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ORDINANCE NO. 1662-X

AN ORDINANCE TO AMEND ORDINANCE NO. 1542-X, THE 1984-85 BUDGET ORDINANCE, ESTABLISHING \$35,000 IN FUNDING FOR NEIGHBORHOOD HOUSING SERVICES, INC. TO DEVELOP A SECOND NEIGHBORHOOD HOUSING SERVICES PROGRAM IN CHARLOTTE.

BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina;

Section 1. That the sum of \$35,000 in appropriations from General Revenue Sharing is hereby transferred from McDowell Street Improvements (2010; 277.00) to the Neighborhood Housing Services account (2010; 377.02) to provide funding for a contract to develop plans for a second Neighborhood Services Program in Charlotte.

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3. This ordinance shall become effective upon its adoption.

Approved as to form:

Henry W. Underhill Jr.  
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 11th day of February, 1985, the reference having been made in Minute Book 83 and is recorded in full in Ordinance Book 33 at Page 346.

Pat Sharkey  
City Clerk

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ORDINANCE NO. 1663-X

AN ORDINANCE TO AMEND ORDINANCE NUMBER 1542-X, THE 1984-85 BUDGET ORDINANCE, TRANSFERRING FUNDS FROM THE MCDOWELL STREET IMPROVEMENTS PROJECT AND APPROPRIATING THOSE FUNDS FOR MEMORIAL STADIUM PARKING IMPROVEMENTS.

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BE IT ORDAINED by the City Council of the City of  
Charlotte, North Carolina;

Section 1. That the sum of \$75,000 in appropriations from General Revenue Sharing is hereby transferred from account 2010; 277.00--McDowell Street Improvements to account 2010;700.08 --Memorial Stadium Improvements for the construction of parking improvements at Independence Boulevard and Seventh Street.

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3. This ordinance shall become effective upon its adoption.

Approved as to form:

*Henry W. Clendenen Jr.*  
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 11th day of February, 1985, the reference having been made in Minute Book 83, and is recorded in full in Ordinance Book 33 at Page 347.

Pat Sharkey  
City Clerk

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ORDINANCE 1664

AN ORDINANCE REPEALING CHAPTER 16 OF THE CITY CODE AND REPLACING IT WITH A NEW CHAPTER 16 ENTITLED "SEWERAGE AND WATER".

BE IT ORDAINED by the City Council of the City of Charlotte,  
North Carolina that:

1. The existing Chapter 16 shall be repealed, and substituted in lieu thereof there shall be a new Chapter 16 to read as follows:

(See attached)

2. This ordinance shall become effective upon its adoption.

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 11th day of February, 1985, the reference having been made in Minute Book 83, and is recorded in full in Ordinance Book 33 at Pages 348-384.

Pat Sharkey  
City Clerk

(Revised 8/29/84)

CHAPTER 16

WATER AND SEWERAGE\*

- Article I. Water, SS16-1 - 16-45
- Article II. Sewerage, SS16-46 - 16-70
- Article III. Industrial Waste, SS 16-71 - 16-99

Article I. Water

Section 16-1. Water system operation.

The water treatment facilities and water distribution system shall be operated as, and considered to be, a single, integrated system. The amount necessary to meet the annual interest payable on the debt incurred for construction for the water system, the amount necessary for the amortization of the debt, and the amount necessary for repairs, for fire protection, maintenance and operation of the system shall comprise the rate for water service collected by the City.

Section 16-2. Application for water service.

Water will be introduced into premises abutting on streets having water mains upon application being made by the owner, or lessee, or the authorized agent of the property to be benefited, and upon compliance with all requirements of the Charlotte-Mecklenburg Utility Department, hereinafter referred to as CMUD.

Section 16-3. Meters set by CMUD.

Meters are part of the service in supplying water, and will be set by CMUD according to the rules and regulations of said department.

Section 16-4. Charges for making service connections.

Definitions. "Complete service connection" shall include connection to water main, service line complete to owner's property line, to include cut-off valve and valve box at owner's property line and shall also include a meter, meter yoke, meter box and other required appurtenances.

"Partial service connection" shall include connection to water main, service line to the point of future meter location and shall include meter box and other required appurtenances.

- (a) The charges for making service connections of sizes four (4) inches or smaller shall be arrived at in accordance with the water and sewer rate methodology set forth in the Arthur Young and Company's "Water and Sanitary Sewer Cost of Service and Rate Structure Study for the Charlotte-Mecklenburg Utility Department," dated June, 1977, as amended by the "Water and Sewer Study Recommended Cost Determination Modifications," dated November 18, 1977, on file with the City Clerk. The above documents, hereinafter shall be referred to as the "water and sewer rate methodology documents." The City Manager shall fix the rates, fees and charges to be charged during the new fiscal year according to the water and sewer rate methodology documents. Said rates, fees and charges and any modifications thereto are hereinafter referred to as the "Schedule of Current Rates, Fees and Charges".
- (b) The charges for making partial service connections 3/4 inch size, shall be calculated and applied in the same manner as service connections described in subsection (a) above.
- (c) The charges for making complete service connections at sizes larger than four (4) inches shall be made as follows:

At the time of application for a service connection, a design study will be scheduled and made by CMUD personnel to determine the cost of construction, materials, meter, valves and required appurtenances to furnish the service applied for. Payment of the determined cost is required prior to the start of any construction work by CMUD.

- (d) The applicant shall designate with a marker the location of the water service connection along the street right-of-way within the boundaries of his property prior to the beginning of the work. Said location may not be within a driveway.
- (e) The applicant or customer shall not operate or disturb any part of the water service located outside the cut-off at the property line. All fixtures within the owner's premises must be kept in repair by the customer or property owner.

Section 16-5. Repairs to service connections at CMUD expense; exceptions.

After the service connection and meter cost has been paid by the property owner, CMUD will keep the service in repair from the main up to, but not including, the property line cut-off valve, thereafter. There will be no further expense to the property owner except that, in case of malicious damage by owner or tenant, or in case of damage caused by hot water being forced from the premises through the meter from boilers, hot water tanks, etc., the property owner or tenant shall pay the cost of repairs.

Section 16-6. Removal of water service fixtures prohibited; exceptions.

When water is introduced into any property or premises by CMUD, the water service fixtures become a permanent improvement in the same manner as paving, curbing, sidewalks, sewer connections, etc. The water service fixtures belong to the property for which they are placed and will not be transferred from the property to which they have been assigned, but are under the control of CMUD.

CMUD may, in the discretion of the director, replace existing meters, service connections or other fixtures with meters, service connections or other fixtures of equal, or greater, capacity or efficiency.

Should the use of water through service connections be discontinued, or a "partial service connection" remain unused, CMUD, in the discretion of the director, may remove the meter, service connection and other water service fixtures, or discontinue the availability of said "partial service connection."

When water is introduced into any property or premises by CMUD, meter and service connection shall not be removed or transferred, except by special permission of the director.

Section 16-7. Separate meter for each property owner required; exception.

Property owned by separate parties must have separate water service where each piece of property has a City main accessible for a connection. CMUD shall not be required to furnish water service unless the property is in compliance with the requirements of this section.

The joint use of water by separate property owners through one service connection will be allowed only where no water main is accessible to all of the property.

When multiple properties owned by the same party are supplied through the same meter, said owner shall be responsible for paying the charges for water and sewer service, if any, in accordance with applicable rules and regulations.

When multiple properties owned by the same party are supplied through the same meter and, afterwards, part of the property is sold, the parcel sold must be disconnected from the supply and a separate meter installed, if the property sold is to be supplied with CMUD water. Properties under the same ownership will be supplied through one service connection only when they are adjoining.

Section 16-8. Property line cut-off valve.

A cut-off valve will be placed by CMUD at the time of making a complete service connection at the property line, or right-of-way line. This valve is to be under the control of the owner or tenant and is to be used in case of a break, or other necessity, whereby pipes to be repaired can be cut off without using the CMUD curb cut-off valve located in the meter box. This is not intended to take the place of the ordinary stop and

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waste valve located within the premises for the purpose of draining the pipes to prevent damage from freezing.

Section 16-9. Private fire protection lines to have a cut-off valve.

Private fire protection lines that cross unoccupied ground to reach the object to be protected shall have a cut-off valve placed at the property line or at the right-of-way line where the connection is to be made.

Section 16-10. Interference with the water distribution system prohibited; exception.

It shall be unlawful for any unauthorized person to operate, or damage by interference and/or meddling with the valves on the street mains, the curb cut-off valve or any other part of the water distribution system. Plumbers may, in case of an accident, shut off water at the curb cut-off valve, but shall notify CMUD immediately of such action.

Section 16-11. Definition of temporary and commercial water users.

"Temporary water users" shall be defined for the purposes of this article as those water customers who are not the owners of the premises served and who desire water service for less than six months annually, and for a given period of time. "Commercial water users" shall be defined as those customers who desire water service for commercial use or for use in the transaction of their business.

Section 16-12. Deposit required.

