

May 9, 1988
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ORDINANCE NO. 2407-X

AN ORDINANCE TO AMEND ORDINANCE NO. 2198-X, THE 1987-88 BUDGET ORDINANCE, PROVIDING AN APPROPRIATION TO THE UNITED WAY OF CENTRAL CAROLINAS, INC. FOR THE PURCHASE OF A HOMELESS SHELTER.

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

Section 1. That the sum of \$500,000 is hereby estimated to be available from the following sources:

<u>Source</u>	<u>Amount</u>
Pay-As-You-Go Fund Balance	\$400,000
Pay-as-You-Go Fund - Estimated Interest Earnings	<u>100,000</u>
Total	\$500,000

Section 2. That the sum of \$500,000 is hereby appropriated to the General Capital Improvement Fund 2010; 376.00 - Homeless Shelter.

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 All ordinances or parts of ordinances in conflict herewith are hereby repealed.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. 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 9th day of May, 1988, the reference having been made in Minute Book 90, and is recorded in full in Ordinance Book 37, at page(s) 7.

Pat Sharkey
City Clerk

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ORDINANCE NO. 2408-X

AN ORDINANCE TO AMEND ORDINANCE NO. 2198-X, THE 1987-88 BUDGET ORDINANCE, PROVIDING A SUPPLEMENTAL APPROPRIATION TO THE TRANSPORTATION DEPARTMENT OPERATING BUDGET FOR A PUBLIC RELATIONS EFFORT ASSOCIATED WITH QUICK FIX TRAFFIC IMPROVEMENTS.

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

Section 1. That the sum of \$7,500 is hereby estimated to be available from the General Fund Contingency.

Section 2. That the sum of \$7,500 is hereby appropriated to the Transportation Department Operating Budget (0101; 522.02; 199.00).

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 All ordinances or parts of ordinances in conflict herewith are hereby repealed.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


City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 9th day of May, 1988, the reference having been made in Minute Book 90, and is recorded in full in Ordinance Book 37, at page(s) 8.

Pat Sharkey
City Clerk

ORDINANCE NO. 2409-X

AN ORDINANCE TO AMEND ORDINANCE NO. 2198-X, THE 1987-88 BUDGET ORDINANCE, PROVIDING A SUPPLEMENTAL APPROPRIATION TO THE PUBLIC ART ACCOUNT TO FUND A CLIMBING ART SCULPTURE AT DISCOVERY PLACE.

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

Section 1. That the sum of \$39,228 is hereby estimated to be available from the following sources to fund a climbing art sculpture:

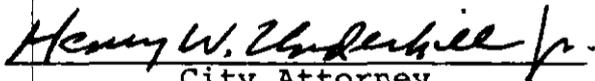
<u>Source</u>	<u>Amount</u>
Discovery Place Contribution	\$30,000
Discovery Place Exhibit Space Capital Account (2010; 261.02)	<u>9,288</u>
Total	\$39,288

Section 2. That the sum of \$39,228 is hereby appropriated to General Capital Improvement Fund 2010; 486.00 - Works of Art - Public Buildings.

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:


City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 9th day of May, 1988, the reference having been made in Minute Book 90, and is recorded in full in Ordinance Book 37, at page(s) 9.

Pat Sharkey
City Clerk

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ORDINANCE 2410

AN ORDINANCE AMENDING CHAPTER 14, SECTION 131 OF THE CHARLOTTE CITY CODE

WHEREAS, on May 14, 1984, the Charlotte City Council approved a policy to provide for a 25 mile per hour speed limit on non-thoroughfare residential streets; and

WHEREAS, the residents of certain streets have submitted a petition signed by at least 75 percent of the residents of the streets affected; and

WHEREAS, it has been determined, upon the basis of an engineering and traffic investigation, that a lowered speed limit on certain streets of the City of Charlotte is not inappropriate; and

WHEREAS, G. S. 20-141 (speed restrictions) requires adoption of a speed limit ordinance to amend Chapter 14, Section 131(c) of the Charlotte City Code,

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte,

SECTION 1: That Schedule X referred to in Chapter 14-131(c) of the Charlotte City Code be amended by declaring speed limit on the following City System street as described below:

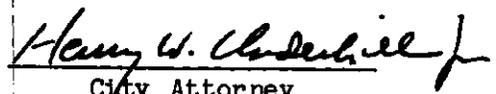
<u>STREET AND DESCRIPTION</u>	<u>SPEED LIMIT</u>
1. Chalyce Lane between Lynbridge Drive to a point 219' north of Hamilton Mill Road	25
2. Hamilton Mill Bord between Providence Road and Lynbridge Drive	25
3. Lincrest Place between Addison Drive and Nottingham Drive	25
4. Lynbridge Drive between Providence Road and a point 70' east of Shaftsbury Road	25
5. Northampton Drive between Park Road and Burnt Mill Road	25
6. Pensford Lane between Lynbridge Drive and cul-de-sac	25
7. Shaftsbury Road between Lynbridge Drive and end-of-street	25
8. Vestry Place between Pensford Lane and end-of-street	25

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9. Windyrush Road between Rea Road and
end-of-street 379' west of Summerlin Place 25

SECTION 2: Section 1 shall become effective upon adoption and after signs are erected giving notice of the speed limits, as required by N.C.G.S. Section 20-141.

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 9th day of May, 1988, the reference having been made in Minute Book 90, and is recorded in full in Ordinance Book 37, at page(s) 10-11.

Pat Sharkey
City Clerk

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ORDINANCE NO. 2411-X

AN ORDINANCE TO AMEND ORDINANCE NO. 2198-X, THE 1987-88 BUDGET ORDINANCE, APPROPRIATING REVENUES TO BE TRANSFERRED TO, AND APPROPRIATED IN THE MUNICIPAL DEBT SERVICE FUND-POST 1986 TAX REFORM ACT AND THE WATER AND SEWER DEBT SERVICE FUND-POST 1986 TAX REFORM ACT.

