

# CITY OF WALHALLA

STATE OF SOUTH CAROLINA )  
COUNTY OF OCONEE )  
CITY OF WALHALLA )

ORDINANCE NO. 2021-19

## SEWER USE ORDINANCE

**An Ordinance to Regulate, Restrict and Limit, in the interest of the Public Health and Safety, the discharge or deposit of certain substances into any sanitary sewer now maintained and/or owned by or which may become the property of the City of Walhalla and providing penalties for violation thereof. This ordinance rescinds all previous ordinances and ordinances or parts thereof in conflict with are hereby repealed.**

**BE IT ORDAINED** by the Mayor and Council of the City of Walhalla as follows:

### ARTICLE I

#### (DEFINITIONS)

Section 101            “Apartment” - shall mean any building containing two (2) or more Single Family Dwelling Units and having one (1) sewer connection for all Dwelling Units.

Section 102            “Approving Authority” – shall mean the City of Walhalla Utilities Department.

Section 103            “B.O.D.” – Biochemical Oxygen Demand is a measure of the pollutant strength of wastes of any nature. B.O.D. expressed in parts per million by weight shall mean the calculated pounds of oxygen required to satisfy the 5 day oxygen demand of a million pounds of domestic sewage or industrial wastes or a combination of both when tested in accordance with the procedures given in the latest edition of “Standard Methods for the Examination of Water and Sewage” published by the American Public Health Association.

Section 104            “Building” - shall mean any improved property containing a structure which meets any one of the classifications in Article 1.

Section 105            “Business” - shall mean any building used by the occupant for amusement, entertainment, service, professional, retail trade or any other similar purposes except as defined under “Commercial” and “Institution.”

Section 106            “Camper/Travel Trailer” - shall mean a vehicle without motor power designed to be towed by a motor vehicle, and of such size and weight not to require a special highway moving permit, designed to provide temporary living quarters for recreational, camping and travel use, and designed not to require permanent on-site

utilities, including, but not limited to tent campers, park models, park trailers, motor homes, and fifth wheels. This term may include any vehicle whose body width is less than eight feet, and whose length is not more than thirty-five feet in the travel mode, and so designed that part of its weight rests on the towing vehicle.

Section 107            “City - shall mean the City of Walhalla, its elected officials and appointed authorized representatives.

Section 108            “Color” – shall mean the True Color due to substances in solution which cause any variation in the hue of the receiving stream and is expressed in wave lengths of light

Section 109            “Combined Sewage” - shall mean a sewer receiving both surface water runoff and sewage

Section 110            “Commercial” - shall mean any hotel, motel, lodge, tourist home, efficiency apartments, houses or similar building operated primarily as a commercial enterprise for the purpose of rental and lodging on a daily or weekly basis. For determination of rates, each room or series of rooms made available to the general public as a separate entity for overnight accommodation shall be classified as a Rental Unit.

Section 111            “Condominium” – shall mean one or more buildings containing two or more single family units owned individually and not provided with access by public streets or roads and having one sewer connection for each unit.

Section 112            “Customer” - shall mean any responsible person who makes application to the City for water service.

Section 113            “Customer in good standing” - shall mean a customer who has an active account(s) and has not violated the water or sewer use ordinances at any time, and has not been cut off for nonpayment for any monthly bill within one year, at time of application for a new service.

Section 114            “Development” – shall mean any residential subdivision, commercial, industrial, or institutional complex.

Section 115            “Equivalent Unit” - shall mean equal to the number of Single Family dwelling unit for the purpose of establishing tap fee and billing cost; the following equivalents shall be used:

A) Single Family Dwelling Unit	1.0
B) Condominium Dwelling Unit	1.0
C) Townhouse Dwelling Unit	1.0
D) Apartment	1.0
E) Hotel or Motel per room	0.60
F) Mobile Home	1.0
G) Restaurant, per seat	0.25

H) Business or Institution per 6000/gals per month usage	1.0
I) Camper/travel Trailer	0.60

Section 116            “Farm Users” - shall mean class of user that uses the water exclusively for lawn, garden, and crop use and there is no connection inside or outside of a building which is directly or indirectly tied to a sewer.

