to be measured, the Director may so notify the water customer who shall then make application for a meter of the proper size and pay for the new water meter and connection as provided herein. In the event any meter shall fail to register properly, the consumer shall be charged by an estimate made by the Director on the basis of the average monthly consumption during the three (3) month period immediately preceding, or otherwise from the most reliable and accurate data available.

Premises shall be metered as follows:

A. Each single family residence shall be considered a premise and shall be separately metered;

B. Each tenant space of a duplex shall be considered a premise and shall be separately metered;

C. Each apartment building shall be considered a premise and shall be separately metered, provided however that a cluster of apartment buildings on the same tract of land and not separated by a street, alley, or parking lot may be metered with a common meter. Each tenant space of an apartment building may be separately metered;

D. Each condominium building shall be considered a premise and shall be separately metered, provided however that a cluster of condominium buildings on the same tract of land and not separated by a street, alley, or parking lot may be metered

with a common meter. Each tenant space of a condominium building may be separately metered;

E. Each mobile home in a mobile home subdivision shall be considered a premise and shall be separately metered;

F. Each shopping center building or other commercial development building shall be considered a premise and shall be separately metered; provided, however, that a cluster of buildings on the same tract of land and not separated by a street, alley, or parking lot may be metered with a common meter. Each tenant space of a shopping center or other commercial development may be separately metered;

G. Each school or campus shall be considered a premise and shall be metered separately, provided, however, that each building may be separately metered;

H. Each hotel or motel building shall be separately metered; provided, however, that a cluster of buildings on the same tract of land may be metered with a common meter if the buildings are not separated by a street, alley, or parking lot. If the hotel or motel restaurant is housed in a separate building, it shall be metered separately;

I. Each industrial facility shall be considered a premise and shall be separately metered; provided, however, that each separate building may be separately metered; and

J. Each rental mobile home park shall be considered a premise and shall be separately metered; provided, however, that each separate building may be separately metered.

Ord. Nos. 19405, 21481

SECTION 208. METER CHANGES

Whenever the occupant of any premise requests any alteration to, change in, or removal of meter, service connections or any appurtenances attached to the waterworks system not otherwise provided for herein, such applicant shall pay to the Director the cost of such change, plus twenty-five percent (25%) for overhead.

Ord. No. 21481

SECTION 209. FIRE PROTECTION SERVICE

From and after the effective date of this chapter, no connection for a private fire line system or service shall be permitted without a backflow preventer with bypass meter in accordance with the Plumbing Code of the City of Tulsa, Title 56, Tulsa Revised Ordinances; provided, however, that this provision shall not apply to combination

service to facilities served by a fire flow or fire service meter installed in accordance with the provisions contained herein.

Persons desiring such fire service connection shall apply to the Director as for other service connections. Installation shall be accomplished by a qualified contractor on behalf of the owner and the City of Tulsa. No meter security deposit shall be required for such fire services. Such fire service connections shall serve no more than one (1) building. In no instance shall any connection be made with any sprinkler or fire service without the prior written consent of the Director. In the event that any unauthorized connection has been made, that any water has been used from a sprinkler or fire service for any other purpose than extinguishing a fire, or that waste of water is permitted from such connection through leaks in the pipes or fixtures, or should seals be willfully broken on previously constructed water service, the Director shall notify the owner or lessee of the premises so served to install a fire flow or fire service water meter on such fire lines or hydrants at the expense of the owner or lessee. Should the owner or lessee of any such premises refuse or fail to make proper application for the installation of such meter within forty-eight (48) hours after notice has been given, or refuse to pay the fees required therefor, the Director shall have the water serving the fire lines or hydrants turned off at the main until such application shall have been made and fees paid.

All valves and hydrants required to be sealed under the provisions of this title shall be frequently inspected under the direction of the Director, who shall have access on private property as shall be necessary to inspect services and hydrants. In the event that any such seal shall be broken, displaced or removed for any cause, either inadvertently or for firefighting purposes, it shall be the duty of the owner and occupant of the premises where such valve or hydrant is located to notify the Director, without delay, so that the same may be resealed.

Ord. Nos. 18163, 21481

SECTION 210. DUCT METERS AND IRRIGATION METERS

A. For all irrigation systems on accounts installed prior to March 16, 1999, other than a single residential living unit served by a single water service connection, the installation of a Deduct Irrigation Meter is permissible. The location of the Deduct Irrigation Meter shall be determined by the Public Works Director or his authorized representative.

B. On and after March 16, 1999, no water connection to a commercial lawn irrigation system shall be permitted unless it has an irrigation meter and a backflow preventer in accordance with the Plumbing Code of the City of Tulsa, Title 56, Tulsa Revised Ordinances. Residential irrigation water connections may connect to the water system after the service meter or may connect with a new service connection with an irrigation meter. All residential irrigation systems must have a backflow preventer in

accordance with the Plumbing Code of the City of Tulsa, Title 56, Tulsa Revised Ordinances. Deduct Irrigation Meters shall not be allowed off of residential water services.

Ord. Nos. 19501, 20406, 21481

SECTION 211. OWNER'S DUTY TO REPAIR

The service pipes, connections and other appurtenances within any private premises shall be kept in good repair and protected from freezing by the owner at his expense, or by his occupant in cases where service is contracted for by the occupant; and such owner or occupant shall be responsible for all damages resulting from leaks and breaks. In case such owner or occupant of such premises neglects to promptly repair any such service or fixture or neglects to make any changes or alterations which are required by this title, the Director shall have authority to shut off the water from such premises or, when deemed necessary, to go on the premises and make or cause to be made such changes, alterations or repairs, and to charge the same against the premises and the owner thereof, which charge shall be collected as are other charges.

Ord. Nos. 19501, 21481

CHAPTER 3**WATER RATES**

- Section 300. Scope.
- Section 301. Definitions.
- Section 302. Treated Water Rates Inside City.
- Section 303. Treated Water Rates for Out-of-City Water Sales.
- Section 304. Fire Protection Service Charges.
- Section 305. Sale of Treated Water to Municipal Corporations, Nonprofit Water Corporations, Water Improvement Districts, Public Trusts, Public Utilities, and Persons Engaged in the Water Business.
- Section 306. Untreated Water Sales from Spavinaw Flow Lines and Oologah Lake, Outlet Structure, and Flow Line.
- Section 307. Untreated Water Sales Directly from Lake Eucha and Lake Spavinaw.
- Section 308. Operative Date of Rates.

SECTION 300. SCOPE

This chapter includes the rates per month for water, either treated or untreated, whether within or outside the corporate limits; master meter water rates; and private fire protection service.

SECTION 301. DEFINITIONS

For the purposes of this chapter, the following terms, phrases, words, and their derivations shall have the meanings given herein.

A. **Single-Family Residential** shall mean one (1) residential living unit served solely by one (1) water service connection.

B. **Multi-Family Residential** shall mean two (2) or more residential living units contained within one (1) building or structure and served solely by one (1) service connection.

C. **Commercial** shall mean general business, school, church, governmental office, medical facility or other type or kind of nonresidential user of water not otherwise classified.

D. **Industrial** shall mean Light Industrial and Warehousing, and Heavy Industrial, as established by Class Codes of the Tulsa County Assessor, which are given herein.

1. **Light Industrial and Warehousing** shall mean:

- a. Light manufacturing, assembly and storage,
- b. Industrial and wholesale warehouses,
- c. Refrigerated warehousing,
- d. Mini-storage,
- e. Truck terminals,
- f. Research labs, and
- g. Lumber companies.

2. **Heavy Industrial** shall mean:

- a. Conventional production and assembly facilities,
- b. Special use heavy duty facilities,
- c. Foundries, and
- d. Refineries.

E. **Large Industrial** shall mean heavy industrial customers, using two hundred fifty million (250,000,000) or more gallons of water per year for industrial purposes at one geographically contiguous location, documented by water billing records for the prior twelve (12) consecutive calendar month period.

F. **Night Watering** shall mean the use of water by parks, cemeteries and golf courses between the hours of 10:00 p.m. and 5:00 a.m. for common outdoor areas of lawn and landscape. To be eligible for night watering rates, parks, cemeteries and golf courses shall use a verifiable, automatic pre-set water irrigation system for outdoor night watering; and night watering rates shall apply only to such outdoor irrigation systems.

G. **Parks, Cemeteries and Golf Courses** shall mean those customers who use water for common areas of lawn and landscape, for irrigation, and/or for other outdoor activities. Such customers may also use water in separately-metered buildings and structures, which use shall not be considered night watering.

SECTION 302. TREATED WATER RATES INSIDE CITY

A. **Monthly Meter Service Charge.** The minimum monthly charge for all metered, treated water service to single-family residential, multi-family residential, commercial, industrial, large industrial, parks, cemeteries, and golf course customers, including irrigation meters and deduct irrigation meters, which are either within the corporate limits of the City of Tulsa or on property owned by the City of Tulsa shall be as follows:

Meters of 3/4 inch or less in size and all deduct irrigation meters	\$ 4.00
Meters of 1 inch in size	\$ 5.08

Meters of 1-1/2 inches in size	\$ 6.02
Meters of 2 inches in size	\$ 8.80
Meters of 3 inches in size	\$ 25.75
Meters of 4 inches in size	\$ 35.80
Meters of 6 inches in size	\$ 55.77
Meters of 8 inches in size	\$ 77.70
Meters of 10 or more inches in size	\$ 105.73

B. **Monthly Quantity Charge.** The rates per month for treated water supplied to single-family residential, multi-family residential, commercial, industrial, large industrial, parks, cemeteries, and golf course customers, including irrigation meters and deduct irrigation meters, through meters to locations either within the corporate limits of the City of Tulsa or on property owned by the City of Tulsa shall be as follows:

Rate Per Thousand Gallons

Single-Family Residential	\$ 2.17
Multi-Family Residential	\$ 1.93
Commercial	\$ 1.87
Industrial	\$ 1.37
Large Industrial	\$ 1.00
Parks/Cemeteries/Golf Courses	\$ 3.18
Night Watering	\$ 2.63

Ord. Nos. 17738, 17958, 18221, 18485, 18720, 19501, 19842, 19867, 20622, 20670, 21317

SECTION 303. TREATED WATER RATES FOR OUT-OF-CITY WATER SALES

A. The Tulsa Utility Board, upon the recommendation of the Director, is authorized to enter into contracts, subject to the approval of the Mayor, for the sale of treated water to be supplied through meters to persons, firms, or corporations for consumption outside the corporate limits of the City of Tulsa and not for redistribution or resale. The charges per month for such water shall be the charges set out in the following schedules:

1. **Monthly Meter Service Charge.** The minimum monthly charge for all metered, treated water service to single-family residential, multi-family residential, commercial, industrial, large industrial, parks, cemeteries, and golf course customers through meters to locations outside the corporate limits of the City of Tulsa, but excluding property owned by the City of Tulsa, shall be as follows:

Meters of 3/4 inch or less in size	\$ 4.98
Meters of 1 inch in size	\$ 6.02
Meters of 1-1/2 inches in size	\$ 7.06

Meters of 2 inches in size	\$ 10.00
Meters of 3 inches in size	\$ 27.73
Meters of 4 inches in size	\$ 38.30
Meters of 6 inches in size	\$ 59.52
Meters of 8 inches in size	\$ 82.88
Meters of 10 or more inches in size	\$ 112.53

2. **Monthly Quantity Charge.** The rates per month for treated water supplied to single-family residential, multi-family residential, commercial, industrial, large industrial, parks, cemeteries, and golf course customers through meters to locations outside the corporate limits of the City of Tulsa, but excluding property owned by the City of Tulsa, shall be as follows:

Rate Per Thousand Gallons

Single-Family Residential	\$ 3.27
Multi-Family Residential	\$ 2.93
Commercial	\$ 2.80
Industrial	\$ 2.00
Large Industrial	\$ 1.45
Parks/Cemeteries/Golf Courses	\$ 4.90
Night Watering	\$ 3.83

B. The Director is authorized and directed to estimate and establish the amount of probable use of water by a large industrial customer by the size of meter requested, the type of use and amount of water requested, the number of persons proposed to be served, and other appropriate information where the amount is not established by prior use.

C. All sales of water outside the corporate limits of the City of Tulsa shall be by separate contracts with each customer. Each contract shall expressly reserve to the City the right to discontinue or suspend such service at any time if one of the following events occurs:

1. The failure of the customer to pay charges when they shall become due and owing;
2. The failure of the customer to curtail water use in the same manner and method as required of customers within the corporate limits of the City in the event of a drought or an emergency requiring water conservation; or
3. The customer's breach of any of the terms or conditions of the contract.

Ord. Nos. 17738, 17958, 18221, 18485, 18720, 19867, 20359, 20670, 21317

SECTION 304. PRIVATE FIRE PROTECTION SERVICE CHARGES

The rates for water supplied for private fire protection service, within or outside the corporate limits of the City, shall be as provided in this section.

Private Fire Protection. The charge to customers with installed private fire protection service, within or outside the corporate limits of the City of Tulsa, shall be as follows:

Private Fire Protection Service Within the City Limits or on City-Owned Property

Meters of 4 inches or less in size	\$ 5.03 per month
Meters of 6 inches in size	\$ 14.61 per month
Meters of 8 inches in size	\$ 31.13 per month
Meters of 10 inches in size	\$ 55.98 per month

Private Fire Protection Service Outside City Limits, Excluding City-Owned Property

Meters of 4 inches or less in size	\$ 7.51 per month
Meters of 6 inches in size	\$ 21.82 per month
Meters of 8 inches in size	\$ 46.49 per month
Meters of 10 inches in size	\$ 83.30 per month

If any water delivered from a system pursuant to this section is used for any purpose other than for the purpose specified here, the charge for such water shall be billed at the appropriate inside or outside treated water rate based upon the quantity used as determined by the Director.

Ord. Nos. 17738, 17958, 18221, 18485, 18720, 20670, 21317

SECTION 305. SALE OF TREATED WATER TO MUNICIPAL CORPORATIONS, NONPROFIT WATER CORPORATIONS, WATER IMPROVEMENT DISTRICTS, PUBLIC TRUSTS, PUBLIC UTILITIES, AND PERSONS ENGAGED IN THE WATER BUSINESS

A. No water shall be sold or delivered to any municipal corporation; nonprofit water corporation; water improvement district; public trust; public utility; or person, firm or corporation engaged in the water business, except under current written contract as required by law. The City, upon the recommendation of the Utility Board, is authorized to enter into contracts, subject to the approval of the Mayor, for the sale of treated water to be supplied through master meters for redistribution or resale to municipal corporations, nonprofit water corporations, water improvement districts, public trusts, public utilities, persons, firms, or corporations for consumption outside the corporate

limits of the City of Tulsa. The charges per month for such water shall be the charges set out herein.

1. **Monthly Meter Service Charge.** The minimum monthly charge for all metered, treated water service provided on a permanent, limited term, or emergency basis shall be as follows:

Meters of 3/4 inch or less in size	\$ 4.98
Meters of 1 inch in size	\$ 6.02
Meters of 1-1/2 inches in size	\$ 7.06
Meters of 2 inches in size	\$ 10.00
Meters of 3 inches in size	\$ 27.73
Meters of 4 inches in size	\$ 38.30
Meters of 6 inches in size	\$ 59.52
Meters of 8 inches in size	\$ 82.88
Meters of 10 or more inches in size	\$ 112.53

2. **Monthly Quantity Charge.** Additional rates per month for treated water supplied on a permanent, limited term, or emergency basis shall be as follows:

Rate per Thousand Gallons

Permanent Service	\$ 2.18
Limited Term Service	\$ 3.90
Emergency Service	\$ 7.08

B. **Discontinuance or Suspension of Service.** Each contract shall expressly reserve to the City the right to discontinue or suspend water service at any time if one of the following occurs:

1. The failure of the customer to pay charges when they shall become due and owing;
2. The failure of the customer to curtail water use in the same manner and method as required of customers within the corporate limits of the City in the event of a drought or an emergency requiring water conservation; or
3. The customer's breach of any of the terms or conditions of the contract.

C. **Protection Against Contamination.** Each contract required under this section shall contain such provisions as the Director may require to protect the water and the water supply of the City against contamination. No water shall be furnished under any such contract except upon the express condition that all plumbing and connections shall be installed in accordance with the requirements of the Plumbing Code of the City. Such contract shall reserve to the City the right to make house-to-house

inspections of all plumbing connections, with the cost of such inspections to be borne by such municipal corporations, nonprofit water corporations, water improvement districts, public trusts, public utilities, and persons engaged in the water business, or by their individual customers.

D. **Right to Acquire.** Each contract under this section shall expressly provide to the City the right to acquire any of the water lines of the customers that are or shall become within the corporate limits of the City. When the City takes or acquires a customer's water system or portions of a customer's water system, the purchase price to be paid by the City shall be the unpaid portion of the indebtedness of such customer, if any, allocable to that portion of the customer's water lines and appurtenances taken by the City, in the same proportion as the water lines and appurtenances taken by the City bear to the entire system of such customer and shall not include any anticipated revenue or profit.

E. **Right to Furnish Water.** Each contract under this section shall expressly provide to the City the right to furnish water within the customer's area of service or boundaries, whether within or outside the corporate limits of the City of Tulsa. The remuneration or other considerations which the customer may receive, if any, when the City furnishes water within the customer's area of service or boundaries shall be mutually agreed upon by the customer and the City prior to the City's furnishing such water.

F. **Master Meters Prohibited--Exceptions.** Water shall not be sold or delivered through any master meter or under any contract providing for a master meter or upon the payment for water on the measurements thereof, with the following exceptions:

1. Incorporated municipalities;
2. Areas served through master meters on September 1, 1947;
3. Public trusts, wherein an incorporated municipality is the sole beneficiary;
4. Rural Water Improvement Districts; and
5. Nonprofit water corporations.

G. **Conflicts.** In event of any conflict or inconsistency between the provisions of this section and other provisions of this chapter, the provisions of this section shall control as to all contracts for sale of water to municipal corporations, nonprofit water corporations, water improvement districts, public trusts, public utilities, and persons engaged in the water business.

H. **General.** Nothing herein contained shall be construed to impose any duty or obligation upon the City to sell or furnish water to any municipal corporation, nonprofit water corporation, water improvement district, public trust, public utility, or person engaged in the water business outside the City of Tulsa corporate limits, except as the City may expressly undertake by the terms of a written contract. All water sold and furnished to persons or to public or private entities outside the corporate limits of the City shall be sold and furnished upon written contracts, expressly stating that the contract may be abrogated by the City at any time the governing body thereof or the board, commission, or public trust operating and controlling the waterworks shall declare by resolution that the water being furnished pursuant to the contract is required by the City for its own use or the use of its inhabitants. This provision pertaining to abrogation of contracts may be waived upon the express written agreement of the contracting parties.

Ord. Nos. 17738, 17958, 18221, 18485, 18720, 19867, 20359, 21317

SECTION 306. UNTREATED WATER SALES FROM SPAVINAW FLOW LINES AND OOLOGAH LAKE, OUTLET STRUCTURE, AND FLOW LINE

A. **Water from Spavinaw Flow Lines.** Water shall not be sold or delivered from the Spavinaw Flow Lines, except through service connections that were in place on August 1, 1981. No existing service shall be enlarged or increased to provide additional water through such service. In the event that use of any service is abandoned or discontinued for a period of one (1) year, such service shall be disconnected from the flow lines; and no new service shall be made available at any point on the flow lines. The charges per month for untreated water shall be as set out in the schedule given herein.

1. **Monthly Meter Service Charge.** The minimum monthly charge for all metered, untreated water service from the Spavinaw Flow Lines shall be as follows:

Meters of 3/4 inch or less in size	\$ 4.98
Meters of 1 inch in size	\$ 6.02
Meters of 1-1/2 inches in size	\$ 7.06
Meters of 2 inches in size	\$ 10.00
Meters of 3 inches in size	\$ 27.73
Meters of 4 inches in size	\$ 38.30
Meters of 6 inches in size	\$ 59.52
Meters of 8 inches in size	\$ 82.88
Meters of 10 or more inches in size	\$ 112.53

2. **Monthly Quantity Charge.** Additional rates per month for untreated water supplied through meters to all places from the Spavinaw Flow Lines shall be as follows:

All usage \$ 0.38 per thousand gallons

B. Water from Oologah Lake, Outlet Structure or Flow Line. The City of Tulsa, upon recommendation of the Utility Board, is authorized to enter into contracts, subject to the approval of the Mayor, for the sale of untreated water to be supplied from Oologah Lake, the Oologah outlet structure or the Oologah flow line to persons, firms, or corporations for use outside the corporate limits of the City of Tulsa. The charges per month for such untreated water shall be as set out in the schedule given herein.

1. Monthly Meter Service Charge. The minimum monthly charge for all metered, untreated water service from the Oologah Lake or the Oologah flow line shall be as follows:

Meters of 3/4 inch or less in size	\$ 4.98
Meters of 1 inch in size	\$ 6.02
Meters of 1-1/2 inches in size	\$ 7.06
Meters of 2 inches in size	\$ 10.00
Meters of 3 inches in size	\$ 27.73
Meters of 4 inches in size	\$ 38.30
Meters of 6 inches in size	\$ 59.52
Meters of 8 inches in size	\$ 82.88
Meters of 10 or more inches in size	\$ 112.53

2. Monthly Quantity Charge. Additional rates per month for untreated water supplied through meters to all places from the Oologah Lake or the Oologah flow line shall be as follows:

All usage \$ 0.38 per thousand gallons

3. Monthly Quantity Charge. Rates per month for untreated water supplied to all places, where the City does not provide a meter, from Oologah Lake or the Oologah outlet structure shall be as follows:

All usage \$ 0.38 per thousand gallons

C. General. Nothing herein contained shall be construed to impose any duty or obligation upon the City of Tulsa to sell or furnish water to any municipal corporation, nonprofit water corporation, water improvement district, public trust, public utility or person engaged in the water business within or outside the City of Tulsa corporate limits, except as the City of Tulsa may expressly undertake by the terms of a written contract. All water sold and furnished to persons or to public or private entities outside the corporate limits of the City shall be sold and furnished upon written contracts expressly stating that the contract may be abrogated by the City at any time the governing body thereof, or the board, commission or public trust operating and controlling the waterworks shall declare, by resolution, that the water being furnished

pursuant to the contract is required by the City for its own use and the use of its inhabitants. This provision pertaining to abrogation of contracts may be waived upon the express written agreement of the contracting parties.

Ord. Nos. 17738, 17958, 18221, 18485, 18720, 19867, 20359, 20405, 21317

SECTION 307. UNTREATED WATER SALES DIRECTLY FROM LAKE EUCHA AND LAKE SPAVINAW

A. No water shall be sold or delivered directly from Lake Eucha or Lake Spavinaw to any municipal corporation; nonprofit water corporation; water improvement district; public trust; public utility; or person, firm, or corporation engaged in the water business, except under current written contract as required by law. The City, upon the recommendation of the Utility Board, is authorized to enter into contracts, subject to the approval of the Mayor, for the sale of untreated water to be supplied through meters for treatment and redistribution or resale to municipal corporations, nonprofit water corporations, water improvement districts, public trusts, public utilities, persons, firms, or corporations for use outside the corporate limits of the City of Tulsa. The charges per month for such untreated water shall be set out in the following schedules:

1. **Monthly Meter Service Charge.** The minimum monthly charge for all metered, untreated water service outside the corporate limits of the City of Tulsa from Lake Eucha or Lake Spavinaw shall be as follows:

Meters of 3/4 inch or less in size	\$ 4.98
Meters of 1 inch in size	\$ 6.02
Meters of 1-1/2 inches in size	\$ 7.06
Meters of 2 inches in size	\$ 10.00
Meters of 3 inches in size	\$ 27.73
Meters of 4 inches in size	\$ 38.30
Meters of 6 inches in size	\$ 59.52
Meters of 8 inches in size	\$ 82.88
Meters of 10 or more inches in size	\$ 112.53

2. **Monthly Quantity Charge.** Additional rates per month for untreated water supplied through meters to all places outside the corporate limits of the City of Tulsa from Lake Eucha or Lake Spavinaw shall be as follows:

All usage	\$ 0.06 per thousand gallons
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B. **General.** Nothing herein contained shall be construed to impose any duty or obligation upon the City of Tulsa to sell or furnish water to any municipal corporation, nonprofit water corporation, water improvement district, public trust, public utility, or person engaged in the water business outside the City of Tulsa corporate limits, except as the City of Tulsa may expressly undertake by the terms of a written

contract. All water sold and furnished to persons or to public or private entities outside the corporate limits of the City shall be sold and furnished upon written contracts expressly stating that the contract may be abrogated by the City at any time the governing body thereof, or the board, commission, or public trust operating and controlling the waterworks shall declare by resolution that the water being furnished pursuant to the contract is required by the City for its own use or the use of its inhabitants. This provision pertaining to abrogation of contracts may be waived upon express written agreement of the contracting parties.

Ord. Nos. 17738, 17958, 18221, 18485, 18720, 19867, 20359, 21317

SECTION 308. OPERATIVE DATE OF RATES

The rates established herein shall become operative on October 1, 2002, for all billing cycles provided in this title with a "service from date" on or after October 1, 2002.

Ord. Nos. 17738, 17958, 18221, 18485, 18720, 19867, 20359

CHAPTER 4**SPAVINAW WATER DISTRICT**

- Section 400. District Created.
- Section 401. Health Rules.
- Section 402. Spavinaw Dam and Lake.
- Section 403. Eucha Dam and Lake.
- Section 404. Spavinaw Reservoir Area.
- Section 405. Authority and Responsibility for Reservoir Area.
- Section 406. Prohibited Acts.
- Section 407. Activities Permitted.
- Section 408. Restricted Areas.
- Section 409. Fishing.
- Section 410. Boats.
- Section 411. Waiver of Fees.
- Section 412. Boating Rules.
- Section 413. Boat Storage.
- Section 414. Hunting.
- Section 415. Swimming and Diving.
- Section 416. Camping.
- Section 417. Hiking and Inspections.
- Section 418. Contamination of Reservoir Area.
- Section 419. Regulations.
- Section 420. Penalty.
- Section 421. Arrest.
- Section 422. Arrest by Warrant.