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

Section 1. That the sum of \$187,108 is hereby available from the following sources and is hereby appropriated to the Municipal Debt Service Fund-Post 1986 Tax Reform Act:

Transfer from General Fund	\$ 85,828
Transfer from November 1987 Bond Fund	<u>101,280</u>
	\$187,108

Section 2. That the sum of \$101,280 is available from the November Bond Fund - Interest earnings and is hereby appropriated to be transferred to the Municipal Debt Service Fund-Post 1986, and that the sum of \$85,828 previously designated to be transferred from the General fund to the Municipal Debt Service Fund is hereby designated to be transferred to the Municipal Debt Service Fund-Post 1986 Tax Reform Act.

Section 3. That the sum of \$1,296,750 is hereby available from the following sources and is hereby appropriated to the Water and Sewer Debt Service Fund-Post 1986 Tax Reform Act.

Transfer from Water and Sewer Operating Fund	\$ 598,030
Transfer from November 1987 Bond Fund	<u>698,720</u>
	\$1,296,750

Section 4. That the sum of \$698,720 is available from November, 1987 Bond Fund-Interest Earnings and is appropriated to be transferred to the Water and Sewer Debt Service Fund-Post 1986 Tax Reform Act, and that the sum of \$598,030 previously designated to be contributed to the Water and Sewer Debt Service Fund is hereby designated to be contributed to the Water and Sewer Debt Service Fund-Post 1986 Tax Reform Act.

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Section 5. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 6. 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 9th day of May, 1988, the reference having been made in Minute Book 90, and is recorded in full in Ordinance Book 37, at page(s) 12-13.

Pat Sharkey
City Clerk

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ORDINANCE NO. 2412-X

AN ORDINANCE TO AMEND ORDINANCE NO. 2198-X, THE 1987-88 BUDGET ORDINANCE, TO ESTABLISH AN APPROPRIATION FOR THE COST OR PURCHASE AMOUNT OF CAPITAL EQUIPMENT PURCHASES PURSUANT TO LEASE-PURCHASE AGREEMENTS AND TO TRANSFER LEASE-PURCHASE PRINCIPAL AND INTEREST PAYMENT APPROPRIATION FROM OPERATING FUNDS TO DEBT SERVICE FUNDS.

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

Section 1. That the sum of \$15,269,133 is appropriated for the Purchase of Capital Equipment in the General Capital Equipment Fund (2012) and is hereby estimated to be available from the following sources:

<u>Source</u>	<u>Amount</u>
Proceeds from Lease-Purchase Agreements	\$11,927,386
Estimated Interest Earnings from Lease-Purchase Agreements	2,491,747
Contribution from General Fund (Reserve for Lease-Purchase Payments)	850,000
Total	<u>\$15,269,133</u>

The General Capital Equipment Fund appropriation will not lapse at the end of FY88.

Section 2. That the sum of \$2,755,550 is appropriated for the Purchase of Capital Equipment in the Water and Sewer Capital Equipment Fund (2072) and is hereby estimated to be available from the following sources:

<u>Source</u>	<u>Amount</u>
Proceeds from Lease-Purchase Agreements	\$ 2,222,528
Estimated Interest Earnings from Lease-Purchase Agreements	358,022
Contribution from Water and Sewer Operating Fund (Reserve for Lease-Purchase Payments)	175,000
Total	<u>\$ 2,755,550</u>

The Water and Sewer Capital Equipment Fund appropriation will not lapse at the end of FY88.

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Section 3. That the General Fund Contribution to Municipal Debt Service Fund be increased by \$5,688,410 and that the following General Fund individual departmental budgets (Account 15900) be decreased:

<u>Department (Center)</u>	<u>Amount</u>
Public Service and Information (51510)	\$ 3,403
Budget and Evaluation (23000)	2,383
Neighborhood Centers (11700)	8,586
Municipal Information Systems (22000)	232,737
Finance (19999)	42,565
Police (40100)	1,685,444
Fire (40200)	814,916
Transportation (52299)	437,395
General Services (69999)	748,420
Engineering (51099)	67,811
Operations (59999)	1,302,730
Parks and Recreation (30000)	339,428
Mint Museum (23500)	2,592
Total	<u>\$5,688,410</u>

Section 4. That a Community Development Fund (6806) Contribution to Municipal Debt Service Fund be established for \$17,590 by a decrease in the Community Development Operations budget.

Section 5. That the sum of \$5,706,000 is appropriated in the Municipal Debt Service Fund for the Retirement of Lease-Purchase Principal and Interest and is hereby available from a Contribution from the General Fund for \$5,688,410 and a Contribution from the Community Development Fund for \$17,590.

Section 6. That the Water and Sewer Operating Fund Contribution to the Water and Sewer Debt Service Fund be increased and that the Water and Sewer Operations (Account 15900) be decreased by \$560,487.

Section 7. That the sum of \$560,487 is appropriated in the Water and Sewer Debt Service Fund for the Retirement of Lease-Purchase Principal and Interest and is hereby available from a Contribution from the Water and Sewer Operating Fund.

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 9th day of May, 1988, the reference having been made in Minute Book 90, and is recorded in full in Ordinance Book 37, at page(s) 14-15.

Pat Sharkey
City Clerk

May 9, 1988
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ORDINANCE NO. 2413-X

AN ORDINANCE TO AMEND ORDINANCE NO. 2198-X, THE 1987-88 BUDGET ORDINANCE, APPROPRIATING GRANT FUNDS FOR THE EMERGENCY SHELTER GRANTS PROGRAM.

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

Section 1. That the sum of \$9,000 is hereby estimated to be available from the United States Department of Housing and Urban Development for the Emergency Shelter Grant Program.

Section 2. That the sum of \$9,000 is hereby appropriated to the Housing Fund Account 0141;570.07.199 - Emergency Shelter Grant Program.

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:


City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 9th day of May, 1988, the reference having been made in Minute Book 90, and is recorded in full in Ordinance Book 37, at page(s)

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ORDINANCE NO. 2414

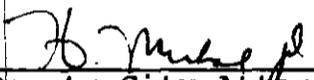
AN ORDINANCE REVISING CHAPTER 23, "WATER, SEWERS AND SEWAGE DISPOSAL,"
OF THE CODE OF THE CITY OF CHARLOTTE-----

BE IT ORDAINED by the City Council of the City of Charlotte
that:

Section 1. Chapter 23 of the Code of the City of Charlotte is hereby deleted in its entirety and a new Chapter 23, attached hereto as Exhibit A and incorporated herein by reference, is adopted in lieu thereof.