- (a) A cash deposit is required from all temporary and commercial users in an amount equal to the estimated charge for two months of water service.
- (b) The estimate made of the required cash deposit shall be final and shall be the cash deposit required from the said temporary or commercial user.
- (c) All water and/or sewer users, except as described as temporary or commercial users, shall be required to pay a cash deposit as described in the "Schedule of Current Rates, Fees and Charges". In the event that any user fails to pay the amount due for water and/or sewer service according to the requirements of Section 16-17 (b)(3), then CMUD shall have the right, without further notice to the user, to discontinue service to the user and charge against the deposit the amount due.

Section 16-13. Deposit required; refund provided for.

A deposit as described in section 16-12 shall be required of customers before water will be turned on. This is held by CMUD to the credit of the customer making the deposit as a guarantee that the water and sewer bill will be paid. After proper notice to cut the water off has been given to the Water and Sewer Accounts Billing Office, the deposit will be applied to the depositor's account balance.

Section 16-14. Schedule of water rates.

Meters will be read monthly and water furnished shall be paid for according to the "Schedule of Current Rates, Fees and Charges" by the following definitions:

- (a) Rates for water furnished inside the City limits;
- (b) Monthly minimum fixed charge per customer inside the City limits. The fixed customer service charge relates to providing basic servicing (e.g. meter reading, billing, etc.) of customer accounts, even if no water service is used;
- (c) Rates for private fire lines at customer's request and application;
- (d) Rates for water furnished outside the City limits. Water furnished by CMUD to premises outside the City limits shall be paid for at the prevailing outside City rate;
- (e) Determination of rates for subsections (a), (b) and (d) shall be arrived at in accord with the water and sewer rate methodology documents and procedures described in detail in section 16-4 (a).

Section 16-15. Bills mailed or delivered.

A water and/or sewer bill will either be sent through the United States mail or delivered by an alternate method notifying all customers of the amount of the bill, the date payment is due and date when past due. Failure to receive a bill is not justification for nonpayment.

Section 16-16. Definitions.

For the purposes of this Chapter, the following terms are defined as follows and shall be used accordingly:

- (a) Turn-off shall mean the physical turn-off of the meter in the meter box.
- (b) Turn-on shall mean the physical turn-on of the meter in the meter box.
- (c) Meter removal shall mean the physical removal of the meter from the connections inside the meter box.

- (d) Yoke removal shall mean the physical removal of the yoke located inside the meter box, that is used to secure the inlet and outlet pipes for meter installation.
- (e) Turn-off at main shall mean the physical disconnection of the water line at the water main.
- (f) Late payment-fixed shall mean the customer service cost for processing a delinquent account listed on a delinquent account register.
- (g) Late payment-variable shall mean the cost of carrying outstanding balances in customer accounts.

Section 16-17. Delinquent fees and charges; conditions; notice; appeals; meter removal.

- (a) Current bill. Any account not paid within twenty-five (25) days of the billing date, will be considered delinquent and will be assessed a one and one-half (1.5) percent late payment charge.
- (b) Previous bill. If, at the time of the next billing, the account has an unpaid balance, a delinquent notice will be enclosed with the next bill to the customer.
  - (1) If the account has an unpaid balance and is past due, a one and one-half (1.5) percent late charge will be added to the account calculated as follows: the unpaid balance forward multiplied by the late charge percentage.
  - (2) If the customer believes the amount of the bill is incorrect or excessive, then he or she has the right to call or appear in person at the Water and Sewer Accounts Billing Office at City Hall, 600 East Trade Street, between 8:00 A.M. and 5:00 P.M. weekdays to discuss the bill with an employee of that office. If it is determined that the amount of the bill is in error, an adjustment will be made accordingly.
  - (3) If the customer does not inform the Water and Sewer Accounts Billing Office of any complaint concerning the accuracy of the bill, and if the customer does not pay the bill within ten (10) days from the most recent bill date, water service may be cut off after notice of intent to terminate service is given. A turn-on charge and fixed delinquent charge may be levied and must be paid at the Water and Sewer Accounts Billing Office, 600 East Trade Street in addition to all outstanding water and sewer charges, before the water will be turned on again.

- (c) If the account includes the current bill with two or more months' bills brought forward and the meter is removed, a final bill is sent on the account just as though the customer had moved and requested discontinuance of service. To restore service the customer may be required to pay any one or all, if necessary, of the following: a new deposit charge, late payment charges (fixed and variable), turn-off in box fee, meter removal fee and all outstanding bills. Such changes and fees are set forth in the "Schedule of Current Rates, Fees and Charges".

Section 16-18. Specific delinquent charges.

Delinquent charges shall be arrived at in accordance with the water and sewer rate methodology documents described in section 16-14 (a) and set forth in the "Schedule of Current Rates, Fees and Charges" for the applicable charges.

Section 16-19. Collection of delinquent charges.

Charges shall accrue for each occurrence and shall be paid in addition to all outstanding water and sewer charges, including final billed amounts, before the water will be turned on and service restored.

Section 16-20. Procedure in case of delinquent customer vacating premises.

In cases where a customer has vacated the premises leaving unpaid water or sewer bills, he or she will not be furnished water or sewer service elsewhere until said bills have been paid.

Section 16-21. Unauthorized turning on of water after turn-off by CMUD.

If the water has to be cut off from any premises by CMUD for nonpayment of a bill or bills, or for any other cause authorized by this Chapter, it shall be unlawful for a customer or user to restore service by a turn-on or by installing unauthorized devices or directing or permitting the installation of unauthorized devices to restore service.

Section 16-22. Authorized meter removal, yoke removal and other water service termination actions.

CMUD is authorized to take the following action:

- (a) Meter removal. The physical removal of a meter following unauthorized turn-on by a customer.
- (b) Unauthorized meter. The physical removal of a meter assigned to a designated service in the system but found in another service.

- (c) Unauthorized devices. The physical removal of any unauthorized device (e.g. straight piece of pipe) used to obtain water service along with the yoke.
- (d) Turn-off at the main. The service connection may be disconnected at the main to prevent the customer from installing unauthorized yokes, meters, pipes and other devices in order to obtain water service.

Section 16-23. Charges and collection of charges for water service termination actions.

The charges for any action taken by CMUD pursuant to Sections 16-21 and 16-22 are set forth in the "Schedule of Current Rates, Fees and Charges." The collection of these charges shall be in accordance with Section 16-18.

Section 16-24. Complaints of excessive water and/or sewer charges.

A customer having a grievance or complaint that a bill is excessive, must file written or verbal notice with the Water and Sewer Accounts Billing Office. All billing errors will be corrected and any overcharge will be refunded.

If leaks are found in the customer's plumbing and CMUD finds that leaky pipes or fixtures caused the excessive bill, an allowance or rebate will be made for half the excess for no more than two months, after evidence has been produced indicating that the leak has been stopped.

If the cause of the excessive bill cannot be located in the clerical or mechanical works of CMUD, the complaint may be referred to the City Manager and Council.

Section 16-25. Charges for testing meters and fixtures.

CMUD shall test, or cause to be tested, and make a thorough examination of the water meter and all fixtures when so desired by the customer under the following conditions:

- (a) Should the test or inspection prove the excessive bill to be caused by negligence of CMUD, inaccuracy of the meter, or for any cause be the fault of CMUD, then the expense of said investigation shall be borne by CMUD; or
- (b) Should the test and inspection prove the excessive bill to be the fault of the customer or any person not connected with, or in the employ of, CMUD, then the actual cost of said investigation is to be borne by the customer requesting the test and inspection, as set forth in the "Schedule of Current Rates, Fees and Charges."

Section 16-26. Charges for water used without prior knowledge of CMUD.

If water has been obtained without the actual knowledge of CMUD, a bill will be made against the user or customer for the estimated amount of water used, or for the quantity shown to have been used by the meter. If the water was obtained through any unauthorized meter or device, such service may be terminated immediately.

In the case of a stopped, broken or damaged meter that has not registered actual usage of water, an estimated bill will be calculated based on prior usage. In the case of no prior usage history, an estimated bill will be calculated based on a similar type of consumer. The Water and Sewer Accounts Billing Office may establish a schedule for payment of the bill, if the customer is not able to pay such bill in full in accordance with Section 16-17.

Section 16-27. Charges will accrue until CMUD is notified to cut off service.

Water being cut off by anyone other than CMUD personnel does not relieve the customer from paying for water and/or sewer service. Charges for water and/or sewer service will be calculated and collected until CMUD is notified either in writing or in person to cut off water service. The City Finance Department shall collect all water and sewer service charges as well as all interest, civil penalties and other fees authorized by this Chapter.

Section 16-28. Duty of occupant of premises when ordering water turned on.

Any customer ordering water to be turned on should verify that all pipes are properly connected and faucets closed, so that the building or dwelling will not be flooded. Neither the City nor CMUD will be liable for any damages caused by flooding when faucets or openings are not closed.

Section 16-29. Removal of meter.