SECTION 400. DISTRICT CREATED

Whereas the City of Tulsa, Oklahoma, has constructed a certain storage reservoir in Mayes and Delaware Counties, Oklahoma, by building a dam across Spavinaw Creek at a point where Spavinaw Creek crosses or traverses Section 15, Township 22 North, Range 21 East, Mayes County, Oklahoma, such Reservoir to be used by the City of Tulsa as a source of water supply for the inhabitants of the city; and

Whereas, it is necessary for the protection of the public health and safety that a water district be established, created, and designated, such district to embrace certain lands in Mayes and Delaware Counties, Oklahoma, draining, flowing, or shedding water directly or indirectly into such reservoir; and

Whereas, it is necessary that the waters impounded in such reservoir be protected from contamination and pollution, in order that the public health be protected and conserved;

Now, there is hereby created and established in Mayes and Delaware Counties, Oklahoma, a water district to be known and designated as the "Spavinaw Water District," such district to cover and include the lands draining, flowing, or shedding water directly or indirectly into the Spavinaw Lake or reservoir and to include the following described lands, to-wit:

Beginning at a point on the north boundary of the SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 15, Twn. 22, R 21, approximately 825' W of the NE corner of SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 15, Twn. 22, R 21; thence in a northeasterly direction approximately 1560' to the NE corner of Sec. 15, Twn. 22, R 21; thence E $\frac{1}{4}$ mile to the SW corner of the SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 11, Twn. 22, R 21;

Thence N $\frac{1}{4}$ mile to the NW corner of the SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 11, Twn. 22, R 21;

Thence E $\frac{1}{4}$ mile to the NE corner of the SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 11, Twn. 22, R 21;

Thence N $\frac{1}{4}$ mile to the center of Sec. 11, Twn. 22, R 21;

Thence E $\frac{1}{2}$ mile to the E $\frac{1}{4}$ corner of Sec. 11, Twn. 22, R 21;

Thence N along section line $\frac{1}{8}$ mile to the NW corner of the S $\frac{1}{2}$ of SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 12, Twn. 22, R 21;

Thence E $\frac{1}{4}$ mile to the NE corner of the S $\frac{1}{2}$ of SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 12, Twn. 22, R. 21;

Thence N $\frac{1}{8}$ mile to the NW corner of the SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 12, Twn. 22, R 21;

Thence E $\frac{1}{4}$ mile to the NE corner of the SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 12, Twn. 22, R 21;

Thence N along quarter line to the N $\frac{1}{4}$ corner of Sec. 12, Twn. 22. R 21;

Thence E $\frac{1}{4}$ mile to the SW corner of the SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 1, Twn. 22, R 21;

Thence N $\frac{1}{4}$ mile to the NW corner of the SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 1, Twn. 22, R 21;

Thence E $\frac{3}{4}$ mile to the NE corner of the SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 6, Twn. 22, R 22;

Thence N $\frac{1}{4}$ mile to the center of Sec. 6, Twn. 22, R 22;

Thence E 1/4 mile to the SW corner of the SE1/4 of NE1/4 of Sec. 6, Twn. 22, R 22;

Thence N 1/4 mile to the NW corner of the SE1/4 of NE1/4 of Sec. 6, Twn. 22;
R 22;

Thence E 1/2 mile to the NE corner of the SE1/4 of NW1/4 of Sec. 5, Twn. 22, R 22;

Thence S 1/4 mile to the SE corner of the SW1/4 of NW1/4 of Sec. 5, Twn. 22, R 22;

Thence E 1/2 mile to the SW corner of the SE1/4 of NE1/4 of Sec. 5, Twn. 22, R 22;

Thence N 1/4 mile to the NW corner of the SE1/4 of NE1/4 of Sec. 5, Twn. 22,
R 22;

Thence E 1/2 mile to the SW corner of the NE1/4 of NW1/4 of Sec. 4, Twn. 22,
R 22;

Thence N 1/4 mile to the NW corner of the NE1/4 of NW1/4 of Sec. 4, Twn. 22,
R 22;

Thence E 3/4 mile to the NE corner of Sec. 4, Twn. 22, R 22; thence S 1/2 mile to
the E 1/4 corner of Sec. 4, Twn. 22, R 22;

Thence E 3/4 mile to the NE corner of the NW1/4 of SE1/4 of Sec. 3, Twn. 22, R 22;

Thence S 1/4 mile to the SE corner of the NW1/4 of SE1/4 of Sec. 3, Twn. 22, R 22;

Thence E 1/2 mile to the NE corner of the SW1/4 of SW1/4 of Sec. 2, Twn. 22, R 22;

Thence S 3/4 mile to the SW corner of the SE1/4 of NW1/4 of Sec. 11, Twn. 22,
R 22;

Thence E 1/2 mile to the NE corner of the NW1/4 of SE1/4 of Sec. 11, Twn. 22,
R 22;

Thence S 1/4 mile to the SW corner of the NE1/4 of SE1/4 of Sec. 11, Twn. 22, R 22;

Thence E 3/4 mile to the NE corner of the SE1/4 of SW1/4 of Sec. 12, Twn. 22,
R 22;

Thence S 1/2 mile to the SW corner of the NW1/4 of NE1/4 of Sec. 12, Twn. 22,
R 22;

Thence E $\frac{3}{4}$ mile to the NE corner of the SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 18, Twn. 22, R 23;

Thence S $\frac{1}{4}$ mile to the SE corner of the SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 18, Twn. 22, R 23;

Thence E $\frac{1}{2}$ mile to the SW corner of the SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 18, Twn. 22, R 23;

Thence N $\frac{1}{4}$ mile to the NW corner of the SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 18, Twn. 22, R 23;

Thence E 1 mile to the SW corner of the NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 17, Twn. 22, R 23;

Thence N 1 mile to the NW corner of the SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 8, Twn. 22, R 23;

Thence E $1\frac{1}{4}$ miles to the NE corner of the SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 9, Twn. 22, R 23;

Thence S $5\frac{3}{4}$ miles to the SE corner of Sec. 4, Twn. 21, R 23;

Thence W 2 miles to the SW corner of Sec. 5, Twn. 21, R 23;

Thence N $\frac{1}{2}$ mile to the W $\frac{1}{4}$ corner of Sec. 5, Twn. 21, R 23;

Thence W 1 mile to the W $\frac{1}{4}$ corner of Sec 6., Twn. 21, R 23;

Thence N along township line $\frac{1}{2}$ mile to the NW corner of Sec. 6, Twn. 21, R 23;

Thence W along township line 2 miles to the SW corner of Sec. 35, Twn. 22, R 22;

Thence N 1 mile to the NW corner of Sec. 35, Twn. 22, R 22;

Thence W 1 mile to the SW corner of Sec. 27, Twn. 22, R 22;

Thence N $\frac{1}{2}$ mile to the E $\frac{1}{4}$ corner of Sec. 28, Twn. 22, R 22;

Thence W $\frac{1}{2}$ mile to the center of Sec. 28, Twn. 22, R 22;

Thence S $\frac{1}{2}$ mile to the S $\frac{1}{4}$ corner of Sec. 28, Twn. 22, R 22;

Thence W $2\frac{3}{4}$ miles to the NW corner of the NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 36, Twn. 22, R 21;

Thence S $\frac{1}{2}$ mile to the SE corner of the SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 36, Twn. 22, R 21;

Thence W 1/2 mile to the SW corner of the SE1/4 of NW1/4 of Sec. 36, Twn. 22, R 21;

Thence N 1 mile to the NW corner of the NE1/4 of SW1/4 of Sec. 25, Twn. 22, R 21;

Thence W 3/4 mile to the center of Sec. 26, Twn. 22, R 21;

Thence S 1/4 mile to the SE corner of the NE1/4 of SW1/4 of Sec. 26, Twn. 22, R 21;

Thence W 1/4 mile to the NE corner of the SW1/4 of SW1/4 of Sec. 26, Twn. 22, R 21;

Thence S 1/4 mile to the SE corner of the SW1/4 of SW1/4 of Sec. 26, Twn. 22, R 21;

Thence W 1/4 mile to the SW corner of Sec. 26, Twn. 22, R 21;

Thence S 1/4 mile to the SE corner of the NE1/4 of NE1/4 of Sec. 34, Twn. 22, R 21;

Thence W 1/2 mile to the SW corner of the NW1/4 of NE1/4 of Sec. 34, Twn. 22, R 21;

Thence N 1/4 mile to the N1/4 corner of Sec. 34, Twn. 22, R 21; thence W 1/2 mile to the SW corner of Sec. 27, Twn. 22, R 21;

Thence N 1/4 mile to the SE corner of the NE1/4 of SE1/4 of Sec. 28, Twn. 22, R 21;

Thence W 1/4 mile to the SW corner of the NE1/4 of SE1/4 of Sec. 28, Twn. 22, R 21;

Thence N 1 mile to the NW corner of the SE1/4 of SE1/4 of Sec. 21, Twn. 22, R 21;

Thence E 1/2 mile to the NE corner of the SW1/4 of SW1/4 of Sec. 22, Twn. 22, R 21;

Thence N 1/4 mile to the NW corner of the NE1/4 of SW1/4 of Sec. 22, Twn. 22, R 21;

Thence E 315' to a point on the E and W 1/4 line of Sec. 22, Twn. 22, R 21;

Thence N 21°, 20 minutes E 1330';

Thence N 44°, 26 minutes E, 680';

Thence N no degrees, 36 minutes W, 720';

Thence N 54°, 53 minutes E, 400';

Thence N 34°, 22 minutes E, 450';

Thence N 65°, 11 minutes E, 150' to a point on the center line of the dam as constructed; thence N 6°, 28 minutes W, 98' to the zero station of the center line of the dam as constructed; thence along the center line of the dam as it meanders to the point of beginning.

Ord. No. 2585

SECTION 401. HEALTH RULES

(Note: On February 14, 1989, the citizens of Tulsa approved an Amended Charter of the City of Tulsa to take effect at twelve o'clock noon on the 8th day of May, 1990. Pursuant to the provisions of the Amended Charter, references in this section to Water Commissioner shall mean Mayor of the City of Tulsa and references to Water Department shall mean Public Works Department of the City of Tulsa.)

Whereas the Commissioner of Health of the state of Oklahoma has, for the preservation of the public health, promulgated, adopted, and put in force and effect in the Spavinaw Water District, the Rules and Regulations given herein.

A. Definition of Reservoir. That the term "reservoir," heretofore used in these regulations, is intended to mean and refer to the Spavinaw Lake or Reservoir or to any tributary which serves as a source of the Spavinaw Reservoir.

B. Definition of the Water Course. That wherever the term "Water Course" is used in these rules and regulations it is intended to mean and include every spring, pond, stream, ditch, gutter, or other channel of every kind, the waters of which when running, whether continuously or occasionally, eventually flow or may flow into the said Spavinaw Reservoir.

C. Meaning of Linear Distance. Whenever a linear distance of a structure or object from the reservoir, or from a water course, is mentioned in these regulations, it is intended to mean the shortest horizontal distance from the nearest water line of said reservoir or water course.

D. High Water Line. Whenever the term "high water line" is used in these rules and regulations, it shall be taken and construed to mean the margin of said Spavinaw Reservoir when the surface thereof is at an elevation of six hundred and ninety feet above sea level, according to the United States government plat thereof.

E. **Refuse Matters Not to be Discharged in Spavinaw Reservoir.** No human excrement shall be deposited or discharged into the Spavinaw Reservoir or into any watercourse, as hereinbefore defined in Paragraph B; and no cesspool, privy or other receptacle for the deposit of human excrement shall be located, constructed or maintained within said Spavinaw Water District, unless such cesspool, privy or other receptacle be so constructed that no portion of its contents can escape or be washed into such waters, and shall not be located closer than six hundred and sixty feet to water's edge.

F. **Same.** No human excrement, or compost containing human excrement, or contents of any privy, cesspool, sewer or other receptacle for the reception or storage of human excrement shall be deposited or discharged within said Spavinaw Water District or upon or into the ground at a place from which any such excrement, compost, or contents or particles thereof, may flow or be washed or carried into the Spavinaw Reservoir, or into any water course as hereinabove defined in Paragraph B.

G. **Same.** No house slops, sink waste, water which has been used for washing or cooking, or other polluted water shall be discharged into the said Spavinaw Reservoir, or into any water course within said Spavinaw Water District; and no house slops, sink waste, water which has been used for washing or cooking, or other polluted water shall be discharged into or upon any ground in said Spavinaw Water District within six hundred and sixty feet of the high water line of said Spavinaw Reservoir, or of any water course as hereinabove described in Paragraph B.

H. **Same.** No garbage, manure, or putrescible matter whatsoever shall be put into the said Spavinaw Reservoir, or into any water course as hereinabove described in Paragraph B; and no garbage, manure, or putrescible matter whatsoever shall be put upon the ground in said Spavinaw Water District within six hundred and sixty feet of the high water line of said Spavinaw Reservoir or of the high water line of any watercourse, as herein above defined in Paragraph B; or within any such greater distance as may from time to time be established either by the State Health Department or by the City of Tulsa.

I. **Same.** No stable, pigsty, henhouse, barnyard, hog yard, hitching or standing place for horses, cattle, or other animals, or other place where animal manure is deposited or accumulated, shall be located, constructed or maintained in said Spavinaw Water District, any part of which is within six hundred and sixty feet of the high water line of any water course, as hereinabove defined in Paragraph B.

J. **Same.** No refuse, industrial wastes or other waste products or polluting liquids, or other substance of a nature poisonous or injurious either to human beings or animals, or of such nature as would impart an objectionable taste or odor to any water into which it might be discharged, and no putrescible matter whatsoever shall be discharged directly into or at any place from which it may flow or be washed or carried

into such Spavinaw Reservoir or into any water course, as hereinabove defined in Paragraph B.

K. Approval State Department of Health; When. No system of sewers or other works for the collection, conveyance, disposal or purification of domestic or manufacturing sewage, wastes, or drainage, or any other putrescible matters whatsoever shall, except in accordance with plans first approved in writing by the State Department of Health, be constructed or maintained at any place within the Spavinaw Water District so called. No private or separate sewer shall be constructed or maintained in said Spavinaw Water District having an outlet upon or in the ground within six hundred and sixty feet of the high water line of such Spavinaw Reservoir or of the high water line of any water course, as hereinabove defined in Paragraph B.

L. Hospitals Prohibited unless Approved by the State Board of Health. No public or private hospital, or other place intended for the reception or treatment of persons afflicted with a contagious or infectious disease, shall, until the location and construction thereof have been approved in writing by the State Board of Health, be located or constructed at any place within the Spavinaw Water District. No public or private hospital, or other place intended for the reception or treatment of persons afflicted with a contagious or infectious disease, shall be maintained at any place within such water district unless all the provisions required by the State Board of Health for the purification or disposal of sewage, drainage, or other polluting or organic matter which may be discharged therefrom, are fully complied with.

M. Permits Required. No person shall bathe in and no person shall, unless permitted by a special regulation or by written permit of the Water Commissioner of the City of Tulsa, fish in or send, drive, or put any animal into said Spavinaw lake or reservoir, or bathe or fish in, or send, drive, or put any animal into any water course as hereinabove defined in Paragraph B. No person other than a member of said Water Department of the City of Tulsa, its officers, agents or employees, or public officer, whose duties may so require, shall, unless so permitted by regulations or permit of said Water Commissioner enter or go in any boat, motor boat, skiff, raft, or other contrivance, on or upon water of said Spavinaw Reservoir, or on or upon the water of any water course as hereinabove defined in Paragraph B.

N. No Buildings Permitted. No human habitation, cottage, tent, camp site, or residence of any kind, either temporary or permanent, shall be hereafter built, set up or constructed upon any lands within six hundred and sixty feet of the high water line of the Spavinaw Reservoir or of any water course in said Spavinaw Water District, except upon such or any part of such lands the natural drainage of which is not into such reservoir or water courses; provided, however, that the City of Tulsa may construct and maintain such structure within such prohibited territory as may be necessary in the furtherance of the protection of such reservoir from contamination and pollution.

O. **Reports of Contagious or Infectious Diseases.** All reports which may be made to any board of health, or to any health officer of any town or county, of cases of contagious or infectious diseases occurring within the water shed of said Spavinaw Water District, shall be open to the inspection of the Water Commissioner of the City of Tulsa, his officers or agents, at all reasonable times.

P. **Physicians to Give Notice.** It shall be the duty of all physicians practicing their profession in said Spavinaw Water District to give notice immediately to the Water Commissioner of the City of Tulsa, Oklahoma and to the Commissioner of Health of the state of Oklahoma of any case of contagious or infectious disease in said Spavinaw Water District coming to the knowledge of such physician, or known or suspected by such physician to exist within such Spavinaw Water District; such notices shall be upon such forms as the Water Commissioner shall provide, and said physician shall be entitled to receive for such services a reasonable compensation to be fixed by resolution by the Water Commissioner.

Q. That from and after this date, no more burials or interments shall be made in the Spavinaw cemetery or at any other place within such Spavinaw Water District.

(Note: Promulgated by the Commissioner of Health of Oklahoma, Apr. 2, 1924)

Therefore, these Rules and Regulations are hereby adopted and made a part of this chapter.

SECTION 402. SPAVINAW DAM AND LAKE

The dam across Spavinaw Creek in Section 15, Township 22 North, Range 21 East in Mayes County is hereby designated and shall be known as "Spavinaw Dam." The waters impounded thereby are hereby designated and shall be known as "Lake Spavinaw."

SECTION 403. EUCHA DAM AND LAKE

The dam across Spavinaw Creek in Sections 22 and 23, Township 22 North, Range 22 East in Delaware County is hereby designated and shall be known as "Eucha Dam." The water impounded thereby are hereby designated and shall be known as "Lake Eucha."

SECTION 404. SPAVINAW RESERVOIR AREA

The lands upon which Lake Spavinaw, Spavinaw Dam, Lake Eucha and Eucha Dam and the adjacent grounds owned or controlled by the City of Tulsa, Oklahoma, all of which are more particularly described as:

The NW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, in Section 30 and N $\frac{1}{2}$ N $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ in Section 31, all in Township 22 North, Range 24 East, Delaware County, Oklahoma.

AND

The S $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ in Section 24 and W $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ in Section 25 and N $\frac{1}{2}$ N $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$ in Section 36 and all of Section 26 except N $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ and N $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ N $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ in Section 35 and S $\frac{1}{2}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ S $\frac{1}{2}$ SW $\frac{1}{4}$ in Section 27 and NW $\frac{1}{4}$, NE $\frac{1}{4}$ except SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$; N $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$, in Section 34 and SW $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ except W 660 feet of N 990 feet, NE $\frac{1}{4}$ NW $\frac{1}{4}$ except N 900 feet S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ in Section 33 and S $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ N $\frac{1}{2}$ SW $\frac{1}{4}$ in Section 28 and all of Section 32 and SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, E 165 feet of N 495 feet of NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, E 165 feet of North 330 feet of NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, S 165 feet NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ W $\frac{1}{2}$ NW $\frac{1}{4}$ less E $\frac{1}{2}$ E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ and less 2 acres in SE corner NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ in Section 29 and S $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$, SW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ in Section 20 and S $\frac{1}{2}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, E 990 feet of SE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ in Section 19 and NW $\frac{1}{4}$, SW $\frac{1}{4}$ except SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ except the N 330 feet of E 990 feet of W 1650 feet in Section 30 and W $\frac{1}{2}$ NW $\frac{1}{4}$ except NE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, E 990 feet of S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ in Section 31, all in Township 22 North, Range 23 East, Delaware County, Oklahoma.

AND

The NW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ except SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ W $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ in Section 3, NE $\frac{1}{4}$ Section 5, all of Section 4, all in Township 21 North, Range 23 East, Delaware County, Oklahoma.

AND

The SW $\frac{1}{4}$, SE $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ in Section 24 and NW $\frac{1}{4}$, NE $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ in Section 25 and W $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ in Section 36 and N $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ S $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE diagonal 5 acres NW $\frac{1}{4}$

SE $\frac{1}{4}$ NE $\frac{1}{4}$, in Section 35 and SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NE diagonal 20 acres of SE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ except NW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ in Section 26 and SW $\frac{1}{4}$ except SW diagonal 5 acres, SE $\frac{1}{4}$, NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ in Section 23 and N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, NE diagonal 5 acres of SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, NE diagonal 5 acres of NE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, all that part of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ described as follows: Beginning at the Southeast corner of said Northeast Quarter (NE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$), thence in a Westerly direction along the South boundary of said NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ a distance of 870 feet; thence in a Northwesterly direction a distance of 1,058.3 feet to a point 1,055.2 feet North and 950 feet West of said Southeast corner; thence on a curve to the right with a radius of 409.3 feet a distance of 121.9 feet to a point 1,086.1 feet North and 832.5 feet West of said Southeast corner; thence in a Northeasterly direction a distance of 559.9 feet to a point 1,146.5 feet North and 275.8 feet West of such Southeast corner; thence on a curve to the left with a radius of 309.3 feet a distance of 315.8 feet to a point in the North boundary of said NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ 29.6 feet West of the Northeast corner thereof; thence in an Easterly direction along such North boundary a distance of 29.6 feet to said Northeast corner; thence in a Southerly direction along the East boundary of said NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ to the point of beginning, containing 23.6 acres, more or less in Section 22, all in Township 22 North, Range 22 East, Delaware County, Oklahoma.

AND

S $\frac{1}{2}$ S $\frac{1}{2}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ N $\frac{1}{2}$ SW $\frac{1}{4}$ in Section 5 and SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ less NW 10 acres N $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, South 630 feet SE $\frac{1}{4}$ SW $\frac{1}{4}$ in Section 6 and N $\frac{1}{2}$, N $\frac{1}{2}$ Sw $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 7 and N $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ S $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 8 and W $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ S $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 9 and NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 16, and SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 19 all in Township 22 North, Range 22 East, Delaware County, Oklahoma.

AND

S $\frac{1}{2}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 11 and E $\frac{1}{2}$, SW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 12 and NE $\frac{1}{4}$, NW $\frac{1}{4}$, SE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 13 and N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$,

SE $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 14 and E $\frac{1}{2}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, beginning at NE corner of the S $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ thence E 1320 feet thence S 260 feet thence NW to point of beginning, NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 15 and E $\frac{1}{2}$ W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{2}$ S 920 feet E $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, N 400 feet NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 22 and S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 23 and E $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 24 all in Township 22 North, Range 21 East, Mayes County, Oklahoma; in Mayes and Delaware Counties, State of Oklahoma, are hereby designated and may be collectively referred to as the Spavinaw Reservoir Area.

SECTION 405. AUTHORITY AND RESPONSIBILITY FOR RESERVOIR AREA

The operation, management, supervision and control of the Spavinaw Reservoir Area shall be the authority and responsibility of the Mayor, the Tulsa Utility Board, and the duly appointed employees and agents of the City of Tulsa acting by, through and under them. The Mayor, the Director of Public Works his designated assistants and managers, and all security officers assigned to the Spavinaw Reservoir Area are hereby designated as police officers of the City of Tulsa for the purpose of enforcing the provisions of this chapter. Whenever, in this chapter, reference is made to "the Mayor," such term shall mean the Mayor of the City of Tulsa or his duly authorized subordinates.

SECTION 406. PROHIBITED ACTS

No person, except officers, employees, agents, contractors and their employees, concessionaires or franchisees of the City of Tulsa in the performance of their duties, shall enter upon any part of the Spavinaw Reservoir Area, except as may be expressly authorized by the provisions of this chapter.

SECTION 407. ACTIVITIES PERMITTED

Fishing, boating, hiking, camping, underwater diving and the patronizing of authorized concessions shall be permitted in the Spavinaw Reservoir Area in accordance with the provisions of this chapter. It shall be unlawful and an offense for any person to enter the reservoir area for such purposes without complying with the provisions of this chapter, or for any purpose not herein expressly authorized.

SECTION 408. RESTRICTED AREAS

The Mayor shall, for the purpose of public health or safety, the security of the City's dams and other works, the propagation of fish, the privacy of the City's employees

required to reside in residences furnished them, the efficient management of the City's reservoirs, and other lawful purposes, have the authority to designate, within the reservoir area, restricted areas. When an area has been so designated and signs erected bearing the words "No Trespassing," "Keep Out," "Restricted Area - Do Not Enter," or words of like import, it shall be unlawful and an offense for any person, except duly authorized officials, employees, or agents of the City, to enter such restricted area for any purpose.

SECTION 409. FISHING

A. Fishing by hook and line only shall be permitted in the Reservoir Area, except in restricted areas, in accordance with the laws of the state of Oklahoma and upon obtaining a City of Tulsa fishing permit and paying a fee therefor as follows:

Residents of Oklahoma

Per Day	Per Month	Per Year
\$1.00	\$3.50	\$8.50

Purchased after June 30 - \$5.00

Non-Residents of Oklahoma

Per Day	Per Month	Per Year
\$1.00	\$5.00	\$10.00

Purchased after June 30 - \$5.00

All permits shall be issued for the current calendar year and shall expire on December 31st of the year issued.

B. No person over the age of sixteen (16) years shall fish in the Reservoir Area without first obtaining and having in his possession the required permit; provided, however, that double permit fees shall be charged and collected for failure to obtain a permit in advance of the use of the facilities.

C. All persons fishing in the waters of the Spavinaw Reservoir Area shall be limited to fishing with hook and line only and shall at all times comply with other laws of the state of Oklahoma and the Rules and Regulations of the Oklahoma Wildlife Conservation Commission. Netting of any kind, with the exception of landing nets, shall be prohibited in the Spavinaw Reservoir Area except by duly authorized City of Tulsa employees.

Ord. No. 16160

SECTION 410. BOATS

A. Boats may be placed on the waters of the Reservoir Area; and the operation of boats shall be permitted in accordance with the provisions of this chapter and upon the payment of a fee for each boat, whether a motorboat, rowboat or other craft, of:

One Dollar (\$1.00) per day, (any 24 hour period),

Five Dollars (\$5.00) per month, or

Ten Dollars (\$10.00) per year.

B. No person shall place any boat upon the Spavinaw Reservoir Area without first obtaining a permit therefore and paying the fee required by this section; provided, however, that double permit fees shall be charged and collected for failure to obtain a permit in advance of the use of the facilities.

C. Boats and outboard motors of the City of Tulsa, Oklahoma, may be let for hire at the following rates:

Full-day rental (from 6:00 a.m. to 7:00 p.m.)

Boats	\$	8.00	each, per day
Motors	\$	12.50	each, per day
Both boat and motor	\$	20.00	per day

Half-day rental (from 1:00 p.m. to 7:00 p.m. or any part thereof)

Boats	\$	6.00	each, per half day
Motors	\$	10.00	each, per half day
Both boat and motor	\$	16.00	per half day

Motor boat fuel shall be charged as an additional charge.

Ord. Nos. 15754, 16160

SECTION 411. WAIVER OF FEES

A. The personnel office of the City of Tulsa shall, upon request, issue a certificate to current classified and Fire Department employees of the City of Tulsa wishing to fish in the Reservoir Area. Upon exhibiting such certificate, such employee and his spouse shall be permitted to fish and operate his private boat in the Reservoir Area without paying the permit fees required by this chapter. Persons exhibiting such certificates to the Water Supply Section Permit Office personnel (Spavinaw Lake or Lake

Eucha) shall be issued fishing and boating permits for each trip, and such permits shall be marked "City Employees" and shall be deducted from the total value of permit books.

B. The City of Tulsa personnel office shall, upon request, issue a certificate of retirement status to any City of Tulsa retired employee. Upon exhibiting such certificate, such retired employee and his spouse shall be issued a permit to fish and operate his private boat in the Reservoir Area without paying the permit fee required by this chapter.

C. Disabled veterans of the Armed Forces of the United States, certified by the Veterans Administration to be at least sixty percent (60%) disabled, and active members of the Armed Forces of the United States, upon exhibiting a disability certification or an armed forces military identification card indicating current active service, will be permitted to fish and operate their boats without paying the permit fee as required by this chapter.

D. Duly authorized concessionaires and franchise contractors shall be issued permits, as necessary, without paying the permit fee as required herein.

Ord. No. 16160

SECTION 412. BOATING RULES

In addition to any rules of the road or other regulations provided by the laws of the state of Oklahoma, the following rules shall apply to all boats operated upon the waters of the Spavinaw Reservoir Area:

A. No boat, except as herein otherwise expressly provided, shall be permitted upon the waters of the reservoir area unless it is not less than twelve (12) feet in length, fifteen (15) inches in depth and with a beam of forty-four (44) inches, having flotation compartments, and is, in the opinion of the Mayor, seaworthy.

B. No boat shall be powered by an outboard motor of greater horsepower than is recommended by the manufacturer of the boat; if the manufacturer's specification in such regard is not set forth on a boat, the Director shall assign a maximum horsepower rating for such boat;

C. All boats shall be equipped with all the safety equipment required by the laws of the state of Oklahoma;

D. No boat or craft equipped with a toilet with overboard discharge shall be permitted;

E. No person under sixteen (16) years of age shall operate any boat except under the direct supervision of a qualified operator over the age of sixteen (16) years;

F. No person who is under the influence of any intoxicating beverage or drug shall operate any boat;

G. No person shall operate any boat in a reckless or careless manner;

H. No person shall be towed behind any boat on water skis, aquaplane, surfboard or other similar device;

I. No sailboat shall be permitted;

J. Canoes and punts may be permitted by the Mayor in the shallow areas of the lakes, provided that they are in his opinion seaworthy, and the persons operating such boats are skilled in the operation thereof;

K. Rowboats shall have the right of way at all times, and motor propelled boats shall keep a safe distance from them; motorboats, while cruising, shall stay not less than three hundred (300) feet from any bank or anchored fisherman; in all hollows of the lakes, travel by motor-propelled boats shall be as near to the middle of the hollow as practicable and at a speed not to exceed five (5) miles per hour;

L. No motor-propelled boats shall travel at a speed greater than eighteen (18) miles per hour within a distance of one thousand (1,000) feet from any shore line; in all cases the lighter and slower craft shall have the right of way, and speedboats shall be operated at the owner's risk; and

M. Special caution shall be used while trolling with a motor-propelled boat in any hollow or cove or around points to show proper consideration to the rights of anchored fishermen, bank fishermen, or boat fishermen fishing toward the bank.

SECTION 413. BOAT STORAGE

A. The City of Tulsa may provide for storage of private boats and other water craft, and shall charge the following fees:

- | | |
|---|--------------------|
| 1. Open dockage | \$ 15.00 per month |
| 2. Dock rental with roof | \$ 18.75 per month |
| 3. Boathouse stall rental without electricity | \$ 22.50 per month |
| 4. Boathouse stall rental with electricity | \$ 25.00 per month |

B. Privately owned boathouses, which are in existence and located on the Spavinaw Reservoir Area at the effective date of this chapter, are authorized to be located thereon. The owner of each such privately owned boathouse shall pay to the City of Tulsa, as rental, a fee of Twenty-four Dollars (\$24.00) per year, per stall, which shall be due on or before January 1 of each year. An annual boathouse permit shall be

issued by the City upon payment of such fee. No privately owned boathouse shall be placed or erected upon such waters after the effective date of this chapter.

C. All privately owned docks and boathouses shall be maintained in good condition in accordance with the written standards established by the City. The Director is authorized and empowered to make, adopt and amend written rules, regulations and standards to carry out the purposes of this section, subject to the approval of the Mayor. Any dock or boathouse which becomes dilapidated or fails to meet the written standards established by the City, or for which the annual fee for boathouses has not been paid, may, upon sixty (60) days' written notice to the owner by registered mail, be removed from the lake area by the City and the costs thereof shall be assessed against the owner.

D. No privately owned boathouse, except those rented at the effective date of this chapter shall be kept, offered for rent or rented.

Ord. No. 15754

SECTION 414. HUNTING

Squirrel, deer, rabbit, turkey and duck hunting, in accordance with all state of Oklahoma hunting regulations, may be permitted in the Spavinaw Reservoir Area, except in restricted areas, parks, campgrounds, picnic areas, developed areas and other public use areas.

Ord. No. 16160

SECTION 415. SWIMMING AND DIVING

A. No person shall swim, bathe, wade or dive in the waters of the Reservoir Area, except as permitted by the express terms of this section.

B. Underwater diving in Lakes Spavinaw and Eucha shall be permitted for the recovery of lost property.

C. The Mayor may make such rules and regulations as may be required to insure safety of persons and property in connection with such diving, and may issue diving permits subject to such rules and regulations.

D. All persons requesting permission to dive in such lakes shall first satisfy the Mayor of their skill and qualifications.

E. All persons requesting permission to dive in such lakes shall first execute a full and unconditional release of all liability for injury and damages. Such release shall run to the City of Tulsa, its agents and employees.

SECTION 416. CAMPING

A. No person shall camp or place a tent, trailer or other form of mobile residence within the Spavinaw Reservoir Area, except in the facilities of an authorized concession, or in a camping area designated by the City of Tulsa.