Section 117            “Institution” - shall mean any building used as a hospital, church, school or similar public facility.

Section 118            “Multiple Family Dwelling Unit” - shall mean any building containing two (2) or more Single Family Dwelling Units and having individual water connections to each Dwelling Unit.

Section 119            “Oconee Joint Regional Sewer Authority (OJRSA)” – Shall mean the sewer treatment entity in Oconee County.

Section 120            “Person” - shall mean any individual, firm, company association, corporation, institution or group.

Section 121            “Rental Property” – shall mean any and all real property that is rented or leased by one group or person from any other group or person for the purpose of living space, commercial, or industrial use. ALL rental properties inside the City Limits MUST be inspected by the Fire Department prior to obtaining services.

Section 122            “Services” - shall mean the delivery of potable water through an authorized and approved Water Connection, account record keeping, billing, and all work associated therewith.

Section 123            “Single Family Dwelling Unit” - shall mean any building, house or apartment unit, occupied for living purposes by a single family and owned or leased by the occupant on a continuing basis for thirty (30) days or more per year.

Section 124            “Townhouse” - shall mean one or more buildings containing two (2) or more Single Family Units owned individually and provided with, or adjacent to, public streets or roads and having one (1) water connection for each unit.

Section 125            “Sewer Connection” shall mean all materials including valves, pipe, fittings, cleanouts to convey sewer waste from the customer.

Section 126            “Sewer System” - shall mean all property, equipment, pumps, piping, storage tanks, connections, records, structures, and any other associated appurtenances necessary to provide sewer service owned and operated by the City of Walhalla.

## Article II

### **Prohibited Use of Public Sewers**

**Section 201** No person shall discharge or cause to be discharged into any sanitary sewers any storm water, surface water, ground water, roof run-off, subsurface drainage, cooling water or unpolluted industrial or commercial process water.

**Section 202** Storm water and surface drainage shall be admitted to only such sewers as are specifically designated as storm sewers or storm drains. Unpolluted process and cooling waters may, upon written application and approval by the Approving Authority, be discharged to storm sewers or storm drains.

**Section 203** Except as hereinafter provided no person shall discharge or cause to be discharged any of the following described waters or waste into any public sanitary sewer.

- (A) Any clothing, rags, textile, remnants or wastes, cloth, scraps, etc., except fibers, scraps, etc., which will pass through a 1/4 inch mesh screen or its equivalent in screening ability.
- (B) Any liquid or vapor having a temperature higher than 160 degrees.
- (C) Any water or waste containing more than 100 parts per million by weight of fats, oils or grease.
- (D) Any liquids, solids, or gases which by reason of their nature or quality may cause fire or explosion, or be in any way injurious to persons, the sewerage system, the sewage treatment works or the operation of the sewage treatment works.
- (E) Any liquid waste in which the suspended solids exceed 250 parts per million by weight except as hereinafter provided for.
- (F) Any liquid wastes in which the suspended solids exceed 250 parts per million by weight except as hereinafter provided for.
- (G) Any water or wastes having a stabilized pH lower than 6.0 or higher than 8.5 or having other corrosive property capable of causing damage or hazard to structures, equipment, or personnel of the sewage works.
- (H) Any waters or waste containing a poisonous or toxic substance or any other materials in sufficient quantity to injure or interfere with any sewage treatment process, or constitute a hazard to humans or animals, or create any hazard in the receiving stream at the sewage treatment plant.
- (I) Any waters or waste containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials in the sewerage system.

- (J) Any noxious or malodorous gas or substance capable of creating a public nuisance.
- (K) Any garbage that has not been properly shredded.
- (L) Any ashes, cinders, sand, mud, straw, shavings, metal, glass, bones, feathers, tar, plastics, wood, paunch manure, butcher's offal or any other solid or viscous substances capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewerage system.
- (M) Any materials which form excessive amounts of scum that may interfere with the operation of the sewage treatment works or cause undue additional labor in connection with its operation..
- (N) Any waters or wastes containing dyes or other color which cannot be removed t biological processes and which require special chemical treatment.
- (O) Any waters or waste containing lint in such quantities as to be detrimental to sewer lines, sewage pumps or sewage treatment works.

