

Chapter 13.07.
STORM AND SANITARY SEWER REGULATIONS

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13.07.010 Purpose.

It is determined and declared to be necessary for the protection of the public health, safety and welfare to regulate the type and amount of discharge permitted into the sanitary sewer system of the city and to require necessary facilities for obtaining sewage samples. (Ord. S-39108, 1979).

13.07.020 Definitions.

The following definitions shall apply to this chapter:

1. "BOD" (denoting biochemical oxygen demand) means the quantity of oxygen utilized in the bio-chemical oxidation of organic matter under standard laboratory procedure in five days at 20 degrees C, expressed in milligrams per liter.
2. "Building drain" means that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of a building and conveys it to the building sewer, the building sewer beginning outside the outer wall of the building.
3. "Contributor" means any person, firm or corporation, except a major industrial user, as defined in subsection-8 of this section, owning, and includes the occupants of, any lot, parcel of real estate or buildings where liquid or solid waste, sewage, or industrial waste is produced which is discharged in the sewer system of the city.
4. "Director" means the environmental services director of the city, or his authorized representative.
5. "Garbage" means solid wastes from the domestic and commercial preparation, cooking and dispensing of food, and from the handling, storage and sale of produce.

6. "Industrial wastes" means the liquid or other waste material entering the sanitary sewage system resulting from any commercial, manufacturing or industrial operations or processes.

7. "Interference" means an inhibition or disruption of the city treatment works, its treatment processes or operations, or its sludge processes, use or disposal which is a cause of or significantly contributes to either a violation of any requirement of the city treatment work's NPDES permit (including an increase in the magnitude or duration of a violation) or to the prevention of sewage sludge use or disposal by the city treatment works in accordance with the following statutory provisions and regulations or permits issued thereunder (or more stringent state or local regulations): Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (including Title II more commonly referred to as the Resource Conservation and Recovery Act (RCRA) and including state regulations contained in any state sludge management plan prepared pursuant to Subtitle D of the SWDA), the Clean Air Act, and the Toxic Substances Control Act. An industrial user significantly contributes to such a permit violation or prevention of sludge use or disposal in accordance with above-cited authorities whenever such user:

a. Discharges a daily pollutant loading in excess of that allowed by contract with the city or by federal, state or local law;

b. Discharges wastewater which substantially differs in nature or constituents from the user's average discharge; or

c. Knows or has reason to know that its discharge, alone or in conjunction with discharges from other sources, would result in a city treatment works' permit violation or prevent sewage sludge use or disposal in accordance with the above-cited authorities as they apply to the city's selected method of sludge management.

8. "Major industrial user" means any person, firm or corporation owning, and includes the occupants of, any lot, parcel of real estate or buildings where waste is produced which is discharged into the sewer system of the city and which:

a. Has an industrial waste discharge of twenty-five thousand gallons of equivalent normal-strength domestic sewage or more per day; or

b. Has an industrial waste discharge greater than five percent of the flow carried by the municipal system receiving the waste; or

c. Has in its waste, a toxic pollutant in amounts as defined in standards issued under Section 307 (b) and (c) of the Federal Water Pollution Control Act Amendments of 1972; or

d. Is found by the city to have significant impact, either singly or in combination with other contributing industries, or their treatment works or upon the quality of effluent from that treatment works; or

e. Is listed in the applicable Industrial Cost Recovery Standard Industrial Classification.

Major industrial users shall provide a sampling station and shall be monitored as required so as to properly calculate appropriate user charges.

9. "Natural outlet" means any outlet into a watercourse, pond, ditch, lake or other body of surface or groundwater.

10. "Pass through" means the discharge of pollutants through the city treatment works into navigable waters in quantities or concentrations which are a cause of or significantly contribute to a violation of any requirement of the city's NPDES permit (including an increase in the magnitude or duration of a violation). An industrial user significantly contributes to such permit violation where it:

a. Discharges a daily pollutant loading in excess of that allowed by contract with the city or by federal, state or local law;

b. Discharges wastewater which substantially differs in nature and constituents from the user's average discharge;

c. Knows or has reason to know that its discharge, alone or in conjunction with discharges from other sources, would result in a permit violation; or

d. Knows or has reason to know that the city treatment works is, for any reason, violating its final effluent limitations in its permit and that such industrial user's discharge either alone or in conjunction with discharges from other sources, increases the magnitude or duration of the city treatment works' violations.