B. The rental fee for each tent, trailer or campsite utilizing electricity furnished by the City of Tulsa shall be as follows:

Developed Campground

Full day rental (any twenty-four hour period)	\$ 6.00
Seven day charge when paid in advance	\$ 40.00
Fourteen day charge when paid in advance	\$ 80.00

Shelter Houses

Full day rental (any twelve hour period)	\$ 6.00
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C. Senior Citizens, sixty-five (65) years or older, shall be charged one-half (1/2) the rate of the established "site" rental fee.

D. Totally disabled veterans shall be charged one-half (1/2) the rate of the established "site" rental fee.

E. The maximum length of stay within any designated camping area in the Spavinaw Reservoir Area (Spavinaw Water District) shall be fourteen (14) consecutive days.

F. The developed campground at Lake Eucha shall be opened April 1 of each season and shall be closed November 15 of each season.

G. All pets shall be restrained in any of the designated camping, park or picnic areas within the Spavinaw Water District.

Ord. No. 16586

SECTION 417. HIKING AND INSPECTIONS

A. The grounds of the Spavinaw Reservoir Area shall be available to all persons for the purpose of hiking and inspecting the lakes, dams, and other works of the reservoir area, provided that no person shall enter upon or remain in any restricted area without the express permission of the officer, agent or employee of the City of Tulsa in charge of such area.

B. No officer, agent or employee of the City of Tulsa shall permit any person to enter any restricted area in the Spavinaw Reservoir Area, except in accordance with the express provisions of the regulations promulgated by the Mayor with respect to such area.

SECTION 418. CONTAMINATION OF RESERVOIR AREA

No person shall place, throw or otherwise discharge any human excrement, animal excrement, trash, waste or garbage into the waters of or upon the grounds of the Spavinaw Reservoir Area, except in such places or containers as may be expressly provided and designated for such purposes by the City of Tulsa or any duly authorized franchisee or concessionaire.

SECTION 419. REGULATIONS

The Mayor is authorized to promulgate such additional regulations not inconsistent with this chapter for the purpose of carrying the provisions herein into force and effect. When such regulations have been so promulgated and approved by the Tulsa Utility Board and the City Council, they shall have the same force and effect as the provisions of this chapter.

SECTION 420. PENALTY

Any person violating any of the provisions of this chapter shall be guilty of an offense and, upon conviction thereof, shall be punished by a fine not to exceed THREE HUNDRED DOLLARS (\$300.00), excluding costs.

Ord. No. 15754

SECTION 421. ARREST

Any police officer of the City of Tulsa is authorized to arrest any person committing any act hereby prohibited in his presence, and to transport him to the Municipal Criminal Court of the City of Tulsa or any other court of proper jurisdiction, where such person shall be informed against, arraigned, tried, and, if found guilty, punished as by law in such cases made and provided.

SECTION 422. ARREST BY WARRANT

Any person duly informed against for the commission of any act prohibited by this chapter may be arrested by any police officer of the City of Tulsa, Oklahoma, upon a warrant issued by a judge of the Municipal Criminal Court of the City of Tulsa, or other judge duly authorized to issue such warrant, whereupon he shall be transported to the Municipal Criminal Court of the City of Tulsa or any other court of proper jurisdiction, where such person shall be informed against, arraigned, tried, and, if found guilty, punished as by law in such cases made and provided.

CHAPTER 5**REQUIREMENTS FOR USE OF SANITARY SEWERAGE SYSTEM**

- Section 500. Scope.
- Section 501. Definitions.
- Section 502. License and Revocation.
- Section 503. Bond and Deposit.
- Section 504. Permit to Connect House Sewer.
- Section 505. Use of Other Name.
- Section 506. Inspection Required.
- Section 507. Inspection Fees.
- Section 508. Report of Work - Approval.
- Section 509. Time of Inspection.
- Section 510. Altering After Inspection.
- Section 511. Sanitary Sewer - Plumbing Connections.
- Section 512. Private Repairs.
- Section 513. Separate Sanitary Sewers - Each Premise.
- Section 514. Connections Outside of District.
- Section 515. Property Not Assessed.
- Section 516. Mobile Home Parks.
- Section 517. Approval of Plans for All Sanitary Sewer Service Lines Eight Inches in Diameter or Over.
- Section 518. Miscellaneous Rules.
- Section 519. Plugging of Abandoned Building Sewers, House Sewers, or House Sewer Line Connections to Public Sanitary Sewers.
- Section 520. Reconstruction of Public Sanitary Sewers.

SECTION 500. SCOPE

This chapter shall include all general requirements, prohibitions, and regulations with respect to the connection, use, protection and maintenance of all sewers forming a part of the sanitary sewerage system of the City of Tulsa and limiting the discharge of all wastes into the sanitary sewer system which could or would cause damage or obstruction of the sewage collection system, damage or interfere with the operation of the sewage treatment plants or be detrimental to the quality of the effluent or sludge, or cause unreasonable maintenance, attention and expense to either the collection system or the treatment facilities, and shall provide penalties for violations.

SECTION 501. DEFINITIONS

For the purposes of this chapter, the following terms, phrases, words, and their derivations shall have the meaning given herein.

A. **B.O.D. (Biochemical Oxygen Demand)** shall mean the quantity of oxygen expressed in milligrams per liter, utilized in the biochemical oxidation of organic matter under standard laboratory conditions for five (5) days at a temperature of twenty degrees (20°) centigrade. The laboratory determinations of B.O.D. shall be made in accordance with procedures set forth in Standard Methods.

B. **Building Drain** shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes of the building and conveys such discharge to the building sewer, beginning five (5) feet outside the inner face of the building wall.

C. **Building Sewer, House Sewer or House Sewer Line** shall mean the extension from the building drain to the sanitary sewer or other place of disposal.

D. **City** shall mean the City of Tulsa, Oklahoma, a municipal corporation, acting through the Tulsa Utility Board and the City's duly authorized officers or agents.

E. **Director** shall mean the Director of Public Works, or the person succeeding to his duties and functions by whatever name known, or his duly authorized deputy, agent or representative.

F. **Domestic Sewage** shall mean water-carried wastes normally discharging into the sanitary sewers of dwellings (including apartment houses and hotels), office buildings, factories and institutions, free from storm surface water and industrial wastes.

G. **Garbage** shall mean solid wastes and residue from the preparation, cooking and dispensing of food, and from the handling, storage and sale of food products and produce.

H. **Industrial User or Industry** shall mean:

1. Any user of a publicly owned treatment works which discharges more than the equivalent of twenty-five thousand (25,000) gallons per day (gpd) of sanitary wastes and which is identified in the latest edition of Standard Industrial Classification Manual, Office of Management and Budget, as amended and supplemented, under one of the following divisions:

- | | |
|-------------|--|
| Division A. | Agriculture, Forestry, and Fishing, |
| Division B. | Mining, |
| Division D | Manufacturing, |
| Division E. | Transportation, Communications, Electric,
Gas and Sanitary Services, or |
| Division I. | Services; |

provided, however, that a user in the divisions listed shall be excluded if it is determined by the Tulsa Utility Board that it will introduce only segregated domestic wastes or wastes from sanitary conveniences;

2. Any user of a publicly owned treatment works which discharges wastewater to the treatment works which contains toxic pollutants or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes, to contaminate the sludge of any municipal systems, or to interfere with any sewage treatment process, or which constitutes a hazard to humans or animals, creates a public nuisance, or creates any hazard in or has an adverse effect on the waters receiving any discharge from the treatment works; and

3. Any user for which Federal Categorical Standards apply.

I. **Industrial Waste** shall mean all water-carried solids, liquids, and gaseous wastes resulting from any industrial, manufacturing or food processing operation or process, or from the development of any natural resource, or any mixture of these with water or domestic sewage and which is distinct from normal domestic sewage.

J. **Milligrams Per Liter (mg/l)** shall mean a weight to volume ratio; the milligrams per liter value multiplied by the factor 8.34 shall be equivalent to pounds per million gallons of water.

K. **Normal Domestic Sewage** shall mean sewage of the City of Tulsa in which the average concentration of suspended materials and five-day B.O.D. is established at two hundred fifty milligrams per liter (250mg/l).

L. **Person, Establishment, or Owner** shall mean any individual, firm, company, association, society, corporation, partnership or group, their agents, servants or employees.

M. **pH** shall mean the logarithm (Base 10) of the reciprocal of the hydrogen ion concentration expressed in moles per liter. It shall be determined by one of the procedures outlined in Standard Methods.

N. **Premise** shall mean any plot or tract of ground, regardless of size or plat, under individual ownership and/or individual use and occupancy where the water service is metered independently of any other use.

O. **Properly Shredded Garbage** shall mean the wastes from the preparation, cooking and dispensing of foods, exclusive of egg shells, bones and like objects, that have been shredded to such degree that all particles will be carried freely under the flow conditions normally prevailing in public Sanitary sewers, with no particles greater than one-half (1/2) inch in any dimension.

P. Public Sanitary Sewer shall mean:

1. All sanitary sewers, of whatever size or extent, for which the City of Tulsa is responsible for operation, repair and maintenance;
2. Any sanitary sewer, of whatever size or extent, the construction cost of which has been paid from public funds in accordance with the City Charter or Title 11, Oklahoma Statutes;
3. An Assessment District Sewer, which is any sanitary sewer constructed within a legally constituted district as provided in the City Charter or Title 11, Oklahoma Statutes;
4. A Nonassessment District Sewer, which is any sanitary sewer constructed within a legally constituted district as provided by special ordinance wherein the property owners petition to construct same by cash as provided in the City Charter or Title 11, Oklahoma Statutes; and
5. An Outside Sewer District, which is any system of one or more sanitary sewers other than house sewers constructed outside the corporate limits of the City of Tulsa, and connected to the sewerage system of the City of Tulsa, the physical boundaries of which shall be established and defined by legal description, setting forth the actual tracts of land served thereby, whether platted or unplatted; upon annexation to the City of Tulsa, such tracts of land as described shall be exempt from subsequent assessment for sanitary sewer construction, except as may be provided by the City Charter or the Oklahoma Statutes.

Q. Sanitary Sewer shall mean a sewer that conveys sewage or wastewater, and into which storm, surface and ground waters or unpolluted industrial wastes are not intentionally admitted.

R. Sewer Service Charge shall mean the charge made on all users of the sanitary sewer system whose wastes do not exceed in strength the concentration values established in this chapter.

S. Sewer System shall mean all facilities for collecting, pumping, treating and disposing of wastewaters and shall include wastewater treatment facilities.

T. Slug shall mean any discharge of water, sewage or industrial waste, other than toxic materials, which, in concentration of any given constituent or in quantity or flow, exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration or flows during normal operation.

U. **Standard Methods** shall mean the examination and analytical 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 Water Works Association, the American Public Health Association, and the Water Pollution Control Federation.

V. **Storm Water Runoff** shall mean that portion of the rainfall that is drained into the storm sewers.

W. **Surcharge** shall mean the charge in addition to the sewer service charge which is made on those persons whose wastes are greater in strength than the concentration values established as representative of normal discharges.

X. **Suspended Solids** shall mean solids that either float on the surface of, or are in suspension in water, sewage, or other liquids, and which are removable by a laboratory filtration device. Quantitative determination of suspended solids shall be made in accordance with procedures set forth in Standard Methods.

Y. **Wastewater or Sewage** shall mean a combination of the water-carried waste from residences, business establishments, institutions and industrial establishments, together with such ground, surface, and storm water as may be present.

Z. **Wastewater Plant** shall mean any City-owned facility, device, and structure used for receiving and treating wastewater from the City sanitary sewer system.

AA. **Act or the Act** shall mean the Federal Water Pollution Control Act, also known as the Clean Water Act or 1977, as amended, 33 U.S.C. 1251, *et seq.*

BB. **Authorized Representative of Industrial User** may be:

1. A principal executive officer of at least the level of vice-president, if the industrial user is a corporation;
2. A general partner or proprietor if the industrial user is a partnership or proprietorship respectively; or
3. A duly authorized representative of the individual designated above if such representative is responsible for the overall operation of the facilities from which the indirect discharge originates.

CC. **Code of Federal Regulations (CFR)** refers to Documents published by the Office of Federal Register, National Archives and Records Service, General Services Administration, codifying general and permanent rules published in the Federal Register by the executive departments and agencies of the Federal Government.

DD. **Composite Sample** shall mean a sample of wastewater composed of samples collected at equal intervals, not exceeding one (1) hour, throughout the operational day of a user which are representative of the discharge of the facility.

EE. **Federal Categorical Pretreatment or Categorical Standard** shall mean any regulation containing pollutant discharge limits promulgated by the Environmental Protection Agency in accordance with Section 307(b) and (c) of the Act (33 U.S.C. 1317) which applies to specific industrial users.

FF. **Grab Samples** shall mean a sample which is taken from a waste stream on a one-time basis with no regard to the flow in the waste stream and without consideration of time.

GG. **Interference** shall mean the inhibition or disruption of the City of Tulsa treatment process or operations which contributes to a violation of any requirement of the City's NPDES Permit. The term includes prevention of sewage sludge use or disposal by the City of Tulsa in accordance with Section 405 of Act, (33 U.S.C. 1345) or any criteria, guidelines, or regulations developed pursuant to the Solid Waste Disposal Act (SWDA), the Clean Water Act, the Toxic Substance Control Act, or more stringent state of Oklahoma criteria (including those contained in any State of Oklahoma Sludge Management Plan prepared pursuant to Title VI of SWDA) applicable to the method of disposal or use employed by the City.

HH. **Monitoring** shall mean the performance of wastewater flow measurements, wastewater sampling, sample analysis, and like procedures necessary to determine wastewater discharge compliance and/or to verify the flow or strength of wastewater.

II. **New Source** shall mean any source, the construction of which is commenced after the publication of proposed regulations prescribing a Section 307(c) (33 U.S.C. 1317) Federal Categorical Pretreatment Standard which will be applicable to such source, if such standard is thereafter promulgated within one hundred twenty (120) days of proposal in the Federal Register. Where the standard is promulgated later than one hundred twenty (120) days after proposal, a new source shall mean any source the construction of which is commenced after the date of promulgation of the standard.

JJ. **Operational Day** shall mean that period of time during a twenty-four (24) hour period during which the facility is operating and consequently discharging wastewater.

KK. **Pretreatment** shall mean the reduction of the amount of pollutants, the elimination of pollutants or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into the public sanitary sewer. The reduction or alteration

can be obtained by physical, chemical or biological processes, or process changes or other means, except as prohibited herein.

SECTION 502. LICENSE AND REVOCATION

A. **License.** No person shall engage in the construction, repair, or cleansing of house sewers, or in making house sewer connections to the sanitary sewer system of the City of Tulsa unless such person shall have been licensed by the State Board of Health as a plumbing contractor or journeyman plumber.

B. **License Revocation.** Any license required under this section shall be subject to revocation in accordance with the general provisions of the Revised Ordinances of the City of Tulsa for the revocation or suspension of licenses.

SECTION 503. BOND AND DEPOSIT

Every person engaging in sanitary sewer work of any kind as defined in this chapter shall maintain such bonds and deposits as required by either the Plumbing Code of the City of Tulsa or the standard specifications of the City of Tulsa for the construction, reconstruction, or relocation of public or district sanitary sewers. All sanitary sewer bonds or deposits shall be conditioned to cover all obligations of the principal as incurred in connection with all specific work undertaken under this title, and shall indemnify and save harmless the City of Tulsa from any expense or liability of any kind that may be imposed by law from any act of the principal. Such bonds or deposits shall have prior approval of the Director.

SECTION 504. PERMIT TO CONNECT HOUSE SEWER

It shall be unlawful for any person to proceed with any house sewer connected with or to be connected with any public sanitary sewer system, until a permit for such work shall have been obtained from the Director; provided however, that no permit shall be required for the making of minor repairs, unless a portion or a section of the house sewer line is removed or replaced, or a hole is made in any section of the house sewer line.

SECTION 505. USE OF OTHER NAME

No person shall allow his name or his license to be used by any other person to obtain any permit or certificate of inspection required by this chapter. The penalty for violating this provision shall be the suspension of the person's license.

SECTION 506. INSPECTION REQUIRED

All sanitary sewer work from the building line installed under the Plumbing Code outward to the public sanitary sewer shall be done in accordance with the provisions of this chapter and the standard specifications for house sewers and shall be inspected by the Director and a certificate of inspection issued therefor before such work may be used as a connection to any public sanitary sewer line or to any sanitary sewer line connected with a public sanitary sewer line.

SECTION 507. INSPECTION FEES

The Director shall charge inspection fees for house sewers based on the following schedule:

A. Inside Corporate Limits of City

1. **Minimum Fee.** A minimum fee of Forty-two Dollars (\$42.00) shall apply to any permit for which the fee charged would otherwise be less than Forty-two Dollars (\$42.00).

2. **Sewer Work.** The inspection fee for any sewer work conducted shall be Thirty-two Dollars (\$32.00).

3. **Concealment Fee.** Work that is covered or concealed without the approval of the code official is in violation of the code and shall be subject to a civil penalty in an amount not exceeding Fifty-two and 50/100 Dollars (\$52.50) for each occurrence. The assessment or payment of this penalty shall not relieve any person from fully complying with all the requirements of this title nor shall such payment exempt the person from further penalty provided by law.

4. **Failed Inspections Fee.** Failed inspections due to faulty work, work not completed, or otherwise not ready for inspection when the code official, Plumbing Inspector, or Assistant Plumbing Inspector is notified to make such inspection, shall be assessed an additional fee or fees at a rate of Thirty-two Dollars (\$32.00) per inspection, unless otherwise provided for in this chapter. All failed inspection fees shall be paid prior to the commencement of any reinspection.

B. Outside Corporate Limits of City

1. **Sewer Work.** The inspection fee for any sewer work conducted shall be Forty-five Dollars (\$45.00).

2. **Outside of City Inspection Fee.** All inspections requiring a Plumbing Inspector to travel outside the corporate limits of the City of Tulsa to perform an

inspection shall be subject to an inspection fee equal to one and one-half (1½) times the regular inspection fee (Thirty-two Dollars [\$32.00]), Forty-eight Dollars (\$48.00).

3. **Failed Inspections Fee.** Failed inspections due to faulty work, work not completed, or otherwise not ready for inspection when the code official, Plumbing Inspector, or Assistant Plumbing Inspector is notified to make such inspection, shall be assessed an additional fee or fees at a rate of Thirty-two Dollars (\$32.00) per inspection, unless otherwise provided for in this chapter. All failed inspection fees shall be paid prior to the commencement of any reinspection.

C. **Additional Fees to be Charged.** In addition to the inspection fees, the following fees shall be charged:

1. **Permit and Licensing System Maintenance Fee.** A surcharge of Four Dollars (\$4.00) shall be charged for each initial inspection to maintain the Permit and Licensing System.

2. **Record Retention Fee.** A surcharge of One and 30/100 Dollars (\$1.30) per page shall be charged for each initial inspection for retention of permits and associated data by microfilming, computer imaging or other method of storage of records.

D. **Temporary Sanitary Sewer Plug Security Deposit.** Before the owner of any house or structure shall be issued a temporary, sanitary sewer plug permit, as provided for in Section 519 of this title, the owner shall deposit with the City of Tulsa the sum of Ten Thousand Dollars (\$10,000.00) as a security deposit. This security deposit shall be expended by the City to permanently plug the connection, if the sanitary sewer connection is not used or permanently plugged within ninety (90) days from the date a temporary, sanitary sewer plug permit is issued.

Ord. Nos. 16868, 18857, 20624

SECTION 508. REPORT OF WORK - APPROVAL

Any person doing any sanitary sewer work must notify the Director as soon as the pipe work has been completed and is ready for inspection, and must keep the trench open and the pipe fully exposed for inspection until the inspection is completed. If such work is approved, a certificate of satisfactory inspection shall be issued to the contractor.

SECTION 509. TIME OF INSPECTION

It shall be the duty of the Director, in all cases when notified, to inspect all house sewers within forty-eight (48) hours after receipt of notice from the licensed contractor, licensed plumber, or person in charge that such work is ready for inspection. Holidays and Sundays shall not be computed in the forty-eight (48) hours.

SECTION 510. ALTERING AFTER INSPECTION

It is hereby declared to be unlawful for any person to alter or change any sewer pipe or to remove any material after inspection has been made without obtaining a permit from the Director to do so. The Director shall reinspect all work altered or changed and the same fee shall be charged as for the original inspection.

SECTION 511. SANITARY SEWER - PLUMBING CONNECTIONS

The connection outside of buildings and underground between soil and waste pipes and the concrete or vitrified tile sanitary sewer shall be made with such jointing material as may be approved by the Director. However, these connections shall not be made until the work in the building has been tested and approved by the Plumbing Inspector.

SECTION 512. PRIVATE REPAIRS

It shall be the duty of all persons owning any property upon which there is a house sewer line connecting with the public sanitary sewer system, to keep such house sewer line in a sufficiently good state of repair that it does not constitute a health nuisance nor interfere with the operation and maintenance of the public sanitary sewer system. It shall be the duty of such owner to have the proper repairs made by a licensed contractor or licensed plumber to such house sewer line within five (5) days after written notice to make such repairs is given by the Director.

SECTION 513. SEPARATE SANITARY SEWERS - EACH PREMISE

Each premise shall have a separate sanitary sewer connection. If, after the public sanitary sewer has been constructed, the adjacent property has been platted, replatted, or if buildings have been relocated in such a manner that one or more are separated from the public sanitary sewer, the Director may require an extension of the main or lateral of the public sanitary sewer system so that the public sanitary sewer can serve directly any building that has been separated from the existing public sanitary sewer, provided that such other requirements are met as to size of pipe, construction and use as the Director may deem necessary, and that easements are granted to the public, covering the location of the extended public sanitary sewers across intervening lots or tracts of ground.

SECTION 514. CONNECTIONS OUTSIDE OF DISTRICT

If any person owning or in charge of property within the City limits which is not included in any duly established public sanitary sewer district desires to connect such property with the nearest public sanitary sewer, and the public sanitary sewer to which the connection will be made has not been constructed from the public funds, and the

sanitary sewer is neither directly abutting nor located directly upon such property, and a sufficient public sanitary sewer can ultimately be constructed to serve the property in a normal manner, such person shall file a written application with the Director who shall investigate the same and make his recommendation to the Utility Board and the Mayor. If such application is approved by the Utility Board and the Mayor, then the City shall enter into an agreement with such applicant for a connection into the existing public sanitary sewer system. The applicant, as consideration for the connection, shall agree to waive any protest against the levying of any assessments thereafter made against the property for the installation of any public sanitary sewers in any district in which the property may be included, and to pay a Sixty Dollar (\$60.00) connection fee, plus the fee for filing such agreement. In the event the property covered by this agreement is subsequently subdivided into additional premises, new agreements shall be entered into covering each of the new premises, and each premise shall have a separate connection with the public sanitary sewer.

Ord. No. 16868

SECTION 515. PROPERTY NOT ASSESSED

Whenever publicly financed sanitary sewers shall be constructed in any alley or other place where otherwise a district sanitary sewer would have been constructed, and whenever such publicly financed sanitary sewer served the purpose of a district sanitary sewer for the abutting property or crosses the property, and the owner of such abutting property or property being crossed makes application for a permit to connect with such sanitary sewer, no permit shall be issued unless the owner shall have entered into a written agreement with the City of Tulsa and paid to the City of Tulsa an amount equal to that which he would have been required to pay for a sufficient district lateral sanitary sewer so constructed. The amounts to be charged for connections with publicly financed sanitary sewers shall be ascertained by the Director and approved by the Utility Board and the Mayor. In the event the property covered by the agreement is subsequently subdivided into additional premises, new agreements shall be entered into covering each of the new premises, and each of the premises shall have a separate connection with the public sanitary sewer.

SECTION 516. MOBILE HOME PARKS

Before any permit shall be issued allowing connection to the public sanitary sewer system for any space to be occupied by one (1) or more mobile homes, a plan of the area showing the proposed layout of water service pipes, house sewers and a profile of the water and sanitary sewer system shall be approved by the Director.

SECTION 517. APPROVAL OF PLANS FOR ALL SANITARY SEWER SERVICE LINES EIGHT INCHES IN DIAMETER OR OVER

Plans for all sanitary sewer service lines eight (8) inches or larger in diameter shall be designed in accordance with Oklahoma State Department of Health standards and shall be approved by the Director before the initiation of any construction.

Ord. No. 17549

SECTION 518. MISCELLANEOUS RULES

A. No permit shall be issued nor a connection permitted to a public sanitary sewer under construction until such sanitary sewer has been approved by the Director.

B. The City of Tulsa shall be under no obligation to maintain or repair any house sewer as defined in this chapter.

SECTION 519. PLUGGING OF ABANDONED BUILDING SEWERS, HOUSE SEWERS, OR HOUSE SEWER LINE CONNECTIONS TO PUBLIC SANITARY SEWERS

A. Any person, firm, company, partnership or corporation owning any house or other structure connected to any public sanitary sewer shall, before demolition of such house or other structure or before removal of such house or other structure from its situs, cause such line connection to any public sanitary sewer to be adequately and properly plugged.

B. Such plugging shall be done only by a licensed plumber or a licensed contractor.

C. Before any line connection to the public sanitary sewer shall be plugged, the licensed plumber or licensed contractor who is to perform such work shall secure a permit from the Director for the plugging of such line connection to the public sanitary sewer.

D. After the permit has been obtained and the plugging has been completed, it shall be the responsibility of the Director to inspect such sanitary sewer plug to ascertain that it is proper and adequate.

E. No permit shall be issued for the removal or demolition of any such structure until the Director shall have approved the sewer plug.

SECTION 520. RECONSTRUCTION OF PUBLIC SANITARY SEWERS

No building, structure, wall or other above-ground obstruction, including additional fill material, shall be placed, erected, installed or permitted directly over any public sanitary sewer. In the event any such obstructions are to occupy the ground immediately above a public sanitary sewer, it shall be necessary to first re-route the public sanitary sewer at the property owner's expense in order to comply with this provision; provided, however, that if there is not sufficient grade available to perform the re-routing, the property owner shall present a proposed plan to the Director for his approval, setting forth the necessary construction to safeguard the public sanitary sewer. Either the re-routing of the sanitary sewer or the reconstruction, as approved by the Director, shall be carried out through proper contracts and bonds with the City of Tulsa.

CHAPTER 6**PRIVATE SEWER DISTRICTS**

- Section 600. Definitions.
- Section 601. Private Sewerage Systems Connecting to Sewerage Systems of the City.
- Section 602. Outside Connections.
- Section 603. Records.
- Section 604. Disclosure of Facts.
- Section 605. Refusal to Furnish Information.
- Section 606. Other Sewers.

SECTION 600. DEFINITIONS

As used in this chapter, the following words and phrases shall have the meanings given herein.

A. **House Sewer** shall include all sewer lines carrying sewage from individual dwellings or places of business to the lateral lines.

B. **Lateral Sewer** shall include all gathering sewer lines carrying sewage from the house sewer lines to the sub-main or main sewer lines. No lateral sewer shall be less than eight (8) inches in diameter, except as approved by the Director.

C. **Adequate Lateral** shall mean any sewer constructed as an "Excess Capacity Main" when it is utilized as a lateral by the property abutting thereon. The value of the benefit to such abutting property shall be defined as the amount equal to the proportionate cost of an eight (8) inch sewer to that of the sewer constructed as an "Excess Capacity Main." This amount shall be equal to four (4) times the cost of the "Excess Capacity Sewer" per inch of diameter per foot of length that it abuts the property along either side of the sewer, and shall be in addition to the "Allowable Recovery per Thousand Gallons per Day Capacity" for each thousand gallons of capacity utilized by the abutting property.

D. **Sub-main Sewer** shall include all sewers eight (8) inches, ten (10) inches, or twelve (12) inches in diameter, which serve to convey sewage from lateral sewers to a main sewer.

E. **Main Sewer** shall include all sewers carrying sewage gathered from a number of lateral sewers or sub-main sewers to a central plant for treatment.

F. **Entire Drainage Area** shall mean that area as determined by the City of Tulsa and as established from any point on any existing sewer of the sewerage system

of the City of Tulsa such that sewers flowing by gravity may be extended from such point to collect sewage originating from each and every tract of land within such area.

G. **Required Capacity** shall mean the millions of gallons per day capacity required for any sewer to serve the entire drainage area as determined by the City of Tulsa. The required capacity in millions of gallons per day shall be equal to the product of the drainage area in acres raised to the exponent 0.8169 multiplied by the constant number 0.01467. ($Q_m = A^{0.8169} \times 0.01467$), where Q_m equals capacity in millions of gallons per day and A equals area in acres.

H. **Sewer Capacity** shall mean the quantity of sewage in thousands of gallons per day that can be conveyed through a given sewer flowing full on a predetermined grade. This capacity shall be equal to the product of the constant number 23,000 multiplied by the diameter of the sewer in feet raised to the exponent 2.667, and that product multiplied by the square root of the grade of the sewer in feet per thousand feet.

I. **Excess Capacity Main Sewer** shall include any privately financed sewer, larger than twelve (12) inches in diameter, required to serve an entire drainage area and having capacity in excess of the capacity actually required to meet the needs of the owner.

J. **Excess Capacity System** shall include any system of sewers containing one (1) or more excess capacity mains whose network of sewers corresponds roughly but not necessarily coincidental with the natural surface drainage area.

K. **Excess Capacity Contract** shall include any contract covering the construction, use, and reimbursement of excess capacity mains.