Section 204 The Approving Authority, without limitation by other sections of this ordinance, may authorize any person to discharge industrial waste of unusual strength or character into the sewers of the City under approved conditions or pretreatment. The Approving Authority may prohibit entry of particular industrial waste into the sanitary sewer whenever such action is necessary to prevent damage to the system or to determine the effects of such wastes on the sewage system.

### **ARTICLE III**

#### **Permissive Use of Public Sewers**

Section 301 The City shall reserve the right to inspect and grant permission for all connections to the sewerage system and require the payment of a tap fee before permission to connect can be granted to any person. The tap fee shall be specified in Article V.

Section 302 Any sewage discharged by any person, which has an average working day flow greater than:

- (A) 5,000 gallons if tributary to the sewage pumping stations, or

- (B) 5,000 gallons if tributary to the main gravity system may be admitted into the sanitary sewers provided such sewage is discharged at rates which will not overload the sewerage system.

Section 303 Where necessary in the opinion of the Approving Authority and whenever the total volume of sewage discharged by any person in any one day shall exceed the limits set forth above, such person may be required, at no expense to the City, to construct holding or storage tanks in order to equalize the discharge over a 24 hour period. Such tanks shall be so equipped as to thoroughly mix the sewage so that its quality shall be uniform when discharged to the public sewers. The control of the volume of discharge of the sewage to the sewer shall be by a waterworks type rate controller or other approved device, the operation and setting of which shall be directed by the Approving Authority. Notice shall be given the Approving Authority when normal operations of the Person will be interrupted for 24 hours or longer and wastes will not be available for discharge.

Section 304 Whenever the waste characteristics of sewage being discharged by any person exceed those requirements of Section 203 or where necessary in the opinion of the Approving Authority, the person discharging sewage shall construct or cause to be constructed at no expense to the County Or City such preliminary handling or treatment as may be required to:

- (A) Reduce the B.O.D. to 400 parts per million by weight, and the suspended solids to 400 parts per million by weight
- (B) Or charge the objectionable characteristics or constituents to come within the maximum limits provided for Section 203.

Section 305 Where the volume of any sewage discharged by any Person exceeds the limits set forth under Section 302, the entire volume of such wastes shall be understood to come within the requirements set forth under Section 303.

Section 306 Plans, specifications and other pertinent information relating to proposed preliminary treatment or handling facilities shall be submitted for the approval of the Approving Authority and no construction of such facilities shall be commenced until such approval is obtained in writing.

Section 307 Where preliminary treatment or holding facilities are provided for any purpose, they shall be maintained continuously in satisfactory and effective operation at , no cost to the City.

Section 308 Any person who is now discharging any sewage into the City's public sewer may be required to make written application to the Approving Authority giving complete information as to the nature and characteristic sewage as determined by an analysis of a composite sample of the waste made by an independent laboratory.

Section 309 Any person having been granted authority by the Approving Authority to discharge sewage into the City's public sewers and who shall change or cause to be changed the nature or quantity of such sewage, shall before making such change, receive the approval of the Approving Authority of such change and may be required to furnish the Approving Authority a complete analysis of a composite sample of the sewage as determined by an independent laboratory.

Section 310 An person who should wish to make such connection and discharge such sewage as described above, shall make written application to the Approving Authority a complete analysis of a composite sample of the sewage as determined by an independent laboratory, in addition to compliance with all other articles of this Ordinance.

Section 311 Grease, oil and sand separators or traps shall be provided when in the opinion of the Approving Authority they are necessary for the proper handling and control of liquid wastes containing grease, oil or sand in excessive amounts. Such separators shall not be required for private living quarters or dwelling units, but may be required for certain industrial or commercial establishments, public eating place, hospitals, hotels, schools or other institutions. Such separators shall be readily accessible for inspection by the person at no expense to the City and in continuously efficient operation at all times.