11. "Person" means contributors and major industrial users.

12. "pH" means the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

13. "Properly shredded garbage" means the wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half inch (1.27 centimeters) in any dimension.

14. "Private sewer" means a sewer which is controlled by the property owner.

15. "Property" means any piece or portion of real estate, including all buildings and structures located thereon, having a sewer or drainage system which immediately or remotely discharge into a public sewer, natural outlet or both.

16. "Public sewer" means a sewer which is controlled by public authority.

17. "Sanitary sewage" means the waste from water closets, urinals, lavatories, sinks, bathtubs, household laundries, cellar floor drains, garage floor drains, bars, soda fountains, refrigerator drains, drinking fountains, swimming pools, stable floor drains and all other liquids not classified as industrial wastes that enter the sanitary sewer systems.

18. "Sanitary sewer" means a public or private sewer which carries sewage and to which storm, surface and ground waters are not intentionally admitted.

19. "Sewage" means a combination of the water-carried wastes from property, together with such ground, surface and storm waters as may be present.

20. "Sewer" means a pipe or conduit for carrying sewage.

21. "Sewer user charge" means any and all rates, charges, fees or rentals levied against and payable by contributors and major industrial users.

22. "Shall" is mandatory. "May" is permissive.

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

24. "Storm sewer" means a public or private sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.

25. "Suspended solids" means solids that either float on the surface of, or are in suspension in, water, sewage or other liquid, and which are removable by laboratory filtering.

26. "Significant Noncompliance" means industrial user violations which meet one or more of the following criteria:

a. Violations of wastewater discharge limits.

(1) Chronic Violations. 66% or more of the measurements exceed the same daily maximum limit or the same average limit in a six month period.

(2) Technical Review Criteria (TRC) Violations. 33% or more of the measurements equal or exceed the same daily maximum limit or the same average limit by more than the TRC in a six month period.

There are two groups of TRCs:

Group 1 - BOD, Suspended Solids, Fats, Oil, and grease, TRC = 1.4.

Group 2 - for all other pollutants, TRC = 1.2.

(3) Any permit violation, average or daily, that the control authority determines has caused, alone or in combination with other discharges, interference or pass through, which endangers the health of the sewage treatment personnel or the public, or impairs the efficient operation of the City's Wastewater Treatment Plant.

(4) Any discharge of a pollutant that has caused imminent endangerment to human health/welfare or to the environment or has resulted in the POTW's exercise of its emergency authority to halt or prevent such a discharge.

(5) Any violation which remains uncorrected forty-five days after notification of noncompliance.

(6) Any violation which is part of a pattern of noncompliance over a twelve month period.

b. Violations of compliance schedule milestones, contained in the local control mechanism or enforcement order, for starting construction, completing construction, and attaining final compliance by 90 days or more after the scheduled date.

c. Failure to provide reports for compliance schedules, self-monitoring data or categorical standards (base line monitoring reports, 90-day compliance reports, and periodic reports) within 30 days from the due date.

d. Failure to accurately report noncompliance.

e. Failure to notify the director of planned reduction in flow which produces an inadequate sample for pollutant analysis.

f. Any noncompliance as defined at 40 CFR 403.8(f)(2)(vii).

g. Any other violation or group of violations that the control authority determines to be significant.