No meter shall be removed or disturbed by anyone except authorized CMUD personnel.

Section 16-30. Turn-on and transferring accounts.

A customer desiring either to turn on or transfer service from one service location to another will be turned on or transferred for a service charge, as set forth in the "Schedule of Current Rates, Fees and Charges" for the specific charge amount.

Section 16-31. Turning water on and off at water distribution mains: City not liable for damages; CMUD to notify customers.

The City or CMUD will not be liable for any damage that may result from shutting off the water main or service for any purpose, even in cases where no notice is given; and, accordingly, no deduction from water bills will be made. If the stoppage of the water supply to a customer may cause damage, such customer shall install protective devices to prevent damage during any period that water is turned off. CMUD shall attempt to notify said customers when water will be turned off, except in cases of emergencies.

Section 16-32. Fire hydrants; authorized users; permit required for private user.

- (a) Public fire hydrants and water therefrom are primarily for the use of the fire department to render fire protection service. CMUD personnel are authorized to operate and use hydrants without special permission for inspection, repairs, flushing mains, or other such reasonable and proper use required by CMUD operations. The employees of the fire department are authorized to operate and use hydrants without special permission for inspection, repairs, fire protection, or other such reasonable and proper use required by the operations of the fire department.
- (b) Any person may shut off a fire hydrant opening in order to stop a flow of water caused by an accident. It shall be unlawful for any other person to use a fire hydrant for any purpose except by a special permit issued by CMUD.

Section 16-33. Damage to public fire hydrants, water meters, meter boxes, valve boxes, meter boxes in driveways or any other elements of the CMUD water system.

It shall be unlawful for any person to break, damage, or cause to be broken or damaged, any public fire hydrant, water meter, meter box, valve box, or any other element of the CMUD water system. In addition to any applicable penalties for violating this section, such person shall pay the reasonable cost for any necessary repairs.

If any of the above-mentioned structures are broken or damaged by accident or otherwise, it shall be the duty of the person causing the damage to report the location and description of the damage to the police department, fire department or CMUD. Failure to make the report shall be unlawful.

If a driveway is constructed over an existing meter box, CMUD shall replace said meter box with a heavy duty meter box or relocate the service at the customers' expense.

Section 16-34. Private fire hydrants to be used only in case of fire; penalty.

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Private fire hydrants or any other fire protection fixtures on unmetered services located on private premises to secure lower insurance rates shall not be used except in case of a fire. Any person violating this section shall pay the charge for any water used or obtained, in addition to any applicable penalty.

**Section 16-35. Connection to CMUD water main required.**

It shall be unlawful for a person owning a building as described below to fail to make a suitable connection to a CMUD water line under the following conditions:

- (a) The building to be served is located within two-hundred (200) feet of the portion of the water line to which the connection could be made;
- (b) At least thirty (30) days have passed since said person was given notice to secure water service for said building by connecting to said water line by a governmental agency authorized to issue such notices; and
- (c) The service line for such connection can be located wholly within said person's property.

**Section 16-36. Definition of cross-connection.**

A cross-connection is a connection between a piping system carrying a potable public water supply and any secondary piping system, institutional, private, or public, carrying a water supply from a source distinct from that of the potable public supply.

**Section 16-37. Cross-connection; control.**

No individual shall cause or permit a cross-connection to be made without the prior written approval of CMUD.

Cross-connection control and plumbing inspections on the premises of customers are regulatory in nature and should be handled through rules, regulations, and recommendations of the health authority or the plumbing code enforcing agencies having jurisdiction in the CMUD service area. If CMUD becomes aware of any situation requiring inspection necessary to detect hazardous conditions resulting from cross-connections and if CMUD finds that effective measures consistent with the degree of hazard have not been taken by the regulatory agency, then CMUD shall require the customer to install a cross-connection control device, consistent with the degree of hazard, at a specific location designated by CMUD in the customer's on-premises water system. If the customer fails to install such device in a timely manner as directed by CMUD, water and sewer service to such customer shall be terminated.

Sections 16-38 through 16-45. Reserved.

Article II. Sewerage

Section 16-46. Sewer system operations.

The sewage treatment and disposal facilities and sewage collection system shall be operated as and considered to be a single, integrated system. The amount necessary to meet the annual interest payable on the debt incurred for construction of the sewer system, the amount necessary for the amortization of the debt, and the amount necessary for repairs, maintenance and operation of the system shall comprise the user charge for sewer service collected by the City.

Section 16-47. Application for sewer service.

Sewer service connections will be made to premises abutting on streets having sewer mains upon application being made by the owner, or lessee, or the authorized agent of the property to be benefited, and upon compliance with all requirements of the Charlotte-Mecklenburg Utility Department.

Section 16-48. Service connection to CMUD sewer main required.

It shall be unlawful for a person owning a building as described below to fail to make a suitable connection to a CMUD sewer line under the following conditions:

- (a) The building to be served is located within two-hundred (200) feet of the portion of the sewer line to which the connection could be made;
- (b) At least thirty (30) days have passed since said person was given notice to secure sewer service for said building by connecting to said sewer line by a governmental agency authorized to issue such notices; and
- (c) The service line for said connection can be located wholly within said person's property and provide sewer service by gravity flow.

Section 16-49. Conditions and charges for sewer service connection and repairs.

The sewer service connections within the street right-of-way belongs solely to the property owner and is the responsibility of the property owner or occupant.

- (a) The applicant shall designate with a marker the location of a new sewer service connection prior to the beginning of work.

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- (1) Where the lowest elevation of plumbing in the building is lower than the rim elevation of the nearest upstream manhole, said sewer service connection will not be activated until a backwater valve, as required by applicable plumbing code, is installed.
- (b) The charges for making a four (4) inch or smaller sewer service connection shall be arrived at in accordance with the water and sewer rate methodology documents and set forth in the "Schedule of Current Rates, Fees and Charges."
- (c) The charges for making sewer service connections larger than four (4) inches, or where manholes or creek crossings are required, will be determined according to the following procedure. Upon application for a sewer service connection, a design study will be made by CMUD personnel to determine the cost to furnish the requested service. Payment of the determined cost is required prior to any construction work by CMUD.
- (d) The property owner or user shall not perform, direct or permit the performance of any maintenance work within the street right-of-way. Maintenance work required within the street right-of-way shall be performed by CMUD.
  - (1) For sewer laterals that are unserviceable and are deemed to be a health hazard, CMUD will bear the costs to repair or replace the service. CMUD will also bear the cost of repairs due to trees existing within the street right-of-way, rodent problems and inflow and infiltration of extraneous waters.
  - (2) The property owner or user will be charged actual costs of labor, equipment and materials for repairs to service connections where it is determined by CMUD that that actions by the property owner or user has necessitated repairs to the service connection.

Section 16-50. Property owner or occupant to keep sanitary appliances and private sewer lines in repair.

In the event any plumbing appliance becomes defective, or out of repair in any manner, the same shall immediately be restored to proper working order, or replaced with a properly working appliance. If any private sewer line becomes clogged, the same shall be opened cleared of any obstruction by the property owner or occupant of the premises. Except as provided in Section 16-49, the cost of any repair or replacement required by this section shall be at the expense of the property owner or occupant.

Section 16-51. Description of sewer service user charges.

The sewer service user charge shall be a monthly charge based upon the water consumption of the property served, as measured by the water meter on

the property, for the calendar month or other specified period of time. The charges and rates are defined as follows:

- (a) Inside the City: Rate per 100 cubic feet of water used.
- (b) A monthly minimum fixed customer service charge for the provision of basic servicing of customer accounts, even if no sewer services are used, applies to all accounts inside the City.
- (c) Sewer service furnished to premises outside the City shall include the rate specified in subsections (a) and (b) and shall be set forth in the "Schedule of Current Rates, Fees and Charges."

Section 16-52. Description of sewer service user charges for properties using other than CMUD water.

- (a) For a property which uses water, all or a part of which is from a source other than the CMUD water distribution system, there shall be a sewer rental separate from, and in addition to, any sewer rental based on the consumption of water from the CMUD water distribution system. Such separate or additional sewer charges shall be measured by the quantity of water from the source other than the CMUD system, which is discharged into CMUD sewers from said property.
- (b) The owner of such property shall install and maintain at his or her expense a meter(s) to measure the quantity of water received from other than the CMUD water distribution system and discharged into CMUD sewers. No meter(s) shall be installed or used for such purpose without the approval of CMUD; and the property owner shall pay for water discharged into the CMUD sewers as though all such water came from the CMUD water distribution system.
- (c) If the property owner fails to install and maintain at his or her expense an approved meter(s), CMUD shall estimate the amount of water from sources other than the CMUD system which is discharged into CMUD sewers from the property. This estimate will be based on records of the consumption of similar properties or operations. If no applicable records are available, a formula based on the usage of the property will be utilized to compute the estimated water discharged into CMUD sewers and said property owner will be billed accordingly. Such bill shall be collectible and enforceable in the same manner as any other water and/or sewer bill of CMUD.