Section 312 Any person discharging industrial wastes into the public sewers may be required to construct and maintain a suitable control or inspection manhole either downstream from any pre-treatment, storage or other approved works, or if pre-treatment is not required, at the point where the sewage enters the public sewers. Such manhole shall be located so as to be readily accessible and shall be constructed in such a manner as may be approved by the Approving Authority so as to facilitate such inspection or measuring as may be necessary for proper sampling and/or control of the waste discharged.

Section 313 In all cases, sewage discharge will meet the pre-treatment limits, as set forth in the Oconee County Sewer Commission sewer ordinance, Article VI.

#### **ARTICLE IV**

##### **Operations and Control**

Section 401 The Approving Authority and duly authorized representatives of the City, shall be permitted to enter upon all properties for the purpose of inspection, observation, measurement, sampling and testing in accordance with the provisions of this ordinance. The City shall notify, if available, the person or a representative of the person prior to entering the premises.

Section 402 In the interest of the public health and safety, the Approving Authority and duly authorized representatives, shall be permitted to take such emergency action as may be deemed necessary in the operation of the sewerage system including, but not limited to

the right to close down any portion of the sewerage system for the purpose of making connections, alterations or repairs.

Section 403 All tests and analyses of the characteristics of sewage to which reference is made in this ordinance shall be made in accordance with the procedures given in the latest edition of 'Standard Methods for Examination of Water and Sewage', revised, published by the American Public Health Association. Such tests and analyses shall be determined at the control manhole provided for in Section 312, or at the point of discharge of any sewage at the site of their origin on the premises of any person discharging such sewage into sewers.

Section 404 The volume of flow used in computing sewer user charges and surcharges shall be based upon metered water, or by flow meter installed at no expense to the City. Consumption records of meter reading will be maintained by the City water department.

Section 405 In the event that a person discharging waste into the sanitary system produces evidence that more than twenty percent of his water use does not enter the sewer system, the user may apply for a reduction in the flow used to calculate his sewer use charge.

Section 406 Every building which is located within 300 feet of any sewer main operated and maintained by the City shall be connected thereto and shall utilize the same for waste water disposal. Said connection shall be made prior to occupancy of new building.

Section 407 Existing buildings which are provided with access as described in Section 406 shall connect to the sewer main within a period of two years from date of completion of the sewer main; or at such time of failure or malfunction of existing waste disposal means; or at such time as directed by the City upon notice that the existing means of waste disposal is a community health hazard and violation of federal, state or county law.

Section 408 Where no public sewer exists within the limitation of Section 406 or where connection is technically impractical, the owner of such property may apply for a permit to construct and operate a septic tank system as approved by the County Department Health, and further provided that the septic tank system is properly maintained so as to eliminate any hazard to the public health.

Section 409 Any person desiring connection to be made with the sewage system shall make application on an appropriate form at the Department of Water and shall be accompanied by the appropriate connection fee.

Section 410 All sewer service lines shall conform to the requirements of the Approving Authority on location, size, type, materials and methods used shall be inspected and approved by the City.

Section 411 The size and connection fee of all services shall be governed by the number of individual units to be served by the same connection.



- (A) Single Family Dwelling Units and Apartments or Duplexes containing less than four single family dwelling units shall have a four inch connection minimum.
- (B) Multi-Family units contain more than four single family dwelling units shall have a connection sized upon the equivalent number of bedrooms and flow as specified by the South Carolina Department of Health and Environmental Control Criteria or Equivalent Residential Users, whichever is greater.

Section 412 It shall be unlawful for any person to make, or undertake to make or cause to be made any connection to the sewerage system without first having made application and received approval.

Section 413 When Application has been made under the terms of this ordinance, the City shall provide the necessary service at the most convenient location on the customer property line.

Section 414: The City shall own, operate and maintain sewer service laterals to either the edge of the City's permanent sewer easement, typically 12' from center of main line, or the portion of the service line located within the public road right-of-way. The customer shall own, operate, maintain, and repair the lateral from the home to the City connection. For lateral lines that do not have a sewer cleanout at the connection point to the City lateral, at least 20' from the home, the customer shall be responsible for clean out installations.