L. **Excess Capacity Fee** shall mean the amount of money to be paid by the user of any excess capacity main to the City of Tulsa for the use and benefit of the owner of an excess capacity main. Such fee shall be based upon the cost of providing within the excess capacity sewer the thousands of gallons per day capacity required by any user and shall be equal to the amount as determined by the "Allowable Recovery per Thousand Gallons per Day Capacity" for each and every one thousand (1,000) gallons per day capacity required by the following:

1. Each lot or parcel of land on which a single residence is located or is to be located shall require one thousand two hundred (1,200) gallons per day capacity;

2. Each motel unit, hotel unit, or other transient living unit shall require six hundred (600) gallons per day capacity;

3. Each trailer space or apartment living unit shall require eight hundred (800) gallons per day capacity;

4. Each school shall require a capacity equal to four hundred (400) gallons per day for each student;

5. Each church shall require a capacity equal to two hundred (200) gallons per person, per day, based on the number of persons its main assembly hall will accommodate;

6. Each hospital shall require a capacity of seven hundred fifty (750) gallons per day for each bed; and

7. Any other use not specified herein shall require a sewer capacity equal to five and two tenths (5.2) times its average water use for sewage disposal purposes.

M. Allowable Cost shall mean the aggregate cost of any excess capacity main in accordance with the following:

1. The owner's actual cost of construction as determined in the manner of any public contract providing for the advertisement of bids, award of contracts, and compliance with the terms of contract as required by the City of Tulsa, but, if not awarded to the low bidder, limited to the amount of cost as calculated according to the bid of the low bidder;

2. Engineering fees of five percent (5%) of construction costs;

3. City inspection and flushing fees; and

4. The actual cost of advertising and recording.

N. Allowable Cost per Thousand Gallons per Day Capacity shall mean that unit cost as determined by dividing the "Allowable Cost" by the "Required Capacity."

O. Theoretical Collection Factor shall mean the percentage that the theoretically required capacity of any sewer bears to the volume of sewage which would result if each acre within the entire drainage area served by the sewer contributed four thousand (4,000) gallons per day simultaneously. The "Theoretical Collection Factor" shall equal $0.8005 - 0.2164 \log_{10} X$ expressed as a percentage, wherein X is the drainage area in thousand of acres.

P. Actual Collection Factor shall have the same meaning as the "Theoretical Collection Factor," except that the actual capacity of the sewer as constructed may vary within limits of acceptable tolerance as approved and as predicated by available grades, pipe sizes and other considerations.

Q. Recovery Factor shall mean the factor to be applied to the allowable cost on any "Excess Capacity Contract" of the capacity to be utilized by users other than the owner. The "Recovery Factor" shall be equal to the following: R equals $1.5790454 - 0.5790454 C$, wherein R equals Recovery Factor and C equals Theoretical Collection Factor.

R. Allowable Recovery shall mean that amount of money established by the product of the "Allowable Cost" multiplied by the "Recovery Factor."

S. Allowable Recovery per Thousand Gallons per Day Capacity shall mean that unit cost as determined by dividing the "Allowable Recovery" by the "Required Capacity," and that quotient multiplied by the "Actual Collection Factor." The "Actual Collection Factor" may not exceed the "Theoretical Collection Factor" in any computation.

T. Private Sewer Districts shall mean any system of one (1) or more sanitary sewers, other than house sewers, constructed within or outside the corporate limits of the City of Tulsa, which includes any excess capacity sewer and is connected to the sewerage system of the City of Tulsa. The physical boundaries of such "Private Sewer District" shall be as established and defined by legal description, setting forth the actual tracts of land served thereby, whether platted or unplatted. Such tracts of land as described shall be exempt from subsequent assessment for sewer construction. Off-site excess capacity sewers shall not be included within the boundaries of the district.

Ord. Nos. 10629, 20623

SECTION 601. PRIVATE SEWERAGE SYSTEMS CONNECTING TO SEWERAGE SYSTEMS OF THE CITY

A. Private Districts. Whenever it is the desire of the owner or owners of properties within or outside the corporate limits of the City of Tulsa to install a sewerage system, which may or may not require the construction of an excess capacity sewer, and to connect such sewerage system to the City's system of sanitary sewers, the owner or owners shall first apply to the City of Tulsa, through its duly authorized representatives for permission in the form to be prescribed, setting forth the legal description and the record owners of the property to be sewered. If such petition is approved, the applicant shall have prepared by a registered engineer, plans, specifications, and estimates of cost which shall be submitted to the City for its approval. Upon approval of the application, the owner and the City shall enter into a contract covering the construction, operation, and maintenance of such sewers, which contract shall provide in substance the following provisions.

1. Upon completion and acceptance of such sewers, the sewage collecting system therein, with the exception of "Excess Capacity Mains" as herein defined, shall become the property of the City. Excess capacity mains shall remain the property of the owner until the owner shall have received his full allowable recovery or until the excess

capacity contract has expired, whichever occurs first; thereafter the excess capacity mains shall become the property of the City.

2. The owner shall deposit with the City a sum equal to the engineering inspection fee and other amounts which may be due the City, including an administrative charge of two and one-half percent (2-1/2%) of any sums paid to the City for the benefit of the owner of any excess capacity main; provided, however, that upon completion of the work, the amount finally paid to the City shall be adjusted in accordance with actual City expenditures.

3. The owner shall pay to the City, for the benefit of the owner of any excess capacity main through which sewage emanating within the proposed system must flow to reach a treatment plant, an amount equal to the "Excess Capacity Fee" for such connection, the aggregate of which shall, in no event, be less than the allowable recovery for four thousand (4,000) gallons per day capacity for each acre served.

4. The owner shall pay to the City, for the benefit of the owner of any excess capacity main, an amount equal to the equivalent cost of an adequate lateral in the event any excess capacity main is so utilized.

5. All sanitary sewer and plumbing work upon the properties involved shall be done in accordance with the Revised Ordinances of the City of Tulsa governing properties within its corporate limits.

6. The contractor for such work shall file with the City of Tulsa a performance bond in the amount of one hundred percent (100%) of the contract, guaranteeing completion of the work, and a maintenance bond in the amount of fifty percent (50%) of the amount of the contract, guaranteeing the work for a period of one (1) year after its completion and approval by the City.

7. The City shall be at no expense in the construction, repairing or cleaning of any excess capacity sewer for so long as it remains private property.

B. Excess Capacity Contracts. The City of Tulsa may require any sewers so situated as to subsequently serve an entire drainage area to be constructed with a capacity and at such depths as to permit future extensions thereto throughout the entire natural contributing drainage area, without subsequently exceeding the capacity available. The capacity required under the circumstances is defined herein. Whenever and wherever any sewer larger than twelve (12) inches in internal diameter is required, the owner may be reimbursed for the costs of providing such capacity over and above the capacity utilized by himself and over and above the use he makes of the sewer as an adequate lateral, subject to the following conditions.

1. The owner shall enter into a standard form of contract with the City of Tulsa in accordance with the procedures and in a manner prescribed for public contracts.
2. The City's determination of the entire drainage area, amounts of allowable cost, collection factor, and recovery factor to establish the total allowable recovery and the allowable recovery per thousand gallons per day as defined herein shall be final and binding upon all parties; and the City shall not be liable for errors made therein.
3. After completion and acceptance of the owner's sewers, constructed pursuant hereto, and payment to City and to other owners all amounts required herein, and upon connection of owner's sewers to the sewerage system of the City of Tulsa, the owner's sewers shall be and become a part of the sewerage system of the City, under its exclusive control and operation, subject only to the specific rights reserved to the owner as herein set forth. The City shall have the right to make such connection and cross-connection as it may deem necessary for the proper management and utilization of owner's sewers as an integrated part of the sewerage system of the City of Tulsa.
4. Unless sooner terminated by the provisions of the contract, the term of any excess capacity contract shall run from the date of acceptance by the City of the owner's sewer for a period of twenty (20) years.
5. The owner shall not be entitled to receive any payment from persons utilizing the excess capacity of any sewer he may construct until the owners of all excess capacity of elevations lower than his in the drainage area have recovered that proportionate part of the full amount of their allowable cost applicable to that segment served by himself.
6. The sole and only obligation of City to the owner hereunder, after the sewers have been constructed and have become a part of City's system, shall be to require the payment of the sums to be paid by others.
7. The City of Tulsa shall, during the term of any excess capacity contract, require any persons who desire to connect to or to extend any excess capacity system to pay to the City, for the benefit of the owners of all excess capacity mains within the system, that portion of the allowable recovery for each excess capacity main within the system applicable to the property to be served, including the use made of any excess capacity main as an adequate lateral.
8. The City of Tulsa shall make all reimbursements for multiple excess capacity contracts within any excess capacity system only in the order and sequence constructed so that contracts for excess capacity sewers of higher elevation in the drainage area shall not be entitled to reimbursement until the contracts of excess capacity sewers of lower elevation have been reimbursed the full amount of the allowable recovery applicable to that particular contributing segment. Subsequent reimbursements

shall be made for the next succeeding contract in order until all contributing areas are developed.

C. **Restrictions and Reservations.** The following restrictions and reservations are placed upon all connections to the sewerage system of the City of Tulsa.

1. Diversion of sewage flow from one drainage area or excess capacity system to another by gravity shall be limited to such minor areas as may be approved; but in no event shall such diversion cause the capacity of any eight (8) inch sewer under gravity flow to exceed four hundred sixty thousand (460,000) gallons per day. In the event an excess capacity main is under contract within the drainage area or excess capacity system from which diversion is made and such drainage area or excess capacity system is defined by public land description, the excess capacity fee shall be paid to the excess capacity system from which diverted. Correspondingly, the size requirement for subsequent sewers within the system from which diverted shall be reduced to provide for the reduction in capacity required.

2. Diversion of sewage flow from one drainage area or excess capacity system to another by pumping shall be limited to the City's unobligated available capacity within any excess capacity main receiving the pumped sewage, and then only with the concurrence in writing from the owners of all excess capacity contracts then in force within the receiving excess capacity system. Reimbursement shall be made for all excess capacity contracts then in force within both systems, including the system pumped from and the system pumped into, on the basis of the allowable recovery per thousand gallons per day for each thousand gallons capacity required. In addition to the above, a sum shall be escrowed with the City of Tulsa by any person, persons, firm, corporation or trust desiring to pump sewage from one drainage area to another or to pump downstream within the same drainage area. Such sum shall be sufficient to cover the estimated proportionate cost, based on thousands of gallons capacity, to subsequently eliminate the pump station. The escrow shall be conditioned that it shall be payable to and to the extent that any qualified builder, including the City of Tulsa, contributes to the elimination of the pump station.

3. Nothing herein shall be construed to obligate the City to give or continue to give sewer service to any person, firm or corporation, or to any particular tract of land, other than pursuant to its ordinances, regulations and sewer service charges as are now in effect or may hereafter be adopted.

Ord. No. 10629

SECTION 602. OUTSIDE CONNECTIONS

Any person owning property or in charge of property outside of the corporate limits of the City of Tulsa, who desires to connect a house sewer to serve such property with the nearest sanitary sewer, shall file a written application with the City. If such

application is approved, the City shall enter into an agreement with such applicant to supply sanitary sewage collection and disposal services. The applicant, as consideration thereof, shall agree to pay, in addition to all filing fees, a connection fee of Forty-Five Dollars (\$45.00) plus the following:

- A. Fifteen Dollars (\$15.00) for each lot or parcel of land on which a single residence is located;
- B. Nine Dollars (\$9.00) for each motel unit, hotel unit, or other transient living unit;
- C. Twelve Dollars (\$12.00) for each trailer space or apartment living unit;
- D. Sixty cents (\$.60) per student for designed enrollment at each school;
- E. Thirty cents (\$.30) for each member of the congregation of each church (to be based upon the seating capacity of the main assembly hall);
- F. Twelve Dollars (\$12.00) for each hospital bed; and
- G. Sixty Dollars (\$60.00) for each one thousand (1,000) gallons per day of any anticipated average water use for sewage disposal purposes which are not specified herein.

Ord. No. 16868

SECTION 603. RECORDS

The Director shall prepare a record of all users, as herein defined, whose property outside of the corporate limits of the City of Tulsa is served by any sanitary sewer. Such record shall describe the location of each such property, the name and address of the user, the number of persons employed or housed on such premises and such other pertinent information as the Utility Board may from time to time require. The Director shall classify each user as required by the terms of this chapter and shall indicate in his records the connection charge or amount due to the City of Tulsa from such user under the terms of this chapter.

SECTION 604. DISCLOSURE OF FACTS

It shall be the duty of each user, as herein defined, to disclose to the Director all facts necessary to properly determine the sewage load to be imposed from any connection and to correctly classify the type of use in computing connection charges and fees under the terms of this chapter.

SECTION 605. REFUSAL TO FURNISH INFORMATION

In the event of the refusal of any such user on demand to furnish all required information to the Director or to permit access to the plumbing system on his property, the Director shall certify such fact to the Mayor through the Utility Board. Upon any such certificate, the Mayor, at his option, may order such sanitary sewer service disconnected and discontinued until the necessary information is submitted for proper classification and the correct connection charges and fees are paid by the user.

SECTION 606. OTHER SEWERS

Nothing herein provided shall be construed to take away the jurisdiction, control, and supervision of the Director of Public Works over the operation, construction and maintenance of storm sewers or sewers other than sanitary sewers of the City of Tulsa.

CHAPTER 7**SANITARY SEWER USER CHARGE SYSTEM**

- Section 700. Scope.
- Section 701. Definitions.
- Section 702. Rates of User Charge.
- Section 703. Determination of Sewer Service Charge.
- Section 704. Determination of Industrial User Waste Charge.
- Section 705. Collection.
- Section 706. Annual Review of User Charge System and Record Retention.
- Section 707. Adoption of the Standard Industrial Classification Manual, 1972.
- Section 708. Rate for Dumping Septic Waste.

SECTION 700. SCOPE

This chapter includes the rates of user charge per month for sanitary sewer services rendered, whether within or outside the corporate limits of the City, and the methods of determination and collection of sewer service charges and industrial user waste charges.

SECTION 701. DEFINITIONS

For the purposes of this chapter, the following terms, phrases, words, and their derivations shall have the meanings given herein.

A. Base Use shall mean either:

1. The actual water use for the period to be billed; or
2. Where the user has established water service for the premises during the prior sixty (60) billing periods and the user is not an industrial user, the average monthly gallons of water billed to the user for either the previous billing periods ending in December, January, and February, or the prior sixty (60) billing periods, whichever is lower. Fractional parts of the billing period shall not be considered.

B. B.O.D. (Biochemical Oxygen Demand) shall mean the quantity of oxygen expressed in milligrams per liter, utilized in the biochemical oxidation of organic matter under standard laboratory conditions for five (5) days at a temperature of twenty degrees (20°) centigrade. The laboratory determinations of B.O.D. shall be made in accordance with procedures set forth in Standard Methods.

C. **Building Sewer, House Sewer or House Sewer Line** shall mean the extension from the building drain to the sanitary sewer or other place of disposal.

D. **City** shall mean the City of Tulsa, Oklahoma, a municipal corporation, acting through the Tulsa Utility Board ("Utility Board") and the City's duly authorized officers or agents.

E. **Director** shall mean the Director of Public Works or the person succeeding to his duties and functions by whatever name known and his duly authorized deputy, agent, or representative.

F. **Domestic Sewage** shall mean water-carried wastes normally discharging into the sanitary sewers of dwellings (including apartment houses and hotels), office buildings, factories, and institutions, free from storm surface water and industrial wastes.

G. **Industrial User** shall mean:

1. Any user of publicly owned treatment works which discharges more than the equivalent of twenty-five thousand (25,000) gallons per day (gpd) of sanitary wastes and which is identified in the Standard Industrial Classification Manual, 1972, Office of Management and Budget, as amended and supplemented, under one of the following divisions:

- Division A. Agriculture, Forestry, and Fishing
- Division B. Mining
- Division D. Manufacturing
- Division E. Transportation, Communications, Electric,
Gas and Sanitary Services
- Division I. Services;

provided, however, that a user in the divisions listed shall be excluded if it is determined by the Utility Board that such user will introduce only segregated domestic wastes or wastes from sanitary conveniences;

2. Any user of a publicly owned treatment works which discharges wastewater to such treatment works which contains toxic pollutants or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to contaminate the sludge of any municipal systems, or to interfere with any sewage treatment process, or which constitutes a hazard to humans or animals, creates a public nuisance or creates any hazard in or has an adverse effect on the waters receiving any discharge from such treatment works; and

3. Any user for which Federal Categorical Standards apply.

H. **Industrial Waste** shall mean all water-carried solids, liquids, and gaseous wastes resulting from any industrial, manufacturing, or food processing operation or process, or from the development of any natural resource, or any mixture of these with water or domestic sewage, and distinct from normal domestic sewage.

I. **Milligrams Per Liter (mg/l)** shall mean a weight to volume ratio. The milligrams per liter value multiplied by the factor 8.34 shall be equivalent to pounds per million gallons of water.

J. **Normal Domestic Sewage** shall mean sewage of the City of Tulsa in which the average concentration of suspended materials and five (5) -day B.O.D. is established at two hundred fifty milligrams per liter (250mg/l).

K. **Person, Establishment, or Owner** shall mean any individual, firm, company, association, society, corporation, partnership or group, or their agents, servants or employees.

L. **Premise** shall mean any plat or tract of ground, regardless of size or plat, under individual ownership and/or individual use and occupancy where the water service is metered independently of any other use.

M. **Public Sanitary Sewer** shall include the following:

1. All sanitary sewers, of whatever size or extent, the operation, repair and maintenance of which the City of Tulsa is responsible;
2. Any sanitary sewer, of whatever size or extent, the construction cost of which has been paid from public funds in accordance with the City Charter or the statutes of the state of Oklahoma;
3. An assessment district sewer, which is any sanitary sewer constructed within a legally constituted district as provided under the City Charter or the statutes of the state of Oklahoma;
4. A nonassessment district sewer, which is any sanitary sewer constructed within a legally constituted district as provided by special ordinance wherein the property owners petition to construct same by cash, as provided under the City Charter or the statutes of the state of Oklahoma; and
5. An outside sewer district, which is any system of one or more sanitary sewers, other than house sewers, constructed outside the corporate limits of the City of Tulsa, and connected to the sewerage system of the City of Tulsa. The physical boundaries of the outside sewer district shall be as established and defined by legal description, setting forth the actual tracts of land served thereby, whether platted or

unplatted. Upon annexation to the City of Tulsa, such tracts of land as described shall be exempt from subsequent assessment for sanitary sewer construction, except as may be provided by the City Charter or the statutes of the state of Oklahoma.

N. **Sanitary Sewer** shall mean a sewer that conveys sewage or wastewater, and into which storm, surface, and ground waters or unpolluted industrial wastes are not intentionally admitted.

O. **Sanitary Sewer Service Available** shall mean that a public sanitary sewer is adjacent to or abuts a premise.

P. **Sewer Service Charge** shall mean the charge made on all users of the sanitary sewer system who are not industrial users and whose wastes do not exceed in strength the concentration values established in this title.

Q. **Industrial User Waste Charge** shall mean the charge made on all industrial users of the sanitary sewer system.

R. **Sewer System** shall mean all facilities for collecting, pumping, treating and disposing of wastewaters and shall include the wastewater treatment facilities.

S. **Standard Methods** shall mean the examination and analytical 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 Water Works Association, the American Public Health Association, and the Water Pollution Control Federation.

T. **Suspended Solids** shall mean solids that either float on the surface of, or are in suspension in water, sewage, or other liquids, and which are removable by a laboratory filtration device. Quantitative determination of suspended solids shall be made in accordance with procedures set forth in Standard Methods.

U. **User or Sanitary Sewer User** shall mean any person, establishment, or owner who discharges any domestic sewage or industrial waste into the sanitary sewer system of the City or into any sanitary sewer system connected thereto which ultimately reaches and discharges into the sanitary sewer system of the City.

V. **User Charge** shall mean a charge levied on users of treatment works for the cost of improvements, extensions, operation, maintenance and replacement of such works.

W. **Wastewater** shall mean a combination of the water-carried waste from residences, business establishments, institutions and industrial establishments, together with such ground, surface, and storm water as may be present.

X. **Wastewater Plant** shall mean any device or structure used for receiving and testing wastewater from the City sanitary sewer system.

Y. **Operational Day** shall mean that period of time during a twenty-four (24) hour period during which a facility is operating and consequently discharging wastewater.

Z. **Composite Sample** shall mean a sample of wastewater composed of samples collected at equal intervals, not exceeding one (1) hour, throughout the operational day of a user, and representative of the discharge of the facility.

AA. **Monitoring** shall mean the performance of procedures (wastewater flow measurements, wastewater sampling, sample analysis, etc.) necessary to determine wastewater discharge compliance and/or to verify the flow and/or the strength of wastewater.

Ord. Nos. 18721, 21584

SECTION 702. RATES OF USER CHARGE

For the purpose of providing funds for the maintenance, repair, operation, expansion, replacement, or reconstruction of the sanitary sewer system of the City or other sanitary sewer systems of which the City has accepted or shall accept a beneficial interest and for other purposes, sewer service charges and industrial user waste charges shall be established as provided in this section. The rates so established shall become operative on October 1, 2007, for all billing cycles provided in this title with "service from date" on or after October 1, 2007.

A. **Inside the Corporate Limits of City or on City-Owned Property, Per Monthly Billing Period:**

1. **Sewer Service Charge.**

<u>Monthly Service Charge</u>	
<u>Water Meter Size</u>	<u>Charge</u>
3/4 inch or less in size	\$ 4.08
1 inch in size	\$ 5.66
1-1/2 inches in size	\$ 5.75
2 inches in size	\$ 5.99
3 inches in size	\$ 6.40
4 inches in size	\$ 8.67
6 inches in size	\$ 13.26
8 inches in size	\$ 17.85
10 or more inches in size	\$ 25.50

Quantity Charge

<u>Monthly Quantity</u>	<u>Charge</u>
Each thousand gallons	\$ 3.05

2. **Industrial User Waste Charge.**Monthly Service Charge

<u>Water Meter Size</u>	<u>Charge</u>
3/4 inch or less in size	\$ 4.08
1 inch in size	\$ 5.66
1-1/2 inches in size	\$ 5.75
2 inches in size	\$ 5.99
3 inches in size	\$ 6.40
4 inches in size	\$ 8.67
6 inches in size	\$ 13.26
8 inches in size	\$ 17.85
10 or more inches in size	\$ 25.50

Additional Quantity Charge

<u>Monthly Quantity</u>	<u>Charge</u>
Volume per thousand gallons	\$ 2.0290
BOD per pound	\$ 0.2859
Suspended solids per pound	\$ 0.1501
Monitoring	Actual Cost to the City

B. Outside the Corporate Limits of City, but Excluding City-Owned Property, Per Monthly Billing Period:1. **Sewer Service Charge.**Monthly Service Charge

<u>Water Meter Size</u>	<u>Charge</u>
3/4 inch or less in size	\$ 10.59
1 inch in size	\$ 10.72
1-1/2 inches in size	\$ 10.85
2 inches in size	\$ 11.23
3 inches in size	\$ 11.86
4 inches in size	\$ 14.40
6 inches in size	\$ 18.20

8 inches in size	\$	22.00
10 or more inches in size	\$	28.34

Quantity Charge

<u>Monthly Quantity</u>		<u>Charge</u>
Each thousand gallons	\$	4.89

2. **Industrial User Waste Charge.**Monthly Service Charge

<u>Water Meter Size</u>		<u>Charge</u>
3/4 inch or less in size	\$	10.59
1 inch in size	\$	10.72
1-1/2 inches in size	\$	10.85
2 inches in size	\$	11.23
3 inches in size	\$	11.86
4 inches in size	\$	14.40
6 inches in size	\$	18.20
8 inches in size	\$	22.00
10 or more inches in size	\$	28.34

Additional Quantity Charge

<u>Monthly Quantity</u>		<u>Charge</u>
Volume per thousand gallons	\$	3.104
BOD per pound	\$	0.4927
Suspended solids per pound	\$	0.2458
Monitoring		Actual Cost to the City

3. **Wholesale User Waste Charge.**

<u>Monthly Quantity</u>		<u>Charge</u>
Each thousand gallons	\$	3.34

Ord. Nos. 17739, 17959, 18222, 18483, 18721, 19292, 19863, 20606, 20670, 21317, 21573

SECTION 703. DETERMINATION OF SEWER SERVICE CHARGE

The City of Tulsa finds that in most instances it is impractical to measure the volume of domestic sewage discharged into the sanitary sewer system for the purpose of billing under this chapter. Therefore, the volume of domestic sewage, upon which

the sewer service charges shall be calculated, shall prima facie be the amount of water which is metered to the user of both water service and sanitary sewer service, except in cases where treatment facilities are furnished by others in which cases sanitary sewer service and sewer service charges therefor shall be rendered pursuant to contract. The following provisions shall apply to the determination of sewer service charges, and the rates established in this section shall become operative on October 1, 2007, for all billing cycles provided in this title with "service from date" on or after October 1, 2007.

A. All sanitary sewer service billing periods shall coincide with the billing periods of water service to the same user or premises.

B. The monthly sewer service charge or industrial user waste charge to each user shall be calculated by applying the rates of user charge as established by the applicable provisions of this chapter, to the base use for each user.

C. In the event sanitary sewer service is commenced to a new user after annual sewer base uses have been established and such user was a water customer of the City for more than twelve (12) months, but less than sixty (60) months, the base use shall be calculated on the average monthly gallons of water billed to the user for all periods ending in December, January and February.

D. In the event sanitary sewer service is commenced to a new user after annual sewer base uses have been established and such user was not a water customer of the City during the previous twelve (12) months, the Director shall establish a temporary base use for such customer which shall be predicated upon actual use, adjusted for seasonal variation, and shall remain in effect until a new base use is established.

E. In the event a customer transfers from one service address to another, the base use of such customer at the billing address from which transferred may be the base use for the customer at the new location until a new base use is established.

F. If in the opinion of the Director the base use established in accordance with the applicable provisions of this chapter does not reasonably approximate the actual discharge of wastewater into the public sanitary sewer system by such user, the Director shall determine the average monthly discharge of such user based upon actual consumption of water, less the water consumed but not discharged into the sanitary sewer system. The average so established shall be reviewed by the Director at least annually.

G. Any sanitary sewer user who is not also a water customer of the City shall pay a flat charge of Twenty-four and 00/100 Dollars (\$24.00) per month if the user is within the City limits, and Thirty-three and 84/100 Dollars (\$33.84) per month if the user is outside the City limits. However, if such charge does not, in the opinion of the

Director, fully compensate the City for the transporting and treating of sewage discharged by such user at the rates of user charges established by applicable provisions of this chapter, the Director shall determine, from such information as may be available to him, the average monthly discharge from such user. The average so established shall be the base use for such customer. The base use so established shall be reviewed by the Director at least annually.

H. The determination of base use made in accordance with the provisions of this chapter shall be final and binding upon all users, provided, that any user may, at the user's own expense, install metering or measuring devices of a type and installed in a manner approved by the Director. Billings after installation of a meter or measuring device shall be based upon actual usage measured in accordance with the schedule or rates of user charges set forth in the applicable provisions of this chapter.

I. Every water customer of the City to whom sanitary sewer service is available, except purchasers of water for resale, shall be deemed a user or sanitary sewer user unless the water customer produces evidence to the contrary.

J. The user charges provided in this section shall take precedence over any terms or conditions of agreements or contracts between the City and users (including industrial users, special districts, other municipalities, or federal agencies or installations) which are inconsistent with this chapter.

Ord. Nos. 17739, 17959, 18721, 19292, 19863, 20606, 21317, 21573, 21584

SECTION 704. DETERMINATION OF INDUSTRIAL USER WASTE CHARGE

A. Persons, establishments or owners discharging industrial wastes which exhibit none of the characteristics of wastes prohibited in Chapter 5 of this title, other than excessive B.O.D. or suspended solids, and which have, during a twenty-four (24) hour period, an average concentration of B.O.D. or suspended solids content in excess of normal domestic sewage, shall be required to pretreat the industrial wastes to meet the requirements of normal domestic sewage, provided, however, that such wastes may be accepted for treatment if all the following requirements are met:

1. The wastes will not cause damage to the collection system;
2. The wastes will not impair the treatment process; and
3. The discharger of the wastes enters into a contract with the City of Tulsa providing for an industrial user waste charge rate.

B. The volume of wastes shall be determined by the same methods used to calculate the regular sewer service charge. For establishments discharging less than

twenty thousand (20,000) gallons per day, the B.O.D. and suspended solids values may be determined from standard values for various industries established by the Director. As a minimum, industrial user waste charges shall be established utilizing B.O.D. and suspended solids concentrations of normal domestic waste, unless otherwise approved. In cases where the discharger desires to determine accurate values of B.O.D. and suspended solids, the discharger shall install, at his own expense, a sampling point at a location near the outlet of each building drain or connection with any sanitary sewer of the City, as approved by the Director. B.O.D. and suspended solids values, determined from samples collected from any establishment, shall be established by certification of an independent testing laboratory employed by the discharger and approved by the Director. Such report shall contain a statement that the samples collected and values determined are based on a twenty-four (24) hour composite sample which is representative of the establishment's flow. Each sampling point shall be installed and shall be maintained by the discharger so that any authorized representative of the City may readily and safely obtain samples of the flow at any time.

C. All flow rates, B.O.D., and suspended solids values used in determination of the industrial user waste charge shall be reevaluated on an annual basis; provided however, that if there is a major change in the operation to cause changes in value, the values may be increased or decreased based on a study of changes or actual measurements. The basis for determining the charge shall be reviewed annually and shall be adjusted to reflect any increase or decrease in wastewater treatment costs based on the previous year's experience. Each industrial user is subject to being monitored annually, at a minimum, and subsequently assessed a monitoring charge.