Section 16-53. Sewage meters or measuring devices under control of CMUD: property owner to maintain.

All meters or other measuring devices installed or required to be used under the provisions of this article shall be under the control of CMUD. The owner of the property where the measuring device is installed shall be

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responsible for its maintenance and safekeeping and any repairs required will be made at the owner's expense.

Section 16-54. Description of sewer service user charges for users of CMUD water not discharged into CMUD sewer system.

- (a) If a customer is charged for sewer service and uses water from the CMUD water distribution system that is not discharged into the CMUD sewer system for an industrial or commercial purpose, the quantity of water so used, and not discharged into the sewer system, shall be excluded from the calculation of the sewer service charge; provided, the quantity of water so used and not discharged into the CMUD sewer system is measured by a device(s) which is approved by CMUD and is installed and maintained at the owner's expense; and provided, that the water supply of said property is metered and the owner pays for such water at the current metered rate.
- (b) The sewer customer will pay a user charge based on water consumption. The charge is computed according to the water and sewer rate methodology documents using the quantity of water actually discharged into the CMUD sewer system. If, in the opinion of CMUD, it is not practical to install a measuring device to determine the quantity of water discharged into the sewer system, CMUD may calculate the percentage of metered water discharged into the sewer system. The quantity of water used to determine the sewer service charge shall be the percentage so calculated of the quantity measured by the water meter(s).
- (c) Any dispute as to said calculation shall be submitted to the City Manager after notice of the estimate is received. The City Manager's decision on the matter shall be final.

Section 16-55. Time and method of payment of sewer service charges.

- (a) All sewer service charges shall be due and payable at the same time and place that water bills are due and payable. They shall be included in the water bill but stated separately and collected at the same time and in the same manner. If not paid in full within the time limit for the payment of water bills, in addition to any and all other penalties provided by law, CMUD may cut off water service to the property.
- (b) For sewer service only customers, the charges will be billed in the same manner as water charges or water and sewer charges. They shall be subject to the same time limit for payment as water charges, in addition to any and all penalties provided by law. CMUD may cut off sewer service to the property for failure to pay sewer service charges.

Section 16-56. Charges for use of sewer system without prior knowledge of CMUD.

If wastewater is discharged into the CMUD system without the actual knowledge of CMUD, a bill will be made against the user or customer for the estimated amount of the discharge, or for the quantity of water shown to have been used by the meter. If the sewer service was obtained through any unauthorized device, such service may be terminated immediately.

In the case of a stopped, broken or damaged meter that has not registered actual usage of water used by the customer or users, an estimated bill will be calculated based on prior usage. In the case of no prior usage history, an estimated bill will be calculated based on a similar type of customer. The Water and Sewer Accounts Billing Office may establish a schedule for payment of the bill, based on the amount and the user ability to pay if the user or customer is not able to pay such bill in full.

Section 16-57. Procedure for discharging excess sludge from domestic septic tank systems, biological treatment plants with an NPDES permit or wastewater from portable sanitary privies.

- (a) **Deposit.** Any company or individual that proposes to use the CMUD sewer system for the discharge of excess sludge from domestic septic tank systems, biological treatment plants with a NPDES permit or wastewater from portable sanitary privies must make a deposit to guarantee payment of sewer charges. Said deposit is set forth in the "Schedule of Current Rates, Fees and Charges." When use of the sewer system has been discontinued, and sewer service charges have been paid, the deposit will be refunded.
- (b) **Sewer use.** Domestic septic tank sludge, treatment plant waste sludge and wastewater from portable sanitary privies shall only be discharged into manholes specifically designated by CMUD for this purpose. The user will be responsible for any and all damages resulting from improper handling and/or spillage. Continued spillage and/or poor handling practices shall be cause for revocation of permission to discharge.
- (c) **Conditions.** A permit to haul each load of septic tank sludge, treatment plant waste sludge or wastewater from portable sanitary privies is required by the Mecklenburg County Environmental Health Department. This permit must be in the possession of the hauler/user at the time of discharge into the CMUD sewer system.
- (d) **Charges.** Charges for discharge of domestic septic tank sludge, treatment plant waste sludge or wastewater from portable sanitary privies will be calculated and billed monthly. The charges will be based on data from the hauling permits issued by the Mecklenburg County Environmental Health Department. Failure to pay these bills by the date due shall be cause for revocation of permission to discharge.
- (e) **Penalty.** Any person violating this section shall pay the charge for the wastewater or sludge actually discharged into the CMUD

sewer system, the cost of any necessary repairs or cleaning of the sewer system in addition to any applicable penalty.

Section 16-58. Extension of sewer system; CMUD to submit plans, specifications and estimates.

The sewer system shall be maintained by CMUD and extended and enlarged from time to time as authorized by the City Council. Plans, specifications and estimates shall be submitted by CMUD to City Council when requested. These plans, specifications, etc. will be entered into the minutes of the proceedings of City Council.

Section 16-59. Permission and supervision required for uncovering or connecting to public sewer; duty of CMUD to insure compliance.

It shall be unlawful for any person to uncover any portion of the CMUD sewer system for any purpose, or to make connection with the CMUD sewer system, except with the consent of, and under the supervision of, CMUD. No connection with the main sewer trunk lines shall be made without a special permit. It shall be the duty of CMUD to insure full compliance with this section in relation to connections.

Section 16-60. Introduction of designated matter into public sewer prohibited; duty of citizens.

It shall be unlawful for any person to throw or deposit, or cause, or permit to be thrown or deposited in any vessel or receptacle connected with the CMUD sewer system, any garbage, hair, ashes, fruit, vegetables, peelings, refuse, rags, cotton, or other matter whatsoever, except human excrement, feces, urine, or the necessary closet paper and liquid house slops or except as otherwise specifically permitted. Liquid house slops are hereby defined as wastewater from commodes and urinals, and drain water from bath fixtures, family laundry tubs, kitchen sinks and floor drains.

No other waste liquid matter may be discharged into the CMUD sanitary sewer system, except with written permission from CMUD. All repair costs will be borne by the user when it is determined that the service connection and/or sewer system was abused by illegal substances.

It is the duty of all citizens to aid police, CMUD and public health officials in bringing offenders against this section to punishment and to prevent violations of the same.

Sections 16-61 through 16-70. Reserved.

Article III. Industrial Waste

Section 16-71. Purpose and policy.

This Chapter sets forth uniform requirements for direct and indirect contributors into the CMUD wastewater collection and treatment system and enables the City and CMUD to comply with all applicable state and federal laws.

The objectives of this ordinance are:

- (a) To prevent the introduction of pollutants into the wastewater system which will interfere with the operation of the system or contaminate the resulting sludge;
- (b) To prevent the introduction of pollutants into the wastewater system which will pass through the system, inadequately treated, into receiving waters or the atmosphere or otherwise be incompatible with the system;
- (c) To improve the opportunity to recycle and reclaim wastewater and sludges from the system; and
- (d) To provide for equitable distribution of the cost of the wastewater system.

This Article provides for the regulation of direct and indirect contributors to the wastewater system through the issuance of permits to certain non-domestic users and through enforcement of general requirements for the other users, authorizes monitoring and enforcement activities, requires users reporting, assumes that existing customers' capacity will not be preempted, and provides for the setting of fees for the equitable distribution of costs resulting from the program established herein.

This Article shall apply to all users of the CMUD POTW. Except as otherwise provided herein, the Director of the CMUD POTW shall administer, implement and enforce the provisions of this Chapter.

#### Section 16-72. Definitions.

Unless the context specifically indicates otherwise, the following terms and phrases, as used in this Article, shall have the meanings hereinafter designated:

- (a) Act or "the Act". The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, U.S.C. 1251, et. seq.
- (b) Approval Authority. The Director in a NPDES state with an approved State Pretreatment Program and the Administrator of the EPA in a non-NPDES state or NPDES state without an Approved State Pretreatment Program.
- (c) Authorized Representative of Industrial User. An authorized representative of an 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; (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.

- (d) Biochemical Oxygen Demand (BOD). The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure, five (5) days at 20° centigrade expressed in terms of weight and concentration (milligrams per liter [mg/l]).
- (e) Building Sewer. A sewer conveying wastewater from the premises of a user to the POTW.
- (f) Categorical Standards. National Categorical Pretreatment Standard or Pretreatment Standard.
- (g) City. The City of Charlotte or the City Council of Charlotte.
- (h) CMUD. The Charlotte-Mecklenburg Utility Department.
- (i) Cooling Water. The water discharged from any use such as air conditioning, cooling or refrigeration, or to which the only pollutant added is heat.
- (j) Control Authority. The term "control authority" shall refer to the "approval authority" defined above, or the Director of CMUD if CMUD has an approved Pretreatment Program under the provisions of 40 CFR 403.11, as amended.
- (k) Direct Discharge. The discharge of treated or untreated wastewater directly to the waters of the State of North Carolina.
- (l) Director. The person designed by the City to supervise the operation of the publicly owned treatment works and who is charged with certain duties and responsibilities by this article, or his duly authorized representative.
- (m) Domestic Sewage. The liquid waste from bathrooms, toilet rooms, kitchens and home laundries.
- (n) Environmental Protection Agency (EPA). The U.S. Environmental Protection Agency or, where appropriate, the term may be used as a designation for the administrator or other duly authorized official of said agency.
- (o) Grab Sample. 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.
- (p) Holding Tank Waste. Any waste from holding tanks, such as vessels, chemical toilets, campers, trailers, septic tanks, and vacuum-pump tank trucks.