## **Article V**

### **User Charges and Surcharges**

Section 501 The City shall at least annually adopt an adequate schedule of sewer service charges to defray the cost of operating and maintaining the sanitary sewerage system. The cost to be used as a basis of determining charges shall include, but is not necessarily limited to; direct operation and maintenance, administration, collection and billing charges, bond redemption, studies and reports, professional fees, repairs, capital improvements, and depreciation. The sewer service charges adopted shall be such that each user pays at least their proportionate share of all cost herein noted.

Section 502 The sewer service charges shall be published in a form for public distribution by mail to each customer's billing address and notice shall become a part of this ordinance upon adoption and public notification and shall be based on the cost of treatment per thousand gallons of sewage.

Section 503 The Approving Authority shall levy monthly sewer service charges based on actual water consumption, as obtained from water meter readings or other means as provided under Section 404 and 405. If the bill is not paid in its entirety by the 20th, the bill shall be delinquent and water service shall be discontinued as provided for in Section 701.

Section 504 The Approving Authority may, at its discretion, allow industrial waste which exceeds the limitation of Article II Section 203, to be discharged into the sanitary sewerage system, provided that the person discharging such waste shall agree to the payment of a surcharge for all BOD or Suspended Solids in excess of allowable limits. This surcharge shall be imposed in addition to any other charges made for sewer service.

Section 505 The surcharge covering the cost of treatment of said industrial wastes shall be determined by the Oconee County Sewer Commission.

Section 506 Connection fees to the sewer system shall be based upon size as determined under Article IV, Section 411 and the following for those inside the City limits. Connection fees for outside City limit customers shall be one half times the inside fees.

(A) Single Building Connection.

<u>Size</u>	<u>Tap Fees</u>
	<u>Inside City</u>
4" Connection	\$1200
Premade	\$ 800
	<u>Outside City</u>
	\$1600
Premade	\$ 800
6" or over in size	Cost plus 30%

- (B) Apartments and duplexes on one connection shall be charged tap outlined in Section (A) for the first single family dwelling unit plus \$100.00 additional unit served by the same connection.
- (C) Condominiums and townhouses on one connection shall be charged as in Section (A) for the first single family dwelling unit plus \$150.00 for each additional unit served by the same connection.
- (D) Motels on one connection shall be charge as outlined in Section (A) plus \$35.00 per bedroom unit served by the same connection.
- (E) Mobile Home Parks on one connection shall be charged as outlined in Section (A) plus \$100.00 per each additional mobile home space provided.
- (F) Business or industrial users on one connection shall be charged a connection fee in accordance with the connection size plus \$100.00 for each equivalent unit of flow to be discharged by the user.
- (G) No individual may tap the City's sewer system without prior written approval, and payment of the proper fees, listed above. All premade taps must be coordinated with the City prior to installation.

- (H) To obtain a new sewer tap, the tap application and sewer service accessibility form must be filled out completely. Once the applicable sewer impact fees have been paid in full to the Oconee Joint Regional Sewer Authority (OJRSA), the sewer tap fee may be paid to the City.
- (I) All new customers applying for commercial service within the City's sewer system must complete a Sewer Accessibility Form. This information will be transmitted to the OJRSA for approval. No service will be granted until receipt of equivalency, or notice of payment of impact fees due.

Section 508 The sewer service charge shall be based upon the monthly use of water as given under Article V, Section 503 in accordance with the following rates: As shown in Appendix A of the current approved budget document.

Section 509 The surcharge for excess BOD or suspended solids shall be based upon the rate charge given to the City by the Oconee Joint Regional Sewer Authority.

Section 510 For customers, the City will allow for a Summer Sewer Bill for June, July, August, and September billings based upon 9 months usage, and excluding the usage from the months of June July, August. The charge for the special sewer rate will be \$25.00. As an alternative, the City will install an irrigation only water tap for a one-time fee of \$500. The tap may only be used for outdoor irrigation, filling of pools, car washing, etc., and may not be connected to any structure. If the City declares mandatory use restrictions due to drought, the service will be discontinued, and the summer sewer rate will be cancelled.