27. "Direct Discharge Industry" means industries that discharge directly to the headworks of the City's wastewater treatment plant and therefore do not utilize any of the lift stations and interceptor sewers and maintained by the City. (Ord. 2006-0835, 2000-9673; 98/U-6424; 90/T-9020; 83/T-2039)

13.07.030 Uniform plumbing code reference.

The city has, pursuant to Chapter 20.14 of this code, adopted the Uniform Plumbing Code to govern the construction of utility systems on private property. The city has also adopted Standard Specifications for the Construction of Sanitary and Storm Sewers which has been approved by and are on file with the Iowa Department of Natural Resources. All construction of private sewer facilities and sewer facilities located in public right-of-way shall be in accordance with these specifications, which by this reference are made a part hereof as though fully set forth herein. Before using any type of plastic pipe it shall be the responsibility of the consumer or installer to verify the absence of any contaminated soil which may negate the option of PVC or polyethylene pipe. If specified levels of contamination are discovered, the use of PVC or polyethylene pipe is prohibited. Information on contamination levels at which PVC or polyethylene pipe use is prohibited is available through the city engineering department. (Ord. 2006-0835, 99-8054; S-39108, 1979)

13.07.035 Low pressure sewage systems.

The following regulations apply to premises with low pressure sewage pumps connected to low pressure sewage collection systems within the city:

1. No low pressure sewage system shall connect to a city sewer without obtaining a special permit from the City. No permit shall be issued for a low pressure sewage system until the owner of the property to be served has given to the city an easement to permit pump replacement as hereinafter provided.
2. All low pressure sewage systems must comply with specifications prepared and approved by the city engineer
3. Installation of the necessary pipes and pump and maintenance of the low pressure sewage system is the responsibility of the property owner except at hereinafter provided.
4. In addition to the regular fees for the treatment of sewage, a low pressure sewage system owner shall pay a pump maintenance fee of five dollars per month. Payment of the fee shall entitle the owner to removal of a malfunctioning pump and installation of a new or refurbished pump by the city at no additional expense. (Ord. 2007-0319)

13.07.040 Discharge of untreated sewage - Unlawful.

It is unlawful to discharge into any storm sewer or natural outlet within the city or in any area under the jurisdiction of the city, any sewage, industrial wastes or other polluted waters, except where suitable treatment has been provided in accordance with provisions of this chapter. (Ord. S-39108, 1979).

13.07.050 Discharges into sanitary sewers - Types not permitted.

No person shall discharge or cause to be discharged any stormwater, groundwater, roof runoff, subsurface drainage, including interior and exterior foundation drains, uncontaminated cooling water, or unpolluted industrial process waters into any sanitary sewers. (Ord. S-39108, 1979).

13.07.060 Discharge of stormwater and other unpolluted waters.

Stormwater and all other unpolluted drainage shall be discharged into storm sewers, or into a natural outlet approved by the director. industrial cooling water or unpolluted process waters may be discharged into a storm sewer or natural outlet; such discharges must have a discharge permit issued by the Environmental Protection Agency or the Iowa State Department of Environmental Quality. (Ord. S-39108, 1979).

13.07.070 Discharges into public sewers - Types not permitted.

No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer:

1. Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas;
2. Any waters or wastes containing toxic or poisonous solids, liquids or gases in sufficient quantity to either singly or by interaction with other wastes, injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance or create a hazard in the receiving waters of the sewage treatment plant, including, but not limited to, cyanides in excess of two mg/1 as CN in the wastes as discharged into the public sewer;
3. Any discharge prohibited by 40 CFR Section 403.5;

4. Any discharge prohibited by 40 CFR Section 403.6;
5. Any combination of discharges that cause a treatment plant to exceed its influent capacity as listed in Section 8 of the city of Sioux City's 1983 Pretreatment Program. (Ord. 83/T-2039; S-39108, 1979).

13.07.080 Connections to sanitary sewers - Types not permitted.

No person shall make connection of roof downspouts, interior and exterior foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which, in turn, is connected directly or indirectly to a public sanitary sewer. (Ord. S-39108, 1979).

13.07.090 Sanitary sewer service connections.

Whenever possible, the building sewer shall be brought into the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged into the building sewer. (Ord. S-39108, 1979).

