

CHAPTER 16

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ARTICLE 1

MUNICIPAL UTILITY SYSTEMS

- § 16-101 Municipal utility systems.
- § 16-102 Use of water, sewer and solid waste systems.
- § 16-103 Operation of municipal utility systems.

§ 16-101 MUNICIPAL UTILITY SYSTEMS.

1. The city of Blanchard, Oklahoma, provides water, sewer and solid waste services for the residents of said municipality.

2. Water, sewer and solid waste services are operated through the Blanchard Municipal Improvement Authority (BMIA), a municipal trust of which said city is the beneficiary; said trust shall have control over the operation, maintenance and administration of said municipal systems and services.

§ 16-102 USE OF WATER, SEWER AND SOLID WASTE SYSTEMS.

Every residential inhabitant within the corporate limits of the city of Blanchard, Oklahoma, and every commercial or business entity or enterprise who may practically do so, shall secure all of its potable water requirements from the water system owned by said city and leased to the Blanchard Municipal Improvement Authority, connect to the sanitary sewer system owned by said city and leased to said authority, and not otherwise dispose of sewage, unless it is impossible or not feasible to do so, and utilize and pay for the solid waste collection and disposal system, unless it is inconsistent to do so in accordance with the policies of said authority and other applicable requirements of this code of ordinances.

§ 16-103 OPERATION OF MUNICIPAL UTILITY SYSTEMS.

1. The operations of the municipal water, sewer and solid waste systems shall be the responsibility of the Blanchard Municipal Improvement Authority; said authority shall have the power to establish fees, rates, deposits, charges and such other rules and regulations as may be necessary for the efficient operation of these systems.

2. In order to ensure the effective use of municipal enforcement mechanisms in the operations of the water, sewer and solid waste systems by said authority, the city council may, by ordinance, enable and/or ratify the actions of said authority, to include fees, rates and other operational policies.

3. Administrative processes for all municipal systems may be combined for more efficient operation, at the discretion of the city council and the Blanchard Municipal Improvement Authority board.

4. Municipal ordinances relating to these municipal utility systems shall be applicable, whenever possible, to all utility systems, including those operated by the Blanchard Municipal Improvement Authority.

ARTICLE 2

MUNICIPAL WATER SYSTEM

- § 16-201 Water connections.
- § 16-202 Mandatory use of municipal water system. (Ord. No. 1989-02)
- § 16-203 Tampering with or injuring municipal water system.
- § 16-204 Water rates, fees and charges.
- § 16-205 Unlawful to furnish additional families or premises.
- § 16-206 Separate service connections may be required.
- § 16-207 Restrictions on use of water.
- § 16-208 Right reserved to shut off water.
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- § 16-210 Meters; installation; ownership; testing.
- § 16-211 City may require security.
- § 16-212 Inspection; access.
- § 16-213 Reservoir protected.

§ 16-201 WATER CONNECTIONS.

It shall be unlawful for any person, firm or corporation to make a connection to the municipal water system without first complying with all applicable provisions of this code of ordinances and all requirements of the Blanchard Municipal Improvement Authority.

§ 16-202 MANDATORY USE OF MUNICIPAL WATER SYSTEM.

1. The owners of all houses, buildings or properties used for human occupancy, employment, education, recreating or other purposes, situated within the city of Blanchard, Oklahoma, and abutting on any street, alley or right of way in which there is now located, or may in the future be located, a municipal water line, are hereby required, at their expense, to connect their facility with the property municipal water line (in accordance with all municipal requirements) and pay all municipal fees and use charges therefore, within one hundred and twenty (120) days after the date of official municipal notice to do so; provided, that, the municipal water line is within three-hundred (300) feet of the property line.

2. It shall be hereinafter unlawful for any person to maintain or establish a private water well to serve a facility, unless he shall first be connected to the municipal water system and pay the monthly water fees and charges; provided, that, he meets all the requirements for mandatory hook-up established in sub§ 1 (above).

3. No unauthorized person shall make any connections with any municipal water line without first having made application to the city clerk, and without first having paid the established fee. Said application shall include his or her name, description of lot, block and addition, the official number of the house on the premises in which water is desired, and shall state fully all the purposes for which the water is to be used, the number of families to be supplied and the number of meters to be installed. At the time of filing such application, the applicant shall pay to the city clerk, and take receipt therefor, the fee for the tap fee for the installation of water service as follows:

a. ¾ inch water tap:

Meter fee	\$ 170.00
Inspection fee	\$ 50.00
Installation fee	\$ 180.00
Mileage fee for locations Out of city limits (if applicable)	\$ 100.00

b. 1 inch water tap:

Meter fee	\$ 290.00
Inspection fee	\$ 50.00
Installation fee	\$ 180.00
Mileage fee for locations Out of city limits (if applicable)	\$ 100.00

In the event that the municipality is unable to install the meter within three (3) weeks of the acceptance of the application and fees, the applicant may schedule installation through a licensed, bonded plumbing contractor. In such case, the municipality will make the inspection, and refund the installation fee.

c. Fees for all other size water taps shall be assessed by the city manager, subject to engineering fees, fees of the Department of Environmental Quality of the state of Oklahoma, actual costs of installation, and all other fees and expenses involved in making the tap.

4. Where a municipal water line does not lie within three-hundred (300) feet of the property line, or is not scheduled to be placed within three-hundred (300) feet of the property line in the near future (1-5 years), an individual may utilize or establish a private water well without connection to the municipal water system and, therefore, without payment of the municipal water system fees and charges.

5. The requirements of this section shall not apply to persons currently being served directly by an existing rural water district.

6. Except for replacement taps, any person requesting municipal water service from the city of Blanchard or any trust which has as its sole beneficiary, the city of Blanchard, shall pay, at the time of such request, in addition to all other fees, a water utility initiation fee for municipal water service in the amount of six-hundred dollars (\$600.00). Said fee shall be payable to the Blanchard Municipal Improvement Authority and shall be collected on behalf of the Blanchard Municipal Improvement Authority for capital improvement use unless such fee is collected on behalf of a third party who is entitled to recoupment pursuant to the ordinances of the city of Blanchard and/or an agreement between the third party and the Blanchard Municipal Improvement Authority." [Ord. No. 1989-02, 8/8/89; Ord. 1993-04; 8/10/93; Ord. No. 1997-01, 4/8/97; Ord. No. 2004-03, 2/10/04]

§ 16-203 TAMPERING WITH OR INJURING MUNICIPAL WATER SYSTEM.

It shall be unlawful for any person to injure or deface, or in any way tamper with, any portion of the municipal water system, or to turn the water off or on from any main at any time or place, unless he is duly authorized so to do by the Blanchard Municipal Improvement Authority.

§ 16-204 WATER RATES, FEES AND CHARGES.

1. RATES:

- a. The governing body of the Blanchard Municipal Improvement Authority shall have the power to establish and adjust resident water rates and other fees, including deposits, by resolution, for connections to and use of the municipal water system.
- b. The governing body of the Blanchard Municipal Improvement Authority shall have the power to establish and adjust non-resident water rates and other fees, including deposits, by resolution, for connections to and use of the municipal water system.
- c. *Heavy seasonal customer rate.* Delivery of water to heavy seasonal customers shall be pursuant to a written contract establishing a

monthly minimum number of gallons that the customer must purchase each month. The charge for the monthly minimum amount of water contracted for shall be based upon the resident or non-resident rate depending upon whether the water is metered at a point inside or outside the municipal limits of the city of Blanchard. In any month that the heavy seasonal customer uses more than two-hundred percent (200%) of the monthly minimum number of gallons contracted for, the rate for all water taken in excess of two-hundred percent (200%) of the monthly minimum amount of water contracted for by the heavy seasonal customer shall be one and one-half (1½) times the regular rate. For purposes of this section, the term heavy seasonal customer is defined as a customer whose water usage may fluctuate based upon seasonal considerations and who uses more than four-hundred thousand (400,000) gallons of water in any month. The written contract shall provide for adequate deposits or sureties in a minimum amount equivalent to two (2) billing cycles and may provide for prepayment of anticipated water usage and meter readings and billing cycles more frequently than monthly.

- d. *Wholesale municipal customer rate.* Delivery of wholesale water to municipal customers shall be pursuant to a written contract establishing a monthly minimum number of gallons that the municipal customer must purchase each month. The charge for the monthly minimum amount of water contracted for shall be based upon the Resident rate. In any month that the municipal customer uses more than two-hundred percent (200%) of the monthly minimum number of gallons contracted for, the rate for all water taken in excess of two-hundred percent (200%) of the monthly minimum amount of water contracted for by the municipal customer shall be one and one-half (1½) times the regular rate. For purposes of this section, the term municipal customer is defined as a customer who owns and operates a public water supply and uses water purchased from the city of Blanchard as its sole supplier or as a supplemental supplier. The written contract shall provide for adequate deposits or sureties in a minimum amount equivalent to two (2) billing cycles and may provide for prepayment of anticipated water usage and meter readings and billing cycles more frequently than monthly.
- e. *Easement Donors.* Non-resident customers of the Blanchard Municipal Improvement Authority who donated easement and right of way to the city of Blanchard and the Blanchard Municipal Improvement Authority in conjunction with the 1996/1997 water system expansion project in return for resident rates are entitled to avail themselves of resident rates set forth above, provided that those non-resident customers who qualify for the resident rates shall receive said rate only

for those water taps and meters established pursuant to the written contract between the non-resident property owner and the Blanchard Municipal Improvement Authority executed in conjunction with the 1996/1997 water system expansion project. All additional taps and meters wherever located shall be subject to the non-resident rate schedule so long as the property upon which the meter is located is not within the corporate limits of the city of Blanchard.

2. Non-resident customers who qualify for the water service pursuant to the schedule provided in subparagraph 1(A) of this section shall receive said rate only for those water taps and meters established pursuant to the written contract between the non-resident property owner and the Blanchard Municipal Improvement Authority executed in conjunction with the 1996/1997 water system expansion project. All additional taps and meters wherever located shall be subject to the non-resident rate schedule so long as the property upon which the meter is located is not within the Municipal limits of the city of Blanchard.

3. Deposits for water meters/service shall be:

- a. Residential service (except rentals) \$30.00
- b. Rental residential service \$75.00
- c. Commercial service (except "D", "E" and "F" below)
 \$50.00
- d. Commercial service (users of 30,000 to 50,000 gallons of water a
month) \$100.00
- e. Commercial service (users of over 50,000 gallons of water a month
two times anticipated monthly usage
- f. Restaurants & multi-family residential service.
 \$100.00
- g. Single family residential deposits may be waived by the city clerk
upon request of the new customer when the city is provided a written
guaranty from an existing home owning customer of the Blanchard
Municipal Improvement Authority with a good payment history.
- h. At the option of the City Clerk, paragraphs A through G above may
require a supplementary service agreement providing for additional
deposits or letters of credit.