## **Article VI**

### **Sanitary Sewer Extensions**

Section 601 Construction of Sanitary Sewerage System in any new development shall be the responsibility of any person performing such development.

Section 602 Sanitary sewers constructed within new developments may be conveyed to the City provided all such sewers are located within public right-of-way or easements of adequate widths to provide maintenance vehicle access.

Section 603 Any new development proposing to build sanitary sewers or extensions to existing sanitary sewers which will connect directly or indirectly into the City's sanitary sewerage system shall conform its plans and specifications to the requirements of the Approving Authority. The plans and specifications shall be prepared by a Registered Engineer who is authorized by laws of the State of South Carolina and approved or approvable by any and all local, county, and state authorities having jurisdiction.

Section 604 Approval of systems shall be accomplished in accordance with the following procedure:

- (A) Submit preliminary construction plans to the Approving Authority in sufficient detail to indicate location, system layout, line sizes, service connections, flows, character of sewage, relationship with and connection to the City's system or other disposal system.
- (B) Receive preliminary approval from City and other jurisdictional agencies.
- (C) Prepare construction drawings and documents for City's approval.
- (D) Secure all other agency approvals of construction drawings and contract documents.
- (E) Upon receipt of all approvals, proceed with construction, notifying the Approving Authority of construction schedules.
- (F) Provide the Approving Authority and its authorized representatives with permission for on-site inspection during construction.
- (G) Upon completion of construction, the Engineer employed by the development shall inspect and furnish to the Approving Authority, at no cost to the City, his certificate of completion indicating that the subject sewerage system has been constructed in accordance with the approved plans and specifications and shall provide four (4) copies of "as constructed" drawings.

Section 605 Sewerage Systems to be conveyed to the City will be done by the owner preparing and submitting to the City an Instrument of Conveyance, conveying the constructed system to the City at no cost to the City and the system shall thereafter be owned, operated and maintained by the City as provided for in this ordinance. The Instrument of Conveyance shall also include permanent easements--and rights-of-way fully described and duly recorded at the appropriate authority.

Section 606 The owner of his authorized agent shall submit a Warranty which is legal instrument in which the Owner warrants the materials, equipment and construction of the system for twelve (12) months. The owner shall further warrant to the Approving Authority that all fees have been paid by him such that there is no outstanding indebtedness remaining and holding the City harmless in each instance.

Section 607 All sewer taps shall be made during construction from the main out to the property line. Location of all taps shall be recorded on the "As Constructed" drawings.

Section 608 All sewerage system extensions must be compatible with present and future plans and need of the City.

## Article VII

### Penalties

Section 701 The Approving Authority may discontinue sewer service without notice to any person who is delinquent in payment of charges, cost recovery, and/or surcharges as stipulated in Section 503. Sewer service may be discontinued by complete severance of the sewer connection, or by discontinuing water service through the Customer's water meter. Service shall remain discontinued until said Customer has paid his past due account and reconnection fee.

Section 702 Failure to comply with this ordinance shall subject the person to a penalty of not less than \$100.00 per day and payment of all damages incurred to the sewerage system as a result of non-compliance.

## Article VIII

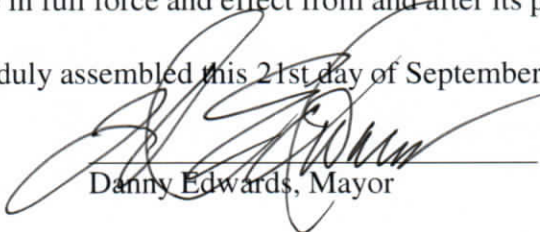
### Validity

## ARTICLE IX

### EFFECTIVE DATE

Section 901. This ordinance shall be in full force and effect from and after its passage.

**DONE AND RATIFIED** in Council duly assembled this 21st day of September 2021.

  
\_\_\_\_\_  
Danny Edwards, Mayor

ATTEST:



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Timothy B. Burton, City Administrator

Introduced By: MRS. OWENS

First Reading: 8/17/21

Second Reading  
and adoption: 9/21/21