D. Each user which discharges any toxic pollutants which cause an increase in the cost of managing the effluent, the sludge, or the City's treatment works shall pay for such increased cost and shall become liable to the City for any expense, loss or damage experienced by the City by reason of such discharge.

SECTION 705. COLLECTION

A. The charges established herein for the use of the sanitary sewer system of the City shall be billed to each user monthly, along with the bill for water and other utility services, and shall carry the same due date as now or may hereafter be established for water service bills. No charge shall be made for sanitary sewer service during periods when the premises is disconnected from water service; except that, in those cases where water service is obtained from a source other than directly from the City of Tulsa, no allowance shall be made for vacancy or nonuse until sworn notification of such vacancy, on forms prescribed by the City, shall have been received by the authorized agent of the City and then only when such vacancy is longer than one (1) full billing period.

B. In the event any person, firm, or corporation shall tender as payment of water service, Medical Service Program, sanitary sewer nuisance abatement fees, sanitary sewer service, collection of solid waste service, and/or service charge for the use of the City's stormwater drainage system an amount insufficient to pay in full all of the charges so billed, credit shall be given first to the charges for deposit, second to the service charge for the use of the City's stormwater drainage system, third to the charges for collection of solid waste, fourth to the charge for sanitary sewer service, fifth to any sanitary sewer nuisance abatement fees, sixth to the charge for the Medical Service Program, seventh to the charges for water service, and lastly to fees and penalties.

C. In the event of nonpayment of the sewer service charges or industrial user waste charges established herein, the City shall have the right to make an actual physical disconnection of the house sewer from the public sanitary sewer or other sanitary sewer connecting to the public sanitary sewers, and the costs of disconnecting and reconnecting shall be paid by the customer then using or thereafter desiring to use such sanitary sewer for such premises.

D. In the event that any utility account shall become delinquent, water services may be terminated by the City until all delinquent charges shall be paid in full.

E. No sanitary sewer service connection shall be made to any premises not receiving water service directly from the City until and unless the lawful owner or agent of the premises to be furnished sanitary sewer service has executed a sanitary sewer service contract, wherein the owner of the premises to be served agrees to pay all user charges made and provided by the Revised Ordinances of the City of Tulsa and grants to the City a right-of-way and easement over, under and across the premises to be served for the purpose of inspecting the construction of the house sewer or sewers and for disconnecting the same in the event the user charges imposed herein are not paid.

F. Each user shall be notified, at least annually, in conjunction with a regular bill, of the rate and that portion of the user charges which are attributable to operation and maintenance of the wastewater treatment services.

Ord. Nos. 20384, 21527

SECTION 706. ANNUAL REVIEW OF USER CHARGE SYSTEM AND RECORD RETENTION

A. The Director shall review not less often than every one (1) year the wastewater contribution of users and user classes and the total costs of operation and maintenance of the treatment works and the user charge system, and shall recommend to the Utility Board revisions in the charges for users or user classes to accomplish the following:

1. To maintain the proportionate distribution of operation and maintenance costs among users and user classes;
2. To generate sufficient revenue to pay the total operation and maintenance costs necessary for the proper operation and maintenance (including replacement) of the treatment works and pretreatment program; and
3. To apply excess revenues collected from a class of users to the costs of operation and maintenance attributable to that class for the next year and to adjust the rates of that class of users accordingly.

B. The City shall maintain such records as are necessary to document compliance with federal regulations for such period as required by Oklahoma Statutes, *Ord. No. 17649*

SECTION 707. ADOPTION OF THE STANDARD INDUSTRIAL CLASSIFICATION MANUAL 1972

That certain document, three (3) copies of which are on file in the office of the City Clerk of the City of Tulsa, and one (1) copy of which is on file in the office of the Director, being marked and designated as the Standard Industrial Classification Manual, 1972, prepared by the Statistical Policy Division of the Executive Office of the President, Office of Management and Budget, is hereby adopted as a part of this chapter for the purpose of defining industrial users as found herein.

SECTION 708. RATE FOR DUMPING SEPTIC WASTE

A. The rate for dumping or discharging septic waste, Monday through Friday, 8:00 a.m. to 5:00 p.m., originating from inside or outside the corporate limits of the City of Tulsa shall be Forty-three and 24/100 Dollars (\$43.24) for each one thousand (1,000) gallons and each overage or fraction less than one thousand (1,000) gallons. The rate for dumping or discharging septic waste at all other times shall be Sixty-four and 86/100 Dollars (\$64.86) for each one thousand (1,000) gallons and each overage or fraction less than one thousand (1,000) gallons.

B. Septic waste shall be discharged only at facilities designated and approved by the Utility Board and the Mayor. No septic waste shall be discharged in the sanitary sewer system of the City except as provided in this title.

Ord. Nos. 16861, 17739, 17959, 18721, 19292, 19863, 20606, 21317, 21573

CHAPTER 8

SPECIAL FUNDS AND TRUST FUNDS

Section 800. Pump Stations Trust Fund.

SECTION 800. PUMP STATIONS TRUST FUND

A. The Mayor of the City of Tulsa is hereby authorized and directed to establish a special trust fund, which shall be nonfiscal and known as the Pump Stations Trust Fund ("the Fund"), and to record therein sums of money to be held in escrow by the City of Tulsa for construction or elimination of pump stations in accordance with contracts between the City and third persons concerning such pump stations.

B. The money recorded in the Fund shall be disbursed by warrant only for expenditures authorized by the Mayor and the Utility Board for the purposes set forth in this title. The Treasurer is authorized and directed to invest such funds in accordance with and to the extent permitted by the laws of the state of Oklahoma, and to credit the interest received therefrom to the Fund.

Ord. No. 14169

CHAPTER 9**BILLING AND COLLECTIONS**

- Section 900. Billing of Utility Customers; Cycles; Reading of Meters.
- Section 901. Collection and Deposit of Funds.
- Section 902. Time of Payment; Procedure for Disputing Charges; Discontinuance of Service; Fees for Customer Service.
- Section 903. Deposits for Utility Service.
- Section 904. Additional Fee for Delinquent Accounts.
- Section 905. Contracts with Persons Having Delinquent Accounts.
- Section 906. Utility Deposits Upon Termination of Service.
- Section 907. Change of Rates Upon Annexation.

SECTION 900. BILLING OF UTILITY CUSTOMERS; CYCLES; READING OF METERS

For the purpose of fixing the date and regulating the payment of all service charges and water bills, the Mayor shall divide the City into billing areas and shall assign billing cycles to such areas. Such billing cycles shall be designated by letters of the alphabet.

All meters shall be read monthly and all service charges and water bills shall be due and payable monthly at the Utilities Collection Office in the City of Tulsa not later than the date specified in the water bill.

The Mayor shall prescribe a date for the payment of the service charges and water bills in each cycle, and all the bills in a cycle shall be due on the same date. The water bills in each cycle shall be mailed or delivered to the customers therein not later than ten (10) days prior to the due date of the water bills in that cycle.

A schedule showing the division of the City into billing areas and cycles shall be available in the office of the Director.

Ord. No. 15584

SECTION 901. COLLECTION AND DEPOSIT OF FUNDS

In accordance with the provisions of the Charter of the City of Tulsa, the Mayor is hereby authorized and directed to cause to be collected and deposited all funds due the City of Tulsa for water and sewer services.

SECTION 902. TIME OF PAYMENT; PROCEDURE FOR DISPUTING CHARGES; DISCONTINUANCE OF SERVICE; FEES FOR CUSTOMER SERVICE

In the event of the failure of any customer to make payment in full for the amount of charges assessed against him on or before the due date indicated on the bill, there shall be mailed to him within ten (10) days after such due date a notice of delinquency.

A. The notice shall inform the customer that, unless payment is received by the City by the date indicated on the notice which shall be not less than ten (10) days from the date of the notice, water service may be terminated without further notice.

B. The notice shall inform the customer that he may dispute the correctness of all or part of the amount shown on such notice and shall describe the following procedure for contesting such amount.

1. Before the date of termination shown on the notice, the customer may notify the Director or his designated representative ("Director") whose telephone number and business hours shall be listed in the notice, that he disputes all or any part of the amount shown. The customer shall state as completely as possible the basis for the dispute.

2. If the Director determines that the customer has previously disputed the correctness of all or part of the subject amount, the customer shall be mailed a response stating that the dispute is invalid and the Director may proceed as if he had not been notified of a dispute.

3. If the Director determines that the dispute is valid, he shall determine whether it is in the best interest of both the City and the customer that the dispute be settled at the administrative level or by the Tulsa Utility Board.

4. If the Director determines that it is in the best interest of both the City and the customer that the dispute be determined at the administrative level, he shall, within three (3) working days after receiving notice of the dispute, arrange a meeting with the customer, which meeting shall be no more than ten (10) days from the date of the customer's notice of dispute. The Director shall give the customer a written confirmation showing the time, date and place of the meeting. At the meeting, the Director shall resolve the dispute in a fair and equitable manner based on the records of the City, the customer's information, and all other relevant information reasonably available to him. The Director shall notify the customer in writing of his decision within five (5) days after the date of the meeting.

5. Within five (5) days of receipt of the Director's decision, the customer may request, in writing, a hearing before the Tulsa Utility Board. If the deposit required in this title is not sufficient to cover the amount in dispute, the Director shall notify the customer who shall have five (5) days from receipt of such notice to post additional deposit sufficient to cover the amount in dispute.

6. If the customer fails to request a hearing before the Utility Board within the time provided above or if the customer fails to post any additional deposit which may be required, the Director shall proceed as if no dispute had occurred. Should the customer request a hearing before the Utility Board or should the Director determine that it is in the best interest of both the City and the customer to have the dispute heard by the Board, the matter shall be set before the Board at its first regular meeting occurring more than ten (10) days after the determination by the Director or the request for hearing by the customer. At least ten (10) days prior to the hearing, the customer shall be notified in writing of the time, date and place that the Utility Board shall hear the matter. At the hearing the customer shall be entitled to present all evidence which is relevant and material to the dispute. The Board shall, within five (5) days from the date of its hearing, issue a written decision formally resolving the dispute, which decision shall be binding upon the Director and the customer. [If] a decision of the Utility Board is adverse to the customer as to any amount in dispute, the customer shall also be mailed a notice that unless payment of the amount determined by the Board to be due is made by a date not less than ten (10) days from the date of such notice, water service may be terminated without further notice.

C. The Director shall prescribe reasonable customer service fees as appropriate for service calls and other similar services provided in connection with utility service. A schedule of fees shall be recommended by the Director and approved by the Utility Board and the City Council.

Ord. No. 18722

SECTION 903. DEPOSITS FOR UTILITY SERVICE

A. **Deposit Required.** Any person, firm or corporation desiring to obtain from the City of Tulsa one or more utility services for water, sanitary sewer, solid waste collection and/or disposal, or stormwater drainage management shall make application for such utility services. Each user shall be required to make a security deposit to guarantee payment for utility service to each premise served. The amount of such security deposit shall be equal to the charges for two (2) months' utility service as estimated at the date of first service. All or part of the deposit may be applied to the payment of the account of the applicant at any time the account may thereafter become delinquent.

B. **Waiver of Deposit.** Upon approval of a written application to the Director or his designee, the security deposit required herein may be waived in the opening of accounts with:

1. Public, private or parochial schools;
2. Bona fide, established and organized charitable, eleemosynary or welfare organizations;
3. The federal government, state of Oklahoma and governmental subdivisions thereof, specifically including the City of Tulsa, Oklahoma, a municipal corporation;
4. Industrial, large industrial and commercial customers as defined in Chapter 3, Section 301 of this title, whose monthly charge for services exceeds Two Hundred Dollars (\$200.00) per month and who have submitted a payment bond in a form acceptable to the City Attorney and in an amount equal to twice the charges for two (2) months' utility services as estimated at the date of the first service;
5. Industrial, large industrial and commercial customers as hereinabove defined, who have on file with the City of Tulsa an irrevocable letter of credit in a form acceptable to the City Attorney and in an amount equal to twice the charges for two (2) months' utility services as estimated at the date of the first service;
6. Residential customers who, during the past two (2) years, have an established credit history and are in good standing with the City of Tulsa and who are opening an additional account, provided that the additional account has approximately the equivalent monthly charge as the account upon which the established credit history was built;
7. Residential customers who, during the past two (2) years, have an established credit history and are in good standing with the City of Tulsa and who are opening a new account due to divorce or the death of a spouse. In determining the good standing of the customer's account, consideration may be given to the payment record of the customer's former spouse; and
8. Customers desiring to reinstate an account who, for two (2) or more years immediately preceding the termination of their prior account, had an established credit history and were, at the time of termination of their prior account, in good standing with the City of Tulsa.

The waiver of deposit with any legal entity enumerated in the foregoing paragraphs 1 through 8, inclusive, is conditioned upon continuing prompt monthly payment of all charges for utility service and may be withdrawn at any time.

C. **Monthly Payment Required.** The security deposits shall be only a guarantee of the payment of the customer's utility service account and shall not relieve the consumer of the obligation of prompt monthly payment of utility service charges. If at any time it is determined that the security deposit is substantially less than the current amount of the total charges for two (2) months' utility service, the deposit of an additional sum may be required to make the security deposit equal to the current estimated charges for two (2) months' utility service.

D. **Refunding and Reinstatement of Deposits.** Security deposits shall be refunded and payment bonds and irrevocable letters of credit shall be released if they are no longer required for customers who have an established credit history for two (2) consecutive years and are currently in good standing with the City of Tulsa. Refunds for security deposits originally made with cash or cash equivalents shall be credited on monthly utility bills. No cash or cash equivalent deposit balance shall be refunded upon the closing of an account of any person, firm or corporation against whom there is any unsatisfied claim for previous utility services at that location or another or any unpaid charges of any kind due and owing to the City of Tulsa. If at any time after having received such a release or credit of the customer's security deposit, it is determined continued prompt payment of all charges for utility services is not being made, a security deposit may be required in an amount equal to the charge for the immediately preceding two (2) month's utility service charges. Reinstatement of such a security deposit shall be effected by billing such security deposit on a customer's monthly utility bills.

Ord. Nos. 17289, 17427

SECTION 904. ADDITIONAL FEE FOR DELINQUENT ACCOUNTS

A. **Late Fee.** Any amount due on any utility bill issued by the City (including, but not limited to water, sanitary sewer, solid waste collection and/or disposal or storm water drainage management) not paid by the due date shall be considered delinquent. An additional charge of one and one-half percent (1-1/2%) of the delinquent amount per month shall be assessed on all delinquent amounts for so long as the amounts remain delinquent.

B. **Waiver.** The Director or his designee may waive the late fee when assessed in error, when the delinquency is legally excusable, or when the account debtor completes an installment payment agreement. Interest will be charged as stated herein upon failure to complete the installment payment agreement.

Ord. No. 21499

SECTION 905. CONTRACTS WITH PERSONS HAVING DELINQUENT ACCOUNTS

The Mayor shall not enter into any contract with, render any service to, or continue to render any service to any person against whom there is an unsatisfied claim for previous services or any unpaid charges of any kind; provided, however, that the Mayor may in unusual cases enter into an agreement with such person to render service upon the payment of such claim by installments.

Ord. No. 21499

SECTION 906. UTILITY DEPOSITS UPON TERMINATION OF SERVICE

Unless otherwise provided herein, money in the possession of the City which has been acquired as a utility deposit from a utility customer shall be refunded or credited to the customer upon termination of all utility services and payment of all charges due and connected with the service. If the deposit has not been claimed by or refunded to a customer within one (1) year following termination of the utility service to the customer, the City shall send written notice to the customer at his last-known address stating that the deposit will be paid over to the City unless it is claimed by the customer within ninety (90) days of the date the notice is mailed by the City. If the money is not claimed or refunded within the ninety (90) days, the amount of the deposit shall be charged against the customer's account. No customer shall have a right to any claim or refund on the deposit after written notice and expiration of the ninety-day period in accordance with 11 O.S.1991, § 35-107.

Ord. No. 21499

SECTION 907. CHANGE OF RATES UPON ANNEXATION

Upon annexation to the City of Tulsa of any place outside of the City limits supplied with treated water through meters, and not redistributed to individual customers, the rate and amount of security deposits applicable inside of the City shall become effective immediately after the meter reading date next preceding the date of annexation.

Ord. Nos. 10012, 21499

CHAPTER 10**APPROVAL OF WATER LINE AND SEWER LINE EXTENSIONS OR IMPROVEMENTS**

- Section 1000. Definitions.
- Section 1001. Water Distribution Line--Construction Permit Exemption.
- Section 1002. Compliance with Standards.
- Section 1003. Municipal Sewer/Wastewater Systems--State Permit Exemption.
- Section 1004. Requirements for Small Sewage Treatment Systems.
- Section 1005. Variances.
- Section 1006. Permit Transfer and Cancellation.
- Section 1007. Fee Schedule.
- Section 1008. Inspection Required.
- Section 1009. Rules and Regulations.

SECTION 1000. DEFINITIONS

For the purpose of this chapter, the following terms, words, phrases, and their derivations shall have the following meanings.

- A. **City** shall mean the City of Tulsa, Oklahoma, a municipal corporation, acting through the Utility Board and the City's duly authorized officer or agents.
- B. **DEQ** shall mean the Oklahoma State Department of Environmental Quality, its successors, designees, and assigns.
- C. **Director** shall mean the Director of Public Works of the City of Tulsa, or any person succeeding to the Director's duties and functions.
- D. **Engineer** shall mean the professional engineer of the City of Tulsa who:
 - 1. Is in responsible charge of the reviewing staff of the City;
 - 2. Is responsible for reviewing applications for water line and sewer line extensions or improvements for the City;
 - 3. Is duly licensed as a professional engineer in the state of Oklahoma; and
 - 4. Has passed an examination on the contents of the Standards for Water Pollution Control Facilities and Standards for Public Water Supply Facilities.

E. **Licensed Engineer** shall mean a person licensed as a professional engineer in the state of Oklahoma.

F. **Water Distribution Lines** shall mean water mains not larger than twelve (12) inches in diameter and except systems constructed in whole or in part with funds from EPA and/or administered by DEQ.

G. **Municipal Sewer/Wastewater System** shall mean sanitary sewage collection systems constructed, operated, or maintained by a municipality or trust for the benefit of such a municipality.

H. **Municipal Water System** shall mean a public water supply distribution system constructed, operated, and maintained by a municipality or trust for the benefit of such a municipality.

I. **Permit** shall mean the City's written approval of the application for water line or sewer line extensions or improvements which connect to the water or sewer system of the City.

J. **Person** shall mean any natural individual, corporation, company, firm, partnership, association or trust, including any state agency, governmental subdivision, instrumentality, and agency, county, city and town.

K. **Premise** shall mean any plot or tract of ground, regardless of size or plat, under individual ownership or individual use or occupancy.

L. **Sewage Collection System** shall mean and include gravity sewage collection lines not larger than twelve (12) inches in diameter, except for systems constructed in whole or in part with funds from EPA and/or administered by DEQ.

M. **Small Commercial Sewage Treatment System** shall mean a sewage treatment system which serves a public or commercial establishment which exhibits a flow of not greater than 5,000 gallons per day. This includes such establishments as small restaurants, retail stores, and commercial office buildings, but does not include residential systems, alternative systems, lift stations, discharging systems, or land treatment systems.

Ord. Nos. 16384, 20781

SECTION 1001. WATER DISTRIBUTION LINE--CONSTRUCTION PERMIT EXEMPTION

A. **Purpose.** The purpose of this section is to qualify for exemptions from the Department of Environmental Quality (DEQ) construction permit requirement for water systems, pursuant to Chapter 625 of the Oklahoma Administrative Code, entitled "Public

Water Supply Construction Standards," adopted by the Board of Environmental Quality on May 26, 1994. Water distribution lines not larger than twelve (12) inches in diameter are the only mains eligible for the exemption from the requirements of issuance of state construction permits. All water distribution lines/systems constructed in whole or in part with funds from the United States EPA and/or with funds administered by the DEQ shall not be exempted from the requirement of obtaining a state construction permit.

B. Systems and Connection Requirements. The municipal water systems and any water distribution line or connection thereto shall be constructed in compliance with the applicable regulations, rules, and requirements of the DEQ or the ordinances, regulations, rules and requirements of the City, whichever standard is more stringent.

C. Approval Required. All water distribution lines to be connected to the municipal water system shall be approved by the Director prior to actual construction.

D. Approval Withheld. Approval shall be withheld if the water treatment plant, pump station or distribution main to which the water distribution line is to attach has reached or, with the addition of the proposed water distribution line, would reach treatment or hydraulic capacities. Further, approval shall also be withheld if the water distribution line does not meet or exceed the standards of the DEQ and the City, or may be withheld for any other reason.

E. Review and Approval of Plans and Specifications for Connection to Systems. Prior to construction, plans and specifications for water distribution line shall be reviewed, approved, and signed by a professional engineer licensed by the state of Oklahoma and designated by the Director as being in responsible charge of such connections to the municipal water systems. All approved plans and specifications shall be signed by the designated professional engineer, in responsible charge, indicating approval to proceed with construction in accordance with the approved plans and specifications. No water distribution line construction shall proceed until plans and specifications have been reviewed and approved in this manner.

F. Listing of Projects. The Director or his designated representative shall supply DEQ with one copy of all such approved plans and specifications together with a listing of all approved water distribution line projects monthly, on or before the fifteenth of each month following approval of the plans and specifications for each project. The listing shall include the name, location, and date of approval of each such project.

G. Inspection. The Director or his designated representative shall inspect each approved project and shall prohibit commencement of any water distribution line construction or connection prior to approval of plans and specifications in accordance with this chapter.

H. **System Operation.** The City shall operate its municipal water system in compliance with the applicable rules of DEQ.

I. **System Capacity Exception.** Should the City declare a moratorium on water distribution line construction or should any proposed water distribution line bring the municipal water system, a connected pump station, distribution main, or water treatment plant to its design capacity, the construction or connection of the proposed water distribution line may still be allowed, to the extent approved by DEQ, under the following circumstances:

1. The City shall apply, in writing, to the DEQ for a variance allowing the specified construction to proceed within the area;

2. The application shall detail what the City will do to ensure that the construction or connection will not worsen any existing problems;

3. The application shall include timetables for correcting any stated problems, prior to the connection of any additional users, demands, or flows as a result of the construction of which approval is sought;

4. The application, if approved, shall become a condition of any permit issued for such construction by the DEQ;

5. Approval of construction in an area under moratorium or at design capacity which has not received such a variance from the DEQ may result in revocation of the City's overall water permit exemption status, as provided by the rules and regulations of DEQ.

Ord. No. 20781

SECTION 1002. COMPLIANCE WITH STANDARDS

A. All municipal water systems, facilities, and connections shall be constructed in compliance with the "Public Water Supply Construction Standards" established by the Oklahoma Department of Environmental Quality or City standards, whichever is more stringent.

B. No municipal water system or water distribution line shall be constructed until plans and specifications meeting the criteria in Subsection A, above, are reviewed, approved, and signed by the responsible licensed professional engineer in charge of the project.

Ord. No. 20781

SECTION 1003. MUNICIPAL SEWER/WASTEWATER SYSTEMS--STATE PERMIT EXEMPTION

A. **Purpose.** The purpose of this section is to qualify for exemptions from the Department of Environmental Quality construction permit requirement for wastewater collection systems, pursuant to Chapter 655 of the Oklahoma Administrative Code, entitled "Water Pollution Control Construction Standards," adopted by the Board of Environmental Quality on November 24, 1993. Gravity sewage construction lines not larger than twelve (12) inches in diameter are the only systems eligible for the exemption from the requirements of issuance of state construction permits, provided all systems which are constructed in whole or in part with funds from the United States EPA and/or with funds administered by the DEQ shall not be exempt from the requirement of obtaining a state construction permit.

B. **System and Connection Requirement.** All municipal sewer/wastewater systems and any connection thereto shall be constructed in compliance with the applicable regulations, rules, and requirements of the DEQ or the applicable regulations, rules, and requirements of the City, whichever standard is more stringent.

C. **Approval Required.** All sewer line extensions to sewage treatment plants, lift stations, and interceptor lines shall be approved by the Director prior to actual construction.

D. **Approval Withheld.** Approval shall be withheld if the sewage treatment plant, lift station, or interceptor line to which the sewer line extension is to attach has reached or, with the addition of the proposed sewer line extension, would reach treatment or hydraulic capacities. Further, approval shall also be withheld if the sewer line extension does not meet or exceed the standards of the DEQ and the City, or may be withheld for any other reason.

E. **Review and Approval of Plans and Specifications for Sewage Collection Systems.** Prior to construction, plans and specifications for sewage collection systems shall be reviewed, approved, and signed by a professional engineer licensed by the state of Oklahoma and designated by the Director as being the responsible professional engineer in charge of connections to the sewage collection systems for the municipality. All approved plans and specifications shall be signed by the designated professional engineer indicating approval to proceed with construction in accordance with the approved plans and specifications. No sewage collection system construction shall proceed until plans and specifications have been reviewed and approved in this manner.

F. **Listing of Projects.** The Director or his designated representative shall supply DEQ with one copy of all such approved plans and specifications together with a listing of all approved projects monthly, on or before the fifteenth of each month

following approval of the plans and specifications for each project. The listing shall include the name, location, and date of approval of each such project.

G. Inspection. The Director or his designated representative shall inspect each approved project and shall prohibit commencement of any sewage collection system construction or connection prior to approval of plans and specifications in accordance with this chapter.

H. System Operation. The City shall operate its sewer/wastewater systems in compliance with the applicable rules of DEQ.

I. System Capacity Exception. Should any proposed City sewer line extension bring a connected lift station, interceptor line, or sewage treatment plant to its design capacity, the construction or connection of the proposed sewer line extension may still be allowed, to the extent approved by DEQ, under the following circumstances:

1. The City shall apply in writing to the DEQ for a variance allowing the specified construction to proceed within the area;

2. The application shall detail what the City will do to ensure that the construction or connection will not worsen any problems or treatment capacity, flow, or bypassing of sewage;

3. The application shall include timetables for correcting any stated problems, prior to the connection of any additional loadings or flows, as a result of the construction for which approval is sought;

4. The application, if approved, shall become a condition of any permit issued for such construction by the DEQ;

5. Approval of construction in an area at design capacity which has not received such a variance from the DEQ may result in revocation of the City's overall sewer line permit exemption status, as provided by the rules and regulations of DEQ.

Ord. No. 20781

SECTION 1004. REQUIREMENTS FOR SMALL SEWAGE TREATMENT SYSTEMS

Small sewage treatment systems may be installed under the following circumstances:

A. Small sewage treatment systems shall be constructed in accordance with Title 17, Tulsa Revised Ordinances, Chapter 9, Septic Tanks; and

B. A permit shall be obtained from the Tulsa City-County Health Department; and

C. If a subsurface system is to be installed, a soil percolation test shall be required. The soil percolation test shall follow the procedure set forth by ODH Bulletin No. 600 and shall be performed by a registered professional sanitarian, registered professional engineer, or registered land surveyor, and submitted to the Tulsa City-County Health Department; and

D. Prior to backfilling a subsurface system or placing a lagoon into service, a final inspection shall be performed and approval obtained from the Tulsa City-County Health Department, or persons certified by the Oklahoma State Department of Health.
Ord. No. 20781

SECTION 1005. VARIANCES

Whenever the City has declared a moratorium on water or sewer line extensions, improvements or modifications in a portion of the City, construction may be allowed in that portion to the extent approved by the Commissioner of Health of the state of Oklahoma.

Ord. Nos. 16384, 20781

SECTION 1006. PERMIT TRANSFER AND CANCELLATION

A permit shall not be assigned, transferred or sold to any other person and shall not be valid for construction at a premise or location different from the premise or location contained in the application. A permit shall be void if construction is not commenced within one (1) year of the date of its issuance. If a permit becomes void by reason of failure to commence construction within the required period, a new application for a permit shall be filed with the City prior to construction, and all regulations and standards in effect at the time of the new application shall be in force and effect.

Ord. Nos. 16384, 20781

SECTION 1007. FEE SCHEDULE

The following fees shall be charged by the City for the review and approval of plans and specifications for a permit pursuant to this chapter:

Line extensions or improvements (rounded to the nearest 100 feet)	\$5.00/100 feet (\$50.00 minimum)
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Ord. Nos. 16384, 20781

SECTION 1008. INSPECTION REQUIRED

Before they are placed into service, all extensions or improvements of the water and sewer lines of the City shall be inspected, tested and approved by the inspection staff of the City to ensure that construction is in accordance with approved plans and specifications.

Ord. Nos. 16384, 20781

SECTION 1009. RULES AND REGULATIONS

The Director shall develop such standards, rules and regulations which are deemed necessary to protect the public peace, health and safety and for the administration and enforcement of this chapter, which shall be approved by the Utility Board and Council of the City before they become effective.

Ord. Nos. 16384, 20781

CHAPTER 11**PENALTIES**

Section 1100. Penalties.

SECTION 1100. PENALTIES

A. Unless otherwise specifically provided in this title, any person violating any of the provisions of this title shall be guilty of an offense and, upon conviction thereof, shall be punished by imprisonment in the City Jail for a period of not more than ninety (90) days and/or by a fine of not more than FIVE HUNDRED DOLLARS (\$500.00), excluding costs; provided, however, that anyone found guilty of violating any of the provisions of Chapter 12 of this title shall be punished by imprisonment in the City Jail for a period of not more than ninety (90) days and/or by a fine of not more than ONE THOUSAND DOLLARS (\$1,000.00), excluding costs. Each day of such violation shall constitute a separate offense.