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- (q) Indirect Discharge. The discharge of the introduction of nondomestic pollutants from any source regulated under section 307 (b) or (c) of the Act (33 U.S.C. 1317), into the POTW (including holding tank waste discharged into the system).
- (r) Industrial User. A source of indirect discharge which does not constitute a "discharge of pollutants" under regulations issued pursuant to section 402 of the Act (33 U.S.C. 1342).
- (s) Industrial Waste. The liquid wastes, other than domestic sewage, resulting from processes or operations employed in industrial and commercial establishments.
- (t) Interference. The inhibition or disruption of the POTW treatment processes or operations which contributes to a violation of any requirement of CMUD's NPDES permit. The term includes prevention of sewage sludge use or disposal by the POTW in accordance with 405 of the Act (33 U.S.C. 1345), or any criteria, guidelines or regulations developed pursuant to the Solid Waste Disposal Act (SWDA), the Clean Air Act, the Toxic Substances Control Act or more stringent state criteria (including those contained in any state sludge management plan prepared pursuant to Title IV of SWDA) applicable to the method of disposal or use employed by the POTW.
- (u) National Categorical Pretreatment Standard or Pretreatment Standard. Any regulation containing pollutant discharge limits promulgated by the EPA in accordance with section 307 (b) and (c) of the Act (33 U.S.C. 1347) which applies to a specific category of industrial users.
- (v) National Prohibitive Discharge Standard or Prohibitive Discharge Standard. Any regulation developed under the authority of 307 (b) of the Act and 40 CFR, Section 403.5.
- (w) New Source. Any source, the construction of which is commenced after the publication of proposed regulations prescribing a section 307 (c) (33 U.S.C. 1317) Categorical Pretreatment Standard which will be applicable to such source, if such standard is thereafter promulgated within 120 days of proposal in the Federal Register. Where the standard is promulgated later than 120 days after proposal, a new source means any source, the construction of which is commenced after the date of promulgation of the standard.
- (x) National Pollution Discharge Elimination System or NPDES Permit. A permit issued pursuant to section 402 of the Act (33 U.S.C. 1342).
- (y) Person. Any individual, partnership, copartnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity or other legal entity or their legal representatives, agents, or assigns. The masculine gender shall

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then include the feminine, the singular shall include the plural where indicated by the context.

- (z) pH. The logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution. A stabilized pH will be considered a pH which does not change beyond the specified limits when the waste is subjected to aeration.
- (aa) Pollution. The man-made or man-induced alteration of the chemical, physical, biological and radiological integrity of water.
- (bb) Pollutant. Any dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt and industrial, municipal and agricultural waste discharged into water.
- (cc) Pretreatment or Treatment. 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 a POTW. The reduction or alteration can be obtained by physical, chemical or biological processes, or process changes or other means, except as prohibited by 40 CFR Section 403.5 (d).
- (dd) Pretreatment Requirements. Any substantive or procedural requirement related to pretreatment, other than a National Pretreatment Standard imposed on an industrial user.
- (ee) Properly Shredded Garbage. The waste from the preparation, cooking and dispensing of food that has been shredded to such degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half inch in any dimension.
- (ff) Publicly Owned Treatment Works (POTW). A treatment works as defined by Section 212 of the Act, (33 U.S.C. 1292) which is owned in this instance by CMUD. This definition includes any sewers that convey wastewater to the POTW treatment plant, but does not include pipes, sewers or other conveyances not connected to a facility providing treatment. For the purposes of this ordinance, POTW shall also include any sewers that convey wastewater to the POTW from persons outside the CMUD system who are, by contract or agreement with CMUD, users of the CMUD POTW.
- (gg) POTW Treatment Plant. That portion of the POTW designed to provide treatment to wastewater.
- (hh) Receiving Stream. The body of water, stream or watercourse receiving the discharge waters from the wastewater treatment plant or formed by the water discharged from the wastewater treatment plant.

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- (ii) Sanitary Sewer. A sewer intended to receive domestic sewage and industrial waste, except that of the type expressly prohibited by this ordinance, without the admixture of surface water and storm water.
- (jj) Shall is mandatory; May is permissive.
- (kk) Significant Industrial User. Any industrial user of CMUD's wastewater disposal system who (1) has a discharge flow of 25,000 gallons or more per average work day, or (2) has a flow greater than 5% of the flow in the CMUD wastewater treatment system, or (3) has in his wastes toxic pollutants as defined pursuant to Section 307 of the Act or North Carolina statutes and rules, or (4) is found by the City, state, or EPA to have significant impact either singly or in combination with other contributing industries, on the wastewater treatment system, the quality of sludge, the system's effluent quality, or air emissions generated by the system.
- (ll) State. State of North Carolina.
- (mm) Standard Industrial Classification (SIC). A classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, Office of Management and Budget, 1972.
- (nn) Storm Water. Any flow occurring during or following any form of natural precipitation and resulting therefrom.
- (oo) Suspended Solids. The total suspended matter that floats on the surface of, or is suspended in water, wastewater or other liquids, and which is removable by laboratory filtering.
- (pp) Toxic Pollutant. Any pollutant or combination of pollutants listed as toxic in regulations promulgated by the Administrator of the EPA under the provision of CWA 307 (a) or other acts.
- (qq) User. Any person who contributes, causes or permits the contribution of wastewater into CMUD's POTW.
- (rr) Wastewater. The liquid and water-carried industrial or domestic wastes from dwellings, commercial buildings, industrial facilities, and institutions, together with may be present, whether treated or untreated, which is contributed into or permitted to enter the POTW.
- (ss) Waters of the State. All streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through or border upon the State or any portion thereof.

(tt) Wastewater Contribution Permit. As set forth in Section 16.83 of this Chapter.

Section 16-73. Abbreviations.

The following abbreviations shall have the designated meanings:

- BOD - Biochemical Oxygen Demand
- CFR - Code of Federal Regulations
- COD - Chemical Oxygen Demand
- EPA - Environmental Protection Agency
- l - Liter
- mg - Milligrams
- mg/l - Milligrams per liter
- NPDES - National Pollutant Discharge Elimination System
- POTW - Publicly Owned Treatment Works
- SIC - Standard Industrial Classification
- SWDA - Solid Waste Disposal Act, 42 U.S.C. 6901, et. seq.
- USC - United States Code
- TSS - Total Suspended Solids

Section 16-74. General discharge prohibitions.

No user shall contribute or cause to be contributed directly or indirectly, any pollutant or wastewater which will interfere with the operation or performance of the POTW. These general prohibitions apply to all such users of a POTW whether or not the user is subject to National Categorical Pretreatment Standards or any other federal, state or local pretreatment standards or requirements. A user may not contribute the following substances to any POTW:

- (a) Any liquids, solids or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any other way to the POTW or to the operation of the POTW. At no time, shall two successive readings on an explosion hazard meter, at the point of discharge into the system (or at any point in the system) be more than five percent (5%) nor any single reading over ten percent (10%) of the lower explosive limit (LEL) of the meter. Prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides and sulfides and any other substances which the CMUD, the state or EPA has notified the user is a fire hazard or a hazard to the system.
- (b) Solid or viscous substances which may cause obstruction to the flow in a sewer or other interference with the operation of the wastewater treatment facilities such as, but not limited to: grease, garbage with particles greater than one-half inch (1/2") in any dimension, animal guts or tissues, paunch manure, bones,

hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastics, gas, tar, asphalt residues, residues from refining, or processing of fuel or lubricating oil, mud, or glass grinding or polishing wastes.

- (c) Any wastewater having a pH less than 5.0, unless the POTW is specifically designed to accommodate such wastewater, or wastewater having any other corrosive property capable of causing damage or hazard to structures, equipment, and/or personnel of the POTW.
- (d) Any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction with other pollutants, to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, create a toxic effect in the receiving waters of the POTW, or to exceed the limitation set forth in a categorical pretreatment standard. A toxic pollutant shall include but not be limited to any pollutant identified pursuant to Section 307(a) of the Act.
- (e) Any noxious or malodorous liquids, gases, or solids which either singly or by interaction with other wastes are sufficient to create a public nuisance or hazard to life or are sufficient to prevent entry into the sewers for maintenance and repair.
- (f) Any substance which may cause the POTW's effluent or any other product of the POTW such as residues, sludges, or scums, to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case, shall a substance discharged to the POTW cause the POTW to be in non-compliance with sludge use or disposal criteria, guidelines or regulations developed under Section 405 of the Act; any criteria, guidelines, or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or state criteria applicable to the sludge management method being used.
- (g) Any substance which will cause the POTW to violate its NPDES and/or state Disposal System Permit or the receiving water quality standards.
- (h) Any wastewater with objectionable color not removed in the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions.
- (i) Any wastewater having a temperature which will inhibit biological activity in the POTW treatment plant resulting in interference, but in no case wastewater with a temperature at introduction into the POTW which exceeds 40°C (104°F) unless the POTW treatment plant is designed to accommodate such temperature.