Section 2. This ordinance shall become effective upon adoption.

Approved as to form:



Deputy City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 9th day of May, 1988, the reference having been made in Minute Book 90, and is recorded in full in Ordinance Book 37, at page(s) 17-49.

Pat Sharkey
City Clerk

CHAPTER 23
WATER, SEWERS AND SEWAGE DISPOSAL,
INDUSTRIAL WASTE DISCHARGE RESTRICTIONS

- Art. I. In General, §§23-1 - 23-15
- Art. II. Sewage Connections and User Charges, §23-16 - 23-40
- Art. III. Wastewater Discharge Restrictions,
§23-41 - 23-79
- Art. IV. Water, §23-80 - 23-115
- ARTICLE I. IN GENERAL

Sec. 23-1. Definitions.

For the purposes of this chapter, the following terms are defined as follows:

City. The City of Charlotte or the City Council of Charlotte.

CMUD. The Charlotte-Mecklenburg Utility Department, the director or his designated representative.

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

Commercial water users. Those customers who desire water service for commercial use or for use in the transaction of their business.

Cross-connection. 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.

Late payment-fixed. The customer service cost for processing a delinquent account listed on a delinquent account register.

Late payment-variable. The cost of carrying outstanding balances in customer accounts.

Meter removal. The physical removal of the meter from the connections inside the meter box.

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

Temporary water users. Water customers who are not the owners of the premises served and who desire water service for less than six (6) months annually, and for a given period of time.

Turn-off. The physical turn-off of the meter in the meter box.

Turn-off at main. The physical disconnection of the water line at the water main.

Turn-on. The physical turn-on of the meter in the meter box.

Yoke removal. The physical removal of the yoke located inside the meter box, that is used to secure the inlet and outlet pipes for meter installation.

Sec. 23-2. Deposit required.

- (a) Cash deposits are required from all temporary and commercial users in such amounts as set by the city manager.
- (b) 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 23-5 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.
- (c) The deposit will be 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 off the water service has been given to the Revenue Division, the deposit will be applied to the depositor's account balance.
- (d) Refunds of less than one dollar will be withheld and will escheat to the state of North Carolina. Such refunds will be processed upon receipt of specific written request and provision of a stamped, self-addressed envelope. Final bills for less than one dollar will not be issued.

Sec. 23-3. Schedule of water and sewer rates.

The water and/or 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, per 100 cubic feet of water used. Meters will be read monthly or on a schedule set by the city manager and water furnished shall be paid for according to the "Schedule of Current Rates, Fees and Charges" by the following classifications:

- (1) Rates for water and sewer furnished inside the city limits;

- (2) 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 or sewer service is used;
- (3) Rates for private fire lines at customer's request and application;
- (4) Rates for water and sewer furnished outside the city limits. Water and sewer provided by CMUD to premises outside the city limits shall be paid for at the prevailing outside city rate;
- (5) Determination of rates for subsections (1), (2) and (4) shall be arrived at in accord with the water and sewer rate methodology documents and procedures described in detail in section 23-83(a).

Sec. 23-4. 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.

Sec. 23-5. Delinquent fees and charges; conditions; notice; appeals; water service termination actions.

- (a) 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) 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 does not inform the Revenue Division 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 billing 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 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 (2) 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 charges and fees are set forth in the "Schedule of Current Rates, Fees and Charges."

- (d) Delinquent charges shall accrue for each occurrence and must 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.
- (e) 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 such bills have been paid.
- (f) In case of nonpayment CMUD is authorized to take the following water service termination actions:
 - (1) Meter removal. The physical removal of a meter following unauthorized turn-on by a customer.
 - (2) Unauthorized meter. The physical removal of a meter assigned to a designated service location in the system but found in another service location.
 - (3) Unauthorized devices. The physical removal of any unauthorized device used to obtain water service along with the yoke.
 - (4) Turn-off at the main. The disconnection of the service connection at the main to prevent the customer from installing unauthorized yokes, meters, pipes and other devices in order to obtain water service.
- (g) 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.
- (h) Charges by CMUD for any action taken pursuant to subsection (f) are set forth in the "Current Schedule of Rates, Fees and Charges." Collection shall be in accordance with subsection (d).

Sec. 23-6. Complaints of excessive water and/or sewer charges.

- (a) A customer having a grievance or complaint that a bill is excessive, must file written or verbal notice with the Revenue Division of the City Finance Department. If it is determined that the amount of the bill is in error, an adjustment will be made accordingly.
- (b) 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 the excess for no more than two (2) months, after evidence has been produced indicating that the leak has been stopped. The amount of such allowance or rebate will be determined as follows:

- (1) Water: adjustment made for 50% excess.
- (2) Sewer: adjustment made for 50% excess when water is returned to the sewer system for treatment and 100% of excess when water is not returned to the sewer system for treatment.

Sec. 23-7. Charges for water used without prior knowledge of CMUD.

- (a) If water has been obtained without the 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 will be terminated immediately.
- (b) 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.
- (c) 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 Revenue Division 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 23-5.

Sec. 23-8. 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 Revenue Division will collect all water and sewer service charges as well as all interest, civil penalties and other fees authorized by this article.

Sec. 23-9. 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."

Sec. 23-10. Surcharge for treatment of industrial wastes.

- (a) 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) The surcharge is to be derived in accordance with the water and sewer rate methodology documents described in section 23-84. The city manager shall fix the rate to be charged during the new fiscal year at the beginning of such fiscal year for the following:
 - (1) The BOD in excess of two hundred thirty-five (235) mg/l discharged into the system;
 - (2) For suspended solids in excess of two hundred fifty (250) mg/l discharged into the system; and
 - (3) For an industrial waste control charge per one hundred (100) cubic feet of wastewater discharged into the system.
- (d) The bill for such surcharge shall be prepared in accordance with the provisions of section 23-4 and 23-5 of this chapter. Such bill shall be payable as provided in section 23-5 of this chapter and delinquent fees and charges shall be assessed and collected as set forth in sections 23-5.