4. Water service payments shall be due on the 1st of the month following billing; notices shall be sent and service disconnected if overdue

amounts are not paid by the 15th of the month in which they become due. A fee of twenty-five dollars (\$25.00) will be charged for re-connections. Whenever the owner or occupant of any premises connected with the municipal water system desires to discontinue the use of water, he shall notify the city clerk-treasurer in writing, and thereupon the city clerk-treasurer shall arrange to disconnect the premises concerning which notice of discontinuance has been given. Any person desiring to transfer water service from the city, from his present location to another location within the city, shall be required to pay to the city five dollars (\$5.00) for the transfer. Should service be disconnected by reason of failure to pay a water bill or bills, the city shall receive a twenty-five dollar (\$25.00) fee for making a re-connection. It shall be unlawful for any owner of the premises connected with the municipal water system to disconnect the water on said premises unless he shall have first filed a written request that the service of water to said premises be discontinued, and shall pay all arrearages on water rates on said premises. When the water has been shut off from any premises upon application of the owner or occupant of the premises, for nonpayment of water charges or for any other cause, it shall be unlawful for any person to again connect such premises with water, except upon application to, and by authority of, the authorized municipal and/or authority representative. All water rates will be charged against the premises for which the service is installed. All charges for water, when the same becomes delinquent and unpaid, shall be a lien against the premises to which the same has been furnished. In case any charge shall become a lien against any premises, the water shall be cut off until such charges are paid. All accounts for water shall be kept against the number of the premises and the property described for which the service was installed; provided, that, any tenant and any person holding property under lease may be supplied with water on their own account when proper application is made, and in such cases, the city shall require such deposit of money with the city clerk-treasurer as shall be necessary to protect the city against any and all delinquent or unpaid charges for water or for other charges on account of such service. All water for building or construction purposes shall be charged against the property upon which it is used and the owner thereof, and all delinquent and unpaid charges therefor shall become a lien upon the premises supplied and be collected in the manner as other delinquent and unpaid charges for water. [Ord. 1993-04; 8/10/93; Ord. No. 1996-01, 12/10/97; Ord. No. 2000-10, 6/20/00; Ord. No. 2004-04, 2/10/04; Ord. No. 2006-27, 9/12/06; Ord. No. 2006-31, 10/10/06; 2008-04, 5/27/08; Ord. No. 2011-04, 12/13/11]

§ 16-205 UNLAWFUL TO FURNISH ADDITIONAL FAMILIES OR PREMISES.

It shall be unlawful for any person whose premises are supplied with water to install additional fixtures on said premises, or to apply the water to purposes other than those for which the original application was made, or to furnish water to additional families or premises unless he shall first make application and receive permission in the same manner as provided for on original application.

§ 16-206 SEPARATE SERVICE CONNECTIONS MAY BE REQUIRED.

When separate houses, buildings or premises are supplied with water through one service connection with the city mains, the city may decline to furnish water until separate services are provided or the service is metered; in case any one of the owners or occupants become delinquent and violates any of the provisions of this article, the city shall shut off the original or main service until all charges are paid. All provisions of this article shall be enforced and the premises supplied by the main service shall be held responsible for all delinquent charges and all violations of the requirements of this article against anyone or all of the separate owners or users. No change of ownership shall affect the application of this section.

§ 16-207 RESTRICTIONS ON USE OF WATER.

Whenever, in the discretion of the city and/or the authority, it is necessary to conserve the water supply, the use of water for sprinkling or irrigating lawns, gardens, flowerbeds, plants, trees, shrubs or parking strips, or for hosing windows, woodwork, porches, steps or walks may be restricted to certain designated hours, to be set out in a published notice, or may be prohibited entirely; provided, that, such notice, prescribing hours within which the water may be used for the purposes aforesaid may be had or for prohibiting the use of water as aforesaid shall be given by publishing notice thereof in at least one issue of any newspaper published within the city of Blanchard, Oklahoma, at least twenty-four (24) hours before the time of taking effect of said order.

§ 16-208 RIGHT RESERVED TO SHUT OFF WATER.

The city and/or the authority reserve the right, at all times, without notice, to shut off the municipal water system for repairs, extensions, nonpayment of rates, or any other reason; the city shall not be responsible for any stoppages or interruptions of water supply or for any other damage resulting from the shutting off of water.

§ 16-209 WASTE OF WATER PROHIBITED.

It shall be unlawful for any person to waste water, or allow it to be wasted, from imperfect or leaking stops, valves, pipes, closets, faucets or other fixtures, or to use water closets without self-closing valves, or to use the water for purposes other than those named in the original application upon which water rates are based, or to use it in violation of any provision of this article.

§ 16-210 METERS; INSTALLATION; OWNERSHIP; TESTING.

1. The city and the authority are hereby authorized and directed to install a meter on the service of every person using municipal water.

2. The city will keep in good repair, at its own expense, all water meters of its own installation, except where meters have been damaged by carelessness or wrong-doing of the user, when the same shall be repaired and charged against said consumer.

3. Any person receiving water through a meter supplied by the city, who desires to have the accuracy of the same tested, may do so by making a deposit of ten dollars (\$10.00) with the city clerk-treasurer. The utilities superintendent will bring the meter in for testing and if, after proper test, it is found to be incorrect more than two percent (2%) in favor of the city, the deposit of ten dollars (\$10.00) will be returned to the consumer and correction made only for that month for which the bill was rendered. If however, the meter is found to be correct, then the deposit shall become the property of the City and paid to the credit of the water fund. In case of a meter failing to register, the monthly water charges due the city shall be determined by an average of the three (3) previous months that the meter registered. In all cases where the consumer's piping or plumbing is divided, necessitating the use of two (2) meters, each meter shall be handled and regarded as for separate and distinct consumers, to each of which will apply the regular water rates and minimum charges until such plumbing or piping is so arranged as to permit the use of one meter. Under no circumstances shall this consumption, shown by two (2) or more meters in use by the same consumer, be added or "lumped" in order to reduce the net sum due the city.

§ 16-211 CITY MAY REQUIRE SECURITY.

The office of the city clerk-treasurer may require payment in advance or satisfactory security for water furnished to any person or premises; if such payment be not made or security furnished, the city may refuse service and the water shall be shut off from the premises.

§ 16-212 INSPECTION; ACCESS.

1. Inspectors, foremen and employees of the city and the authority whose duty it is to enter upon private premises to make inspections of the water lines or to read meters will be provided with a badge or other proper credentials to identify them as authorized agents of the water department.

2. Any authorized employee of the city shall, upon presentation of these credentials, have free access at all reasonable hours to any premises supplied with city water for the purpose of making inspections of the water supply upon said premises.

§ 16-213 RESERVOIR PROTECTED.

It shall be unlawful for any person to bathe in, or to throw any substance into any reservoir, or place any foreign substance upon any grounds belonging to, connected with, or under the control of, the city of Blanchard, Oklahoma. In order to protect the health and welfare of the citizens of the city of Blanchard, Oklahoma, from and after the effective date of this code of ordinances, the quantity of fluoride in the public water supply shall be controlled in such a manner that the amount present in the water served to the public shall be in conformity with the policy, and subsequent changes thereto, established by the Oklahoma State Department of Health.

ARTICLE 3

MUNICIPAL SEWER SYSTEM

- § 16-301 Use of municipal sewer system; sewer taps.
- § 16-302 Mandatory sewer connections.
- § 16-303 Private sewage disposal facilities.
- § 16-304 Sewer user charge.
- § 16-305 Collection and disposition of funds.
- § 16-306 Installation of backflow prevention devices.

§ 16-301 USE OF MUNICIPAL SEWER SYSTEM; SEWER TAPS.

1. It shall be unlawful for any person, firm or corporation to make any connection to the municipal sewer system without first complying with all applicable provisions of this code of ordinances and all requirements of the Blanchard Municipal Improvement Authority.

2. It shall be unlawful to allow any surface water to overflow from any cistern, reservoir or receptacle to any connection of the municipal sewer system of the city of Blanchard, Oklahoma.

3. It shall be an offense for any person to throw or place any can, metallic substance or other solid material or trash into any sewer, manhole or catch basin.

4. All taps made to the municipal sewer system shall be done by the utilities superintendent. No other person shall be authorized to make such a tap except in the event of the indisposition of said superintendent. In the event of the indisposition of the superintendent, he may give written authorization to a recognized plumber to make such a tap.

5. Before any tap to the municipal sewer system shall be made, any person or company desiring said tap shall make a written application to the city

clerk-treasurer for a permit to be issued by said city clerk-treasurer for such a tap. Said permit shall cost twenty-five dollars (\$25.00) to cover the cost of authorizing said tap to the municipal sewer system.

6. Except for replacement taps, any person requesting municipal sewer service from the city of Blanchard or any trust which has such city as its sole beneficiary shall pay at the time of such request, in addition to all other fees, a sewer utilities initiation fee for municipal service in the amount of six-hundred dollars (\$600.00). Such fee shall be payable to the Blanchard Municipal Improvement Authority for capital improvement use unless such fee is collected on behalf of a third party who is entitled to recoupment pursuant to this code and/or an agreement between the third party and the Blanchard Municipal Improvement Authority. [Ord. No. 1991, 3/12/91; Ord. No. 2004-03, 2/10/04; Ord. No. 2004-06, 4/13/06; Ord. No. 2006-24, 8/8/06]

§ 16-302 MANDATORY SEWER CONNECTIONS.

1. The owners of all houses, buildings or property used for human occupancy, employment, recreation or other purposes, situated within the corporate limits of the city of Blanchard, Oklahoma, and abutting on any street, alley or right-of-way in which there is located a public sanitary sewer of the city, are hereby required, at their own expense, to install suitable toilet facilities therein, and to have such facilities connected directly with the proper public sewer within one hundred and twenty (120) days after the date of official municipal notice to do so; provided, that, such public sewer is within three-hundred (300) feet of the property line.

2. Said notice (above) shall be served by any designated agent of the city by delivering a true and correct copy to the property owner, or leaving the same at his usual place of residence with a member of his family over the age of fifteen (15) years, or if such owner cannot be found, by posting a copy of such notice at the front entrance of the building involved.

3. Any person who shall fail, neglect or refuse to comply with the terms of this section after having been notified so to do, as provided herein, shall be guilty of an offense. In the event of a continuous violation of this section by any property owner, the city may discontinue the furnishing of water to such property owner, until such time as a proper sewer connection has been made.

§ 16-303 PRIVATE SEWAGE DISPOSAL FACILITIES.

1. Except as hereinafter provided in this section, it shall be unlawful for any person to construct or maintain any privy, privy vault, septic tank, cesspool or other facility intended to be used for the disposal of sewage, within the corporate limits of the city of Blanchard, Oklahoma.

2. Where a connection to a public sanitary sewer line is not required under the provisions of §16-41, a private septic tank or cesspool facility for sewage disposal may be constructed and maintained, provided it is constructed and maintained under the rules and regulations of the local and county health officer, and in compliance with the recommendations and requirements of the Oklahoma State Department of Health. No septic tank or cesspool shall be permitted to discharge to any public sewer or natural outlet.

3. The owners of private septic tanks or cesspools shall operate and maintain the same in a sanitary manner at all times, at no expense to the city, and no statement contained in this chapter shall be construed to interfere with any additional requirements that may be imposed by the local, county or state health offices.

4. At such times as a public sewer becomes available to a property served by a septic tank or cesspool, a direct connection shall be made to such public sewer in compliance with §16-302, and the septic tank or cesspool shall immediately be abandoned and filled with suitable material.

§ 16-304 SEWER USER CHARGE.

1. Each respective customer of the sanitary sewer system of the city of Blanchard, Oklahoma shall pay a monthly sewer user charge, as determined by this section.

2. The said sewer user charge shall be based upon the quantity of water used or consumed at the premises or facility where the customer's service is established and as said water is measured by the water meter or meters in use.

3. The governing body of the Blanchard Municipal Improvement Authority shall have the power to establish and adjust the residential sewer charges and fees, including deposits, by resolution, for connections to and use of the municipal sewer system.

4. The governing body of the Blanchard Municipal Improvement Authority shall have the power to establish and adjust the non-residential sewer charges and fees, including deposits, by resolution, for connections to and use of the municipal sewer system.