- (j) Any pollutants, including oxygen demanding pollutants, (BOD, etc.) released at a flow rate and/or pollutant concentration which a user knows or has reason to know will cause interference to the POTW. In no case shall a slug load have a flow rate or contain concentration or qualities of pollutants that exceed for any time period longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration, quantities, or flow during normal operations.
- (k) Any wastewater containing any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the CMUD in compliance with applicable state or federal regulations.
- (l) Any wastewater which causes a hazard to human life or creates a public nuisance.
- (m) Any water or waste which may contain more than 100 mg/l of fat, oil or grease, exclusive of soap.
- (n) Any waters or wastes having a five (5) day BOD in excess of 2000 mg/l.
- (o) Any waters or wastes containing more than 700 mg/l of suspended solids.

When CMUD determines that a user(s) is contributing to the POTW any of the above enumerated substances in such amounts as to interfere with the operation of the POTW, CMUD shall (1) advise the user(s) of the impact of the contribution on the POTW; and (2) develop effluent limitation(s) for such user(s) to correct the interference with the POTW.

No statement in this section shall be construed as preventing any special agreement or arrangement between CMUD and any user(s) whereby an industrial waste of unusual strength of character may be admitted into the POTW by CMUD after approved pretreatment.

Section 16-75. Federal categorical pretreatment standards.

Upon the promulgation of the federal Categorical Pretreatment Standards for a particular industrial subcategory, the federal standard if more stringent than limitations imposed under this ordinance for sources in that subcategory, shall immediately supersede the limitations imposed under this Chapter. CMUD shall notify all affected users of the applicable reporting requirements under 40 CFR, Section 403.12. Failure to notify any affected user shall not excuse said user from complying with any other applicable provision of this Article.

Section 16-76. Modification of federal categorical pretreatment standards.

Where the CMUD wastewater treatment system achieves consistent removal of pollutants limited by federal pretreatment standards, CMUD may apply to the approval authority for modification of specific limits in the federal pretreatment standards. "Consistent removal" shall mean reduction in the

amount of a pollutant or alteration of the nature of the pollutant by the wastewater treatment system to a less toxic or harmless state in the effluent which is achieved by the system in 95 percent of the samples taken when measured according to the procedures set forth in Section 403.7(c)(2) of Title 40 CFR, Part 403 - "General Pretreatment Regulations for Existing and New Sources of Pollution" promulgated pursuant to the Act. CMUD may then modify pollutant discharge limits in the federal pretreatment standards if the requirements contained in 40 CFR, Part 403, Section 403.7 are fulfilled and prior approval from the approval authority is obtained.

Section 16-77. State requirements.

State requirements and limitations on discharges shall apply in any case where they are more stringent than federal requirements and limitations or those in this ordinance.

Section 16-78. City's right of revision.

The City reserves the right to establish by ordinance more stringent limitations or requirements on discharges to the wastewater disposal system if deemed necessary to comply with the objectives presented in Section 16-71 of this Chapter.

Section 16-79. Excessive discharges and dilution.

CMUD shall deny or condition any new or increased contributions of flow or pollutants, or changes in the nature thereof, when CMUD determines that such contributions by an existing or a new discharger will exceed established standards for that discharger or that such contributions will cause a violation of the POTW's NPDES permit which is in effect at that time of the determination.

No user shall ever 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 the limitations contained in the Federal Categorical Pretreatment Standards, or in any other pollutant-specific limitation developed by the City or State.

Section 16-80. Accidental discharge.

Each user shall provide protection from accidental discharge of prohibited materials or other substances regulated by this Chapter. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the owner or user's own cost and expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to CMUD for review, and shall be approved by CMUD before construction of the facility. All existing users shall complete such a plan upon notification by CMUD. No new user who commences contribution to the POTW shall be permitted to introduce pollutants into the system until accidental discharge procedures have been approved by CMUD. Review and approval of such plans and operating procedures shall not

relieve the industrial user from the responsibility to modify the user's facility as necessary to meet the requirements of this Chapter. In the case of an accidental discharge, it is the responsibility of the user to notify CMUD immediately by telephone. The notification shall include the location of discharge, type of waste, concentration and volume and corrective action.

Within five (5) days following an accidental discharge, the user shall submit to CMUD a detailed written report describing the cause 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 an expense, loss, damage, or other liability which may be incurred as a result of damage to the POTW, fish kills 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 by this Chapter or other applicable law.

A notice shall be permanently posted by the user on the user's bulletin board or other prominent place advising employees whom to call in the event of a dangerous discharge. Users shall insure that all employees, if any, who may cause or suffer such a dangerous discharge to occur are advised of the emergency notification procedure.

Section 16-81. Structures required.

- (a) Storage tanks. In order to promote equalization of flows over a twenty-four hour period, each user discharging a waste into the sanitary sewers, having the following average daily volumes for a normal working week, shall construct and maintain, at the user's expense, a suitable storage tank of the corresponding minimum volumes:

Volume of waste discharged/ average gallons per day	Minimum volume of storage tank/ percentage of daily volume of waste discharged
0 - 40,000	0%
40,001 - 50,000	50%
50,001 - 60,000	60%
60,001 - 70,000	70%
70,001 and above	80%

Said storage tank shall have its outlet to the sewer system controlled by an approved device, the setting of flow rates being as specified by CMUD.

Storage tank requirements may be waived by CMUD in cases where a constant rate of flow is discharged provided that:

- (1) The normal operating day extends over a twenty to twentyfour hour period and that the rate of waste flow and load

discharged is such that, in the opinion of CMUD, the installation of a storage tank would not improve sewer line and treatment plant loading conditions; and

(2) All other requirements of this Chapter are met.

(b) Control Manholes. Any user discharging industrial wastes into the sanitary sewers shall construct a suitable control manhole downstream from any treatment facility, storage tank or other approved works, to facilitate observations, measurements and samplings of all such wastes from the industry.

The control manhole shall be constructed at a suitable and satisfactory location and built in a manner approved by CMUD. The manhole shall be installed at the user's expense and shall be maintained by the user so as to be safe, accessible and in proper operating condition at all times.

Control manhole requirements may be waived by CMUD under the following conditions:

(1) When a user discharges less than twenty-five (25,000) gallons of waste per day elects to be relieved of his requirement provided that:

(a) such wastes meet all other requirements of this Chapter as demanded by CMUD;

(b) all such wastes are discharged through a single standard sewer manhole before entrance into the sewer system;

(c) said user agrees to pay a surcharge required under section 16-98, and that the strength of waste on which the surcharge is made will be based on tests made on similar wastes discharged by other industries of the same type. If such information is not available, the surcharge will be determined by such other methods as CMUD may wish to employ. Whatever method is used for finding the strength of the waste, the determination of CMUD shall be binding as a basis for surcharges.

(2) When a user discharging twenty-five thousand (25,000) to forty thousand (40,000) gallons of waste per day elects to be relieved of this requirement provided that:

(a) the user was operating at the present location on, or before, June 30, 1955;

(b) such wastes meet all other requirements of this Chapter as determined by CMUD;

- (c) all such wastes are discharged through a single standard sewer manhole before entrance into the sanitary sewers; and
- (d) said user agrees to pay a surcharge required under section 16-98 and that the strength of waste on which the surcharge is made will be based on tests made on similar wastes discharged by other industries of the same type. If such information is not available, the surcharge will be determined by such other methods as CMUD may wish to employ. Whatever method is used for finding the waste of the strength, the determination of CMUD shall be binding as a basis for surcharges.
- (c) Plans for the construction of said storage tank, control manhole and controlling devices shall be approved by CMUD prior to the beginning of construction.

Section 16-82. Wastewater dischargers.

It shall be unlawful to discharge without a permit to any natural outlet within the CMUD system and/or to the POTW any wastewater except as authorized by CMUD in accordance with the provisions of this Article.

Section 16-83. Permits.

Any user desiring to deposit or discharge any industrial waste into the CMUD sanitary sewers, or who is now so doing, shall make application to CMUD. It shall be the duty of the plumbing inspector to refer any request for applications for the disposal of industrial waste to CMUD. CMUD shall approve such applications only when evidence is submitted by the applicant to verify that the discharge into the POTW will comply with all provisions of this Article. Should the user fail to secure a permit, or fail to have the application approved, CMUD shall upon twenty-four hours, notice, disconnect the user's connection to the CMUD water system. The service will only be restored at the user's expense. If the user does not receive water from the CMUD system, then the user's connection to the sewer system will be disconnected. The service will only be restored at the user's expense.