Sec. 23-11. Description of 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 CMUD water distribution system, there shall be a sewer user charge separate from, and in addition to, any charge 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 such 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.

ARTICLE II. SEWAGE CONNECTION AND USER CHARGES

Sec. 23-16. 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.

Sec. 23-17. Application for 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 benefitted, and upon compliance with all requirements of the Charlotte-Mecklenburg Utility Department, hereinafter referred to as CMUD.

Sec. 23-18. Conditions and charges for service connection and repairs.

The sewer service connections within the street right-of-way belong solely to the property owner and are 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.
 - (1) Where the lowest elevation of plumbing in the building is lower than the rim elevation of the nearest upstream manhole, such 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 actions by the property owner or user have necessitated repairs to the service connection.

Sec. 23-19. 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 and cleared of any obstruction by the property owner or occupant of the premises. Except as provided in section 23-18, the cost of any repair or replacement required by this section shall be at the expense of the property owner or occupant.

Sec. 23-20. 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 except as provided for in section 23-51 (a). The owner of the property where the measuring device is installed shall be responsible for its maintenance and safekeeping and any repairs required will be made at the owner's expense.

Sec. 23-21. Description of 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 such 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 such 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.

Sec. 23-22. Extension of 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 the city council when requested. These plans, specifications, etc. will be entered into the minutes of the proceedings of the city council.

Sec. 23-23. Permission and supervision required for uncovering or connecting to public sewer; duty of CMUD to ensure 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 ensure full compliance with this section in relation to connections.

Article III. WASTEWATER DISCHARGE RESTRICTIONS

Sec. 23-41. Purpose and policy.

- (a) This article sets forth uniform requirements for direct and indirect discharges to the CMUD wastewater collection and treatment system and enables the city and CMUD to comply with all applicable state and federal laws.
- (b) The objectives of this article are:
- (1) To prevent the introduction of pollutants into the wastewater system which will interfere with the operation of the system or contaminate the resulting sludge;
 - (2) 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; and
 - (3) To improve the opportunity to recycle and reclaim wastewater and sludges from the system.

- (c) This article provides for the regulation of direct and indirect discharges to the wastewater system through the issuance of permits to certain non-domestic users and through discharge monitoring and enforcement activities.
- (d) This article shall apply to all users of the CMUD POTW. Except as otherwise provided herein, CMUD shall administer, implement and enforce the provisions of this chapter.

Sec. 23-42. POTW Implementation Responsibilities

As control authority CMUD has established the following procedures to ensure compliance with pretreatment program requirements.

- (a) Control through the use of pretreatment permits the discharges from significant industrial users.
- (b) Identify all industrial users and characterize their pollutant discharges that may be subject to pretreatment standards.
- (c) Notify all significant industrial users of applicable pretreatment standards, of local, state or federal origin.
- (d) Perform random samples and analyze effluent from significant industrial users in order to assess compliance with pretreatment standards.
- (e) Investigate occurrences of noncompliance and take appropriate enforcement action.
- (f) Publish annually, in the local newspaper, a list of significant industrial users which had significant violations of pretreatment standards.

Sec. 23-43. Definitions.

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

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.

Approval authority. The director in an 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.

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.

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]).

Building sewer. A sewer conveying wastewater from the premises of a user to the POTW.

Categorical standards. National categorical pretreatment standards or pretreatment standards as established by the applicable federal, state or local agency.

City. The City of Charlotte or the city council of Charlotte.

CMUD. The Charlotte-Mecklenburg Utility Department, the director or his designated representative.

Cooling water. The water discharged from any use such as air conditioning, cooling or refrigeration, or to which the only pollutant added is heat.

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.

Direct discharge. The discharge of treated or untreated wastewater directly to the waters of the state.

Director. The person designated 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.

Domestic sewage. The liquid waste from bathrooms, toilet rooms, kitchens and home laundries.

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.

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.

Holding tank waste. Any waste from holding tanks, such as vessels, chemical toilets, campers, trailers, septic tanks, and vacuum-pump tank trucks.

Indirect discharge. The discharge or 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).

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).

Industrial waste. The liquid wastes, other than domestic sewage, resulting from processes or operations employed in industrial and commercial establishments.

Interference. The inhibition or disruption of the POTW treatment processes or operations which contributes to a violation of any requirement of any of CMUD's NPDES permits. The term includes prevention of sewage sludge use or disposal by the POTW in accordance with section 405 of the act (33 U.S.C. 1345), or any criteria, guidelines or regulations developed pursuant to the Solid Waste Disposal Act, 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 solid waste disposal act) applicable to the method of disposal or use employed by the POTW.

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. 2347) which applies to a specific category of industrial users.

National pollution discharge elimination system or NPDES permit. A permit issued pursuant to section 402 of the act (33 U.S.C. 2342).

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.

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 one hundred twenty (120) days of proposal in the Federal Register. Where the standard is promulgated later than one hundred twenty (120) days after proposal, a new source means any source, the construction of which is commenced after the date of promulgation of the standard.

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.

pH. The logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

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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.

Pollution. The man-made or man-induced alteration of the chemical, physical, biological and radiological integrity of water.

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 403.6(d).

Pretreatment requirements. Any substantive or procedural requirement related to pretreatment, other than a National Pretreatment Standard, imposed on an industrial user.

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 division, "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.

Publicly owned treatment works treatment plant. That portion of the POTW designed to provide treatment to wastewater.

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.

Sanitary sewer. A sewer intended to receive domestic sewage and industrial waste, except that of the type expressly prohibited by this division, without the admixture of surface water and storm water.

Significant industrial user (SIU). Any industrial user of CMUD's wastewater disposal system who (1) has a discharge flow of 50,000 gallons or more per average work day, or (2) contributes more than five (5) percent of any design capacity to the POTW treatment plant which receives the discharge, or (3) has in his wastes toxic pollutants as defined pursuant to section 307 of the act or the state 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.

State. The State of North Carolina, N. C. Department of Natural Resources, Division of Environmental Management, or any duly authorized representative thereof.

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.

Storm water. Any flow occurring during or following any form of natural precipitation and resulting therefrom.

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.