5. The city does not obligate itself to furnish municipal sanitary sewer service to the owner or occupant of any property or premises, but will furnish such service as is commercially reasonable and financially feasible and within the financial ability of the city to do so.

6. Water used from private sources shall be metered and the sewer user charge may be billed accordingly.

7. In the event a lot, parcel of land, premise or facility discharging sewage, industrial waste, water or other liquid either directly or indirectly into the municipal sewer system, or which ultimately enters said sewer system, is supplied either in whole or in part with water from wells or any other sources of supply, it shall be registered with the city water department on or before November 1, 1985. If the water from said wells or other supply is not measured by a water meter, the city may furnish, install and maintain at their expense, a meter on said supplies in such a location and in such a manner as is satisfactory to the municipal water department. These meters shall serve as a control for the establishment of the sewer service charge and shall be read monthly by the Municipal meter readers. If, in the opinion of the public works director, the installation of a meter for a residential user would be impractical, or upon request for or denial of meter placement, residential water consumption will be estimated at one-hundred (100) gallons per person, per day, per household. [Ord. No. 1993-05, 8/10/93; Ord. No. 2007-14, 10/9/07; Ord. No. 2008-03, 5/27/08; Ord. No. 2009-03, 3/24/09; Ord. No. 2011-04, 12/13/11]

§ 16-305 COLLECTION AND DISPOSITION OF FUND.

1. The fee for the use of the municipal sanitary sewer system shall be billed to each user monthly, along with the bill for water and other services, and the city is directed not to accept payment of the water bill unless such payment is accompanied by the sewer fee.

2. All monthly sewer charges for the mobile or manufactured home, or travel trailer park, shall be based on the maximum home or travel trailer capacity of the park. The park operator shall, by the 10th of each month, notify the city clerk-treasurer of the maximum number of spaces in use at any one time during the previous month. The city clerk-treasurer shall then adjust the sewer charge to the actual use of the park. If the park operator fails to notify the city clerk-treasurer of said usage level by the 10th of each month, the city clerk-treasurer shall bill on the basis of the maximum capacity of the park.

3. The funds derived from such fees shall be deposited in the appropriate Blanchard Municipal Improvement Authority (BMIA) account, to be used for the upkeep, maintenance, extension and repair of the municipal sewer system.

§ 16-306 INSTALLATION OF BACKFLOW PREVENTION DEVICES.

1. All businesses and residences are required to install a backflow prevention device to all newly constructed or replaced sanitary sewer lines connected to the city of Blanchard sewer collection system in such a manner as to prevent wastewater from being able to backup into the premises from which it originated.

2. For the purposes of this ordinance, a "backflow prevention device" shall mean a city of Blanchard approved, commercially manufactured, mechanically

engineered fitting, which shall prevent wastewater from being able to backup into the premises from which it originated. [Ord. No. 2008-02, 5/13/08]

ARTICLE 4

SOLID WASTE COLLECTION AND DISPOSAL SYSTEM

- § 16-401 Collection and disposal declared to be a municipal function.
- § 16-402 Purpose.
- § 16-403 Definitions.
- § 16-404 Accumulation a nuisance; containers.
- § 16-405 Burning of solid waste.
- § 16-406 Charges for solid waste collection and disposition.
- § 16-407 Prohibition of use of dumpsters.

§ 16-401 COLLECTION AND DISPOSAL DECLARED TO BE A MUNICIPAL FUNCTION.

1. The collection and disposal of garbage, trash and refuse and other solid waste is hereby declared to be a municipal function of the city of Blanchard, Oklahoma, as a protection of the public health; the police powers of said city shall be invoked when necessary for the enforcement of this chapter. In addition, the city of Blanchard, Oklahoma, acting through the Blanchard Municipal Improvement Authority (BMIA), may collect and dispose of refuse, as it deems necessary; provided, that, such disposal shall be an approved method of incineration (not open burning) or by landfill and daily cover. The collection and/or disposal of refuse may be performed by the Blanchard Municipal Improvement Authority or the Blanchard Municipal Improvement Authority may contract with third parties to provide said collection and/or disposal. In either event, the service provided or contracted for by the Blanchard Municipal Improvement Authority is hereby designated as the “city’s collection and disposal service.”

2. The city of Blanchard, Oklahoma, acting through the Blanchard Municipal Improvement Authority (BMIA), shall have the authority to establish or terminate waste collection routes within the city limits. All persons, businesses or companies on an established route must use the solid waste collection and disposal service of said city exclusively. The city and the Blanchard Municipal Improvement Authority (BMIA) may grant an exception to said exclusivity requirements, if it is determined to be in the best interest of the city to do so.

3. No commercial entity or private individual, except those contracting with the Blanchard Municipal Improvement Authority, will be allowed to initiate new solid waste, trash or garbage services to anyone on the established garbage route drawn up by the city of Blanchard, Oklahoma, and implemented through

the Blanchard Municipal Improvement Authority (BMIA), provided however, any service in existence at the time of the effective date of this ordinance may be allowed to continue at its present level of service to its current customers until such time that it is voluntarily discontinued by the provider. No existing service furnished by a commercial entity or private individual may be enlarged or expanded in any respect. [Ord. No. 2002-5, 6/25/02]

§ 16-402 PURPOSE.

It is the purpose of this article and it is hereby declared to be the policy of the city of Blanchard, Oklahoma, pursuant to the authority of the Oklahoma Solid Waste Management Act (Title 63 O.S. 1981, §2251-2265, inclusive and as amended), to regulate the collection and disposal of solid wastes in a manner that will protect the public health and welfare, prevent air and water pollution, prevent the spread of disease and the creation of nuisances, conserve the natural resources, and enhance and preserve the beauty and quality of the community's environment.

§ 16-403 DEFINITIONS.

1. *Refuse.* The word "refuse" shall mean tree trimmings, junked building and roofing materials, manufacturing waste, rocks, dirt and other waste material not defined as "solid waste" or "trash".

2. *Solid waste.* The term "solid waste" shall include all putrescible and nonputrescible refuse in solid or semi-solid form, including, but not limited to, garbage, refuse, rubbish, ashes or incinerator residue, street refuse, dead animals, demolition wastes, construction wastes, solid or semi-solid commercial and industrial wastes and hazardous wastes (including explosives, pathological wastes, chemical wastes, herbicide and pesticide wastes).

3. *Solid waste management system.* The term "solid waste management system" shall mean the entire process of storage, collection, transportation, processing and burying solid wastes at or in a site approved by the Oklahoma State Department of Health.

4. *Trash.* The word "trash" shall mean paper, rags, containers of paper, tin cans, yard and house sweepings and all other household waste, but not tree trimmings, building and manufacturing waste, sewage and rocks, raw dirt, rainwater and other liquid refuse properly disposable through the sanitary sewers of the city.

§ 16-404 ACCUMULATION A NUISANCE; CONTAINERS.

1. It shall be unlawful for any person in charge of any lot or piece of ground to allow solid waste to accumulate thereon, so as to cause an offensive

odor to be emitted therefrom or to become injurious or dangerous to the health of the neighborhood or any inhabitant thereof. Any such condition is hereby declared a violation of this article and punishable as such, and in addition is declared to be a nuisance and may be abated as such.

2. Any person constructing or remodeling any structure within the city of Blanchard, Oklahoma, shall, prior to construction on any premises, open an account with the Blanchard Municipal Improvement Authority for the placement of a container of suitable size and design to contain all solid waste which might, by the winds or elements, be distributed and blown from the premises; said container shall be used by the person concerned, at all times, to keep the premises from becoming unsightly with solid waste, and shall always be kept covered. The size, shape and nature of the container shall be approved by the Blanchard Municipal Improvement Authority and the Blanchard Municipal Improvement Authority may mandate that the container be of a specific nature furnished by the Blanchard Municipal Improvement Authority or any third party provider that contracts with the Blanchard Municipal Improvement Authority, at the expense of the person constructing or remodeling said structure.

3. Any person who fails to keep the premises, on which any structure is being built or installed, free from solid waste and who allows said waste to blow or be carried from the premises to adjoining or other property or into the streets, shall be deemed guilty of causing a nuisance and shall be subject to the penalties in this code of ordinances prescribed therefore. [Ord. No. 2002-5, 6/25/02]

§ 16-405 BURNING OF SOLID WASTE.

1. It shall be an offense for any person to start or maintain any fire or cause any fire to be started or maintained for the purpose of burning unlawfully or incinerating any solid waste.

2. It shall be an offense to construct or install, within any building in the city of Blanchard, Oklahoma, an unlawful incinerator designed to burn solid waste.

§ 16-406 CHARGE FOR SOLID WASTE COLLECTION AND DISPOSITION.

1. For the purpose of supporting the operation of the Blanchard Municipal Improvement Authority's Solid Waste Management System, pursuant to the authority of the Oklahoma Solid Waste Management Act, there is hereby levied and assessed rates and charges against every owner, occupant or person in charge of any dwelling unit, business, motel, hotel, boarding house, industrial or institutional user unit within or without the city limits as they currently exist, or as they might from time to time be changed according to law.

2. The governing body of the Blanchard Municipal Improvement Authority shall have the power to establish and adjust the rates, charges and fees, including deposits, by resolution, for use of the municipal solid waste collection system. [Ord. No. 1990-09, 8/14/90; Ord. No. 1993-03, 8/10/93; Ord. No. 1995-01, 1/10/95; Ord. No. 2000-09, 6/20/00; Ord. No. 2002-5, 6/25/02; Ord. No. 2002-08, 7/2/02; Ord. No. 2008-05, 5/27/08; Ord. No. 2011-04, 12/13/11]

§ 16-407 USE OF DUMPSTERS PROHIBITED BY NON-AUTHORIZED PERSONS OR ENTITIES.

No person whose name does not appear on the billing register of the Blanchard Municipal Improvement Authority Solid Waste Collection and Disposal System authorized to utilize any specific dumpster in the city of Blanchard, Oklahoma, may dump or otherwise dispose of garbage or other refuse in any dumpster without obtaining express permission to do so in a specific dumpster or dumpsters. [Ord. No. 1994-02, 2/8/94]

ARTICLE 5

PARK AND RECREATIONAL FACILITIES

- § 16-501 Application of article.
- § 16-502 Traffic restrictions.
- § 16-503 Advertising.
- § 16-504 Property; injury.
- § 16-505 Bicycles.
- § 16-506 Disorderly conduct.
- § 16-507 Attaching wires.
- § 16-508 Firearms and fireworks.
- § 16-509 Speed.
- § 16-510 Dogs prohibited.

§ 16-501 APPLICATION OF ARTICLE.

All places heretofore owned by the city and used as parks for public purposes and places which may hereafter be acquired and/or set aside for public park purposes are hereby declared to be municipal parks within the meaning of this article, and are subject to all rules, regulations and provisions set out in this article.

§ 16-502 TRAFFIC RESTRICTIONS.

No wagon, cart, truck or other vehicle carrying goods, merchandise, waste or other materials, except such as are to be used in repairing, constructing or

servicing public parks or parts thereof, shall be allowed to enter or be taken into any public park of the city of Blanchard, Oklahoma.

§ 16-503 ADVERTISING.

No person shall advertise in any manner or distribute or hand out any circulars, handbills or posters of any kind or of any commodity or other thing in any public park. It shall be unlawful to affix any circulars, handbills or posters of any kind on any tree, lamppost, hydrant, curbstone, sidewalk, coping, fence, wall, building or other place in any public park or on any street, avenue or alley or other public grounds under the supervision of the city of Blanchard, Oklahoma. No person shall drive any animal or vehicle displaying or advertising any merchandise of any kind in or through any public park in said city or under its supervision.