Section 16-84. Connections.

Any property owner or tenant desiring to install a plumbing system for the purpose of discharging domestic sewage and/or industrial waste into the CMUD system may do so by complying with the requirements of section 16.83 and by paying such fees and charges as are set forth in the "Schedule of Current Rates, Fees and Charges."

Section 16-85. Reporting requirements for permittee.

- (a) Within 90 days, following the date for final compliance with applicable pretreatment standards or, in the case of a new service, following commencement of the introduction of wastewater into the POTW, any user subject to pretreatment standards and requirements shall submit to CMUD upon request a report indicating the nature and concentration of all pollutants in the discharge from the regulated process which are limited by pretreatment standards and requirements and the average and maximum daily flow for these process units in the user facility which are limited by such pretreatment standards or requirements. The report shall state whether the applicable pretreatment standards or requirements are being met on a consistent basis and, if not, what additional Operation and Maintenance (O & M) and/or pretreatment is necessary to bring the user into compliance with the applicable pretreatment standards or requirements. This statement shall be signed by an authorized representative of the industrial user, and certified to by a qualified professional.
- (b) Any user subject to a pretreatment standard, after the compliance date of such pretreatment standard or, in the case of a new source, after commencement of the discharge into the POTW shall submit to CMUD during the months of June and December, unless required more frequently in the pretreatment standard or by CMUD, a report indicating the nature and concentration, of pollutants in the effluent which are limited by such pretreatment standards.

At the discretion of CMUD and in consideration of such factors as local high or low flow rates, holidays, budget cycles, etc., CMUD may agree to alter the months during which the above reports are to be submitted.

- (c) CMUD may impose mass limitations on users which are using dilution to meet applicable pretreatment standards or requirements, or in other cases where the imposition of mass limitations are appropriate. In such cases, the report required by paragraph (b) above shall indicate the mass of pollutants regulated by pretreatment standards in the effluent of the user. These reports shall contain the results of sampling and analysis of the discharge, including the flow and the nature and concentration, or production and mass, where requested by CMUD, of pollutants contained therein which are limited by the applicable pretreatment standards. The frequency of monitoring shall be prescribed in the applicable pretreatment standard. All analysis shall be performed in accordance with procedures established by the administrator of the EPA pursuant to section 304(g) of the Act and contained in 40 CFR, Part 136 and amendments thereto or with any other test procedures approved by the administrator. Sampling shall be performed in accordance with the techniques approved by the administrator.

Section 16-86. Measurement of flow.

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- (a) The volume of flow used in computing industrial waste surcharges shall be based upon metered water consumption maintained by CMUD. In the event that a user discharging wastes into the CMUD system provides CMUD with evidence that more than ten (10) percent of the total annual volume of water used does not reach the POTW, an estimated percentage of total water consumption to be used in computing industrial waste flows and surcharges may be agreed upon between CMUD and the user discharging industrial wastes into the POTW.
- (b) When a user discharging industrial wastes into the POTW procures all of, or a part of, its water supply from sources other than CMUD, any part of which is discharged into the CMUD system, then the user discharging the waste shall install and maintain, at the user's expense, a meter approved by CMUD for the purpose of determining the volume of flow for which the user is to be charged.

Section 16-87. Determination of character and concentration of waste.

- (a) The industrial waste of each user discharging same into the POTW shall be subject to periodic inspection and a determination of the character and concentration of said waste. This inspection shall be made annually, or more often as deemed necessary by CMUD or the state.
- (b) Samples shall be collected in such a manner as to be representative of the actual quality of the wastes. The laboratory methods used in the examination of said wastes shall be those set forth in the applicable Standard Methods for Examination of Water and Wastewater, as published by the American Public Health Association, a copy of which is on file with CMUD and is available for inspection.
- (c) The determination by CMUD of the character and concentration of industrial wastes shall be binding as the basis for charges.
- (d) Total costs incident to the supervision, inspection, sampling and analyzing of wastes shall be included in the surcharge made to users discharging wastes into the CMUD system.

Section 16.88. Pretreatment.

Users shall provide necessary wastewater treatment as required to comply with this Article and shall achieve compliance with all federal categorical pretreatment standards within the time limitations as specified by the federal pretreatment regulations. Any facilities required to pretreat wastewater to a level acceptable to CMUD shall be provided, operated and maintained at the user's expense. Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to CMUD for review and shall be acceptable to CMUD before construction of the facilities. The review of such plans and operating procedures will in no

way relieve the user from the responsibility of modifying the facilities as necessary to produce an effluent acceptable to CMUD under the provisions of this Chapter. Any subsequent changes in the pretreatment facilities or method of operation shall be reported and be acceptable to CMUD prior to the user's initiation of the changes.

If additional pretreatment and/or O & M will be required to meet the pretreatment standards, the user shall submit the shortest schedule by which he will provide such additional pretreatment. The completion date in this schedule shall not be later than the compliance date established for the applicable pretreatment standard. The following conditions shall apply to this schedule:

- (1) The schedule shall contain increments of progress 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 (e.g., hiring an engineer completing preliminary plans, completing final plans, executing contract for major components, commencing construction, completing construction, etc.).
- (2) No increment referred to in paragraph (1) shall exceed nine (9) months.
- (3) Not later than 14 days following each date in the schedule and the final date for compliance, the user shall submit a progress report to CMUD including, as a minimum, whether or not it complied with the increment of progress to be met on such date and, if not, the date on which it expects to comply with this increment of progress, the reason for delay, and the steps being taken by the user to return the construction to the scheduled established. In no event shall more than nine (9) months elapse between such progress reports to CMUD.

CMUD shall publish annually a list of the users which were not in compliance with any pretreatment standards or requirements at least once during the twelve (12) previous months. Said list shall be published in a newspaper qualified under the laws of the state to publish legal notices within Mecklenburg County.

All records relating to compliance with pretreatment standards shall be made available to officials of the EPA or approval authority upon request.

Section 16-89. Confidential information.

To the extent permitted by applicable law, information and data on a user obtained from reports, questionnaires, permit applications, permits and monitoring programs and from inspections shall be available to the public or other governmental agencies without restriction unless the user specifically requests and is able to demonstrate to the satisfaction of CMUD that the release of such information would divulge information, processes or methods of production entitled to protection as trade secrets of the user.

To the extent permitted by applicable law, when requested by the person furnishing a report, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public but shall be made available upon written request to governmental agencies for uses related to this chapter, the National Pollutant Discharge Elimination System (NPDES) permit, state disposal system permit and/or the pretreatment programs; provided however, that such portions of a report shall be available for use by the state or any state agency in judicial review or enforcement by the state or any state agency in judicial review or enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics will not be recognized as confidential information.

To the extent permitted by applicable law, information accepted by CMUD as confidential shall not be transmitted to any governmental agency or to the general public by CMUD until and unless a ten (10) day notification is given to the user.

Section 16-90. Powers and authority for inspection.

- (a) CMUD personnel and other authorized employees of the City, bearing proper identification, shall be permitted to enter upon all user properties for the purpose of inspection, observation, measurement, sampling and testing in accordance with the provisions of this Article.
- (b) CMUD may exclude temporarily any industrial waste, whether pretreated or not, from the POTW whenever such action is considered necessary for the purpose of determining the effects of such wastes upon the POTW.

Section 16-91. Harmful contributions.

CMUD may suspend the wastewater treatment service and/or a wastewater contribution permit when such suspension is necessary, in the opinion of CMUD, in order to stop an actual or threatened discharge which presents, or may present, an imminent or substantial endangerment to the health or welfare of persons, to the environment, causes interference to the POTW or causes CMUD to violate any condition of its NPDES permit.

Any person notified of a suspension of a suspension of the wastewater treatment service and/or the wastewater contribution permit shall stop or eliminate immediately the contribution. In the event of a failure of the person to comply voluntarily with the suspension order, CMUD shall take such steps as deemed necessary including immediate severance of the sewer connection or water connection, if existing, to prevent or minimize damage to the POTW or endangerment to any individual. CMUD shall reinstate the wastewater contribution permit and/or the water or wastewater treatment service upon proof of the elimination of the non-complying discharge. A detailed written statement submitted by the user describing the causes of the harmful contribution and the measures taken to prevent any future

occurrence shall be submitted to CMUD within fifteen (15) days of the date of occurrence.

Section 16-92. Revocation of the permit.

Any user who violates the following conditions of this Article or applicable state and/or federal regulations, is subject to having his permit revoked in accordance with the applicable provisions of this Article.

- (a) Failure of the user to report factually the wastewater constituents and characteristics of his discharge;
- (b) Failure of the user to report significant changes in operations, or wastewater constituents and characteristics;
- (c) Refusal of reasonable access to the user's premises for the purpose of inspection or monitoring; or
- (d) Violation of conditions of the permit.

Section 16-93. Notification of violation(s).