Toxic pollutant. Any pollutant or combination of pollutants listed as toxic in regulations promulgated by the administrator of the EPA under the provision of Clean Water Act 307(a) or other acts.

User. Any person who contributes, causes or permits the contribution of wastewater into CMUD's POTW.

Wastewater. The liquid and water-carried industrial or domestic wastes from dwellings, commercial buildings, industrial facilities, and institutions which is discharged to or permitted to enter the POTW.

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.

Wastewater discharge permit. The permit required by Section 23-52 of this chapter.

Sec. 23-44. 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
- SIU: Significant Industrial User
- SWDA: Solid Waste Disposal Act, 42 U.S.C. 6901, et seq.
- USC: United States Code
- TSS: Total Suspended Solids

Sec. 23-45 General discharge prohibitions.

- (a) No user shall discharge or cause to be discharged 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:

- (1) 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.
- (2) 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.
- (3) Any wastewater having a pH less than 5.0, or wastewater having any other corrosive property capable of causing damage or hazard to structures, equipment, and/or personnel of the POTW.
- (4) 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.
- (5) 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.
- (6) 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 noncompliance 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.
- (7) Any substance which will cause the POTW to violate any of its NPDES and/or state disposal system permits or the receiving water quality standards.
- (8) 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).

- (9) 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.
- 10) 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.
- (11) Wastewater at a flow rate and/or pollutant concentration which will cause an inhibition or disruption of the POTW, its treatment processes, operation, or sludge use and disposal.
- (b) When CMUD determines that a user is discharging any of the restricted substances CMUD shall employ whatever enforcement actions apply.
- (c) Specific Pollutant Limitations. No person shall discharge wastewater containing in excess of the following unless such discharge is allowed by a permit issued in accordance with Section 23-52 of this Article.

0.050	mg/l arsenic
0.003	mg/l cadmium
0.060	mg/l copper
0.040	mg/l cyanide
0.050	mg/l lead
0.003	mg/l mercury
0.050	mg/l nickel
0.010	mg/l silver
0.050	mg/l total chromium
0.180	mg/l zinc
235	mg/l BOD
250	mg/l TSS

Sec. 23-46. Procedure for discharging excess sludge from domestic septic tank systems, biological treatment plants with an NPDES permit or wastewater from portable sanitary privies.

- (a) Any company or individual that proposes to use the POTW for the discharge of excess sludge from domestic septic tank systems, biological treatment plants with an NPDES permit or wastewater from portable sanitary privies must make a deposit to guarantee payment

of sewer charges. Such 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) 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) A permit to haul each load of septic tank sludge, treatment plant waste sludge or wastewater from portable sanitary privies is required by the County Health Department. This permit must be in the possession of the hauler/user at the time of discharge into the POTW.
- (d) 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 county environmental health department. Failure to pay these bills by the date due shall be cause for revocation of permission to discharge.
- (e) 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 POTW in addition to any applicable penalty.

Sec. 23-47. Pretreatment standards.

The most stringent limitations and requirements on pretreatment of discharges to the POTW in effect, whether imposed by the city, state or federal government, shall apply. The user will be required to implement whatever pretreatment processes are necessary to comply with the applicable standards.

Sec. 23-48. Pretreatment compliance.

- (a) Users shall provide the necessary wastewater treatment as required to comply with this article and shall achieve compliance with the applicable discharge limitations and requirements. Any facilities required to pretreat wastewater in a manner approved by CMUD shall be provided, operated and maintained at the user's expense. Detailed plans for the pretreatment facilities and operating procedures shall be submitted to CMUD for review and shall be approved by 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 article. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to

and be approved by CMUD prior to the user's initiation of the changes.

- (b) If additional pretreatment and/or operation and maintenance will be required to meet the pretreatment standards, the user shall meet the schedule set by CMUD to provide the additional pretreatment.
- (c) All records relating to compliance with pretreatment standards shall be made available to officials of CMUD, state or EPA upon request.

Sec. 23-49. Excessive discharges and dilution.

- (a) CMUD shall deny or set conditions on any new or increased discharges of flow or pollutants, or changes in the nature of discharges, when CMUD determines that such discharges by a user may exceed the applicable standards or limitations or will cause a violation of the NPDES permit in effect.
- (b) No user shall increase the use of process water or otherwise attempt to dilute a discharge in order to achieve compliance with the applicable pretreatment standards or limitations.

Sec. 23-50. Accidental discharge or operating upset.

- (a) Each significant industrial user shall provide protection from accidental discharge of prohibited materials or other substances regulated by this article. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the owner or user's expense. Detailed plans of the facilities and operating procedures must be submitted to CMUD for approval before construction of the facility. Upon notification by CMUD any existing user shall complete such a plan. Completion of an accidental discharge plan is required before a permit will be issued. No SIU who begins discharging 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 SIU from the responsibility of modifying the user's facilities as necessary to meet the requirements of this article.
- (b) 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, volume and corrective action taken. Within five (5) days following an accidental discharge, the user shall submit to CMUD a detailed, written report describing the cause and the measures to be taken by the user to prevent similar future occurrences. Such notification shall not relieve the user of any expense related to loss or damages or any other liability which may be incurred as a result of damage to the POTW; not shall such notification relieve the user from payment of any fines, penalties or other liability which may be imposed by this article or other applicable law.

- (c) A notice shall be posted permanently in a prominent location of the user accessible to all employees advising employees of whom to call in the event of an accidental discharge. Users shall ensure that any employee(s) who may cause or suffer the discharge to occur are advised of the emergency notification procedure.

Sec. 23-51. Structures required.

- (a) Monitoring facilities. The user shall provide and operate at the user's expense monitoring facilities for the inspection, sampling and flow measurement of the user's sewer and/or internal drainage systems. The monitoring facility should be situated on the user's premises. Any other location should be approved by CMUD. There shall be ample room in or near such sampling manhole or facility to allow accurate sampling and preparation of samples for analysis. The facility, sampling and measuring equipment shall be maintained at all times in a safe and proper operating condition at the expense of the user. Monitoring facilities requirements may be waived upon request by a user discharging less than 50,000 gallons per day upon review and approval by CMUD.
- (b) Storage tanks. In order to promote equalization of flows over a twenty-four-hour period, each user discharging to the POTW wastewater of more than 50,000 gallons per day shall construct and maintain, at the user's expense, a suitable storage tank as permitted by CMUD.