§ 16-504 PROPERTY; INJURY.

1. No person shall cut, break or in any way injure or deface any of the trees, shrubs, plants, turf, grass, lamppost, fences, bridges, buildings or other property in or upon any park.

2. No person shall write upon, mark, deface, injure in any manner or use improperly any water closet, bench, building, fence or other property in any public park.

§ 16-505 BICYCLES.

No person shall ride or drive any bicycle, tricycle or motorcycle in any public park, except upon appropriate driveways thereof; when passing another vehicle or equestrian from the rear to the front, such person shall pass to the left side and at a moderate rate of speed. Bicycles, tricycles and motorcycles shall not be allowed to travel more than two (2) abreast.

§ 16-506 DISORDERLY CONDUCT.

No person shall be guilty of disorderly, unchaste or lewd conduct or make, aid or assist in making any disorderly noise, riot or breach of peace within the limits of any public park belonging to the city of Blanchard, Oklahoma.

§ 16-507 ATTACHING WIRES.

1. No person shall, without written permission from the city manager, attach any electric wire, insulator or other device of any character to any tree, plant or structure in any park.

2. No person shall establish, erect or maintain any telegraph wires, telephone wires, or electric light and power wires or construction for the support of the same in, through or across any public park, except with the written permission of the city manager.

§ 16-508 FIREARMS AND FIREWORKS.

No person shall discharge firearms or fireworks in any public park.

§ 16-509 SPEED.

No person shall drive or ride at a greater rate of speed than fifteen (15) miles per hour within any public park.

§ 16-510 DOGS PROHIBITED.

It shall be unlawful and is hereby declared to be a nuisance, for any person to permit a dog to run at large in any public park of the city of Blanchard, Oklahoma; all such dogs shall be taken up, impounded and disposed of as provided by ordinance. In addition thereto, the person permitting such dog in or to run at large in such public park, shall be deemed guilty of an offense against the ordinances of the city of Blanchard, Oklahoma, and shall be fined for violation thereof in any sum not exceeding the amounts established in §8-301 of this code of ordinances.

ARTICLE 6

CEMETERY

§ 16-601 Municipal Cemetery Operated by Blanchard Cemetery Association, Inc.

§ 16-601 MUNICIPAL CEMETERY OPERATED BY BLANCHARD CEMETERY ASSOCIATION, INC.

The mayor, city manager, city clerk-treasurer and employees of the city of Blanchard, Oklahoma, are hereby notified that all records, funds and materials used in connection with the operation and management of the Blanchard municipal cemetery have been delivered to officers of the Blanchard Cemetery Association, Inc., an Oklahoma corporation. All records, funds and materials delivered to the Blanchard Cemetery Association, Inc., shall be receipted for and all said receipts should be retained by the city of Blanchard, Oklahoma. As of December 1, 1985, and from that date forward, the city of Blanchard, Oklahoma, has had no duty, control, liability, responsibility or interest in the operation or function of the Blanchard cemetery.

ARTICLE 7

MUNICIPAL LIBRARY SYSTEM

- § 16-701 Blanchard located within a multi-county library district.
- § 16-702 Blanchard public library.
- § 16-703 Duties of multi-county library.

§ 16-701 BLANCHARD LOCATED WITHIN A MULTI-COUNTY LIBRARY DISTRICT.

1. The city of Blanchard, McClain County, Oklahoma, is located within a district to be served by a multi-county library system, established and created under the laws of the state of Oklahoma, in accordance with the Oklahoma Library Code.

2. In order to form such a multi-county library district, the governing boards of McClain, Cleveland and Pottawatomie Counties, or any combination thereof, have passed a resolution and each city of two-thousand (2000) population or more, according to the latest federal census, has enacted an ordinance creating such multi-county library district; the governing boards of each of said counties submitted to the residents of each county a proposition for a vote of the people for a library levy, according to Article X, §10A, Oklahoma Constitution.

3. The governing body of this library district shall consist of one member appointed by the governing body of each city of two-thousand (2,000) population or more, according to the latest federal census, and at least one member appointed by the board of county commissioners of each county.

4. The city of Blanchard, McClain County, Oklahoma, jointly with other cities and counties concerned, hereby creates a library district to include any combination of two (2) or more of the following counties: McClain, Cleveland and Pottawatomie, and agrees to the appointment of one person to represent the city of Blanchard, Oklahoma, on the multi-county library board; provided, that, additional counties may be added to the district upon their application to the Oklahoma Department of Libraries Board.

§ 16-702 BLANCHARD PUBLIC LIBRARY.

1. The city of Blanchard, McClain County, Oklahoma, is the owner of the Blanchard public library and operates it for the benefit of the people of the city of Blanchard, Oklahoma.

2. The Blanchard public library is incorporated into the multi-county library in accordance with the provisions of the Oklahoma Library Code; the city

of Blanchard, Oklahoma, will provide supportive services for the library quarters and maintain an operating budget until a two-mill library levy is passed or rejected by the voters of the county in an election called for that purpose, under the provisions of Article X, §10A of the Oklahoma Constitution.

§ 16-703 DUTIES OF MULTI-COUNTY LIBRARY.

The multi-county library shall assume the responsibility of improving the Blanchard Public Library by supplementing the operating budget with personnel, books, films, equipment and other library materials and services, with the understanding that after a successful vote of a library levy, the multi-county library will assume financial support of the Blanchard public library, except that the city of Blanchard, Oklahoma, will continue to maintain suitable quarters for the library and provide supportive services for the library quarters and may from time to time, at its option, appropriate funds for the operation and/or improvement of said Blanchard, Oklahoma, public library.

ARTICLE 8

WASTEWATER TREATMENT SYSTEM

- § 16-801 Definition of terms.
- § 16-802 Reimbursement of assessment paid by city.
- § 16-803 Permit and inspection required for sewer connection.
- § 16-804 Connections to collectors only.
- § 16-805 Connections to mains or interceptors.
- § 16-806 Sewer costs for private developments.
- § 16-807 Connection to public sewer required.
- § 16-808 Connections with storm sewers or natural outlets.
- § 16-809 Prohibited discharges.
- § 16-810 Industrial and harmful wastes prohibited in sanitary sewers.
- § 16-811 Industrial wastes; handling of harmful wastes.
- § 16-812 Permit required for industrial connections.
- § 16-813 Information and cooperation of industrial users.
- § 16-814 Grease, oil and sand interceptors; exception
- § 16-815 Control manhole; meters.
- § 16-816 Conditions for industrial user permits.
- § 16-817 Issuance and renewal of industrial user permits.
- § 16-818 Measurements, tests and analyses of wastes.
- § 16-819 Notice to cease violations.
- § 16-820 Damage caused by prohibited discharge.
- § 16-821 Request for reconsideration.
- § 16-822 Falsifying of information.
- § 16-823 Requirements for design and construction of sewer lines.
- § 16-824 Connecting sewers outside city limits to comply with city standards.
- § 16-825 Sanitary sewer connection plans to be submitted to the city.

- § 16-826 Contract to provide for maintenance of sewer.
- § 16-827 Engineering and inspection fees for sewer construction.
- § 16-828 Inspection by the city.
- § 16-829 Filing of original tracings of sewer plans.
- § 16-830 City not liable for sewer maintenance outside city boundaries.
- § 16-831 Sewer subject to regulations.
- § 16-832 Other municipalities' use of the Blanchard sanitary sewer system.
- § 16-833 Sewer connections outside city.
- § 16-834 Sewer service charge.
- § 16-835 Charges for extraneous flows.
- § 16-836 Annual review of sewer user charge rates.
- § 16-837 Record-keeping of sewer user charges.
- § 16-838 Annual notification of user charges.
- § 16-839 Billings; water re-sales.
- § 16-840 Billing for sewer service.
- § 16-841 Date of payment.
- § 16-842 Water deposits.
- § 16-843 Penalty for failure to pay.
- § 16-844 Inconsistent agreements.
- § 16-845 Surcharge for industrial users.

§ 16-801 DEFINITIONS OF TERMS.

1. *Biochemical oxygen demand (BOD)*. The term “biochemical oxygen demand (BOD)” shall mean the quantity of oxygen by weight, expressed in milligrams per liter (mg/l), utilized in the biochemical oxidation of organic matter under standard laboratory conditions for five (5) days at a temperature of twenty (20) degrees centigrade. The laboratory determination of BOD shall be made in accordance with procedures set forth in “standard analysis methods”.

2. *City*. The word “city” shall mean the city of Blanchard, Oklahoma, or any authorized person acting in its behalf.

3. *Chemical oxygen demand (COD)*. The term “chemical oxygen demand (COD)” shall mean a measure of the oxygen consuming capacity, expressed in milligrams per liter (mg/l), of inorganic and organic matter present in water or wastewater. It is expressed as the amount of oxygen consumed from a chemical oxidant in a specific test. It does not necessarily correlate with biochemical oxygen demand (BOD). The laboratory determination of COD shall be made in accordance with procedures set forth in “standard analysis methods”.

4. *Collector*. The word “collector” shall mean a small diameter primary wastewater collector line for serving abutting properties.

5. *Control manhole.* The term “control manhole” shall mean a manhole giving access to a sewer line at some point before the sewer discharge mixes with other discharges in the public sewer.

6. *Domestic wastewater.* The term “domestic wastewater” shall mean water-borne wastes from the sanitary conveniences of dwellings (including apartment houses and hotels), office buildings, factories and institutions, free from storm surface water and industrial wastes.

7. *Garbage.* The word “garbage” shall mean solid wastes and residue from the preparation, cooking and dispensing of food, and from the handling, processing, storage and sale of food products and produce.

8. *Industrial cost recovery.* The term “industrial cost recovery” shall mean the city’s recovery from the industrial users of the sanitary sewer system of the grant amount allocable to the treatment of waste from such users.

9. *Industrial cost recovery charge.* The term “industrial cost recovery charge” shall mean the charge, made on those persons who discharge industrial wastes into the city’s sanitary sewer system, for purposes of paying back their share of the federal grant allocable for providing capacity to treat such industrial wastes.

10. *Industrial cost recovery period.* The term “industrial cost recovery period” shall mean the period during which the grant amount allocable to the treatment of the wastes from industrial users is recovered from the industrial users of the sanitary sewer system. The industrial cost recovery period shall be thirty (30) years, or the useful life of the treatment works, whichever is less.

11. *Industrial user.* The term “industrial user” shall mean any non-governmental, non-residential user of a publicly-owned sanitary sewer system which discharges more than the equivalent of twenty-five thousand (25,000) gallons per day of normal domestic wastewater and which is identified in the Standard Industrial Classification Manual, 1972, Office of Management and Budget, as amended and supplemented under one of the following divisions:

Division A. Agriculture, Forestry and Fishing.

Division B. Mining

Division D. Manufacturing.

Division E. Transportation, Communications, Electric, Gas and Sanitary Services.

Division I. Services.

12. *Industrial user permit.* The term “industrial user permit” shall mean the permit issued by the city to the industrial user for purposes of discharging industrial wastes into the sanitary sewer system.

13. *Industrial waste.* The term “industrial waste” shall mean water-borne solids, liquids or gaseous wastes resulting from and discharged, permitted to flow, or escaping from, any process of industry, manufacturing, trade or business from the development of any natural resource, or any mixture of these with water or domestic wastewater, or distinct from Blanchard domestic wastewater.

14. *Interceptor.* The word “interceptor” shall mean a medium-diameter sewer line which carries wastewater from collectors to a main.