13.07.100 Discharges into public sewers - Types permitted at discretion of director.

No person shall discharge or cause to be discharged to any public sewer the following described substances, materials, waters or wastes without the expressed written permission from the director. The director may give his permission if he finds such wastes will not harm the public sewers, sewage treatment process, or equipment, have an adverse effect on the receiving stream, or will not otherwise endanger life, limb, public property or constitute a nuisance. In forming his opinion as to the acceptability of these wastes, the director will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant, and other pertinent factors. The substances prohibited are:

1. Any liquid or vapor having a temperature higher than one hundred fifty degrees Fahrenheit or sixty-five degrees Centigrade;
2. Any water or waste containing fats, wax, grease or oils, whether emulsified or not, in excess of one hundred mg/1 or containing substances which may solidify or become viscous at temperatures between thirty-two degrees and one hundred fifty degrees Fahrenheit or zero degrees and sixty-five degrees Centigrade;
3. Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths horsepower (0.76 hp metric) or greater shall be subject to the review and approval of the director;
4. Any waters or wastes containing strong acid iron pickling wastes or concentrated plating solutions;
5. Any waters or wastes containing iron, chromium, copper, zinc and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the director for such materials;
6. Any waters or wastes containing penults or other taste or odor producing substances, in such concentrations exceeding limits which may be established by the director as necessary, after treatment of the composite sewage to meet the requirements of the state, federal or other public agencies of jurisdiction for such discharge to the receiving waters;
7. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the director in compliance with the applicable state or federal regulations;
8. Any waters or wastes having a pH in excess of 9.5;
9. Materials which exert or cause:
 - a. Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions),
 - b. Unusual chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works,
 - c. Unusual concentration of wastes constituting slugs;
10. Any waters or wastes having: (A) a five-day biochemical oxygen demand greater than three hundred parts per million by weight; or (B) containing more than three hundred fifty parts per million by weight of suspended solids, or (C) having an average daily flow greater than two percent of the average sewage flow of the city;
11. Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed, or are amendable to treatment only to such degree that the sewage treatment plant

effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

12. Any waters or wastes containing dissolved sulfides in excess of 0.5 mg/L.

13. Septic tank waste from a truck or tank or bulk holding device by whatever description. (Ord. 90/T-9329; 88/T-6121; S-39108, 1979).

13.07.110 Prohibited discharges - Nature of directors discretion - Purview.

1. If any waters or wastes are discharged, or are proposed to be discharged into the public sewers, which waters contain the substances or possess the characteristics enumerated in Section 13.07.100, and which in the judgment of the director, may have a deleterious effect upon the sewage works, processes, equipment or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the director may:

a. Reject the wastes;

b. Require Pretreatment to an acceptable condition for discharge into the public sewers. To this end, the director may require pretreatment to (A) reduce the biochemical oxygen demand to three hundred parts per million by weight, or (B) reduce the suspended solids to three hundred fifty parts per million by weight;

c. Require control over the quantities and rates of discharge; and/or

d. Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions of this chapter.

2. If the director permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and written approval of the director and subject to the requirements of all applicable codes, ordinances and laws. The director may require a compliance schedule for the design, construction and installation of equipment for such pretreatment works. No construction shall commence on such pretreatment facilities until the written approval of the director is obtained. The costs of all pretreatment facilities shall be paid by the person contributing the wastes. (Ord. 83/T-2039; S-39108, 1979).

13.07.120 Sampling stations - When required - Installation and maintenance.

The owner of any property serviced by a building sewer carrying industrial waste shall, at the request of the director, install a suitable sampling station or stations upon each and every building sewer or combine the building sewers into one common building sewer upon which one sampling station shall be placed. The sampling station or stations shall be furnished with such necessary meters and other appurtenances in the building sewer or sewers to facilitate observation, sampling and measurement of the wastes. Such sampling station or stations shall be accessible and safely located, and shall be constructed in accordance with plans approved by the director. The sampling station or stations shall be installed and maintained by the owner at the owner's expense and shall be maintained so as to be safe, accessible and in good working order at all times. Said stations shall be secure with access limited to City and other authorized industrial personnel only. (Ord. 90/T-9020)

13.07.130 Sampling of waters and wastes - Method.

All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in this chapter shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater," published by the American Public Health Association, and shall be determined at the sampling station provided, or upon suitable samples taken at the sampling station. In the event that no special sampling station has been required, the sampling station shall be considered to be the nearest downstream manhole in the sewer from the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb and property. (The particular analysis involved will determine whether a twenty-four hour composite of all outfalls of a premises is appropriate or whether a grab sample or samples should be taken.