Such storage tank shall have its outlet to the POTW 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 twenty-four-hour period and that the rate of wastewater 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 article are met.

Sec. 23-52. Permit application.

Any user desiring to discharge any industrial waste to the POTW or who is now doing so, shall make application to CMUD for a wastewater discharge permit. Each user required to obtain a permit shall complete and file with CMUD an application in the form prescribed by CMUD which will include, but not be limited to the following:

- (a) Name, address and location if different.
- (b) SIC number according to the Standard Industrial Classification Manual, Bureau of the Budget, 1972, as amended.

- (c) Wastewater constituents and characteristics.
- (d) Time and duration of discharge.
- (e) Average daily and thirty minute peak wastewater flow rates, including daily, monthly and seasonable variations, if any.
- (f) Site plans, floor plans, mechanical and plumbing plans and details to show all sewers, sewer connections and appurtenances by the size, location and elevation.
- (g) Description of activities, facilities and processes on the premises, including all materials which are or could be discharged.
- (h) Where known, the nature and concentration of any pollutants in the discharge which are limited by any pretreatment standards in effect, and a statement as to whether or not the pretreatment standards are being met on a consistent basis and, if not, whether additional operation and maintenance and/or pretreatment is required for the user to meet applicable pretreatment standards.
- (i) If additional operation and maintenance and/or pretreatment will be required to meet the pretreatment standards.
- (j) Each product produced by type, amount, process, or processes and rate of production.
- (k) Type and amount of raw materials processed (average and maximum per day).
- (l) Number and type of employees, hours of operation of plant and proposed or actual hours of operation of pretreatment system.
- (m) Any other information as may be deemed by CMUD to be necessary to evaluate the permit application.

Sec. 23-53. Permit conditions.

Wastewater discharge permits shall be expressly subject to all provisions of this chapter and all other applicable regulations, user charges and fees established by CMUD. Permits may contain the following:

- (a) The unit charge or schedule of user charges and fees for the wastewater to be discharged to the sewer system.
- (b) Limits on the average and maximum wastewater flows based on water used as defined by CMUD.
- (c) Limits on average and maximum rates and time of discharge or requirements for flow regulations and equalization.

- (d) Requirements for installation and maintenance of inspection and sampling facilities.
- (e) Specifications for monitoring programs which may include sampling locations, frequency of sampling, number, types and standards for tests and reporting schedules.
- (f) Compliance schedule.
- (g) Requirements for submission of technical reports or discharge reports.
- (h) Requirements for maintaining and retaining operating records relating to wastewater discharge.
- (i) Requirements for notification of CMUD of any new introduction of wastewater constituents or any substantial change in the volume or character of the wastewater constituents being discharged into the POTW.
- (j) Other conditions as deemed appropriate by CMUD to ensure compliance with this article.

Sec. 23-54. Permit term, modification, transfer.

- (a) Permits shall be issued for a specified time period not to exceed five years. A permit may be issued for a period of less than a year or may be stated to expire on a specific date. The user shall apply for permit reissuance a minimum of one hundred eighty (180) days prior to the expiration of the user's existing permit.
- (b) CMUD may modify the terms and conditions of the permit as limitations or requirements are modified or other just cause exists.
- (c) Within nine months of the promulgation of a national categorical pretreatment standard, the wastewater discharge permits of users subject to such standards shall be revised to require compliance with such standard within the time frame prescribed by such standard. Where a user subject to a national categorical pretreatment standard has not previously submitted an application, the user shall apply within one hundred eighty (180) days after the promulgation of such standard. In addition, any user with an existing permit shall submit to CMUD within one hundred eighty (180) days after the promulgation of such standard the information required by subsections (h) and (i) of section 23-53. The user may submit a request for a revised categorical determination containing the information required by 23-53 (c) and according to CFR403.6(a)(1).
- (d) Wastewater discharge permits are issued to a specific user for a specific operation. A permit shall not be assigned or

transferred or sold to a new owner, new user, different premises or a new or changed operation without CMUD approval. Any succeeding owner shall apply for a new permit and shall comply with the terms and conditions of the existing permit until such time as a new permit is issued.

Sec. 23-55. Reporting Requirements

- (a) Categorical Baseline Monitoring Report (40 CFR 403.6 (a), 403.12 (b)). Within 180 days after the effective date of a categorical standard or 180 days after a final decision on a categorical determination submission according to 23-54 (c), whichever is later, any industrial user subject to the standard must submit to CMUD a report in the form approved by CMUD which indicates whether the industrial user meets the standard.
- (b) Report on Progress in Meeting Compliance Schedules (NCAC 2H .0908). All industrial users who are required by CMUD to submit compliance schedules in conjunction with their baseline monitoring reports, interim permit limits or enforcement orders shall report their progress to CMUD within 14 days of each date in their schedule.
- (c) Report on Compliance With Categorical Pretreatment Standard Deadline (40 CFR 403.12 (d)). Within 90 days following the date for final compliance with the applicable categorical standard, every industrial user subject to the standard must submit to CMUD a report indicating the nature and the concentration of all limited pollutants in the regulated discharges and the average and maximum daily flow for these discharges. The report must also indicate whether the pretreatment standards are being met consistently.
- (d) Periodic Report on Continued Compliance (40 CFR 403.12 (e)). Affected industrial users are required to report at least semi-annually, on a schedule established by CMUD, the nature and concentration of pollutants in the effluent limited by pretreatment standards.
- (e) Notice of Slug Loading (40CFR 403.12 (f)). All significant industrial users must notify CMUD immediately of any slug loading. Slug loading is defined as any pollutant, including BOD, released in a discharge at a flow rate or concentration which may cause interference with the operation of the POTW.
- (f) All reports referenced in this section must be in the form established by CMUD.

Sec. 23-56. Industrial Waste Survey

- (a) At the frequency established by applicable state regulations, CMUD will conduct an Industrial Waste Survey that identifies significant industrial users and characterizes their discharge of wastewater. Each user included in the survey is required to respond with complete and accurate information on the specified schedule.