15. *Main.* The word “main” shall mean a medium-to-large-diameter sewer line which carries wastewater from interceptors to the wastewater treatment plant.

16. *Milligrams per liter (mg/l).* The term “milligrams per liter (mg/l)” shall mean a weight-to-volume ratio; the milligram per liter value multiplied by the factor 8.34 shall be equivalent to pounds per million gallons of water.

17. *Natural outlet.* The term “natural outlet” shall mean any outlet into a watercourse, ditch, lake or other body of surface or groundwater.

18. *Normal domestic wastewater.* The term “normal domestic wastewater” shall mean normal wastewater for the city of Blanchard, Oklahoma, in which the average concentration of suspended solids is established at two-hundred (200) milligrams per liter (mg/l); the average concentration of five (5) day BOD is established at two-hundred (200) milligrams per liter (mg/l); and the average concentration of oil and grease is established at one-hundred (100) milligrams per liter (mg/l).

19. *Oil and grease.* The term “oil and grease” shall mean all oils and greases found in normal domestic wastewater, excluding petroleum oil and grease.

20. *Operation and maintenance (O & M).* The term “operation and maintenance (O & M)” shall mean the expenditure incurred while following normal operating procedures for the treatment of wastewater, including expenditures incurred for the purpose of maintenance and replacement over the useful life of the wastewater treatment plant.

21. *Overload.* The word “overload” shall mean the imposition of organic or hydraulic loading on a treatment facility, in excess of its engineered design capacity.

22. *Person.* The word “person” shall mean any and all persons, including any individual, firm, company, industry, municipal or private corporation, association, governmental agency or other entity, and agents, servants or employees.

23. *Petroleum oil and grease.* The term “petroleum oil and grease” shall mean any oil and grease found in industrial waste originating from the exploration, production or refinement of petroleum resources.

24. *pH.* The term “pH” shall mean the logarithm (base 10) of the reciprocal of the hydrogen ion concentration, expressed in moles per liter.

25. *Private wastewater disposal facility.* The term “private wastewater disposal facility” shall mean a wastewater treatment facility owned, operated and maintained by a person other than the city of Blanchard, Oklahoma.

26. *Properly-shredded garbage.* The term “properly-shredded garbage” shall mean the wastes from the preparation, cooking and dispensing of food that has been shredded to such degree that all particles shall be carried freely under the flow conditions normally prevailing in public sewers, with no particles greater than one-quarter inch (1/4”) in any dimension.

27. *Public sewer.* The term “public sewer” shall mean a sewer in which all owners of abutting property shall have equal rights and the use of which is controlled by public authority.

28. *Public works superintendent.* The term “public works superintendent” shall mean the public works superintendent of the city of Blanchard, Oklahoma, or any duly authorized representative.

29. *Replacement.* The word “replacement” shall mean expenditures for obtaining and installing equipment, accessories or appurtenances which are necessary to maintain the capacity and performance during the service life of the sanitary sewer system for which the system was designed and constructed. (The term “operation and maintenance” includes replacement).

30. *Sanitary sewer.* The term “sanitary sewer” shall mean a sewer that conveys domestic wastewater or industrial wastes or a combination of both, and into which storm, surface and groundwater or unpolluted wastes are not intentionally admitted.

31. *Sanitary sewer system.* The term “sanitary sewer system” shall include all sanitary sewer mains, interceptors, collectors, lateral lines and wastewater treatment plants, and all lines connected to the city’s sewer lines or treatment plants, whether owned by the city or not.

32. *Sewer.* The word “sewer” shall mean a pipe or conduit that carries wastewater.

33. *Sewer permit.* The term “sewer permit” shall mean a permit issued by the city to a user of the municipal sanitary sewer system for purposes of connecting to, and using, the city” sanitary sewer system.

34. *Sewer user charge.* The term “sewer user charge” shall mean the charge made on all users of the sanitary sewer system for the cost of operation and maintenance of such system.

35. *Shall.* The word “shall” is mandatory; “may” is permissive.

36. *Slug.* The word “slug” shall mean any discharge of water, wastewater or industrial waste which, in concentration of any given constituent or in quantity of flow, exceeds for any period of duration longer than fifteen (15) minutes, more than five (5) times the average twenty-four (24) hour concentration of flows during normal operation.

37. *Standard analysis methods.* The term “standard analysis methods” shall mean the examination and analytical procedures set forth in the latest edition at the time of analysis of “Methods for Chemical Analysis of Water and Wastes” as prepared by the Environmental Protection Agency’s Water Quality Control Laboratory, Cincinnati, Ohio, or other procedures set forth in the Federal Regulations, 40 CFR 136, Guidelines Establishing Test Procedures for the analysis of pollutants.

38. *Storm sewer.* The term “storm sewer” shall mean a sewer that carries storm and surface waters and drainage, but excludes domestic wastewater and polluted industrial wastes.

39. *Storm water.* The term “storm water” shall mean rainfall or any other form of precipitation.

40. *Surcharge.* The word “surcharge” shall mean the charge in addition to the “sewer user charge” which is made on industrial users whose wastes are greater in strength than the concentration values established as “normal domestic wastewater”.

41. *Suspended solids.* The term “suspended solids” shall mean solids that either float on the surface of, or in suspension in, water, wastewater or other liquids, and that are largely removable by a laboratory filtration device. The laboratory determination of suspended solids shall be made in accordance with procedures set forth in “standard analysis methods”.

42. *Unpolluted water or waste.* The term “unpolluted water or waste” shall mean water or waste containing none of the following: free or emulsified grease or oil, acids or alkalis, phenols or other substances imparting taste or odor to receiving water, toxic or poisonous substances in suspension, colloidal state or solution, and noxious or odorous gases. It shall contain no more than ten (10) milligrams per liter (mg/l) each of suspended solids and BOD. The color shall not exceed twenty (20) color units as measured by the platinum-cobalt method of determination as specified in “standard analysis methods”.

43. *User of the sanitary sewer system.* The term “user of the sanitary sewer system” shall mean the person having a contract for water service at a particular location, if the location has a sanitary sewer connection to the city’s system; if there is not a water contract on file, it shall mean the person who is charged with water bills for the location or who pays same; if a private water supply is used, it shall mean the proprietor of the location having the sewer connection.

44. *Wastewater.* The word “wastewater” shall mean a combination of the water-carried waste from residences, business buildings, institutions and industrial establishments together with such ground, surface and storm water as may be present.

45. *Wastewater treatment plant.* The term “wastewater treatment plant” shall mean all facilities for collection, pumping, treatment and all city-owned facilities, devices and structures used for receiving wastewater, industrial waste and sludge from the city wastewater facility.

46. *Watercourse.* The word “watercourse” shall mean a natural or manmade channel in which a flow of water occurs, either continuously or intermittently.

§ 16-802 REIMBURSEMENT OF ASSESSMENT PAID BY CITY.

1. Whenever the construction cost of sanitary sewers has been or may be levied and assessed against the property abutting thereon, as provided by the laws of the state, and the city has paid or may be liable to pay such assessments in whole or in part from municipal funds, than any owner or occupant of any property abutting such sewers who makes application for permission to tap such sewers shall not be issued a permit unless he shall:

- a. Have paid to the city the amount of the assessments that have been paid by the city prior to issuance of the permit; and
 - b. Agree in writing with the city that:
 - 1) Any unpaid or unmatured assessments levied against the property shall be or, or remain, a lien against the property so long as the assessments remain unpaid; and
 - 2) From the date of issuance of the permit, the unpaid assessments shall become and remain a lien in the same manner and form as is provided for in levying assessments against property abutting upon sewer collector lines under the laws of the state, as if the same had been originally levied under the laws of the state. Such lien shall remain in force and effect until the assessments shall be fully paid and satisfied as provided by the statutes relating to the construction of lateral sewers.
2. The property owner or occupant shall be required:
- a. To pay the actual cost of the sewer properly chargeable to the abutting property, as provided under the laws of the state, and any interest that the city has been required to pay; and
 - b. To assume the payment of interest on outstanding and unpaid assessments.
3. Upon payment to the city of the assessment, a permit may be issued to the owner or occupant to tap and use the sanitary sewer in the manner provided herein relating to such connections.

§ 16-803 PERMIT AND INSPECTION REQUIRED FOR SEWER CONNECTION.

1. No person shall make or attempt to make any such sewer connection:
- a. Without first obtaining a sewer permit as provided for in §16-802.
 - b. Until the sewer connection has been property inspected as provided in this article.
2. If a sewer connection is made without a sewer permit and without inspection, said connection shall be closed and disconnected from the sewer by

order of the city of Blanchard, Oklahoma, and the Blanchard Municipal Improvement Authority (BMIA).

§ 16-804 CONNECTIONS TO COLLECTORS ONLY.

No private sewer connection, whether within or beyond the city limits, shall be made to any sewer line directly or indirectly connected with the municipal sanitary sewer system other than to a collector constructed to serve the private premises in question, except by special contract approved by the city of Blanchard, Oklahoma, and the Blanchard Municipal Improvement Authority (BMIA).

§ 16-805 CONNECTIONS TO MAINS OR INTERCEPTORS.

Whenever mains or interceptors have been constructed, and the city has paid charges in whole or in part out of municipal funds, other than those charges provided for in §16-802 herein, and when any owner or occupant of any property abutting the sanitary sewer main or interceptor makes application for connecting a private line with the sewer, no permit shall be issued until the owner or occupant has paid the city an amount equal to that which he would have been requested to pay for a collector so constructed. The amount to be charged for such connections to mains or interceptors shall be ascertained by the city.

§ 16-806 SEWER COSTS FOR PRIVATE DEVELOPMENTS.

Sanitary sewer mains or interceptors, either serving or within new subdivisions, shall be constructed of sufficient size and capacity to accommodate the anticipated conditions resulting from gravity flow from or to any mains or interceptors intended to serve the subdivision and any property that may be connected into the mains or interceptors at any future date.

§ 16-807 CONNECTION TO PUBLIC SEWER REQUIRED.

The owners of all lots lying alongside or abutting upon any alley or street upon which a collector of the municipal sanitary sewer system is now, or in the future will be laid, shall connect in accordance with the provisions of this chapter, all water closets, urinals, sinks or other places where refuse, slops, wastewater or domestic wastewater of any kind if accumulated or deposited, within thirty (30) days after date of official notice to do so; provided, that, the public sewer is located in an easement abutting the property and further provided, that, if a private wastewater disposal facility is, in the opinion of the Oklahoma State Department of Health, functioning in a manner that is safe to the health and safety of the public, the private wastewater disposal facility may be allowed to continue so long as the facility continues to be operated and maintained in a safe condition.

§ 16-808 CONNECTIONS WITH STORM SEWERS OR NATURAL OUTLETS.

It shall be unlawful to deposit or discharge any wastewater, industrial waste, other polluted waters or liquids on public or private property, in or adjacent to any natural outlet or watercourse, or in any storm sewer within the city, or in any area under the jurisdiction of the city of Blanchard, Oklahoma, without the approval of the Oklahoma State Department of Health and the Environmental Protection Agency (EPA).

§ 16-809 PROHIBITED DISCHARGES.