Normally, but not always, BOD and suspended solids analyses are obtained from twenty-four-hour composites of all outfalls whereas pH's are determined from periodic grab samples.) (Ord. S-39108, 1979).

13.07.140 Permit required.

1. No major industrial user shall discharge or cause to be discharged to any public sewer any industrial wastes without a valid permit from the director. When the director has reason to believe that a contributor has been discharging, is discharging or is about to discharge any industrial wastes into a public sewer and that a permit should be required of the contributor to effectuate the requirements of this chapter, he shall request such contributor to file

an application for such a permit, which application shall be completed and returned to the director within thirty days after the receipt thereof.

2.a. All applications for a permit under this section shall require the applicant to provide:

- (1) The name, address and telephone number of the applicant;
- (2) The location and legal description of the property to be covered by the permit;
- (3) A general statement of the type of operations conducted and to be conducted on the property;
- (4) A plat of the property showing accurately all sewers and drains;
- (5) A complete schedule of all process waters and industrial wastes produced or expected to be produced for discharge from the property, including a description of the character of each waste, the daily volume and maximum rates of discharge and representative analyses.

b. All applications shall also require the applicant to agree:

- (1) To furnish at the request of the director any additional information relating to the installation or use of the industrial sewer for which the permit is sought;
- (2) To accept and abide by all provisions of this chapter and all other pertinent ordinances and regulations which may be adopted in the future;
- (3) To operate and maintain any waste pretreatment facilities, as may be required as a condition of the acceptance into the public sewers of the industrial wastes involved, in an efficient manner at all times, and at no expense to the city;
- (4) To cooperate at all times with the director in the inspecting, sampling and study of the industrial wastes and in the inspecting of any facilities provided for pretreatment; and
- (5) To notify the director immediately in the event of any accident, negligence or other occurrence with occasions discharged into the public sewers of any wastes or process waters not covered by the permit;
- (6) To provide and submit notices and reports as required by 40 CFR Section 403.12.

3. If, after examination by the director of the information contained in an application for a permit hereunder, it is determined by the director that the characteristics of the proposed discharge do not conflict with the provisions of this chapter, a permit shall forthwith be issued allowing the discharge of such wastes to the public sewers; but, if it is determined by the director that the characteristics of the wastes are not in compliance with the provisions of this chapter, the application shall be denied by the director and the applicant forthwith advised in writing by the director of steps which must be taken to insure compliance with the provisions of this chapter. (Ord. 83/T-2039; S-39108, 1979).

13.07.150 Right of entry - Authority of director.

1.a. The director shall be permitted to enter any property other than residences, at any time, and residences at such reasonable times for the purpose of inspection, observation, set up and use of monitoring equipment, sampling, testing, or inspecting and copying records in accordance with the provisions of this chapter; provided, that:

- (1) If such property is occupied he shall first present proper credentials to the occupant and request entry, explaining his reasons therefor; and
- (2) If such property is unoccupied, he shall first make a reasonable effort to locate the owner of such property and request entry, explaining his reason therefor.

b. If such entry is refused or cannot be obtained because the owner of such property cannot be found after due diligence, the director shall have recourse to every remedy provided by law to secure lawful entry for the above stated purposes.

2. Notwithstanding the foregoing, if the director has reasonable cause to believe that waters or wastes of the types referred to in Sections 13.07.090 and 13.07.100 are being discharged from any property into a public sewer or natural outlet, and has reasonable cause to believe that such discharge is so dangerous, hazardous or unsafe as to require immediate inspection to safeguard the public health or safety, he shall have the right to immediately enter and inspect such property, and may use any reasonable means required to effect such entry and make such inspection, whether such property is occupied or unoccupied and whether or not permission to inspect has been obtained. If the property is occupied, he shall first present the proper credentials to the occupant and demand entry, explaining his reasons therefor and the purpose of his inspection. No person shall fail or refuse, after proper demand has been made upon him, as provided in this subsection, to promptly permit the director to make any inspection provided for by this subsection. Any person violating this subsection is guilty of a misdemeanor.