- (b) The survey results will be used to establish an industrial user inventory and may be used to modify pretreatment permits.
- (c) Failure to respond to the survey completely and accurately may result in revocation of the permit, on-site inspections or any other enforcement action that CMUD may determine to be appropriate.

Sec. 23-57. 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. Additionally, authorized employees of the EPA or State shall have the same powers and authority for inspection.
- (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 on the POTW.

Sec. 23-58. Sampling of Industrial Effluent

- (a) The industrial waste of each SIU discharged into the POTW shall be subject to periodic inspection and a determination of the character and concentration of such waste by CMUD. This inspection shall be made annually, or more often as deemed necessary by CMUD or the state.
- (b) CMUD will sample the industrial waste each SIU a minimum of two times each year. At the time of sampling an inspection will be made of industrial processes and any pretreatment facilities in order to confirm that the categorical determination in effect is correct and that the pretreatment facilities are being utilized.
- (c) Samples shall be collected in such a manner as to be representative of the actual quality of the industrial wastes. The frequency with which samples are to be collected will be determined by CMUD. At the time of sampling the user may request a split sample for confirmatory analysis. Copies of the analysis results and evaluation will be forwarded to the user upon completion.
- (d) The determination by CMUD of the character and concentration of industrial wastes shall be binding as the basis for charges and for any subsequent monitoring and/or enforcement actions.

Section. 23-59. Confidential information.

- (a) 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.

- (b) 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 article, 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.
- (c) 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.

Sec. 23-60. Notification of violation.

Whenever CMUD finds that any industrial user has violated or is violating any provision of this article, the wastewater discharge permit, or any prohibition, limitation or requirements contained herein, CMUD shall serve the user with a written notice stating the nature of the violation. Within thirty (30) days from the date of this notice, a plan for the satisfactory correction thereof shall be submitted to CMUD by the user. Submission of this plan does not relieve the user of liability for any violations occurring before or after receipt of the Notice of Violation.

Section 23-61. Permits: Suspension or termination.

- (a) Emergency suspension. CMUD may suspend the wastewater treatment permit and/or service when such suspension is necessary 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 or the environment; interferes with the POTW, or may cause the POTW to violate any conditions of any of its NPDES permits.

Any user notified of a suspension of its wastewater permit and/or wastewater treatment service shall immediately stop or eliminate its discharge. A hearing will be held within 15 days of the Notice of Suspension to determine whether the suspension may be lifted or the user's waste discharge permit will be terminated. Any hearing held pursuant to this section shall conform to the provisions of section 23-63. In the event of the failure of the user to comply voluntarily with the suspension order, CMUD shall take such steps as deemed necessary, including the immediate severance of the sewer connection, to prevent or minimize damage to the POTW system or

endangerment to the public. CMUD shall reinstate the wastewater permit and/or the wastewater treatment service upon proof of the elimination of the noncomplying discharge. The industrial user shall submit a detailed written statement describing the causes of the harmful discharge and the measures taken to prevent any future occurrence to CMUD prior to the date of the above-described hearing.

- (b) Termination. Any user who violates the following conditions of this ordinance, or applicable State and Federal regulations, is subject to having its permit terminated:
- (1) Failure to report factually the wastewater constituents and characteristics of its discharge;
 - (2) Failure to report significant changes in operations, or wastewater constituents and characteristics;
 - (3) Refusal of reasonable access to the user's premises for the purpose of inspection or monitoring;
 - (4) Violation of any condition of the permit; or,
 - (5) Failure to submit any required report.

Sec. 23-62. Consent order

The Director is hereby empowered to enter into consent orders, assurances of voluntary compliance, or other similar documents establishing an agreement with the user who has been found to be in noncompliance with any provision of this chapter. Such documents will include specific action to be taken by the user to correct any noncompliance within a specified time period.

Sec. 23-63. Show cause hearing.

- (a) 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 and the proposed enforcement action. 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.
- (b) The director may conduct the hearing and take the evidence or may designate any other staff member to:
- (1) 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;

- (2) Take the evidence; and
 - (3) Transmit a report of the evidence and hearing, including transcripts and other evidence, together with recommendations to the director for action.
- (c) 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.
- (d) 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.

Sec. 23-64. Cease and desist orders.

When the director of CMUD finds that a discharge violates the prohibitions or effluent limitations of this chapter, or those contained in any permit issued by CMUD, he may issue an order to cease and desist and direct the user to:

- (a) Comply immediately;
- (b) Comply in accordance with a schedule set forth in the order; or,
- (c) Take appropriate remedial or preventive action in the event of a continuing or threatened violation.

Sec. 23-65. Legal action by city.

If any person discharges sewage, industrial wastes or other wastewater into the POTW contrary to the provisions of this chapter, federal or state pretreatment requirements, any order of the director, or violates the wastewater discharge permit, an action may be commenced in the name of the city for appropriate legal and/or equitable relief in the appropriate division of the state's General Court of Justice.

Sec. 23-66. Administrative penalties

Any user who is found to have failed to comply with any provision of this chapter, or the orders, rules regulations and permits issued hereunder, shall be fined up to one thousand (\$1,000.00) for each offense. Each day on which a violation occurs or continues shall be considered a separate and distinct offense. Such assessments may be added to the user's next scheduled sewer service charges and CMUD shall have such remedies for the collection of such assessments as it has for collection of other service charges.

Sec. 23-67. Civil penalties.

Any discharger who violates this chapter or any order or permit issued hereunder, shall be liable to CMUD for a civil penalty of up to one thousand dollars (\$1,000.00), plus actual damages incurred by CMUD, per violation per day for as long as the violation(s) continues. Each day on which a violation shall occur or continue shall be deemed a separate and distinct offense. Such assessments may be added to the user's next scheduled sewer service charges and CMUD shall have such remedies for the collection of such assessments as it has for collection of other charges.

Sec. 23-68. Protection from damage.

No person shall maliciously or negligently damage, destroy or tamper with any equipment or materials belonging to CMUD, including that left upon the premises of a user discharging wastewater into the POTW. The user shall be responsible for the safety of such equipment and may be held liable in the event of any such damage.

Sec. 23-69. Falsifying information; damages to monitoring equipment.