1. No person shall discharge, or cause to be discharged, any storm water, groundwater, roof runoff, subsurface drainage, or any water from downspouts, yard drains, yard fountains and ponds, septic tanks or lawn sprays, into any sanitary sewer. Water from swimming pools, boiler drains, blow off pipes or cooling water from various equipment may be discharged into the sanitary sewer by an indirect connection so the discharge can be pre-cooled, if required, and flows into the sanitary sewer at a rate not to exceed the capacity of the sanitary sewer; provided, that, the waste does not contain materials or substances in suspension or solution in violation of the limits prescribed by this article; and provided, that, the water from an air-conditioning or cooling unit shall in no event exceed one-tenth (0.10) gallon per minute, per ton capacity of the unit. Dilution of any waste discharged to the municipal sanitary sewer system is prohibited, whether accomplished by the combination of two (2) or more waste streams or by the addition of other liquids solely for the purpose of diluting wastes which would otherwise exceed applicable maximum concentration limitations. Any new connections from inflow sources into the sanitary sewer portions of the municipal sanitary sewer system shall be prohibited.

2. No person shall discharge, or cause to be discharged, any of the following described waters, wastes, liquids, substances or materials into any public sanitary sewer:

- a. Any gasoline, kerosene, benzene, naptha, fuel oil or other flammable or explosive liquids, solids or gases;
- b. Solids or viscous substances in quantities or sizes that will not pass through a one-quarter (0.25) inch screen capable of obstructing flow in sanitary sewers, or other interference with the proper operation of the municipal sanitary sewer system including, but not limited to, ash, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, rubber, un-ground garbage, animal grease or oil, whole blood, paunch manure, hair, mean fleshings, entrails, bones, hooves, toenails, bristles, horns, chicken feet or heads (or of other fowls), yeast, spent grain, hops, whey, whole or

separated milk, paper dishes, cups, milk containers, etc. either whole or ground by garbage grinders, or lime slurry, lime residue, slops, chemical residues, paint residues, fiberglass or bulk solids;

- c. Any noxious or malodorous substance which can form a gas, which either singly or by interaction with other wastes, is capable of causing objectionable odors or hazard to life and/or property, which forms solids in concentrations exceeding limits established herein or creates any other condition deleterious to structures or treatment processes, or requires unusual facilities, attention or expense to handle such materials; or
- d. Any waters or wastes having a pH lower than five and one-half ($5\frac{1}{2}$) or higher than ten and one-half ($10\frac{1}{2}$), or containing any chemical or corrosive property that is hazardous or capable of causing damage to structures, equipment or personnel of the municipal sanitary sewer system.

§ 16-810 INDUSTRIAL AND HARMFUL WASTES PROHIBITED IN SANITARY SEWERS.

No person shall discharge, or cause to be discharged, the following substances, materials, waters or wastes if it appears likely in the opinion of the city of Blanchard, Oklahoma, that such substances or wastes can harm or interfere with either the sewers, sewage treatment process or equipment, have an adverse effect on the natural outlet, or can otherwise endanger life, limb, public property or constitute a nuisance. In forming an opinion as to the acceptability of the wastes, the city will give consideration to factors including 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 wastewater treatment plant, degree of treatability of wastes in the wastewater treatment plant and other pertinent factors. The prohibited substances are:

- 1. Any liquid or vapor having a temperature higher than one hundred fifty (150) degrees Fahrenheit or sixty-five (65) degrees centigrade;
- 2. Any water or waste containing fats, wax, grease or oils, whether emulsified or not, or other substances that may solidify or become viscous at temperatures above thirty-two (32) degrees Fahrenheit, or sixty-five (65) 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 ($\frac{3}{4}$) horsepower or greater shall be subject to the review and approval of the city;

4. Any waters or wastes containing strong acid iron pickling wastes or concentrated plating solutions, whether neutralized or not;

5. Any waters or wastes containing obnoxious, toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, create any hazard in the receiving waters of the wastewater treatment plant, or interfere with the beneficial use of the sludge, including, but not limited to:

- a. Concentrations of the following, greater than the milligram per liter (mg/l) amounts indicated below:

<u>Element</u>	<u>mg/l</u>	<u>Element</u>	<u>mg/l</u>
Aluminum	0.01	Cyanide	1.0
Arsenic	0.05	Iron	0.3
Barium	5.0	Lead	0.1
Beryllium	0.01	Manganese	0.2
Bismuth	0.50	Mercury	0.002
Boron	1.0	Molybdenum	1.0
Cadmium	0.01	Nickel	0.2
Chromium	0.05	Phenol	0.001
(hexa)		(receiving stream)	
Chromium	5.0	Selenium	0.02
(tri)			
Cobalt	0.05	Silver	0.05
Copper	0.2	Zinc	2.0

- b. All other heavy metals and toxic substances, including but not limited to the following, shall be excluded from the wastewater system unless a permit specifying the conditions of pre-treatment, concentrations, volumes, etc., is obtained from the city: pesticides, rhenium, strontium, tellurium, herbicides, fungicides or any other fluoride other than that in the public water supply;

- c. Any substance causing chemical oxygen demand (COD).

6. Any waters or wastes containing phenols or other taste or odor-producing substances, in such concentrations exceeding limits that may be established by the city as necessary, after treatment of composite wastewater, to meet the requirements of the state, federal or other public agencies for such discharge to a natural outlet;

7. Any radioactive wastes or isotopes of such half-life concentration as may exceed limits established by the city in compliance with applicable state or federal regulations;

8. Materials that cause:

- a. Excessive discoloration (including dye wastes and vegetable tanning solutions);
- b. Unusual biochemical oxygen demand (BOD), suspended solids or oils and grease greater than the amounts established for “normal domestic wastewater”, as defined herein;
- c. Unusual volume of flow or concentration of wastes constituting “slugs” (as defined herein) shall be regulated to equalize the flow and/or concentration to levels acceptable to the city if such waste can damage the collection facilities, impair the treatment process, incur treatment costs exceeding those for normal domestic wastewater, or render the waste unfit for stream disposal and industrial use;

9. Waters or wastes containing substances that are not amenable to treatment or reduction by the sewage treatment process employed, or are amenable to treatment only to such degree that the wastewater treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters;

10. Except in quantities or concentrations, or with provisions as stipulated herein, it shall be unlawful for any person or corporation to discharge water or wastes to the sanitary sewer that:

- a. Can deposit grease or oil in the sewer lines in such a manner as to clog the sewers;
- b. Can overload skimming or grease handling equipment;
- c. Are not amenable to bacterial action, and will, therefore, pass to the receiving waters without being affected by normal wastewater treatment processes; or
- d. Can have a deleterious effect on the treatment process due to excessive quantities.

11. Any water or wastes having concentrations as follows:

- a. Five (5) day BOD concentration in excess of two-hundred (200) milligrams per liter (mg/l);
- b. Suspended solids concentration in excess of two-hundred (200) milligrams per liter (mg/l);
- c. Oil and grease concentration in excess of one-hundred (100) milligrams per liter (mg/l); or
- d. COD concentration in excess of one-thousand (1000) milligrams per liter (mg/l).

12. Where necessary, in the opinion of the city, the owner shall provide and operate at his own expense, such pre-treatment as may be required to reduce the BOD, suspended solids or oil and grease to meet the above requirements;

13. The municipal sanitary sewer system shall be used, whenever such system is available, by all persons discharging any wastewater, industrial waste or other polluted liquids, unless an exception is granted by the city.

§ 16-811 INDUSTRIAL WASTES; HANDLING OF HARMFUL WASTES.

1. If any waters or wastes are discharged, or are proposed to be discharged, to the public sewers, that contain the substances or possess the characteristics enumerated in §§16-809 and 16-810 herein, and that in the judgment of the city may have a deleterious effect upon the wastewater works, processes, equipment or the natural outlet, or that otherwise create a hazard to life or constitute a health hazard or public nuisance, the city may:

- a. Reject the wastes;
- b. Require pre-treatment to an acceptable condition for discharge to the public sewers;
- c. Require control over the quantities and rates of discharge; and/or
- d. Require an agreement to treat such wastes; said agreement shall remain in effect for a period of one year and shall be renewable at the discretion of the city, (payment to cover the cost of handling and treating the wastes shall be under the provisions of this article).

2. If the city permits the pre-treatment or equalization of waste flows, the design and installation of the plant and equipment shall be subject to the review and approval of the city and subject to the requirements of all applicable codes, ordinances and laws.

§ 16-812 PERMIT REQUIRED FOR INDUSTRIAL CONNECTIONS.

Any person applying to the city for a permit to make any connection for industrial wastes shall furnish the following information:

1. A plot of the property showing accurately all existing sanitary sewers and storm drains;
2. Plans and specifications, approved by a professional engineer, licensed to practice in the state of Oklahoma, covering any work proposed to be performed under the permit;
3. A complete schedule of all process waters and industrial wastes produced or expected to be produced at the property, including a description of the character of each waste, the daily volume and maximum rates of discharge and representative analyses;
4. The name and address of the firm who will perform the work covered by the permit; and
5. A completed application for a permit to discharge industrial waste submitted to the city.

§ 16-813 INFORMATION AND COOPERATION OF INDUSTRIAL USERS.

Industrial users shall cooperate at all times with the city in inspecting, sampling and studying of the industrial wastes and any facilities provided for pre-treatment. The industrial user shall also furnish any additional information relating to the installation or use of the industrial sewer as may be requested by the city and shall operate and maintain any waste pre-treatment facilities as may be required as a condition of the acceptance into the public sewer of the industrial wastes involved, in an efficient manner at all times and at no expense to the city. The user shall notify the city immediately in the event of any accident or other occurrence that occasions discharge to the public sewers of any wastes or process waters not covered by agreement and permit.

§ 16-814 GREASE, OIL AND SAND INTERCEPTORS; EXCEPTION.

1. Grease, oil and sand interceptors shall be provided when, in the opinion of the city, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand or other harmful ingredients, consistent with the requirements of chapter 4 of this code of ordinance.
2. Interceptors shall not be required for private living quarters or dwelling units.

3. All interceptors shall be of a type and capacity approved by the city and shall be located so as to be readily and easily accessible for cleaning and inspection. Such interceptors shall be constructed under the supervision of the city and shall be maintained by the owner, at his expense, in a continuously efficient operation at all times.

§ 16-815 CONTROL MANHOLE; METERS.

Where required by the city, an industrial user shall install a suitable control manhole together with such necessary meters and other appurtenances in its sewer line at some point before the sewer discharge mixes with other discharges in the public sewer to facilitate observation, sampling and measurement of the wastes. Such manhole, when required, shall be accessible and safely located and shall be constructed in accordance with plans approved by the city. The manhole shall be installed by the owner, at his expense, and shall be maintained by him so as to be safe and accessible at all times.

§ 16-816 CONDITIONS FOR INDUSTRIAL USER PERMITS.

1. No industrial user, now so doing, shall deposit or discharge any industrial waste into any sanitary sewer that leads to any of the city's treatment plants, or deposit or discharge any waste stipulated in §§16-809 and 16-810 herein, without first completing an application for an industrial user permit.