3. The director shall have no authority to inquire into any processes including metallurgical, chemical, oil,

refining, ceramic, paper or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment.

4. While performing the necessary work on property referred to in this section, the director shall observe all applicable safety rules established by the owner of the property. (Ord. 83/T-2039; S-39108, 1979).

13.07.160 Major industrial user - Manufacturing data furnished upon request.

Each major industrial user shall, upon request of the director, furnish the city with information regarding the number of units processed in a stated period and the number of units of finished product produced in the same period. (Ord. S-39108, 1979).

13.07.161 Repealed by 2004-0795

13.07.162 Repealed by 2004-0795

13.07.163 Repealed by 2004-0795

13.07.164 Repealed by 2004-0795

13.07.165 Repealed by 2004-0795

13.07.166 Confidential information.

Information and data on a user obtained from a report, questionnaires, permit applications, permits and monitoring programs and from inspections shall be available to the public or other governmental agency without restriction unless such availability is prohibited or prescribed by Chapter 68A of the Code of Iowa or other applicable state and federal law. To the extent that the city of Sioux City is required to maintain the confidentiality of the above records pursuant to Chapter 68A of the Code of Iowa, other applicable state or federal law, such information and data on a user will be permitted to be available to the public or a government agency only upon compliance with the terms and conditions of such applicable state and federal laws. (Ord. 83/T-1464).

13.07.170 Enforcement actions.

1. General. It shall be the duty of the director to enforce the provisions of this chapter.

2. Notice of Violation. Whenever the director finds that any person has violated or is violating the provisions of this chapter, or a permit or order issued hereunder, the director may serve upon said person written notice of the violation and the director may designate a compliance schedule for corrections of the violation, which will become an addendum to the user's permit. Within ten (10) days of service of this notice, an explanation of the violation and a plan for the satisfactory correction of the violation and prevention of future similar violations, including specific required actions and specific compliance schedules, shall be submitted in writing to the director. Submission of this plan in no way relieves the person of liability for any violations occurring before or after receipt of the notice.

3. Civil Actions. In case any person violates or has violated any provision of this chapter, the City in addition to other remedies may institute appropriate actions for legal or equitable relief.

a. Injunctive Relief. In case any person has violated or is violating the provisions of this chapter, the director may petition the court for the issuance of a preliminary or permanent injunction or both which restrains or compels the activities on the part of the person. The director shall have such remedies to collect all associated fees as are available to collect other sewer service charges.

b. Penalties. Any person who has violated or is violating the provisions of this chapter, shall be guilty of a municipal infraction and shall be subject to a fine not to exceed one thousand dollars per violation per day for the duration of the violation.

c. Consent Orders. The director is empowered to enter into consent orders, assurance of voluntary compliance, or other documents establishing an agreement with the person or persons responsible for the violation. Such orders shall include specific action to be taken by the person to correct the violation within a time period specified by the order. Consent orders shall have the same force and effect as the other provisions of this chapter and shall be considered an addendum to the user permit.

4. Criminal Actions. Any person who willfully or negligently violates any provision of this chapter, or who knowingly makes any false statements, representations, or certifications in any application, record, report, plan, or other document filed or required to be maintained pursuant to this chapter, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required pursuant to this chapter shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not more than \$100 per violation per day or imprisoned in the county jail for a period not to exceed thirty (30) days. Each separate provision of this chapter violated shall constitute a separate offense.

5. Nuisance Abatement. Any construction or unlawful discharge of sanitary sewage or industrial waste into a public sewer in violation of any of the provisions of this chapter or the requirements thereof, is declared to be a common nuisance and such common nuisance may be abated in such manner as nuisances are now or may hereafter be abated under existing law. (Ord. 90/T-9020)