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 discharge permit, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this article shall upon conviction be punished by a fine of not more than five hundred dollars (\$500.00) or by imprisonment for not more than six (6) months, or by both.

ARTICLE IV. WATER

Sec. 23-80. 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.

Sec. 23-81. 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 benefitted and upon compliance with all requirements of CMUD.

Sec. 23-82. Meters.

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All meters installed or required to be used under the provisions of this article shall be under the control of CMUD. No meter shall be installed, removed or disturbed by anyone except authorized CMUD personnel.

Sec. 23-83. Charges for making service connections.

- (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 "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 shall be referred to as the "water and sewer rate methodology documents." Such rates, fees and charges and any modifications thereto are referred to as the "Schedule of Current Rates, Fees and Charges" in this chapter. The charges for making partial service connections 3/4 inch size, shall be calculated and applied in the same manner.
- (b) 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.
- (c) 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.
- (d) 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.

Sec. 23-84. 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. There will be no further expense to the property owner except that, in case of malicious damage by the 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.

Sec. 23-85. Removal of water service fixtures prohibited; exceptions.

- (a) 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.

- (b) CMUD may replace existing meters, service connections, or other fixtures with meters, service connections or other fixtures of equal, or greater, capacity or efficiency.
- (c) Should the use of water through service connections be discontinued, or a "partial service connection" remain unused, CMUD may remove the meter, service connection and other water service fixtures, or discontinue the availability of the "partial service connection."
- (d) When water is introduced into any property or premises by CMUD, meter and service connection shall not be removed or transferred.

Sec. 23-86. Separate meter for each property owner required; exception.

- (a) 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.
- (b) 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.
- (c) 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.
- (d) 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.

Sec. 23-87. Cut-off valve.

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

- (b) 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.

Sec. 23-88. Interference with the water distribution system prohibited; exception.

It shall be unlawful for any unauthorized person to operate, or damage by interference and/or tampering 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 emergency, shut off water at the curb cut-off valve, but must notify CMUD immediately of such action.

Sec. 23-89. 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 such 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."

Sec 23-90. 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.

Sec. 23-91. Unauthorized turning on of water after turn-off by CMUD.

If the water is cut off from any premises by CMUD for nonpayment of a bill or bills, or for any other cause authorized by this article, 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. In the case of an unauthorized turn-on, CMUD may remove the meter, any unauthorized meter or device or turn off the service at the main.

Sec. 23-92. 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 should install protective devices to prevent damage during any period that water is turned off. CMUD will attempt to notify customers when water will be turned off, except in cases of emergencies.

Sec. 23-93. 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 is unlawful for any other person to use a fire hydrant for any purpose except by special permit issued by CMUD.

Sec. 23-94. Damage to public fire hydrants, water meters, meter boxes, valve boxes, meter boxes in driveways or any other elements of the CMUD water system.

- (a) 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.
- (b) 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.
- (c) If a driveway is constructed over an existing meter box, CMUD shall replace such meter box with a heavy duty meter box or relocate the service at the customer's expense.
- (d) A penalty of \$500.00 may be assessed for any occurrence of damage as described in (a) above.

Sec. 23-95. Private fire hydrants to be used only in case of fire; penalty.

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 or for periodic testing.

of the hydrants or fixtures. Any person violating this section shall pay the charge for any water used or obtained, in addition to any applicable penalty.

Sec. 23-96. Cross-connection; control.

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

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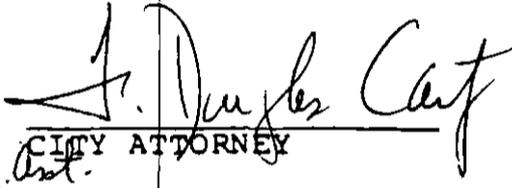
ORDINANCE NO. 2415-X

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 1001 North Davidson Street PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 19, PART 6, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID BUILDING BEING THE PROPERTY OF Vinson W. Washburn RESIDING AT 122 Brookhill Road, Shelby, North Carolina 28150

WHEREAS, the dwelling located at 1001 North Davidson Street in the City of Charlotte has been found by the Director of the Community Development Department to be unfit for human habitation and the owners thereof have been ordered to demolish and remove said dwelling, all pursuant to the Housing Code of the City of Charlotte and Article 19, Part 6, Chapter 160A of the General Statutes of North Carolina, and

WHEREAS, said owners have failed to comply with said order served by registered mail on the 2/18/1987 and 3/5/1987 :
NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina, that the Director of the Community Development Department is hereby ordered to cause the demolition and removal of the dwelling located at 1001 North Davidson Street in the City of Charlotte in accordance with the Housing Code of the City of Charlotte and Article 19, Part 6, Chapter 160A of the General Statutes of North Carolina.

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 9th day of May, 1988, the reference having been made in Minute Book 90, and is recorded in full in Ordinance Book 37, at Page 50.

Pat Sharkey
City Clerk

May 9, 1988
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Rec'd. By: <u> LDB </u>
MAY 16 1988
Original To: _____
Copies To: _____

ORDINANCE NO. 2416-X

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 409 Whitehaven Ave. PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 19, PART 6, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID BUILDING BEING THE PROPERTY OF Edna V. Johnson RESIDING AT P.O. Box 668442, Charlotte, N. C. 28266

WHEREAS, the dwelling located at 409 Whitehaven Ave. in the City of Charlotte has been found by the Director of the Community Development Department to be unfit for human habitation and the owners thereof have been ordered to demolish and remove said dwelling, all pursuant to the Housing Code of the City of Charlotte and Article 19, Part 6, Chapter 160A of the General Statutes of North Carolina, and

WHEREAS, said owners have failed to comply with said order served by registered mail on the 1/7/87 and 1/29/87 :
NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte North Carolina, that the Director of the Community Development Department is hereby ordered to cause the demolition and removal of the dwelling located at 409 Whitehaven Ave. in the City of Charlotte in accordance with the Housing Code of the City of Charlotte and Article 19, Part 6, Chapter 160A of the General Statutes of North Carolina.

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 9th day of May, 1988, the reference having been made in Minute Book 90, and is recorded in full in Ordinance Book 37, at Page 51.

Pat Sharkey
City Clerk