B. Any person who shall violate any of the provisions of this title with respect to obtaining water or sewer service through connection to any water or sewer line under the jurisdiction of the City of Tulsa for its operation, repair and maintenance, upon substantiation of the facts, shall be denied water or sewer service until such violation is abated.

Ord. No. 17420

CHAPTER 12**SEWER USE**

- Section 1200. General Provisions.
- Section 1201. General Sewer Use Requirements.
- Section 1202. Pretreatment of Wastewater.
- Section 1203. Wastewater Discharge Permit Application.
- Section 1204. Wastewater Discharge Permit Issuance Process.
- Section 1205. Reporting Requirements.
- Section 1206. Compliance Monitoring.
- Section 1207. Confidential Information.
- Section 1208. Publication of Users in Significant Noncompliance.
- Section 1209. Administrative Enforcement Remedies.
- Section 1210. Judicial Enforcement Remedies.
- Section 1211. Supplemental Enforcement Action.
- Section 1212. Affirmative Defenses to Discharge Violations.
- Section 1213. Fees.

SECTION 1200. GENERAL PROVISIONS

A. **Purpose and Policy.** This chapter sets forth uniform requirements for users of the Publicly Owned Treatment Works for the City of Tulsa and enables the City of Tulsa to comply with all applicable state and federal laws, including the Clean Water Act, 33 U.S.C., § 1251, *et seq.*; and the General Pretreatment Regulations, Title 40 C.F.R. Part 403. The objectives of this chapter are:

1. To prevent the introduction of pollutants into the Publicly Owned Treatment Works that will interfere with its operation;
2. To prevent the introduction of pollutants into the Publicly Owned Treatment Works that will pass through the Publicly Owned Treatment Works, inadequately treated, into receiving waters, or otherwise be incompatible with the Publicly Owned Treatment Works;
3. To protect both Publicly Owned Treatment Works personnel who may be affected by wastewater and sludge in the course of their employment and the general public;
4. To promote reuse and recycling of industrial wastewater and sludge from the Publicly Owned Treatment Works;
5. To promote the use of pollution prevention practices; and

6. To enable the City of Tulsa, the Tulsa Metropolitan Utility Authority and the Regional Metropolitan Utility Authority to comply with its Oklahoma Pollutant Discharge Elimination System permit conditions, sludge use and disposal requirements, and any other federal or state laws to which the Publicly Owned Treatment Works is subject.

This chapter shall apply to all users of the Publicly Owned Treatment Works. The chapter authorizes the issuance of wastewater discharge permits; provides for monitoring, compliance, and enforcement activities; establishes administrative review procedures; requires user reporting; provides for the setting of wastewater discharge permit fees; and encourages the use of pollution prevention practices.

B. Administration. Except as otherwise provided herein, the Public Works Director of the City of Tulsa shall administer, implement, and enforce the provisions of this chapter. Any powers granted to or duties imposed upon the Director may be delegated by the Director to other personnel of the City of Tulsa.

C. Abbreviations. The following abbreviations, when used in this chapter, shall have the designated meanings:

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|-----|--------------|---|
| 1. | BMP | Best Management Practice |
| 2. | BOD | Biochemical Oxygen Demand |
| 3. | CFR | Code of Federal Regulations |
| 4. | COD | Chemical Oxygen Demand |
| 5. | EPA | U.S. Environmental Protection Agency |
| 6. | gpd | gallons per day |
| 7. | mg/l | milligrams per liter |
| 8. | NPDES | National Pollutant Discharge Elimination System |
| 9. | OPDES | Oklahoma Pollutant Discharge Elimination System |
| 10. | POTW | Publicly Owned Treatment Works |
| 11. | RCRA | Resource Conservation and Recovery Act |
| 12. | SIU | Significant Industrial User |

- | | | |
|-----|---------------|----------------------------|
| 13. | TSS | Total Suspended Solids |
| 14. | U.S.C. | United States Code |
| 15. | WWTP | Wastewater Treatment Plant |

D. **Definitions.** Unless a provision explicitly states otherwise, the following terms and phrases, as used in this chapter, shall have the meanings hereinafter designated.

1. **Act or "the Act."** The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C., §§ 1251, *et seq.*

2. **Approval Authority.** The state of Oklahoma Department of Environmental Quality.

3. **Authorized Representative of the User.**

a. If the user is a corporation:

(1) The president, secretary, treasurer, or a vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation.

(2) The manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit position-related duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for control mechanism requirements; and where authority has been assigned or delegated to the manager in accordance with corporate procedures.

b. If the user is a partnership or sole proprietorship: a general partner or proprietor, respectively.

c. If the user is a federal, state, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.

46. **Wastewater.** Liquid and water-carried industrial wastes and sewage from residential dwellings, commercial buildings, industrial and manufacturing facilities, and institutions, whether treated or untreated, which are contributed to the POTW.

47. **Wastewater Treatment Plant or Treatment Plant or WWTP.** That portion of the POTW that is designed to provide treatment of municipal sewage and industrial waste.

For the purposes of this chapter, "shall" is a mandatory requirement; "may" is permissive or a discretionary requirement.

Ord. Nos. 17419, 19991

SECTION 1201. GENERAL SEWER USE REQUIREMENTS

A. Prohibited Discharge Standards.

1. **General Prohibitions.** No user shall introduce or cause to be introduced into the POTW any pollutant or wastewater that causes pass through or interference. These general prohibitions apply to all users of the POTW whether or not they are subject to categorical pretreatment standards or any other national, state, or local pretreatment standards or requirements.

2. **Specific Prohibitions.** No user shall introduce or cause to be introduced into the POTW the following pollutants, substances, or wastewater:

a. Pollutants which create a fire or explosive hazard in the POTW, including, but not limited to, wastestreams with a closed-cup flashpoint of less than 140F° (60°C) using the test methods specified in 40 C.F.R. § 261.21;

b. Wastewater having a pH less than 5.0. Also, wastewater having a pH of less than 6.0 or greater than 11.0, if in the opinion of the Director, it appears probable that the discharge may be deleterious or damaging to the POTW;

c. Solid or viscous substances in amounts which will cause obstruction of the flow in the POTW or interference;

d. Pollutants, including oxygen-demanding pollutants (BOD, etc.), released in a discharge at a flow rate and/or pollutant concentration which, either singly or by interaction with other pollutants, will cause interference with the POTW;

- e. Wastewater or vapor having heat in amounts which will inhibit biological activity in the treatment plant or cause interference, but in no case wastewater or vapor which causes the temperature at the introduction into the treatment plant to exceed 104°F (40°C);
- f. Petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin, in amounts that will cause interference or pass-through;
- g. Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems;
- h. Trucked or hauled pollutants, except at discharge points designated by the Director in accordance with Subsection 1201.E of this chapter;
- i. Noxious or malodorous liquids, gases, solids, or other wastewater which, either singly or by interaction with other wastes, are sufficient to create a public nuisance or a hazard to life, or to prevent entry into the sewers for maintenance or repair;
- j. Wastewater which imparts color which cannot be removed by the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions, which consequently imparts color to the treatment plant's effluent, thereby violating one of the City's OPDES permits;
- k. Wastewater containing any radioactive wastes or isotopes except in compliance with applicable state or federal regulations;
- l. Storm water, surface water, ground water, artesian well water, roof runoff, subsurface drainage, unless specifically authorized by the Director;
- m. Sludge, screenings, or other residues from the pretreatment of industrial wastes;
- n. Medical wastes, except as specifically authorized by the Director in a wastewater discharge permit;
- o. Wastewater causing, alone or in conjunction with other sources, the treatment plant's effluent to fail a toxicity test;
- p. Detergents, surface-active agents, or other substances which may cause excessive foaming in the POTW; or

q. Fats, oils, or greases of animal or vegetable origin in concentrations greater than 100 mg/l, if in the opinion of the Director it appears probable that such discharge may:

- (1) Deposit grease or oil in the sanitary sewer lines in such a manner as to clog the sanitary sewer lines;
- (2) Overload the City's skimming and grease handling equipment;
- (3) Cause interference; or
- (4) Have deleterious effects on the treatment process due to excessive quantities.

The use of hot water, enzymes, chemicals, or other agents or devices causing improperly treated pollutants such as oil and grease to pass into the POTW, is prohibited.

Pollutants, substances, or wastewater prohibited by this section shall not be processed or stored in such a manner that they could be discharged to the POTW.

B. Federal Categorical Pretreatment Standards. The categorical pretreatment standards found at 40 C.F.R. Chapter I, Subchapter N, Parts 405-471, are hereby incorporated.

1. Where a categorical pretreatment standard is expressed only in terms of either the mass or the concentration of a pollutant in wastewater, the Director may impose equivalent concentration or mass limits in accordance with 40 C.F.R. § 403.6(c).

2. When wastewater subject to a categorical pretreatment standard is mixed with wastewater not regulated by the same standard, the Director shall impose an alternate limit using the combined wastestream formula in 40 C.F.R. § 403.6(e).

3. A user may obtain a variance from a categorical pretreatment standard if the user can prove, pursuant to the procedural and substantive provisions in 40 C.F.R. § 403.13, that factors relating to its discharge are fundamentally different from the factors considered by EPA when developing the categorical pretreatment standard.

4. A user may obtain a net gross adjustment to a categorical standard in accordance with 40 C.F.R. 403.15.

C. Local Limits. Except as provided for in Subsection 1201.F of this chapter, no person shall discharge wastewater to the POTW containing in excess of the following

instantaneous maximum allowable discharge limits as measured by procedures set out in 40 C.F.R. Part 136:

POLLUTANT	WWTP WHERE WASTEWATER IS PROCESSED PRIOR TO DISCHARGE INTO THE ENVIRONMENT		
	<i>Southside or Northside WWTP</i>	<i>Haikey Creek WWTP</i>	<i>Lower Bird Creek WWTP</i>
Arsenic	1.0 mg/l	2.0 mg/l	5.0 mg/l
Cadmium	0.6 mg/l	0.5 mg/l	0.5 mg/l
Chromium	4.0 mg/l	2.8 mg/l	5.0 mg/l
Copper	2.0 mg/l	4.0 mg/l	0.9 mg/l
Cyanide	2.25 mg/l	0.8 mg/l	0.5 mg/l
Lead	0.7 mg/l	1.5 mg/l	1.7 mg/l
Mercury	0.04 mg/l	0.43 mg/l	0.05 mg/l
Molybdenum	2.75 mg/l	33.8 mg/l	2.75 mg/l
Nickel	3.25 mg/l	5.0 mg/l	3.25 mg/l
Silver	1.2 mg/l	0.5 mg/l	2.1 mg/l
Zinc	5.0 mg/l	5.0 mg/l	4.1 mg/l

The above limits apply at the point where the wastewater is discharged to the POTW. All concentrations for metallic substances are for "total" metal, unless indicated otherwise. Compliance with the cyanide limitation may be demonstrated by measuring for either total cyanide or available cyanide.

The Director may impose mass limitations in addition to or in place of the concentration-based limits above.

D. **Dilution.** No user shall increase the use of process water, or in any way attempt to dilute a discharge, as a partial or complete substitute for adequate treatment to achieve compliance with a discharge limitation unless expressly authorized by an applicable pretreatment standard or requirement. No user shall discharge, without justification, large volumes of non-industrial process wastewater. The Director may impose mass limitations on users who commingle wastewater with different pollutant or chemical characteristics, or in other cases when the imposition of mass limitations is appropriate.

E. **Hauled Wastewater.** Hauled wastewater may be introduced into the POTW only at locations designated by the Director, and at such times as are established by the Director. The Director may require waste haulers to obtain wastewater discharge permits. The Director may require the waste hauler to provide a representative sample and/or an analysis of any load prior to discharge. Waste haulers must provide a waste-tracking form for every load. This form shall include, at a minimum, the name and address of the waste hauler, permit number, truck identification, names and addresses

of sources of waste, and volume and characteristics of waste. The Director reserves the right to reject any load of hauled waste.

F. Application of Best Management Practices. Upon petition to and approval by the Director, nonsignificant industrial users may, in lieu of monitoring for the local limits set forth in Subsection 1201.C, develop and implement a Best Management Practice policy. Facilities defined to be significant industrial users must adhere to the local limits listed in Subsection 1201.C. Once approved by the Director, a facility's BMP becomes a fully enforceable local limit. After approval of a BMP, the Director shall issue the facility a Certificate of BMP Approval. Facilities failing to abide by an approved BMP will be subject to: the local limits set forth in Subsection 1201.C; enforcement actions set out in Sections 1209, 1210, and 1211; or obtaining a permit as set forth in Sections 1203 and 1204 of this chapter.

1. BMP Policy Components. The minimum components of an approved BMP include the following:

- a. A description of the facility's industrial processes;
- b. A detailed description of the facility's wastewater treatment operations;
- c. A list and description of the chemicals used or stored at the facility;
- d. Policies and procedures for employee training;
- e. A detailed description of the facility's pollution prevention policies and procedures;
- f. A detailed description of the methods used for minimizing, to the greatest practical extent, adverse environmental impact; and
- g. Other information as required by the Director.

2. Certificate of BMP Approval. Upon approval of a BMP, the Director will issue the facility a Certificate of BMP Approval. Until the issuance of a Certificate of BMP Approval, facilities are subject to the local limits set out in Subsection 1201.C. A Certificate of BMP Approval shall be issued for a specified period of time, not to exceed five (5) years from the effective date of the certificate. A Certificate of BMP Approval may be issued for a period less than five (5) years, at the discretion of the Director.

3. Transfer of BMP Approval. A certificate of BMP approval may be transferred to a new owner or operator only after at least thirty (30) day advance notice

is given to the Director. The notice to the Director must include a written certification by the new owner or operator which:

- a. States that the new owner and/or operator has no immediate intent to change the facility's operations;
- b. Identifies the specific date on which the transfer is to occur; and
- c. Acknowledges full responsibility for complying with the existing certificate of BMP approval

4. **Revocation of BMP Approval.** The Director may revoke a Certificate of BMP Approval for good cause, including but not limited to the following reasons:

- a. A violation of any of the prohibited discharge standards set forth in Section 1201.A;
- b. Failure to notify the Director of significant changes to the facility or the type of wastewater discharged from the facility;
- c. Misrepresentation or failure to fully disclose all relevant facts in the request for certificate of BMP approval;
- d. Failure to update and revise a facility's BMP as needed, and submit such changes to the Director within thirty (30) days of such change(s);
- e. Refusing to allow the Director timely access to the facility premises and records;
- f. Failure to comply with an enforcement action;
- g. Failure to complete a wastewater survey;
- h. A change in operation or process, which would require the facility to obtain a Wastewater Discharge Permit;
- i. Failure to provide advance notice of the transfer of business ownership; or
- j. Failure to comply with the provisions and intent of an approved BMP.

G. **Approval Required.** The Director may require review and acceptance prior to discharge into the POTW of wastewater with any of the following properties:

1. A BOD concentration greater than two hundred fifty milligrams per liter (250mg/l);
2. A TSS concentration greater than two hundred and fifty milligrams per liter (250mg/l); or
3. The potential to be a prohibited discharge.

H. Wastewater with Excessive BOD or Suspended Solids. Users discharging wastewater into the POTW which exhibit none of the characteristics prohibited by this chapter, other than BOD or TSS concentrations in excess of that found in typical domestic wastewater, may be subject to the following requirement(s):

1. Pretreat the wastewater to the BOD and TSS concentrations found in typical domestic wastewater; or
2. These wastes may be discharged into the POTW provided the following requirements are met:
 - a. The wastewater will not cause damage to the POTW.
 - b. The wastewater will not impair the wastewater treatment process.
 - c. The user possesses an Industrial Wastewater Discharge Permit, if required by the Director.
 - d. The user is assessed a surcharge over and above the published sewer rates, if deemed appropriate by the Director.

I. Jurisdictional and Multi-jurisdictional Procedures. Any industrial user desiring to utilize the sewer system, whether within or outside the corporate limits of the City, by use of or discharge into the system, shall agree to the provisions set forth in this chapter and shall agree to accept any and all penalty provisions and enforcement actions provided herein.

J. City's Right of Revision. The City reserves the right to establish by either, ordinance, wastewater discharge permit; or order, more stringent standards or requirements on discharges to the POTW.

K. Deny or Condition. The Director may deny or condition new or increased contributions of pollutants, or changes in the nature of pollutants, to the POTW by Industrial Users where such contributions may not meet applicable Pretreatment Standards or Requirements or where such contributions may cause the POTW to violate an OPDES permit.

Ord. Nos. 17419, 19991, 21538

SECTION 1202. PRETREATMENT OF WASTEWATER

A. **Pretreatment Facilities.** Users shall provide wastewater treatment as necessary to comply with this chapter and shall achieve compliance with all categorical pretreatment standards, local limits, and the prohibitions set out in Section 1201 of this chapter within the time limitations specified by EPA, the state, or the Director, whichever is more stringent. Any facilities necessary for compliance shall be provided, operated, and maintained at the user's expense. Detailed plans describing such facilities and operating procedures shall be submitted to the Director for review, and shall be acceptable to the Director before such facilities are constructed. The review of such plans and operating procedures shall in no way relieve the user from the responsibility of modifying such facilities as necessary to produce a discharge acceptable to the City under the provisions of this chapter.

B. Additional Pretreatment Measures.

1. Whenever deemed necessary, the Director may require users to restrict their discharge during peak flow periods, designate that certain wastewater be discharged only into specific sewers, relocate and/or consolidate points of discharge, separate sewage wastestreams from industrial wastestreams, and alter such other conditions as may be necessary to protect the POTW and to determine the user's compliance with the requirements of this chapter.

2. The Director may require any person discharging into the POTW to install and maintain, on their property and at their expense, a suitable storage and flow-control facility to ensure equalization of flow. A wastewater discharge permit may be issued solely for flow equalization.

3. Grease, oil, and sand interceptors shall be provided when, in the opinion of the Director, they are necessary for the proper handling of wastewater containing excessive amounts of grease, oil or sand; except that such interceptors shall not be required for residential users. Installation of interceptor systems shall be of the type and capacity approved by the Director and shall comply with guidelines set forth in the adopted City of Tulsa Plumbing Code. All interceptors shall be located to be easily accessible for cleaning and inspection. Such interceptors shall be inspected, cleaned, and repaired regularly, as needed, by the user at their expense.

4. Users with the potential to discharge flammable substances may be required to install and maintain an approved combustible gas detection meter.

C. **Accidental Discharge/Slug Control Plan.** The Director may require any person discharging into the POTW to develop and implement a slug control plan. The plan shall contain, at a minimum, the following elements:

1. Description of discharge practices, including non-routine batch discharges;
2. Description of stored chemicals;
3. Procedures for immediately notifying the City of slug discharges, including any discharge that would violate a prohibition under 40 C.F.R. Part 403.5(b), with procedures for follow-up written notification within five (5) days; and
4. If necessary, procedures to prevent adverse impact from accidental spills, including inspection and maintenance of materials, loading and unloading operations, control plant site run-off, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants (including solvents, and/or measures and equipment for emergency response).

Ord. Nos. 17419, 19991

SECTION 1203. WASTEWATER DISCHARGE PERMIT APPLICATION

A. Wastewater Analysis. When requested by the Director, a user must submit information on the nature, volume, and characteristics of its wastewater within a time frame specified by the Director. The Director is authorized to prepare a form for this purpose and may periodically require users to update this information.

B. Wastewater Discharge Permit Requirements.

1. All significant industrial users are required to possess a wastewater discharge permit.
2. The Director may require other users to obtain wastewater discharge permits as necessary to carry out the purposes of this chapter.
3. The Director may also require owners or operators of nondischarging facilities to obtain wastewater permits. These permits require owners or operators of these facilities to have management plans in place that minimizes the potential for accidental discharges.
4. Any violation of the terms and conditions of a wastewater discharge permit shall be deemed a violation of this chapter and subjects the wastewater discharge permittee to the sanctions set out in Sections 1209 through 1211 of this chapter. Obtaining a wastewater discharge permit does not relieve a permittee of its obligation to comply with all federal and state pretreatment standards or requirements or with any other requirements of federal, state, and local law.

5. An application for a wastewater discharge permit must have been properly filed, and a permit issued, prior to the date upon which any discharge will begin or recommence.

C. Wastewater Discharge Permit Application Contents. All users required to obtain a wastewater discharge permit must submit a permit application. The Director may require a user to submit, as part of an application, the following information:

1. All information required by paragraphs 1205A.1 through 8 of this chapter;
2. Description of activities, facilities, and plant processes on the premises, including a list of all raw materials and chemicals used or stored at the facility;
3. Number and type of employees, days and hours of operation, and proposed or actual hours of operation;
4. Each product produced by type, amount, process or processes, rate of production, and the average and maximum flow rates for each type of discharge;
5. Water use and disposal information for each industrial process including maximum and average daily flow rates;
6. Type and amount of raw materials processed (average and maximum per day);
7. Site plans, floor plans, mechanical and plumbing plans, and details to show all sewers, floor drains, and appurtenances by size, location, and elevation, and all points of discharge;
8. Plans, drawings and descriptions of wastewater treatment processes;
9. Time and duration of discharges; and
10. Any other information as may be deemed necessary by the Director to evaluate the wastewater discharge permit application.

Incomplete or inaccurate applications will not be processed and will be returned to the user for revision.

D. Application Signatories and Certification. All wastewater discharge permit applications and user reports must be signed by an authorized representative of the user, as defined by paragraph 1200.D.3, and contain the following certification statement:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

E. Wastewater Discharge Permit Decision. The Director will evaluate the data furnished by the user and may require additional information. The Director may deny any application for a wastewater discharge permit.

Ord. Nos. 17419, 19991

SECTION 1204. WASTEWATER DISCHARGE PERMIT ISSUANCE PROCESS

A. Wastewater Discharge Permit Duration. A wastewater discharge permit shall be issued for a specified time period, not to exceed five (5) years from the effective date of the permit. A wastewater discharge permit may be issued for a period less than five (5) years, at the discretion of the Director. A wastewater discharge permit will remain in effect until the issuance of a new wastewater discharge permit, or a decision is made by the Director not to issue a permit.

B. Wastewater Discharge Permit Contents. A wastewater discharge permit shall include such conditions as are deemed reasonably necessary by the Director to prevent pass through or interference, protect the quality of the water body receiving the treatment plant's effluent, ensure worker health and safety, facilitate sludge management and disposal, and protect against damage to the POTW.

1. Wastewater discharge permits contain:
 - a. A statement that indicates wastewater discharge permit duration, which in no event shall exceed five (5) years;
 - b. A statement that the wastewater discharge permit is nontransferable without prior notification to the City in accordance with Subsection 1204.D of this chapter, and provisions for furnishing the new owner or operator with a copy of the existing wastewater discharge permit;
 - c. Applicable wastewater discharge limits;

- d. Self-monitoring, sampling, reporting, notification, and record-keeping requirements. These requirements shall include an identification of pollutants to be monitored, sampling location, sampling frequency, and sample type based on federal, state, and local law; and
 - e. A statement of applicable civil and criminal penalties for violation of pretreatment standards and requirements, and any applicable compliance schedule. Such schedule may not extend the time for compliance beyond that required by applicable federal, state, or local law.
2. Wastewater discharge permits may contain, but need not be limited to, the following conditions:
- a. Limits on the average and/or maximum rate of discharge, time of discharge, and/or requirements for flow regulation and equalization;
 - b. Requirements for the installation of pretreatment technology, pollution control, or construction of appropriate containment devices, designed to reduce, eliminate, or prevent the introduction of pollutants into the POTW;
 - c. Requirements for the development and implementation of spill control plans or other special conditions including management practices necessary to adequately prevent accidental, unanticipated, or non-routine discharges;
 - d. Development and implementation of waste minimization plans to reduce the amount of pollutants discharged to the POTW;
 - e. Requirements for installation and maintenance of inspection and sampling facilities and equipment;
 - f. A statement that compliance with the wastewater discharge permit does not relieve the permittee of responsibility for compliance with all applicable federal and state pretreatment standards, including those which become effective during the term of the wastewater discharge permit;
 - g. A requirement for the user to meter the facility's water service independently of any other use; or
 - h. Other conditions as deemed appropriate by the Director to ensure compliance with this chapter, and state and federal laws, rules, and regulations.

C. Wastewater Discharge Permit Modifications. The Director may modify a wastewater discharge permit for good cause, including but not limited to the following reasons:

1. To incorporate any new or revised federal, state, or local pretreatment standards or requirements;
 2. To address significant alterations or additions to the user's operation, processes, or wastewater volume or character since the time of wastewater discharge permit issuance;
 3. To require either a temporary or permanent reduction or elimination of the authorized discharge, due to a change in the POTW;
 4. Information indicating that the permitted discharge poses a threat to the POTW, City personnel, or the receiving waters;
 5. Violation of any terms or conditions of the wastewater discharge permit;
 6. Misrepresentations or failure to fully disclose all relevant facts in the wastewater discharge permit application or in any required reporting;
 7. Revision of or a grant of variance from categorical pretreatment standards pursuant to 40 C.F.R. § 403.13;
 8. To correct typographical or other errors in the wastewater discharge permit;
- or
9. To reflect a transfer of the facility ownership or operation to a new owner or operator.

D. Wastewater Discharge Permit Transfer. Wastewater discharge permits shall be issued to a user for a designated facility or facilities. A wastewater discharge permit shall not be reassigned, transferred, or sold to a new owner or new user, nor may it be used on different premises or for new or changed operations, unless the Director specifically gives approval.

E. Wastewater Discharge Permit Revocation. The Director may revoke a wastewater discharge permit for good cause, including but not limited to the following reasons:

1. Failure to provide prior notification to the Director of changed conditions pursuant to Subsection 1205.E of this chapter;

2. Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application;
3. Falsifying self-monitoring reports;
4. Tampering with monitoring equipment;
5. Refusing to allow the Director timely access to the facility premises and records;
6. Failure to meet effluent limitations;
7. Failure to pay fines;
8. Failure to pay sewer charges;
9. Failure to meet compliance schedules;
10. Failure to complete a wastewater survey or the wastewater discharge permit application;
11. Failure to provide advance notice of the transfer of business ownership of a permitted facility; or
12. Violation of any pretreatment standard or requirement, or any terms of the wastewater discharge permit or this chapter.

Wastewater discharge permits shall be voidable upon cessation of operations or transfer of business ownership. All wastewater discharge permits issued to a particular user are void upon the issuance of a new wastewater discharge permit to that user.

F. Wastewater Discharge Permit Renewal. A user with an expiring wastewater discharge permit shall apply for a wastewater discharge permit renewal by submitting a complete permit application, in accordance with Subsection 1203.C of this chapter, prior to the expiration of the user's existing wastewater discharge permit.

Ord. Nos. 17419, 19991

SECTION 1205. REPORTING REQUIREMENTS

A. Baseline Monitoring Report. Within either one hundred eighty (180) days after the effective date of a categorical pretreatment standard, or the final administrative decision on a category determination under 40 C.F.R. § 403.6(a)(4), whichever is later, existing affected categorical users currently discharging to or scheduled to discharge to the POTW shall submit to the Director a report which contains the information listed in

paragraph 5.b, below. At least ninety (90) days prior to commencement of their discharge, new sources, and sources that become categorical users subsequent to the promulgation of an applicable categorical standard, shall submit to the Director a report which contains the information listed in paragraph 5.b, below. A new source shall report the method of pretreatment it intends to use to meet applicable categorical standards. A new source also shall give estimates of its anticipated flow and quantity of pollutants to be discharged. Users described above shall submit the information set forth below:

1. **Identifying Information.** The name and address of the facility, including the name of the operator and owner;

2. **Environmental Permits.** A list of any environmental control permits held by or for the facility;

3. **Description of Operations.** A brief description of the nature, average rate of production, and standard industrial classifications of the operation(s) carried out by such user. This description should include a schematic process diagram that indicates points of discharge to the POTW from the regulated processes;

4. **Flow Measurement.** Information showing the measured average daily and maximum daily flow, in gallons per day, to the POTW from regulated process streams and other streams, as necessary, to allow use of the combined wastestream formula set out in 40 C.F.R. 403.6(e). The Director may allow for verifiable estimates of these flows where justified by cost or feasibility considerations;

5. **Measurement of Pollutants.**

a. The categorical pretreatment standards applicable to each regulated process;

b. The results of sampling and analysis identifying the nature and concentration, and/or mass (where required by the standard or by the Director) of regulated pollutants in the discharge from each regulated process. Instantaneous, daily maximum, and long-term average concentrations, or mass, where required, shall be reported. The sample shall be representative of daily operations and shall be analyzed in accordance with procedures set out in Subsection 1205.J of this chapter; and

c. Sampling must be performed in accordance with procedures set out in Subsection 1205.K of this chapter.

6. **Certification.** A statement, reviewed by the user's authorized representative and certified by a qualified professional, indicating whether pretreatment standards are being met on a consistent basis, and, if not, whether additional operation and maintenance (O&M) and/or additional pretreatment is required to meet the pretreatment standards and requirements, where required;

7. **Compliance Schedule.** If additional pretreatment and/or O&M will be required to meet the pretreatment standards; the shortest schedule by which the user will provide such additional pretreatment and/or O&M. The completion date in this schedule shall not be later than the compliance date established for the applicable pretreatment standard. A compliance schedule pursuant to this section must meet the requirements set out in Subsection 1205.B of this chapter; and

8. **Signature and Certification.** All baseline-monitoring reports must be signed and certified in accordance with Subsection 1203.D of this chapter.