Whenever CMUD finds that any user has violated or is violating any provision of this Article, wastewater contribution permit, or any prohibition, limitation of requirements contained herein, CMUD may serve upon such person a written notice stating the nature of the violation. Within thirty (30) days of the date of the notice, a plan for the satisfactory correction thereof shall be submitted to CMUD by the user.

Section 16-94. Show cause hearing.

CMUD may order any user who causes or allows an unauthorized discharge to enter the POTW to show cause before the Director why the proposed enforcement action should not be taken. A notice shall be served on the user specifying the time and place of a hearing to be held by the Director regarding the violation, the reasons why the action is to be taken, the proposed enforcement action, and directing the user to shown cause before the Director why the proposed enforcement action should not be taken. The notice of the hearing shall be served personally or by registered or certified mail (return receipt requested) at least ten (10) days before the hearing. Service may be made on any agent or officer of a corporation.

The Director may conduct the hearing and take the evidence or may designate any other staff member to:

- (a) Issue in the name of the Director notices of hearings requesting the attendance and testimony of witnesses and the production of evidence relevant to any matter involved in such hearings;
- (b) Take the evidence; and

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- (c) Transmit a report of the evidence and hearing, including transcripts and other evidence, together with recommendations to the Director for action.

At any hearing held pursuant to this Article, testimony taken must be under oath and recorded stenographically. The transcript, so recorded, will be made available to any member of the public or any party to the hearing upon payment of reasonable charges as established by the Director.

After the Director has reviewed the evidence, he may issue an order to the user responsible for the discharge directing that, following a specified time period, the sewer service be discontinued unless adequate treatment facilities, devices or other related appurtenances shall have been installed, or existing treatment facilities, devices or other related appurtenances are properly operated. Further orders and directives as are necessary and appropriate may be issued.

#### Section 16-95. Legal action by City.

If any person discharges sewage, industrial wastes or other wastes into the CMUD wastewater disposal system contrary to the provisions of this Article, federal or state pretreatment requirements, or any order of the Director, an action may be commenced in the name of the City for appropriate legal and/or equitable relief in the appropriate division of the North Carolina General Court of Justice.

#### Section 19-96. Civil penalties.

Any user who is found to have violated an order of CMUD or City Council, or who willfully or negligently failed to comply with any provision of this Chapter, and the rules, regulations and permits issued hereunder shall be fined one hundred dollars (\$100.00) for each offense. Each day on which a violation shall occur or continue shall be deemed a separate and distinct offense.

#### Section 16-97. Falsifying information.

Any person who knowingly makes any false statements, representation or certification in any application, record, report, plan or other document filed or required to be maintained pursuant to this Article or wastewater contribution permit, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this ordinance shall upon conviction be punished by a fine of not more than \$500 or by imprisonment for not more than six (6) months, or by both.

#### Section 16-98. Protection from damage.

No person shall maliciously, willingly or negligently break, damage, destroy, uncover, deface or tamper with any equipment or materials

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belonging to CMUD, including that left upon the premises of a user discharging wastes into the POTW.

Section 16-99. Surcharge for treatment of industrial wastes.

- (a) Explanation of surcharge. All users discharging industrial wastes into the CMUD system shall be billed monthly for a surcharge covering the entire cost to CMUD of treating all wastes having a BOD in excess of 235 mg/l and suspended solids in excess of 250 mg/l. The surcharge shall be levied in addition to the existing sewer service charge.
- (b) The amount of surcharge shall be set forth in the "Schedule of Current Rates, Fees and Charges."
- (c) Method of calculation. The surcharge is to be derived in accordance with the water and sewer rate methodology documents described in section 16-4(a). The City Manager shall fix the rate to be charged during the new fiscal year at the beginning of said fiscal year for the following:
  - (1) The BOD in excess of 235 mg/l discharged into the system;
  - (2) For suspended solids in excess of 250 mg/l discharged into the system; and
  - (3) For an industrial waste control charge per 100 cubic feet of wastewater discharged into the system.
- (d) Bills. The bill for such surcharge shall be prepared in accordance with the provisions of Section 16-15 and 16-27 of this Chapter. Such bill shall be payable as provided in Section 16-17 of this Chapter and delinquent fees and charges shall be assessed and collected as set forth in Section 16-17, 16-18, 16-19 and 16-20 of this Chapter.

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ORDINANCE NO. 1665-X

AN ORDINANCE TO AMEND ORDINANCE NO. 1542-X, THE 1984-85 BUDGET ORDINANCE, APPROPRIATING UNAPPROPRIATED BOND FUNDS FOR THE CONSTRUCTION OF IRWIN CREEK WASTEWATER TREATMENT PLANT ADDITIONS.

BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina;

Section 1. That the sum of \$1,365,115.00 is hereby appropriated to the construction of Irwin Creek Wastewater Treatment Plant additions, account 2071; 632.01, from the unappropriated fund balances in the following sewer bond funds:

Sewer Bond Fund 4177	\$ 127,675.95
Sewer Bond Fund 4203	144,284.86
Sewer Bond Fund 4213	1,092,441.20
Sewer Bond Fund 4166	<u>712.99</u>
TOTAL	\$1,365,115.00

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3. This ordinance shall become effective upon its adoption.

Approved as to form:

*Henry W. Zunderhill Jr.*  
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 11th day of February, 1985, the reference having been made in Minute Book 83, and is recorded in full in Ordinance Book 33 at Page 385.

Pat Sharkey, City Clerk

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ORDINANCE NO. 1666-X

AN ORDINANCE TO AMEND ORDINANCE NO. 1542-X, THE 1984-85 BUDGET ORDINANCE, TRANSFERRING UNAPPROPRIATED BOND FUNDS AND ACCOUNT BALANCES AND APPROPRIATING THOSE FUNDS TO THE CONSTRUCTION OF SUGAR CREEK WASTEWATER TREATMENT PLANT ADDITIONS.

BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina;

Section 1. That the sum of \$386,555 is hereby available from the following sources:

Coffey Creek Outfall (2075; 631.19)	\$335,559.75
Unappropriated Sewer Bond Fund Balance (4213)	<u>50,995.25</u>
TOTAL	\$386,555.00

for supplemental funding for the construction of additions to Sugar Creek Wastewater Treatment Plant.

Section 2. That the sum of \$386,555 is hereby appropriated to the Sugar Creek Wastewater Treatment Plant account 2071; 632.11.

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. This ordinance shall become effective upon its adoption.

Approved as to form:

Henry W. Cluddehill Jr.  
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 11th day of February, 1985, the reference having been made in Minute Book 83, and is recorded in full in Ordinance Book 33 at Page 386.

Pat Sharkey  
City Clerk

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ORDINANCE NO. 1667-X

AN ORDINANCE TO AMEND ORDINANCE NO. 1542-X, THE 1984-85 BUDGET ORDINANCE, PROVIDING AN APPROPRIATION FOR DESIGN AND PROJECT MANAGEMENT COSTS ASSOCIATED WITH THE EXPANSION OF THE TERMINAL BUILDING AND CONSTRUCTION OF CONCOURSE A.

BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina;

Section 1. That the sum of \$1,500,000 is hereby estimated to be available from 1985 Airport Revenue Bonds to contract for design services and project management costs for expansion to the Airport Terminal Building and construction of Concourse A.

Section 2. That the sum of \$1,500,000 is hereby appropriated to Airport Capital Improvement Fund 2073;562.25--Phase II Terminal Expansion and Concourse A Construction.

Section 3: That the Finance Director or his designee is hereby authorized to advance the sum of \$1,500,000 from the unappropriated balance of the Airport Operating Fund to Airport Capital Improvement Fund 2073;562.25--Phase II Terminal Expansion and Concourse A Construction until such time that the 1985 Airport Revenue Bonds are issued.

Section 4: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5. This ordinance shall become effective upon its adoption.

Approved as to form:

  
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 11th day of February, 1985, the reference having been made in Minute Book 83, and is recorded in full in Ordinance Book 33 at Page 387.

Pat Sharkey  
City Clerk

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ORDINANCE NO. 1668-X

AN ORDINANCE TO AMEND ORDINANCE NO. 1542-X, THE 1984-85 BUDGET ORDINANCE, PROVIDING A SUPPLEMENTAL APPROPRIATION FOR THE BRIDGE REPAIR PROGRAM TO COVER THE COST OF REPAIRS TO THE 30TH STREET BRIDGE.

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BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina;

Section 1. That the sum of \$45,625 is hereby available from the unappropriated balance of the Powell Bill Fund (0120) for the maintenance and repair of the street system.

Section 2. That the sum of \$45,625 is hereby appropriated to the Bridge Replacement account (0120; 523.09) to provide funding for a contract to make necessary repair to the 30th Street Bridge.

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. This ordinance shall become effective upon its adoption.

Approved as to form:

Harry W. Underhill Jr.  
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 11th day of February, 1985, the reference having been made in Minute Book 83, and is recorded in full in Ordinance Book 33 at Page 388.

Pat Sharkey  
City Clerk