2. Existing industrial users shall be issued permits after the following conditions are met:

- a. Formal application is submitted on a form issued by the city within sixty (60) days after the effective date of this chapter;
- b. Where applicable, plans and specifications for pre-treatment facilities have been approved by the city; and
- c. All requirements for agreements or arrangements have been complied with, including, but not limited to, provisions for:
 - 1) Payment of sewer user charges, surcharges and industrial cost recovery charges as required;
 - 2) Installation and operation of pre-treatment facilities, where applicable;
 - 3) Sampling and analysis to determine quantity and strength of wastes, following procedures as stipulated herein; and

- 4) Provision of a control manhole subject to the provisions of this article, and subject to the approval of the city.
3. New industrial users shall be issued permits after the following conditions are met:
 - a. Formal application is submitted on a form issued by the city;
 - b. Where applicable, pre-treatment facilities and/or flow regulating devices approved by the city have been installed; and
 - c. All requirements for agreements or arrangements have been complied with, including, but not limited to, provisions for:
 - 1) Payment of sewer user charges, surcharges and industrial cost recovery charges as required;
 - 2) Sampling and analysis to determine quantity and strength of wastes, following procedures as stipulated herein;
 - 3) Provision of a control manhole subject to the provisions of this article, and subject to approval of the city;
 - 4) Upon receipt of an industrial user permit granted under this section, each industrial user shall submit to the city, and each three (3) months thereafter for one year, a report of the contents of the wastewater being discharged into the public sewer system. Thereafter, each industrial user shall report biennially, or more often if directed to do so by the city; these reports shall be in such form and contain such information as the city may require; the industrial user shall grant the city access to the facilities for purposes of verifying the user's reports; and
 - 5) Industrial user permits granted under this section shall be issued for a period of twenty-four (24) months and shall be renewable, provided the user complies with all requirements of this article, including the payment of all applicable sewer user charges, industrial user surcharges and industrial cost recovery charges.

§ 16-817 ISSUANCE AND RENEWAL OF INDUSTRIAL USER PERMITS.

1. The city shall issue and renew industrial user permits for any person, firm or establishment discharging any industrial waste into any sanitary sewer which leads to any of the city's wastewater treatment plants.

2. A certified biennial report prepared by an industrial user's approved laboratory, or an independent testing laboratory employed by the industrial user and approved by the city, shall be submitted to the city certifying that there have been no changes in operational procedures, flow rates, BOD, suspended solids or oil and grease values, or if there have been such changes, furnishing the information thereof in such detail as may be required by the city. Failure to submit such report shall constitute cause for the suspension or revocation of the industrial user permit. Any significant changes in the flow rate, BOD and suspended solids values or other characteristics of the industrial waste being discharged, shall be reported to the city by the industrial user within thirty (30) days of such changes.

§ 16-818 MEASUREMENTS, TESTS AND ANALYSES OF WASTES.

1. All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in this article shall be determined in accordance with the procedures set forth in "Standard Methods for the Analysis of Water and Wastes", and shall be determined at the control manhole provided or upon suitable samples taken at said control manhole. Samples for laboratory analysis shall be flow proportional, composite samples.

2. For purposes of reporting wastewater characteristics required under this section, the determination of flow, BOD, suspended solids and any other pollutants shall be made by an independent firm or laboratory approved by the City. The time of selection of the sample shall be at the sole discretion of the city, but at least on a biennial basis for the purpose of determining the industrial wastewater contribution to the municipal sanitary sewer system.

§ 16-819 NOTICE TO CEASE VIOLATIONS.

Any person found to be violating any provision of this article shall be served by the city with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

§ 16-820 DAMAGE CAUSED BY PROHIBITED DISCHARGE.

Any industrial user who discharges, or causes the discharges of, prohibited wastewaters that cause damage to the City's treatment facilities, detrimental effects on treatment processes, or any other damage resulting in costs to the City, shall be liable for all damages occasioned thereby.

§ 16-821 REQUEST FOR RECONSIDERATION.

1. Any user, permit applicant or permit holder affected by any decision, action or determination, including cease and desist orders, made by the city, interpreting or implementing the provisions of this article or in any Permit issued herein, may file with the city written request for reconsideration within fifteen (15) days of such decision, action or determination, setting forth in detail the facts supporting the user's request for reconsideration. Upon receipt of such request for reconsideration, a designated representative of the city shall set a time and place to meet with the person and shall give the petitioner written notice thereof. The hearing shall be commenced within not more than fifteen (15) days after the day on which the petition is filed; provided, that, upon the application of the petitioner, the date of the hearing may be postponed for a reasonable time beyond such fifteen (15) day period, and in the judgment of the city, the petitioner has submitted a good and sufficient reason for such postponement.

2. At such hearing, the city may sustain, modify or withdraw the notice, depending upon its findings as to whether the provisions of this article and the rules and regulations adopted pursuant thereto have been complied with. If the city sustains or modifies such notice, it shall be deemed to be a final order.

§ 16-822 FALSIFYING OF INFORMATION.

Any person who knowingly makes any false statements, representation, record, report, plan or other document filed with the city or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this article is hereby declared to be in violation of this Article and subject to the penalties imposed under §8-301 of this code of ordinances.

§ 16-823 REQUIREMENTS FOR DESIGN AND CONSTRUCTION OF SEWER LINES.

The size, slope, alignment, materials of construction of a sewer line, and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling of the trench, shall all conform to the requirements of the building and plumbing codes or other applicable rules and regulations of the city. In the absence of code provisions or amplifications thereof, the materials and procedures set forth in the appropriate specifications of the A.S.T.M. and Oklahoma State Department of Health shall apply.

§ 16-824 CONNECTING SEWERS OUTSIDE CITY LIMITS TO COMPLY WITH CITY STANDARDS.

No sanitary sewer constructed outside the city boundaries, the flow of which is discharged or is to be discharged into the sanitary sewer system of the

city of Blanchard, Oklahoma, shall be connected with the sanitary sewer system of the city unless such sanitary sewer shall have been constructed in compliance with all the terms of this article.

§ 16-825 SANITARY SEWER CONNECTION PLANS TO BE SUBMITTED TO THE CITY.

1. Whenever it is proposed to construct any sanitary sewer outside city boundaries and connect with the sanitary sewer system of the city, the complete plans, specifications and estimate of costs of such sewer shall be submitted to the city.

2. If the city finds from an examination of such plans and specifications that the proposed sanitary sewer complies with the laws of this state and that the design of the sewer is such that it will be practical to connect the same with the sanitary sewer system of the city, then the construction of such system shall be authorized.

§ 16-826 CONTRACT TO PROVIDE FOR MAINTENANCE OF SEWER.

Prior to the authorization provided in this article, the person desiring to construct said sewer shall enter into a contract with the city to provide for the operation and maintenance (O&M) of such sewer for such period as it remains beyond the city boundaries.

§ 16-827 ENGINEERING AND INSPECTION FEES FOR SEWER CONSTRUCTION.

1. For any sanitary sewer to be hereafter construction outside the city boundaries, if such sewer is to be connected directly or indirectly with the sanitary sewer system of the city, then an inspection and engineering fee shall be paid to the city clerk-treasurer at the time of the submission of the plans and specifications of such sewer to the city.

2. Such fee shall be an amount based on the estimated cost of such construction and inspection and shall be computed as provided for in the general schedule of fees approved by the city council.

§ 16-828 INSPECTION BY THE CITY.

1. Whenever the owner of a proposed sanitary sewer shall commence the construction of such sewer, he shall notify the city, and the city shall periodically perform inspections during the construction of such sanitary sewer.

2. Such inspector shall see that such sewer is constructed in compliance with the laws of this State, and in accordance with the plans and specifications as approved by the city.

3. When such sewer is completed, if the city finds that such sewer has been in all respects constructed as provided for in this chapter, and that all fees as provided for in this chapter have been paid, then the city, upon the request of the owner of such sewer, shall authorize the connection of such sewer with the sanitary sewer system of the city.

§ 16-829 FILING OF ORIGINAL TRACINGS OF SEWER LINES.

Upon completion, final acceptance by the city and the connection of such sewer with the sanitary sewer system of the city, the original tracings of all plans and profiles for the construction of such sanitary sewer shall be corrected by the engineer who prepared the same to show such sewer as it is actually built, and copies of all of such original tracings of the plans and profiles shall be filed with the city.

§ 16-830 CITY NOT LIABLE FOR SEWER MAINTENANCE OUTSIDE CITY BOUNDARIES.

The city shall assume no liability or obligation for the operation and maintenance of the sanitary sewer system as long as the district served by such sewer remains outside the city boundaries.

§ 16-831 SEWER SUBJECT TO REGULATIONS.

After the sewer has been connected with the sanitary sewer system of the city, all the terms of this article shall be in full force and effect and shall apply to all persons in the district served by such sanitary sewer.

§ 16-832 OTHER MUNICIPALITIES' USE OF THE BLANCHARD SANITARY SEWER SYSTEM.

1. When the sanitary sewer that is proposed to be connected to the sanitary sewer system of the city of Blanchard, Oklahoma, is to be constructed by an incorporated city or town, such city or town shall have the option of using the engineering and inspection services of the city of Blanchard, Oklahoma, upon payment of the fees provided for herein, or such city or town may provide its own engineering and inspection services.

2. If the city or town elects to provide its own engineering and inspection services, then such engineering and/or inspection shall be performed by a registered professional engineer, and the construction shall be equal to the standard specifications of the city of Blanchard, Oklahoma.

§ 16-833 SEWER CONNECTIONS OUTSIDE CITY.

1. No person shall connect, or authorize to be connected, any premises that are located outside the city limits to, or with, any sanitary sewer that shall connect directly or indirectly with the sanitary sewer system of the city, without first obtaining a special sewer connection permit.

2. Any person desiring to obtain a special sewer connection permit shall make application to the city and furnish a detailed plan of the desired connection. After inspection of the plan and existing sewer facilities, the application will be presented to the city council. Special sewer connection permits shall be issued only with the approval of the city council.

3. Upon approval by the city council of the issuance of the permit the applicant therefore shall first pay to the city clerk-treasurer the fee as prescribed in the general schedule of fees approved by the city council.

§ 16-834 SEWER SERVICE CHARGE.

For the purpose of providing funds for the operation and maintenance (O&M) of the municipal sewer system, each respective user who does not discharge wastes prohibited by §§16-809 and 16-810, shall pay a sewer service charge as established by the most recent adopted sewer user charge provisions.

Cross Reference: see §16-304, this code of ordinances.

§ 16-835 CHARGES FOR EXTRANEEOUS FLOWS.

Operation and maintenance (O&M) costs for extraneous flows not directly attributable to users (i.e. infiltration/inflow) shall be proportionately distributed among all users of the sanitary sewer system on the same basis as operation and maintenance charges.

§ 16-836 ANNUAL REVIEW OF SEWER USER CHARGE RATES.

The basis for determining the sewer user charge rates shall be reviewed at least annually and shall be adjusted as necessary to reflect any increase or decrease in wastewater treatment costs based on the immediately preceding years' experience.

§ 16-837 RECORD-KEEPING OF SEWER USER CHARGES.

A record-keeping system shall be established and maintained by the city manager to document compliance with federal regulations pertaining to the sewer user charge system. The system shall include the following:

1. The original user charge system and all documentation related thereto;
2. All revisions to the user charge system and all related documentation;
3. Annual O&M costs for the municipal sewer system;
4. Unit O&M costs for treatment of BOD, suspended solids and oil and grease;
5. Names and addresses for industrial users of the municipal sewer system; and
6. Percentage rate of water used, as determined by the city, for purposes of computing sewer user charges, and any revisions related thereto.

§ 16-838 ANNUAL NOTIFICATION OF USER CHARGES.

Each user of the municipal sewer system shall be notified by the city, at least annually, and in conjunction with a regular bill, of the rate and that portion of the sewer user charge which is attributable to wastewater treatment services.

§ 16-839 BILLINGS; WATER RE-SALES.

If water is sold by the city and metered to a person for re-sale to water consumers who are users of the city sanitary sewer system, such first purchaser shall be responsible to the city for the billing and collecting of all sewer user charges of said consumers and shall account to the city for all such sewer user charges at the time such first purchaser pays his water bill.

§ 16-840 BILLING FOR SEWER SERVICE.