B. **Compliance Schedule Progress Reports.** The following conditions shall apply to the compliance schedule required by paragraph 1205.A.7 of this chapter:

1. The schedule shall contain progress increments in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable pretreatment standards (such events include, but are not limited to, hiring an engineer, completing preliminary and final plans, executing contracts for major components, commencing and completing construction, and beginning and conducting routine operation);

2. No time increment referred to above shall exceed nine (9) months; and

3. The user shall submit a progress report to the Director no later than fourteen (14) days following each date in the schedule and the final date of compliance including, as a minimum, whether or not it complied with the increment of progress; the reason for any delay; and, if appropriate, the steps being taken by the user to return to the established schedule. In no event shall more than nine (9) months elapse between such progress reports to the Director.

C. **Reports on Compliance with Categorical Pretreatment Standard Deadline --90 Day Reports.** Within ninety (90) days following the date for final compliance with applicable categorical pretreatment standards, or in the case of a new source following commencement of the introduction of wastewater into the POTW, any user subject to such pretreatment standards and requirements shall submit to the Director a report containing the information described in paragraphs 1205.A.4 through 6 of this chapter. For users subject to equivalent mass or concentration limits established in accordance with the procedures in 40 C.F.R. § 403.6(c), this report shall contain a reasonable measure

of the user's long-term production rate. For all other users subject to categorical pretreatment standards expressed in terms of allowable pollutant discharge per unit of production (or other measure of operation), this report shall include the user's actual production during the appropriate sampling period. All compliance reports must be signed and certified in accordance with Subsection 1203.D of this chapter.

D. Periodic Compliance Reports:

1. All significant industrial users shall submit, at a frequency determined by the Director but in no case less than twice per year, a report indicating the nature and concentration of pollutants in the discharge which are limited by pretreatment standards and the measured or estimated average and maximum daily flows for the reporting period. In addition, the user shall fulfill the self-monitoring requirements specified in the facility's wastewater discharge permit. All periodic compliance reports must be signed and certified in accordance with Subsection 1203.D of this chapter.

2. All wastewater samples must be representative of the user's discharge. Wastewater monitoring and flow measurement facilities shall be properly operated, kept clean, and maintained in good working order at all times. The failure of a user to keep its monitoring facility in good working order shall not be grounds for the user to claim that sample results are unrepresentative of its discharge.

3. If a user subject to the reporting requirement in this section monitors any pollutant more frequently than required by the Director, using the procedures prescribed in Subsections 1205.J and 1205.K of this chapter, the results of this monitoring shall be included in the report.

E. Report of Changed Conditions. Each user must notify the Director of any planned significant changes to the user's operations or system which might alter the nature, quality, or volume of its wastewater at least thirty (30) days before the change. For purposes of this requirement, significant changes include, but are not limited to, flow increases of twenty-five percent (25%) or greater, and the discharge of any previously unreported pollutants. The Director may require the user to submit such information as may be deemed necessary to evaluate the changed condition, including the submission of a wastewater discharge permit application under Subsection 1203.C of this chapter. The Director may issue a wastewater discharge permit under Subsection 1203.E of this chapter or modify an existing wastewater discharge permit under Subsection 1204.C of this chapter in response to changed conditions or anticipated changed conditions.

F. Report of Potential Problems.

1. In the case of any discharge that may cause potential problems for the POTW, the user shall immediately telephone and notify the Director of the incident.

Discharges include but are not limited to accidental discharges, discharges of a non-routine, episodic nature, a noncustomary batch discharge, or a slug load. This notification shall include the location of the discharge, type of waste, concentration and volume, if known, and corrective actions taken by the user.

2. The Director may require the user to submit a detailed, written report describing the cause(s) of the discharge and the measures to be taken by the user to prevent similar future occurrences. Such notification shall not relieve the user of any expense, loss, damage, or other liability, which may be incurred as a result of damage to the POTW, natural resources, or any other damage to person or property; nor shall such notification relieve the user of any fines, penalties, or other liability which may be imposed pursuant to this chapter.

3. At least once every two (2) years, the Director shall evaluate whether each significant industrial user needs an accidental discharge/slug control plan. The Director may require any user to develop, submit for approval, and implement such a plan. Alternatively, the Director may develop such a plan for any user. An accidental discharge/slug control plan shall address, at a minimum, the following:

- a. Description of discharge practices, including non-routine batch discharges;
- b. Description of stored chemicals;
- c. Procedures for immediately notifying the Director of slug discharges, including any discharge that would violate a prohibition under 40 C.F.R. § 403.5 (b), with procedures for follow-up written notification within five days; and
- d. Procedures to prevent adverse impact from any accidental or slug discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants, including solvents, and/or measures and equipment for emergency response.

G. Reports from Unpermitted Users. All users not required to obtain a wastewater discharge permit shall provide appropriate reports to the Director as the Director may require.

H. Notice of Violation/Repeat Sampling and Reporting. If sampling performed by a user indicates a violation, the user must notify the Director within twenty-four (24) hours of becoming aware of the violation. The user shall also repeat

the sampling and analysis and submit the results of the repeat analysis to the Director within thirty (30) days after becoming aware of the violation. The user is not required to resample if the City monitors at the user's facility at least once a month, or if the City samples between the user's initial sampling and when the user receives the results of this sampling.

I. Notification of the Discharge of Hazardous Waste.

1. Any user who commences the discharge of hazardous waste shall notify the Director, in writing, of any discharge into the POTW of a substance which, if otherwise disposed of, would be a hazardous waste under 40 C.F.R. § 261. Such notification must include the name of the hazardous waste as set forth in 40 C.F.R. § 261, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the user discharges more than one hundred (100) kilograms of such waste per calendar month to the POTW, the notification also shall contain the following information to the extent such information is known and readily available to the user: an identification of the hazardous constituents contained in the wastes, an estimation of the mass and concentration of such constituents in the wastestream discharged during that calendar month, and an estimation of the mass of constituents in the wastestream expected to be discharged during the following twelve (12) months. All notifications must take place no later than one hundred and eighty (180) days after the discharge commences. Any notification under this paragraph need be submitted only once for each hazardous waste discharged. However, notifications of changed conditions must be submitted under Subsection 1205.E of this chapter. The notification requirement in this section does not apply to pollutants already reported by users subject to categorical pretreatment standards under the self-monitoring requirements of Subsections 1205.A, 1205.C, and 1205.D of this chapter.

2. Dischargers are exempt from the requirements of 1205.I.1, above, during a calendar month in which they discharge no more than fifteen (15) kilograms of hazardous wastes, unless the wastes are acute hazardous wastes as specified in 40 C.F.R. §§ 261.30(d) and 261.33(e). Discharge of more than fifteen (15) kilograms of non-acute hazardous wastes in a calendar month, or of any quantity of acute hazardous wastes as specified in 40 C.F.R. §§ 261.30(d) and 261.33(e), requires a one-time notification. Subsequent months during which the user discharges more than such quantities of any hazardous waste do not require additional notification.

3. In the case of any new regulations under Section 3001 of RCRA identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the user must notify the Director, the EPA Regional Waste Management Waste Division Director, and state hazardous waste authorities of the discharge of such substance within ninety (90) days of the effective date of such regulations.

4. In the case of any notification made under this section, the user shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practicable.

5. This provision does not create a right to discharge any substance not otherwise permitted to be discharged by this chapter, a permit issued thereunder, or any applicable federal or state law.

J. Analytical Requirements. All pollutant sampling and analyses, the results of which are required to be submitted to the City, shall be performed in accordance with the techniques set forth in 40 C.F.R. § 136, unless otherwise specified in an applicable categorical pretreatment standard. If 40 C.F.R. § 136 does not contain sampling or analytical techniques for the pollutant in question, sampling and analyses must be performed in accordance with procedures approved by EPA. Each pollutant analysis shall be performed by a laboratory certified by the Oklahoma Department of Environmental Quality or equivalent unless otherwise stated by the Director.

K. Sample Collection.

1. Except as indicated in paragraph 2, below, the user must collect wastewater samples using flow proportional composite collection techniques. In the event flow proportional sampling is infeasible, the Director may authorize the use of time proportional sampling or a minimum of four (4) grab samples where the user demonstrates that this will provide a representative sample of the effluent being discharged. In addition, grab samples may be required to show compliance with instantaneous discharge limits.

2. Samples for oil and grease, temperature, pH, cyanide, phenols, sulfides, and volatile organic compounds must be obtained using grab collection techniques, consistent with test protocol.

L. Timing. Reports required to be submitted by this chapter, wastewater discharge permits, or orders issued by the Director, will be deemed to have been submitted on the date postmarked. For reports which are not mailed, postage prepaid, into a mail facility serviced by the United States Postal Service, or reports whose postmark is unreadable, the date of receipt of the report shall govern.

M. Record Keeping. Users subject to the reporting requirements of this chapter shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this chapter and any additional records of information obtained pursuant to monitoring activities undertaken by the user independent of such requirements. Records shall include the date, exact place, method, and time of sampling, and the name of the person(s) taking the samples; the dates analyses were performed; who performed the analyses; the

analytical techniques or methods used; and the results of such analyses. All other records required to be kept pursuant to a wastewater discharge permit requirement shall be retained by the user and made available for copying and inspection by the Director. These records shall remain available for a period of at least three (3) years. This period shall be automatically extended for the duration of any litigation concerning the user or the City, or where the Director has specifically notified the user of a longer retention period.

N. **Fraud and False Statements.** Reports and other documents required to be submitted or maintained under this chapter shall be subject to:

1. The provisions of 18 U.S.C. § 1001 relating to fraud and false statements;
2. The provisions of Section 309(c)(4) of the Act, as amended, governing false statements, representation or certification; and
3. The provisions of Section 309(c)(6) of the Act regarding responsible corporate officers.

Ord. Nos. 17419, 19991

SECTION 1206. COMPLIANCE MONITORING

A. **Right of Entry.** The Director shall have the right to enter the premises of any user or potential user to determine whether the user is complying with all requirements of this chapter and any wastewater discharge permit or order issued hereunder. Users shall allow the Director ready access to all parts of the premises for the purposes of inspection, sampling, records examination and copying, and the performance of any additional duties.

1. Where a user has security measures in force which require proper identification and clearance before entry into its premises, the user shall make necessary arrangements with its security guards so that, upon presentation of suitable identification, the Director will be permitted to enter without delay for the purposes of performing specific responsibilities.

2. The Director shall have the right to set up on the user's property, or require installation of, such devices as are necessary to conduct sampling and/or metering of the user's operations.

3. The Director may require the user to install monitoring equipment as necessary. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the user at its own expense.

4. Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the user at the written or verbal request of the Director and shall not be replaced. The costs of clearing such access shall be borne by the user.

5. Unreasonable delays in allowing the Director access to the user's premises shall be a violation of this chapter.

B. Search Warrants. If the Director has been refused access to a building, structure, or property, or any part thereof, and is able to demonstrate probable cause to believe that there may be a violation of this chapter, then the Director may seek issuance of a search warrant from the Municipal Court of the City of Tulsa.

Ord. Nos. 17419, 19991

SECTION 1207. CONFIDENTIAL INFORMATION

The user may claim information submitted to the City pursuant to this chapter as confidential. Any such claim must be asserted at the time of submission by conspicuously marking the words "confidential business information" on each page containing such information. If no claim is made at the time of submission, the City may make the information available to the public without further notice. If a claim is asserted, the information will be treated in accordance with the procedures specified in 40 C.F.R. § 2. Wastewater constituents and characteristics and other effluent data as defined by 40 C.F.R. § 2.302 will not be recognized as confidential information and will be available to the public without restriction.

Ord. Nos. 17419, 19991

SECTION 1208. PUBLICATION OF USERS IN SIGNIFICANT NONCOMPLIANCE

A. The Director shall publish annually, in the largest daily newspaper published in the City of Tulsa, a list of the users, which, during the previous twelve (12) months, were in significant noncompliance with applicable pretreatment standards and requirements. The term significant noncompliance shall mean:

1. Chronic violations of wastewater discharge limits, defined here as those in which sixty-six percent (66%) or more of wastewater measurements taken during a six (6) month period exceed the daily maximum limit or average limit for the same pollutant parameter by any amount;

2. Technical Review Criteria (TRC) violations, defined here as those in which thirty-three percent (33%) or more of wastewater measurements taken for each pollutant parameter during a six (6) month period equals or exceeds the product of the daily

maximum limit or the average limit multiplied by the applicable criteria (1.4 for BOD, TSS, fats, oils and grease, and 1.2 for all other pollutants except pH);

3. Any other discharge violation that the Director believes has caused, alone or in combination with other discharges, interference or pass through, including endangering the health of POTW personnel or the general public;

4. Any discharge of pollutants that has caused imminent endangerment to the public or to the environment, or has resulted in the Director's exercise of its emergency authority to halt or prevent such a discharge;

5. Failure to meet within ninety (90) days of the scheduled date a compliance schedule milestone contained in a wastewater discharge permit or enforcement order for starting construction, completing construction, or attaining final compliance;

6. Failure to provide within thirty (30) days after the due date any required reports, including baseline monitoring reports, reports on compliance with categorical pretreatment standard deadlines, periodic self-monitoring reports, and reports on compliance with compliance schedules;

7. Failure to accurately report noncompliance; or

8. Any other violation(s) that the Director determines will adversely affect the operation or implementation of the local pretreatment program.

Ord. Nos. 17419, 19991

SECTION 1209. ADMINISTRATIVE ENFORCEMENT REMEDIES

A. **Notice of Violation.** When the Director finds that a user has violated or continues to violate any provision of this chapter, a wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement, the Director may serve upon that user a written Notice of Violation. The Director may require the submission of a written explanation of the violation and a plan for the satisfactory correction and prevention thereof, within a time frame specified by the Director. Submission of this plan in no way relieves the user of liability for any violations occurring before or after receipt of the Notice of Violation. Nothing in this section may limit the authority of the Director to take any action, including emergency actions or any other enforcement action, without first issuing a Notice of Violation.

B. Administrative Fines.

1. When the Director finds that a user has violated or continues to violate any provision of this chapter, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirement, the Director may fine such user in an

amount not to exceed ONE THOUSAND DOLLARS (\$1,000.00) per day. Such fines may be assessed on a per violation, per day basis. In the case of monthly or other long-term average discharge limits, fines may be assessed for each day during the period of violation.

2. Notice of an administrative fine shall be served personally on the user or by certified mail (return receipt requested). Payment of the fine is to be received, by the Director, within fifteen (15) days after such notice is served.

3. Failure to submit payment of an administrative fine within fifteen (15) days shall be considered a violation of this chapter.

4. Issuance of an administrative fine shall not be a bar against or a prerequisite for taking any other action against the user.

C. Administrative Orders. When the Director finds that a user has violated or continues to violate any provision of this chapter, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirement, the Director may issue an administrative order to the user responsible for the discharge directing that the user come into compliance within a specified time. If the user does not come into compliance within the time provided, sewer service may be discontinued unless adequate treatment facilities, devices, or other related appurtenances are installed and properly operating.

Administrative orders also may contain other requirements to address the noncompliance, including additional self-monitoring and management practices designed to minimize the amount of pollutants discharged to the sewer. An administrative order may not extend a federally established deadline for compliance with a pretreatment standard or requirement, nor does an administrative order relieve the user of liability for any violation, including any continuing violation. Issuance of an administrative order shall not be a bar against or a prerequisite for taking any other action against the user.

D. Appeals. Users may dispute any Notice of Violation or Administrative Fine or Administrative Order issued by the Director pursuant to Subsections 1209.A, 1209.B, or 1209.C. Persons desiring to dispute such actions must file a written request for the Director to reconsider the action taken within fifteen (15) days of being notified of the action. Where a request has merit, the Director may convene a hearing on the matter. In the event the user's appeal is successful, the Director may modify or withdraw the notice or fine. If the Director fails to act within thirty (30) days of notice of an appeal, a request for reconsideration shall be deemed to be denied. The Director's decisions whether to withdraw or modify such enforcement action shall be considered final, unless a written notice for an appeal to the applicable Utility Authority is filed with the City Clerk's office within fifteen (15) days after service on the petitioner of the

Director's decision. Within fifteen (15) days following the Utility Authority's action, any party adversely affected by the Utility Authority's action may appeal to the City Council by filing a notice of appeal in the office of the City Clerk and providing notice to the other party and the Director. The appeal shall be heard by the City Council at its next available meeting after the filing of the notice of appeal.

E. Consent Orders. The Director may enter into Consent Orders, assurances of voluntary compliance, or other similar documents establishing an agreement with any user responsible for noncompliance. Such documents will include specific action to be taken by the user to correct the noncompliance within a time period specified by the document. Such documents shall have the same force and effect as the orders issued pursuant to Subsections 1209.C and 1209.G of this chapter and shall be judicially enforceable.

F. Show Cause Hearing. The Director may order a user which has violated or continues to violate any provision of this chapter, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirement, to appear before the Director and show cause why the proposed enforcement action should not be taken. Notice shall be served on the user specifying the time and place for the meeting, the proposed enforcement action, the reasons for such action, and a request that the user show cause why the proposed enforcement action should not be taken. The notice of the meeting shall be served personally or by registered or certified mail (return receipt requested). Such notice may be served on any authorized representative of the user. A show cause hearing shall not be a bar against or prerequisite for taking any other action against the user.

G. Cease and Desist Orders.

When the Director finds that a user has violated or continues to violate any provision of this chapter, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirement, or that the user's past violations are likely to recur, the Director may issue an order to the user directing it to cease and desist all such violations and directing the user to:

- a. Immediately comply with all requirements; and
- b. Take such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation, including halting operations and/or terminating the discharge.

Issuance of a cease and desist order shall not be a bar against or a prerequisite for taking any other action against the user.

H. Emergency Suspensions. The Director may immediately suspend a user's discharge, after informal notice to the user, whenever such suspension is necessary to stop an actual or threatened discharge that reasonably appears to present or cause an imminent or substantial endangerment to the health or welfare of persons. The Director may also immediately suspend a user's discharge, after notice and opportunity to respond, that threatens to interfere with the operation of the POTW, or which presents or may present an endangerment to the environment.

1. Any user notified of a suspension of its discharge shall immediately stop or eliminate its contribution. In the event of a user's failure to immediately comply voluntarily with the suspension order, the Director may take such steps as deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the POTW, the environment, or endangerment to any individuals. The Director may allow the user to recommence its discharge when the user has demonstrated to the satisfaction of the Director that the period of endangerment has passed, unless the termination proceedings in Subsection 1209.I of this chapter are initiated against the user.

2. A user that is responsible, in whole or in part, for any discharge presenting imminent endangerment shall submit to the Director, prior to the date of any show-cause or termination hearing under Subsections 1209.F or 1209.I of this chapter, a detailed written statement, describing the causes of the harmful contribution and the measures taken to prevent any future occurrence.

3. Nothing in this section shall be interpreted as requiring a hearing prior to any emergency suspension under this section.

I. Termination of Discharge. In addition to the provisions in Subsection 1204.E of this chapter, any user who violates the following conditions is subject to discharge termination:

1. Violation of wastewater discharge permit conditions;
2. Failure to accurately report the wastewater constituents and characteristics of its discharge;
3. Failure to report significant changes in operations or wastewater volume, constituents, and characteristics prior to discharge;
4. Refusal of reasonable access to the user's premises for the purpose of inspection, monitoring, or sampling; or
5. Violation of any pretreatment standard in Section 1201 of this chapter.

Such user will be notified of the proposed termination of its discharge and be offered an opportunity to show cause under Subsection 1209.F of this chapter why the proposed action should not be taken. Exercise of this option by the Director shall not be a bar to or a prerequisite for taking any other action against the user.

Ord. Nos. 17419, 19991

SECTION 1210. JUDICIAL ENFORCEMENT REMEDIES

A. Injunctive Relief. When the Director finds that a user has violated or continues to violate any provision of this chapter, a wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement, the Director may petition the District Court for the issuance of a temporary or permanent injunction, as appropriate, which restrains or compels the specific performance of the wastewater discharge permit, order, or other requirement imposed by this chapter on activities of the user. The Director may also seek such other action as is appropriate for legal and/or equitable relief, including a requirement for the user to conduct environmental remediation. A petition for injunctive relief shall not be a bar against or a prerequisite for taking any other action against a user.

B. Criminal Prosecution.

1. A user who has violated or continues to violate any provision of this chapter, a wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement shall, upon conviction, be guilty of a misdemeanor, punishable by a fine and/or imprisonment in the manner set forth in Title 11-C, Subsection 1100.A of Tulsa's Revised Ordinances.

2. A user who willfully or negligently introduces any substance into the POTW which causes personal injury or property damage shall, upon conviction, be guilty of a misdemeanor and be subject to a penalty of up to the maximum set forth in Title 11-C, Subsection 1100.A of Tulsa's Revised Ordinances. This penalty shall be in addition to any other causes of action for personal injury or property damage available under state law.

3. A user who knowingly makes any false statements, representations, or certifications in any application, record, report, plan, or other documentation filed, or required to be maintained, pursuant to this chapter, wastewater discharge permit, or order issued hereunder, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this chapter shall, upon conviction, shall be subject to fine and/or imprisonment in the manner set forth in Title 11-C, Subsection 1100.A of Tulsa's Revised Ordinances.

C. Remedies Nonexclusive. The remedies provided for in this chapter are not exclusive. The Director may take any, all, or any combination of these actions against

a non-compliant user. Enforcement of pretreatment provisions will be generally in accordance with the City's enforcement response plan. However, the Director may take other action against any user when the circumstances warrant. Further, the Director is empowered to take more than one enforcement action against any noncompliant user.
Ord. Nos. 17419, 19991

SECTION 1211. SUPPLEMENTAL ENFORCEMENT ACTION

A. Performance Bonds. The Director may decline to issue or reissue a wastewater discharge permit to any user who has failed to comply with any provision of this chapter, a previous wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement, unless such user first files a satisfactory bond, payable to the City of Tulsa, in a sum not to exceed a value determined by the Director to be necessary to achieve consistent compliance.

B. Liability Insurance. The Director may decline to issue or reissue a wastewater discharge permit to any user who has failed to comply with any provision of this chapter, a previous wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement, unless the user first submits proof that it has obtained financial assurances sufficient to restore or repair damage to the POTW caused by its discharge.

C. Water Supply Termination. Whenever a user has violated or continues to violate any provision of this chapter, a wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement, water service to the user may be terminated. Service to user will be reinstated at the user's expense and only after it has demonstrated to the Director's satisfaction its ability to comply.

D. Sewer Service Termination. Whenever a user has violated or continues to violate any provision of this chapter, a wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement, sewer service to the user may be terminated. Service to user will be reinstated at the user's expense and only after it has demonstrated to the Director's satisfaction its ability to comply with such provisions.

E. Contractor Listing. Users that have not achieved compliance with applicable pretreatment standards and requirements may not be eligible to receive a contractual award for the sale of goods or services to the City. Existing contracts for the sale of goods or services with the City held by the user found to be in significant noncompliance with pretreatment standards or requirements may be terminated at the discretion of the Director.

Ord. No. 19991

SECTION 1212. AFFIRMATIVE DEFENSES TO DISCHARGE VIOLATIONS

A. **Upset.** For the purposes of this section, upset means an exceptional incident in which there is unintentional and temporary noncompliance with pretreatment standards because of factors beyond the reasonable control of the user. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

1. An upset shall constitute an affirmative defense to an action brought for noncompliance with pretreatment standards if the requirements of Section 1212.A.2., below, are met.

2. A user who wishes to establish the affirmative defense of upset shall demonstrate through properly signed, contemporaneous operating logs or other relevant evidence that:

a. An upset occurred and the user can identify the cause(s) of the upset;

b. The facility was at the time being operated in a prudent and workmanlike manner and in compliance with applicable operation and maintenance procedures; and

c. The user has submitted the following information to the Director within twenty-four (24) hours of becoming aware of the upset (if this information is provided orally, a written submission must be provided within five (5) days):

(1) A description of the indirect discharge and cause of noncompliance;

(2) The period of noncompliance, including exact dates and times or, if not corrected, the anticipated time the noncompliance is expected to continue; and

(3) Steps being taken and/or planned to reduce, eliminate, and prevent recurrence of the noncompliance.

3. In any enforcement proceeding, the user seeking to establish the occurrence of an upset shall have the burden of proof.

4. Users will have the opportunity for a judicial determination on any claim of upset only in an enforcement action brought for noncompliance with pretreatment standards.

5. Users shall control production of all discharges to the extent necessary to maintain compliance with pretreatment standards upon reduction, loss, or failure of its treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost, or fails.

B. **Bypass.** For the purposes of this section, bypass means the intentional diversion of wastestreams from any portion of a user's treatment facility. Severe property damage means substantial physical damage to property, damage to the treatment facilities, which causes them to become inoperable, or substantial and permanent loss of natural resources, which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

1. Notification of Bypass.

a. If a user knows in advance of the need for a bypass, it shall submit prior notice to the Director, at least ten (10) days before the date of the bypass, if possible.

b. A user shall submit oral notice to the Director of an unanticipated bypass that exceeds applicable pretreatment standards, which notice shall be within twenty-four (24) hours from the time the user becomes aware of the bypass. A written submission shall also be provided within five (5) days of the time the user becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the bypass. The Director may waive the written report on a case-by-case basis, if the oral report has been received within twenty-four (24) hours.

2. Prohibition of Bypass

a. Bypass is prohibited, and the Director may take enforcement action against a user for a bypass, unless:

(1) Bypass was unavoidable in order to prevent loss of life, personal injury, or severe property damage;

(2) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and

(3) The user submitted notices as required under 1212.B.1. of this section.

b. The Director may approve an anticipated bypass, after considering its adverse effects, if the Director determines that it will meet the three conditions listed in paragraph 2.a of this section.

Ord. No. 19991

SECTION 1213. FEES

A. **Permit Fees.** The Director shall assess fees for the issuance and renewal of Wastewater Discharge Permits not to exceed the amounts stated in the following schedules.

1. For users inside the corporate limits of the City of Tulsa:

- | | | |
|----|----------------|-----------|
| a. | Initial Permit | \$ 500.00 |
| b. | Permit Renewal | \$ 250.00 |

2. For users outside the corporate limits of the City of Tulsa:

- | | | |
|----|----------------|-----------|
| a. | Initial Permit | \$ 750.00 |
| b. | Permit Renewal | \$ 375.00 |

B. **Fees For Certificate of BMP Approval.** The Director shall assess fees for Certificate(s) of BMP Approval not to exceed the amounts specified in the following schedule:

1. For users inside the corporate limits of the City of Tulsa:

- | | | |
|----|---------------------|----------|
| a. | Initial Certificate | \$ 50.00 |
| b. | Certificate Renewal | \$ 25.00 |

2. For users outside the corporate limits of the City of Tulsa:

- a. Initial Certificate \$ 100.00
- b. Certificate Renewal \$ 50.00

Ord. No. 19991

CHAPTER 13**RESTRICTED USE OF WATER IN TIMES OF SHORTAGES**

- Section 1300. Definitions.
- Section 1301. Mayor Authorized to Implement Water Conservation Measures.
- Section 1302. Property Identified by Street Address Numbers.
- Section 1303. Deliverability Filed in the Office of the City Clerk.
- Section 1304. Conditions for Imposing Restrictions.
- Section 1305. Stage 1 - Voluntary Restrictions.
- Section 1306. Stage 2 - Mandatory Restriction of Outside Watering to Every Other Day.
- Section 1307. Stage 3 - Mandatory Restrictions of Outside Watering to Every Other Day with a Hand-Held Hose.
- Section 1308. Stage 4 - Mandatory Curtailment of Outside Watering.
- Section 1309. Permitted Exceptions.
- Section 1310. Civil Emergency.
- Section 1311. Penalty.

SECTION 1300. DEFINITIONS

The following terms, whenever used or referred to in this chapter shall be construed to have the meanings given herein, unless a different intent clearly appears from the context.

- A. **Clerk** shall mean the Clerk of the City of Tulsa.
- B. **Council** shall mean the Council of the City of Tulsa.
- C. **City** shall mean the City of Tulsa, Oklahoma, a municipal corporation.
- D. **Civil Emergency** shall mean an armed conflict, civil disorder, natural disaster or any other act, event or occurrence which may affect the public health, safety and welfare during the period of the emergency.
- E. **Deliverability** shall mean the ability of the City of Tulsa to deliver potable water to its water customers by means of its water system and shall be expressed in millions of gallons per day (m.g.d.).
- F. **Director of Public Works** shall mean the duly appointed Director of Public Works of the City of Tulsa or his authorized representative.

G. **Mayor** shall mean the Mayor of the City of Tulsa or his authorized representative.

H. **Outside watering** shall mean any use of City water outside a structure or building and shall include the washing or sprinkling of streets, driveways, parking lots or service station aprons.

I. **Utility Board** shall mean the Tulsa Utility Board.

J. **Water, watering, or water usage** shall mean and refer to water furnished by the City of Tulsa.

K. **Water system** shall include the City of Tulsa's water supply and shall mean the entire means of capturing, storing, transporting, treating and distributing water owned by the City of Tulsa.

Ord. No. 17439

SECTION 1301. MAYOR AUTHORIZED TO IMPLEMENT WATER CONSERVATION MEASURES

The Mayor is hereby authorized to restrict or prohibit the use of water for certain purposes under the circumstances and in the manner as hereinafter set forth by filing an order in the office of the City Clerk. Each such order shall be accompanied by a written report which shall set out the criteria utilized and the data relied upon in issuing the order. The Clerk shall immediately transmit the order to the Council and the Utility Board and shall make the same available for public inspection. Each such order shall be published in at least one newspaper of general circulation within the City and shall be effective from and after publication. The Mayor may give such other notice of the order to the public as he determines necessary or desirable. Each such order shall have the force and effect of law until terminated by the Mayor or by affirmative vote of the Council.

Ord. No. 17439

SECTION 1302. PROPERTY IDENTIFIED BY STREET ADDRESS NUMBERS

For the purposes of implementing restrictions on outside watering, all property within the City shall be identified by street address numbers. Apartments, office building complexes or other property containing multiple street addresses shall be identified by the lowest street address number contained therein. Where there are no address numbers or where it is not feasible to use an address number, the Mayor shall assign an address number.

When outside watering is restricted to every other day, those customers whose street address ends with an odd number shall be permitted such water usage on odd numbered calendar days and those customers whose street address ends with an even number shall be permitted such water usage on even numbered calendar days.

Ord. No. 17439

SECTION 1303. DELIVERABILITY FILED IN THE OFFICE OF THE CITY CLERK

The Director of Public Works shall file with the City Clerk the current deliverability of the City's water system expressed in millions of gallons per day (m.g.d.). In the event of a change of the water system's deliverability, the Director shall file with the Clerk the then current deliverability.

Ord. No. 17439

SECTION 1304. CONDITIONS FOR IMPOSING RESTRICTIONS

Upon a determination by the Mayor of the existence of the conditions described herein, the Mayor shall take action necessary as hereinafter provided to protect the public health, safety and welfare.

Ord. No. 17439

SECTION 1305. STAGE 1 - VOLUNTARY RESTRICTIONS

A. **Conditions.** The conditions for Stage 1 shall exist when water usage reaches ninety-four percent (94%) of deliverability each day for two (2) consecutive days.

B. **Voluntary Conservation.** Upon the occurrence of the conditions for Stage 1, the Mayor may, through appropriate means, call upon the general population to conserve water voluntarily by limiting outside watering to the hours between midnight and noon every other day.

C. **Termination.** Stage 1 shall terminate when the Mayor shall file an order with the City Clerk, finding that the conditions for Stage 1 no longer exist.

Ord. No. 17439

SECTION 1306. STAGE 2 - MANDATORY RESTRICTION OF OUTSIDE WATERING TO EVERY OTHER DAY

A. **Conditions.** The conditions for Stage 2 shall exist when water usage reaches ninety-seven percent (97%) of deliverability each day for two (2) consecutive days.

B. **Mandatory Restrictions.** Upon the occurrence of the conditions for Stage 2, the Mayor may order the mandatory restriction of outside watering to the hours between midnight and noon every other day.

C. **Termination.** Stage 2 shall terminate when the Mayor shall file an order with the City Clerk and cause the same to be published in a newspaper of general circulation within the City, finding that the conditions for Stage 2 no longer exist; provided, however, that the Mayor may in such order call upon the general population to voluntarily conserve water as provided in Stage 1 herein.

Ord. No. 17439

SECTION 1307. STAGE 3 - MANDATORY RESTRICTIONS OF OUTSIDE WATERING TO EVERY OTHER DAY WITH A HAND-HELD HOSE

A. **Conditions.** The conditions of Stage 3 shall exist when water usage reaches one hundred percent (100%) of deliverability each day for two (2) consecutive days.

B. **Mandatory Restrictions.** Upon the occurrence of the conditions for Stage 3, the Mayor may order the mandatory restriction of outside watering to the hours between midnight and noon every other day by hand-held hose only.

C. **Termination.** Stage 3 shall terminate when the Mayor shall file an order with the City Clerk and cause the same to be published in a newspaper of general circulation with the City, finding that the conditions for Stage 3 no longer exist; providing, however, that the Mayor may in such order impose the restrictions of Stage 2 or may call upon the general population to voluntarily conserve water as provided in Stage 1 herein.

Ord. No. 17439

SECTION 1308. STAGE 4 - MANDATORY CURTAILMENT OF OUTSIDE WATERING

A. **Conditions.** The conditions of Stage 4 shall exist when water usage exceeds deliverability each day for two (2) consecutive days.

B. **Mandatory Curtailment.** Upon the occurrence of the conditions for Stage 4, the Mayor may prohibit all outside watering.

C. **Termination.** Stage 4 shall terminate when the Mayor shall file an order with the City Clerk and cause the same to be published in a newspaper of general circulation within the City, finding that the conditions for Stage 4 no longer exist; provided, however, that the Mayor may in such order impose the restrictions of Stage 3 or Stage 2 or may call upon the general population to voluntarily conserve water as provided in Stage 1 herein.

Ord. No. 17439

SECTION 1309. PERMITTED EXCEPTIONS

A. In the mandatory restrictions of water usage in Stages 2, 3, and 4 as provided herein, the Mayor may allow the following:

1. Outdoor watering between the hours of midnight and noon by a bucket not exceeding a capacity of five (5) gallons, filled without the use of a hose;
2. The use of water for construction, commercial or processing purposes;
3. The use of water for golf greens;
4. The use of water by the person, firm, or corporation installing or repairing sprinkler or irrigation systems for the purposes of testing such installation or repair; provided, however, that such test shall not exceed two (2) minutes in duration;
5. Any watering or sprinkling with water obtained from a well, provided that the premises have posted in a conspicuous location upon the premises a sign stating that well water is being so used; it shall be a violation of this ordinance for any person to post a sign which states or implies that well water is being used when water is obtained from the water system of the City;
6. The washing of automobiles, trucks, trailers, boats, airplanes or other types of mobile equipment upon the immediate premises of commercial car washes, commercial service stations and the washing of commercial motor vehicles used in the transportation of food, food products and perishables, and the washing of commercial garbage pickup motor vehicles;
7. The watering by commercial nurseries, commercial landscaping companies and commercial sod farmers with water obtained from their own immediate premises;
8. The watering or sprinkling of foundations of homes or apartments; and
9. The use of water to alleviate immediate fire, health or safety hazards.

B. In the mandatory restrictions of water usage in Stages 2, 3, and 4 as provided herein, the watering for the installation of shrubbery, trees, lawns, grass, plants or other vegetation by commercial nurseries, commercial landscaping companies and commercial sod farmers may be allowed during installation and for a period of ten (10) days following the completion of the installation as follows:

1. The commercial nursery, commercial landscaping company or commercial sod farmer responsible for the installation shall make an application for a permit to the Director of Public Works upon a form provided therefor.

2. The application shall state:

- a. the name of the persons or company making the installation,
- b. the name of the owner of the premises on which the installation shall occur,
- c. the address of the premises on which the installation shall occur,
- d. a description of the type, number or nature of the vegetation installed, and
- e. the date on which the installation shall commence and the date on which the installation shall be completed, which dates shall be no more than five (5) calendar days apart.

3. The Director of Public Works shall charge and receive a fee of Thirty-Five Dollars (\$35.00) to cover the cost of processing and issuing the permit.

If it shall be determined by the Director of Public Works that the facts stated in the application are correct, he shall cause to be issued a permit of a size and composition sufficient to allow the permit to be placed or posted in a conspicuous place on the premises. The permit shall show the date of issue, the date the installation is to commence, the date the installation is to be completed, the date of expiration of the permit, the address for which the permit is issued and the nature, number and type of the new vegetation being installed.

Ord. No. 17439

SECTION 1310. CIVIL EMERGENCY

In the event of a civil emergency as herein defined, the Mayor may order such restrictions or curtailment of the use of water as necessary to preserve and protect the public health, safety and welfare and shall cause his order to be published in a newspaper of general circulation within the City; provided, however, that in the event the Mayor shall order measures more restrictive than those contained in the provisions for Stage 4 herein, the Mayor shall immediately call a special meeting of the Council.

The Mayor's emergency order shall be effective when issued and shall remain in effect until the Council has met and has taken appropriate action.

Ord. No. 17439

SECTION 1311. PENALTY

Any individual, person, firm, corporation, association or other individual using City water in violation of any portion of this ordinance or in violation of any order of the Mayor as authorized herein shall be deemed guilty of an offense, and upon conviction thereof, shall be punished by a fine of not less than ONE HUNDRED DOLLARS (\$100.00) nor more than FIVE HUNDRED DOLLARS (\$500.00), excluding costs, and/or by imprisonment in the City Jail for a period of not more than thirty (30) days. The violation of each provision and each separate violation shall be deemed a separate offense and shall be punished accordingly.

Ord. No. 17439

CHAPTER 14

GREASE HANDLING AND HAULING

- Section 1400. General Provisions
- Section 1401. Definitions
- Section 1402. Grease Hauler Permit Application Procedures
- Section 1403. Grease Hauler Permits
- Section 1404. Grease Hauler and Servicing Requirements
- Section 1405. Reporting and Record Keeping Requirements
- Section 1406. Compliance Inspections and Monitoring
- Section 1407. Permit Termination
- Section 1408. Enforcement Remedies
- Section 1409. Permit Fees

SECTION 1400. GENERAL PROVISIONS

A. **Purpose and Policy.** This chapter sets forth uniform requirements for Grease Haulers that provide services to establishments within the City of Tulsa's Publicly Owned Treatment Works (POTW) service area. The objectives of this chapter are:

1. To minimize the introduction of pollutants, especially fats, oil and grease (FOG), into the City of Tulsa's POTW that could potentially interfere with its operation.
2. To minimize the occurrence of Sanitary Sewer Overflows (SSOs) due to FOG buildup in the POTW's collection system.
3. To promote the proper maintenance of grease traps and the proper handling, disposal, and tracking of related waste.
4. To promote the use of pollution prevention and related best management practices in the food handling and related waste hauling businesses.

This chapter shall apply to all Grease Trap servicing, Grease Trap Waste Hauling, and related waste disposal entities operating or performing services within the POTW service area, except where those services are performed at facilities that possess a valid Industrial Wastewater Discharge permit pursuant to Chapter 12 of this title. This chapter authorizes the issuance of Grease Hauler permits; provides for inspections, compliance, and enforcement activities; establishes administrative review procedures; requires Hauler reporting; provides for the setting of grease trap waste hauler permit fees; and encourages the use of pollution prevention practices.

B. **Administration.** Except as otherwise provided in this chapter, the Director of the Public Works and Development Department of the City of Tulsa shall administer,

implement, and enforce the provisions of this chapter. Any powers granted to or duties imposed upon the Director may be delegated by the Director to other personnel of the Public Works and Development Department.

Ord. Nos. 20910, 21392

SECTION 1401. DEFINITIONS

Unless a provision explicitly states otherwise, the following terms and phrases, as used in this chapter, shall have the meanings ascribed below:

Authorized Representative of the Business shall mean:

- A. If the business is a corporation:
 - 1. The president, secretary, treasurer, or a vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation.
 - 2. The manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions governing the operation of the regulated facility.
- B. If the business is a partnership or sole proprietorship: a general partner or proprietor, respectively.
- C. If the business is a limited liability company: any managing member.
- D. If the business is a federal, state, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.

The individuals described in paragraphs A through D, above, may designate another authorized representative using protocols required by the Director.

City or Approval Authority. The City of Tulsa, Oklahoma, a municipal corporation or the Tulsa Metropolitan Utility Authority.

Director shall mean the Director of the City of Tulsa's Public Works and Development Department or the person succeeding to the Director's duties and functions, by whatever name known, or the Director's designated representative.

Fats, Oil and Grease or FOG shall mean any material either liquid or solid composed primarily of fat, oil, and grease from animal or vegetable sources. For purposes of this chapter, the terms FOG and grease may be used interchangeably.

Grease Trap shall mean any device designed to collect, contain, or remove food wastes and fatty oil and grease from the wastewater prior to discharge into the POTW. These devices shall include but not be limited to grease interceptors, large containment boxes commonly outside of a facility, and smaller containment boxes commonly inside a facility and under sinks.

Grease Trap Waste Hauler, or Grease Hauler, or Hauler shall mean any person or entity involved in the routine servicing, cleaning, or removal of food waste, fatty oil, grease or FOG from a grease trap.

Indirect Discharge or Discharge shall mean the introduction of wastewater into the POTW.

Person or entity shall mean any individual, partnership, co-partnership, firm, limited liability company, corporation, association, joint stock company, trust, estate, governmental entity, or any other legal entity; or their legal representatives, agents, or assigns. This definition shall include all federal, state, and local governmental entities.

Publicly Owned Treatment Works or POTW shall mean any treatment works, as defined by Section 212 of the Clean Water Act (33 U.S.C., §1292), which is owned or operated by the City. This definition shall include any devices or systems used in the collection, storage, treatment, recycling, and reclamation of sewage or industrial wastes of a liquid nature and any conveyances of wastewater to a treatment plant.

Sanitary Sewer Overflow or SSO shall mean any unintentional discharge or bypass of raw sewage from a municipal sanitary sewer.

Sewage shall mean any human excrement or gray water, including but not limited to showers, dishwashing operations and similar wastewater.

Storm Sewer System shall mean any conveyance or system of conveyances, including but not limited to roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains that are owned or operated by the City and are designed or used for collecting or conveying stormwater.

Wastewater shall mean any liquid and water-carried wastes and sewage from residential dwellings, commercial buildings, and manufacturing facilities, and institutions, whether treated or untreated, which are discharged into the POTW.

Ord. Nos. 20910, 21392

SECTION 1402. GREASE HAULER PERMIT APPLICATION PROCEDURES

A. **Application Required.** All persons required to have a Grease Hauler permit shall apply for the permit before collecting or transporting FOG waste originating within the POTW service area for disposal at an approved disposal site.

B. **Permit Application Components and Procedures.** The components and procedures for a Grease Hauler's permit shall include, but not be limited to the following requirements, before a permit shall be issued:

1. Submission of a completed permit application on a form provided by the Director.
2. Submission of a permit application fee and additional vehicle fees as provided in Section 1409 of this chapter.
3. A statement of the person's or company's name, address, telephone number, and date of application; provided that the Director may require additional information regarding officers, general partners or other controlling participants in a business.
4. Identification of the individual providing the information, submission date, and the individual's title and telephone number.
5. A description of activities and processes performed in the servicing and hauling of FOG, related equipment, and any facilities related to these activities or processes.
6. Identification of all hauling vehicles owned or operated by the applicant, including the vehicle identification number (VIN), registration license plate number, make, model, model year and tank holding capacity.
7. A list of all approved treatment or disposal sites the Hauler anticipates using. An amended list shall be provided to the Director or the Director's designated representative prior to a Hauler using any additional approved treatment or disposal facilities.
8. A listing of all types of wastes that will be hauled.
9. The applicant shall demonstrate to the Director that the applicant and applicant's drivers have sufficient knowledge of the vehicles they operate, procedures required for client service, materials to be handled, and other requirements to assure the proper servicing and handling of applicable wastes.

10. A certification statement signed by an authorized representative of the business that all of the information provided on the application is true and correct.

11. Any other information deemed necessary by the Director to satisfy the purposes and policies of this chapter.

C. Denial of Permit Application. The Director will evaluate the information furnished by the applicant and may require additional information deemed necessary to satisfy the purposes and policies of this chapter. The Director shall have the authority to deny any application for a Grease Hauler permit that is insufficient.

D. Permit Renewal Application. A Grease Hauler permit shall be valid for a period of one (1) year from the date issued. A Grease Hauler shall apply for a permit renewal, at least thirty (30) days prior to an existing permit's expiration. Permit renewal shall be in a form and manner prescribed by the Director and may contain all or any portion of the original permit application requirements.

Ord. Nos. 20910, 21392

SECTION 1403. GREASE HAULER PERMITS

A. Grease Hauler Permit Required. It shall be unlawful and an offense for any person to collect or dispose of grease trap wastes within the POTW service area unless such person possesses a valid Grease Hauler's permit as provided for in this chapter. Possession of a Grease Hauler's permit shall not relieve the permit holder of any obligations to comply with all federal, state, and local laws and regulations including but not limited to applicable Pretreatment Standards and Stormwater regulations.

B. Grease Hauler Permit Contents. In addition to other requirements provided by law, a Grease Hauler permit may include, but shall not be limited to the following:

1. The effective and expiration date of the permit.
2. Permit holder's name, address, contact names, and other information that may facilitate contact with the permit holder.
3. Applicable legal authority.
4. A statement of non-transferability.
5. Permit renewal requirements.
6. Definitions.

7. A listing of authorized vehicles for grease hauling or servicing.
8. Specific prohibitions and procedures for grease hauling and servicing.
9. A statement of applicable civil and criminal penalties for permit violations.
10. Any requirements, limitations, or conditions deemed necessary by the Director to satisfy the purposes and policies of this chapter.
11. A statement of the authority and criteria for the Director to modify, cancel, suspend or revoke a permit.
12. Reporting and record keeping requirements.
13. Discharge prohibitions.
14. The signature of Approval Authority.

C. Grease Hauler Permit Transfer. A Grease Hauler permit shall not be reassigned, transferred, sold, traded, or sublet by a permit holder.

D. Grease Hauler Permit Modification. The Director may modify a Grease Hauler permit for good cause, including but not limited to the following:

1. Violation of any terms or conditions of the Grease Hauler permit.
2. Misrepresentations or failure to fully disclose all relevant facts in the permit application or in any required reporting.
3. To correct typographical or other errors in the permit.
4. To respond to requests of the permit holder for modifications.

E. Grease Hauler Permit Denial, Cancellation, Suspension or Revocation. The Director may deny, cancel, suspend or revoke a Grease Hauler permit for good cause, including but not limited to the following:

1. Violation of any requirement, term or condition of this chapter, a Grease Hauler permit, or any order issued by the Director.
2. Obtaining a permit by misrepresentation or failure to fully disclose all relevant facts in either the permit application or any required report.

3. Falsification by the permit holder of any permit, report, manifest information, or records required by the permit or this chapter.
 4. Failure to supply information required pursuant to Section 1405 of this chapter.
 5. Cessation of operations, transfer of business ownership, or the issuance of a new permit.
 6. Refusing to allow the Director reasonable access to the permit holder's operations and equipment.
 7. Failure to complete a Grease Hauler permit renewal application or manifest, as required.
 8. Violation of any terms of a Grease Hauler permit or this chapter.
 9. Failure to provide information requested by the Director.
- F. As used in this chapter, the cancellation, suspension or revocation of a permit shall have the meaning ascribed as follows:

1. **Cancellation** shall render a permit holder's permit null and void from the date of issuance and a permit may only then be issued upon the submission of a new application accompanied by all appropriate fees.
2. **Suspension** shall bar a permit holder from the privilege of engaging in the business of a Grease Hauler during the period of suspension. Following the expiration of a suspension period a permit holder may resume Grease Hauler privileges.
3. **Revocation** shall withdraw and nullify the permit holder's privilege to engage in the business of a Grease Hauler for the period of revocation. Following the expiration of a revocation period, a permit holder may resume Grease Hauler privileges only upon the submission of a new application, accompanied by all appropriate fees, and the subsequent issuance of a new permit.

Ord. Nos. 20910, 21392

SECTION 1404. GREASE HAULER AND SERVICING REQUIREMENTS

Every Grease Hauler shall comply with the following hauling and servicing requirements:

A. All vehicle operators, equipment and vehicles operated by or utilized to transport or dispose of grease trap wastes shall comply with all current federal, state, and local laws and licenses.

B. Before accepting a load of liquid waste, a Grease Hauler shall determine the nature of the liquid waste and whether the Hauler's equipment is sufficient to properly handle its transportation without spillage, leaks, or release of toxic, odorous, or harmful gasses.

C. A Grease Hauler shall ultimately remove all contents from the grease trap upon the completion of servicing.

D. A Grease Hauler shall not empty liquid wastes into a generator's solid waste receptacles.

E. A Grease Hauler shall maintain tanks, pumps, valves, hoses, racks, cylinders, diaphragms, pipes, connections, and other appurtenances on a vehicle in good repair and free from leaks.

F. A plug or cap shall be in place for each tank of a grease-hauling vehicle.

G. A Grease Hauler shall immediately remediate all spillages.

H. It shall be unlawful and an offense for any Grease Hauler to discharge any FOG, sewage or other grease trap waste into the POTW or the storm sewer system.

I. Grease Haulers should inspect a grease trap for defects and notify the generator, if found.

J. All wastes collected by a Grease Hauler shall be disposed of at a facility permitted, licensed, certified or approved for receipt of such wastes.

Ord. Nos. 20910, 21392

SECTION 1405. REPORTING AND RECORD KEEPING REQUIREMENTS

A. General Reporting Requirements.

1. A Grease Hauler shall immediately report to the Director any violation of this chapter, any Grease Hauler permit, or any order issued by the Director.

2. A Grease Hauler shall report any changes in company contact names or phone numbers to the Director.

3. A Grease Hauler shall maintain a summary log of hauling services the contents and frequency of which shall be determined by the Director.

4. All required reporting shall be accurate, complete, and consistent with the corresponding manifests.

B. Grease Hauling and Servicing Manifests Required. Every Grease Hauler shall maintain a Grease Hauler's Manifest, which shall be purchased from the City of Tulsa. A Grease Hauler shall turn in a properly completed manifest book prior to issuance of a new book. A manifest book shall be assigned to a specific vehicle and shall be used exclusively for that vehicle. A limited number of books will be distributed for each vehicle, as determined by the Director.

1. Manifest contents and requirements shall be determined by the Director, but at a minimum shall include an itemized listing of each distinct point of service, the date and time services were rendered and the location, date and time of disposal.

2. A Grease Hauler shall complete one (1) manifest trip ticket for each individual collection.

3. Manifests shall be distributed as follows:

a. The original page shall be given to the generator after cleaning of the grease trap(s) has been completed and the generator and the hauler have signed it.

b. The first copy shall be given to the disposal facility at the time of waste delivery and after the disposal facility's representative has signed it.

c. The second copy shall be retained by the Grease Hauler after disposal.

d. The third copy shall be returned to the generator by the Grease Hauler within fifteen (15) days after the waste was received at the disposal facility.

e. The fourth (last) copy shall be retained in the Grease Hauler's manifest book.

4. It shall be unlawful and an offense for Grease Hauler to collect any grease trap waste from a generator without the proper completion of a manifest.

5. The Grease Hauler shall note any obvious grease trap defects or problems on the manifest.

C. **Record Keeping.** All records required pursuant to this chapter shall be retained by a Grease Hauler for five (5) years. All records shall be available for copying and inspection by the Director.

Ord. Nos. 20910, 21392

SECTION 1406. COMPLIANCE INSPECTIONS AND MONITORING

A. Right of Access.

1. The Director shall have the right to reasonable access for inspecting the operations, equipment, or service vehicles owned or operated by a permitted Grease Hauler.

2. The Director shall have the right to reasonable access for the taking of any samples of fluids related to a permitted Grease Hauler's business.

3. Unreasonable delays in allowing the Director access to the items above shall be a violation of this chapter.

B. **Inspections.** All permitted service vehicles shall be subject to reasonable periodic inspections.

Ord. Nos. 20910, 21392

SECTION 1407. PERMIT TERMINATION

A. A permit holder shall immediately notify the Director in writing when the Grease Hauler's business is sold or ceases to operate.

B. In addition to written notification, the permit holder shall make available all original's of completed manifests.

C. Every Grease Hauler's permit shall be invalid upon the sale or cessation of operation of the Grease Hauler's business.

Ord. Nos. 20910, 21392

SECTION 1408. ENFORCEMENT REMEDIES

A. **Notice of Violation.** When the Director finds that a Grease Hauler has violated or continues to violate any provision of this chapter, a Grease Hauler permit, or order issued hereunder, the Director may serve upon that Hauler a written Notice of Violation. The Director may require the submission of a written explanation of the violation and a plan for its satisfactory correction and prevention, within a time frame specified by the Director. Submission of this plan shall in no way relieve the Hauler of liability for any violations occurring before or after receipt of the Notice of Violation.

Nothing in this section shall limit the authority of the Director to take any action, including emergency actions or any other enforcement action, without first issuing a Notice of Violation.

B. Administrative Fines.

1. Whenever the Director shall find that a Grease Hauler has violated or continues to violate any provision of this chapter, a Grease Hauler's permit or order issued hereunder, the Director, in the Director's discretion, may impose upon such Hauler a civil fine in an amount not to exceed FIVE HUNDRED DOLLARS (\$500.00) per day. Such fines may be assessed on a per violation basis.

2. Notice of an administrative fine shall be served personally on the Grease Hauler or by certified mail, return receipt requested. Payment of the fine shall be to the City of Tulsa and shall be received by the Director within fifteen (15) days after notice is served.

3. Failure to submit payment of an administrative fine within fifteen (15) days shall be considered a violation of this chapter, unless the assessment of the fine has been properly appealed prior to the payment date.

4. Issuance of an administrative fine shall not be a bar against or a prerequisite for taking any other action against the Hauler.

C. Appeals. A Grease Hauler may appeal any Notice of Violation, Administrative Fine, Permit denial, cancellation, suspension or revocation, or Contractor De-Listing Order issued by the Director pursuant to Subsections 1403.E, 1408.A, 1408.B, and 1408.G.

1. Persons desiring to appeal such actions shall file a written request stating the grounds for the Director to reconsider the action taken within fifteen (15) days of being notified of the action. Upon receipt of an appeal request, the Director shall convene a hearing on the matter. In the event the Hauler's appeal is successful, the Director may modify or withdraw the notice or fine.

2. The Director's decisions to deny an appeal or to withdraw or modify an enforcement action shall be considered final, unless a written notice for an appeal to the Tulsa Metropolitan Utility Authority is filed with the City Clerk's office within fifteen (15) days after service on the appellant of the Director's decision or the denial of the appeal due to the Director's failure to act. A hearing on the appeal shall be conducted by the Authority no later than thirty (30) days from the date the notice of appeal was filed with the City Clerk. The Authority shall have jurisdiction to affirm, modify, reverse, or remand the action of the Director.

3. Within fifteen (15) days following the Utility Authority's action, any party adversely affected by the Utility Authority's action may appeal to the City Council by filing a notice of appeal in the office of the City Clerk and mailing notice to other interested parties and the Director. Such notice shall specify the grounds for the appeal.

4. A hearing on the appeal shall be conducted by the Council no later than thirty (30) days from the date the notice of appeal was filed with the City Clerk. The City Council shall have jurisdiction to affirm, modify, reverse, or remand the action of the Director.

5. The enforcement of any Notice of Violation, Administrative Fine, Permit denial, cancellation, suspension or revocation, or Contractor De-Listing Order issued by the Director shall be automatically stayed during the pendency of an appeal until the Director's action becomes final or the City Council has rendered a final decision.

D. Injunctive Relief. When the Director finds that a Hauler has violated or continues to violate any provision of this chapter, a Grease Hauler permit, or order issued hereunder, the Director may, as authorized by the Mayor, seek injunctive relief, which restrains or compels the specific performance of the Grease Hauler permit, order, or other requirement imposed by this chapter. The Director may also seek such other action as is appropriate for legal or equitable relief.

E. Criminal Prosecution.

1. It shall be unlawful and a misdemeanor offense for any person to violate any of the provisions of this chapter, a grease hauler permit, or an order issued pursuant to this chapter. Any person, convicted of such a violation shall be guilty of a misdemeanor offense and shall be punished by a fine of not more than Five Hundred Dollars (\$500.00), excluding costs, fees and assessments, or by imprisonment in the City Jail for a period not exceeding ninety (90) days, or by both such fine and imprisonment. Each day, or portion thereof, during which a violation is committed, continued or permitted shall be deemed a separate offense.

2. It shall be unlawful and a misdemeanor offense regarding the pretreatment of wastewater for any Grease Hauler to willfully or negligently discharge any substance into the POTW. Any Grease Hauler, convicted of such a violation shall be guilty of a misdemeanor offense and shall be punished by a fine of not more than One Thousand Dollars (\$1,000.00), excluding costs, fees and assessments, or by imprisonment in the City Jail for a period not exceeding ninety (90) days, or by both such fine and imprisonment. Each day, or portion thereof, during which a violation is committed, continued or permitted shall be deemed a separate offense. This penalty shall be in addition to any other causes of action for personal injury or property damage available under law.

3. It shall be unlawful and a misdemeanor offense for any Grease Hauler to knowingly make any false statements, representations, or certifications in any application, record, report, plan, or other documentation filed, or required to be maintained, pursuant to this chapter, a Grease Hauler's permit, or an order issued hereunder, or for any Grease Hauler to falsify, tamper with, or knowingly render inaccurate any monitoring device or method required under this chapter. Any Grease Hauler, convicted of such a violation shall be guilty of a misdemeanor offense and shall be punished by a fine of not more than Five Hundred Dollars (\$500.00), excluding costs, fees and assessments, or by imprisonment in the City Jail for a period not exceeding ninety (90) days, or by both such fine and imprisonment.

F. **Remedies Nonexclusive.** The remedies provided for in this chapter are not exclusive. The Director may take any, all, or any combination of these actions against a non-compliant Hauler.

G. **Contractor De-Listing.** Grease Haulers that fail to comply with provisions of this chapter, or conditions of a Grease Hauler's permit may, pursuant to a De-Listing Order issued by the Director, be designated as ineligible to receive a contractual award for the sale of goods or services to the City. Existing contracts for the sale of goods or services with the City held by the Hauler found to be in significant noncompliance with provisions of this chapter, or conditions of a Grease Hauler permit may be terminated at the discretion of the Mayor.

Ord. Nos. 20910, 21392

SECTION 1409. PERMIT FEES

The Director shall assess fees for the issuance and renewal of Grease Hauler permits in the amounts stated in the following schedule:

Initial Permit	\$ 100.00 (including one vehicle)
Permit Renewal	\$ 100.00 (including one vehicle)
Hauler Vehicle Approval	\$ 35.00 for each additional vehicle

Ord. Nos. 20910, 21392