Billings for sewer service shall be rendered at the same time and on the same bills issued for water service, but shall be shown as a separate item from the charge for water.

§ 16-841 DATE OF PAYMENT.

The sewer user charge shall be due and payable from and after the date on the bill on which such charge is shown. Payment shall be made to the authorized collector, but the authorized collector shall not accept payment for any sewer user charge without payment of the water bill on which said charge are shown, nor shall payment be accepted on any water bill without payment also of any sewer user charge shown thereon.

§ 16-842 WATER DEPOSITS.

All deposits made by users of city water, as required by ordinance to guarantee payment of water bills, may also be applied to pay delinquent or defaulting sewer user charges of the user who made the deposit.

§ 16-843 PENALTY FOR FAILURE TO PAY.

Failure to pay a sewer user charge in accordance herewith shall be cause for discontinuing and disconnecting either the sewer connection or water connection, or both.

§ 16-844 INCONSISTENT AGREEMENTS.

The user charge system shall take precedence over any terms or conditions of agreements or contracts, between the city and users of the sanitary sewer system, which are inconsistent with the requirements of the user charge system.

§ 16-845 SURCHARGE FOR INDUSTRIAL USERS.

1. If the city determines that an industrial waste is acceptable for admission to the municipal sanitary sewer system, under the discretionary powers given in this article, the industrial user shall be charged and assessed a surcharge, in addition to any sewer user charges, if these wastes have concentrations greater than normal domestic wastewater, as defined in §16-801.

2. The industrial user's surcharge shall be calculated by the following formula:

$$C_s = (B_c (B) + S_c (S) + P_c (P) + D_c (D) + O_c (O) V_u$$

Where:

C_s = Industrial user's monthly surcharge for wastewaters of excessive strength.

B_c = O&M cost for treatment of a pound of biochemical oxygen demand (BOD).

B = Concentration of BOD from an industrial user above 200 mg/l in pounds per million gallons.

S_c = O&M cost for treatment of a pound of suspended solids.

S = Concentration of suspended solids from an industrial user above 200 mg/l in pounds per million gallons.

- P_c = O&M cost for treatment of a pound of oil and grease.
- P = Concentration of oil and grease from an industrial user above 100 mg/l in pounds per million gallons.
- D_c = O&M cost for treatment of a pound of chemical oxygen demand (COD).
- D = Concentration of COD from an industrial user in pounds per million gallons.
- O_c = O&M cost for treatment of a pound of petroleum oil and grease.
- O = Concentration of petroleum oil and grease from an industrial user in pounds per million gallons.
- V_u = Industrial user's wastewater contribution, in millions of gallons per month.

Unit costs shall be calculated as follows:

$$B_c = \frac{C_t}{B_t}$$

$$S_c = \frac{C_t}{S_t}$$

$$P_c = \frac{C_t}{P_t}$$

Where:

C_t = Portion of annual O&M cost of wastewater treatment plant attributable to BOD.

C_t = Portion of annual O&M cost of wastewater treatment plant attributable to suspended solids.

C_t = Portion of annual O&M cost of wastewater treatment plant attributable to oil and grease.

C_t = Portion of annual O&M cost of wastewater treatment plant attributable to COD.

C_t = Portion of annual O&M cost of wastewater treatment plant attributable to petroleum oil and gas.

B_t = Annual total BOD loading to the wastewater treatment plant in pounds.

S_t = Annual total suspended solids loading to the wastewater treatment plant in pounds.

P_t = Annual oil and grease loading to the wastewater treatment plant in pounds.

D = Annual total COD loading to the wastewater treatment plant in pounds.

O_t = Annual total petroleum oil and grease loading to the wastewater treatment plant in pounds.

3. When total suspended solids, BOD, oil and grease, and/or any other pollutant, including toxic pollutants, of water or waste accepted for admission to the city sanitary sewer system exceeds the values of these constituents for normal domestic wastewater, causing an increase in the cost of managing the effluent or sludge of the treatment works, the industrial user shall pay the industrial user surcharge in addition to any sewer user charges.

4. If an industrial user's wastewater flow is measured by a recording meter of a type approved by the city, and if such industrial user maintains such device in a proper condition to accurately measure such flow, then the industrial user's monthly wastewater contribution (V_u), in thousands of gallons, shall be that volume measured by the recording device.

ARTICLE 9

MISCELLANEOUS PROVISIONS.

- § 16-901 Turning on utilities.
- § 16-902 No service connection until bills have been paid; cut-offs.
- § 16-903 Customers to keep service pipes in good repair.
- § 16-904 City not responsible for utility interruption.
- § 16-905 Municipal personnel may inspect private premises.
- § 16-906 Interference with fire hydrants; damage of utility system.
- § 16-907 Construction cost reimbursement for certain utility trunk lines, water towers, lift stations and other utility system improvements.

§ 16-901 TURNING ON UTILITIES.

1. It shall be unlawful for any person to turn the utility on to any premises from any municipal utility system, without written permission of the city clerk-treasurer. Utilities shall not be turned on until any and all deposits

and charges have been paid. The city clerk-treasurer shall see that the utility is turned on when all requirements for service have been complied with.

2. When a utility has been turned off by municipal personnel, it shall not be turned on again without written permission of the city clerk-treasurer.

§ 16-902 NO SERVICE CONNECTION UNTIL BILLS HAVE BEEN PAID; CUT-OFFS.

1. A person owing delinquent municipal utility bills or other charges in connection with any municipal utility system shall not be extended additional services until such bills and charges have been paid.

2. Utilities may be cut off and service discontinued for any of the following reasons:

a. Violation of any ordinance provision relating to any utility or service system, or violation of any ordinance provision or any provision of a code adopted by reference, relating to water and sanitary plumbing or electrical installations, as the case may be, or

b. Failure to pay a utility bill or other proper charge made in connection with the utility system by the time specified by ordinance.

3. A particular service may be cut off for any act or omission in regard to the abuse of another system or service, which jeopardizes the public health or safety, creates a public nuisance, or interferes with the rights of others.

4. The city reserves the right to cut off or reduce any utility or service to any customer when necessary to conserve water, to protect life or property, or to repair or improve the system.

§ 16-903 CUSTOMERS TO KEEP SERVICE PIPES IN GOOD REPAIR.

All customers using municipal utilities shall keep their service pipes and other apparatus in good repair and in proper operation, and shall not unnecessarily waste water nor contribute to unsanitary conditions.

§ 16-904 CITY NOT RESPONSIBLE FOR UTILITY INTERRUPTION.

The city shall not be responsible for any damages due to stoppage or interruption of any utility or service.

§ 16-905 MUNICIPAL PERSONNEL MAY INSPECT PRIVATE PREMISES.

Personnel in the service of the city of Blanchard, Oklahoma, may enter any private premises served by municipal utilities at any reasonable time, and inspect the pipe, fixtures and/or wiring on the premises.

§ 16-906 INTERFERENCE WITH FIRE HYDRANTS; DAMAGE OF UTILITY SYSTEM.

1. It shall be unlawful for any person, unless duly authorized, to open, turn on or off, interfere with, attach any pipe or hose to, or connect anything with, any fire hydrant belonging to the city of Blanchard, Oklahoma.

2. It shall be unlawful for any person to, in any manner, obstruct access to any fire hydrant by placing around or thereon brick, lumber, dirt or any other thing.

3. It shall be unlawful for any person to damage, destroy or tamper with any pipes, lines, meters or other equipment or property which is a part of a Municipal utility system.

§ 16-907 CONSTRUCTION COST REIMBURSEMENT FOR CERTAIN UTILITY TRUNK LINES, WATER TOWERS, LIFT STATIONS AND OTHER UTILITY SYSTEM IMPROVEMENTS.

1. Any person who elects to construct a utility trunk line, water tower, lift station or appurtenances thereto, as defined in this section, shall be eligible to receive reimbursement for a portion of the costs of construction of the utility trunk line, water tower, lift station or appurtenances thereto in a negotiated amount not to exceed ninety percent (90%) of the cost of the utility trunk line.

2. The term "recoupment eligible improvements" is hereby defined as:

- a. a water or sewer utility main located in public easements or on city owned property connecting an existing main utility line of the Blanchard Municipal Improvement Authority to water or sewer lines located within an existing subdivision or a proposed subdivision;
- b. a water tower or lift station or other improvement appurtenant thereto that the Blanchard Municipal Improvement Authority determines is beneficial to property other than just the property being developed by the person constructing the improvement;
- c. The term "recoupment eligible improvements" shall exclude water or sewer lines, water towers or lift stations or other appurtenances located within a subdivision or proposed subdivision unless such

internal water or sewer line, water tower, lift station or other appurtenance is upsized at the request of the Blanchard Municipal Improvement Authority to allow the improvement to benefit property other than just the property being developed by the person constructing the improvement.

3. To be eligible for reimbursement for a portion of the costs of construction of recoupment eligible improvements ("REI") the person constructing the REI shall, prior to the construction of the REI, submit plans for the construction of said REI together with plans for all water and sewer improvements and appurtenances that said person proposes to be located in the subdivision or proposed subdivision being developed by the person constructing the REI.

4. Prior to the commencement of construction, the person desiring to construct the REI shall obtain written approval of the city of Blanchard and the Blanchard Municipal Improvement Authority of the REI design and construction, including size and location of the REI. The approval required by this section shall be in addition to and not in lieu of approval required by other sections and provisions of the code of the city of Blanchard, the subdivision regulations for the city of Blanchard and any other requirements or regulations of the city of Blanchard or the Blanchard Municipal Improvement Authority.

5. Prior to the written approval of the city of Blanchard and the Blanchard Municipal Improvement Authority, the person constructing the REI shall enter into a written agreement between the Blanchard Municipal Improvement Authority and the city of Blanchard outlining the specific conditions for reimbursement.

6. Under no circumstances shall the city of Blanchard or the Blanchard Municipal Improvement Authority be liable to any person for failure to comply with the terms of an agreement entered into pursuant to this ordinance.

7. Reimbursements for REI construction costs will be made from impact fees collected from parties benefiting from the construction of the REI.

8. No person shall be entitled to any reimbursement for any REI construction costs more than fifteen (15) years after the dedication of the REI to the Blanchard Municipal Improvement Authority.

9. The city of Blanchard and the Blanchard Municipal Improvement Authority shall maintain in its permanent files a full and complete description of all REI constructed pursuant to this section. The permanent files and records of the City of Blanchard shall include a copy of the agreement between the Blanchard Municipal Improvement Authority, the city of Blanchard and the person constructing the REI pursuant to this ordinance. The records with regard the each REI constructed pursuant to this § shall include the date dedication of the REI and

the total cost of the REI as evidenced by the sworn statement of the person constructing same.

10. The city of Blanchard and the Blanchard Municipal Improvement Authority shall clearly note upon its municipal utility maps the existence of all REI constructed pursuant to this ordinance and shall maintain such clear designation for a period of fifteen (15) years from the date of the dedication of said REI.

11. The written agreement between the person constructing REI and the city of Blanchard and The Blanchard Municipal Improvement Authority shall address the conditions and amounts of reimbursement to which the person is entitled. No construction shall begin until such agreement has been fully approved and executed by all parties.

12. No property owner or developer shall be compelled to install REI, however, the city of Blanchard and the Blanchard Municipal Improvement Authority shall not be compelled to allow any person to use its public easements or rights of way for the installation of utilities.

13. Any REI constructed pursuant to this ordinance shall be dedicated to the city of Blanchard and the Blanchard Municipal Improvement Authority immediately upon its completion and the construction of said REI shall be in compliance with all federal, state and municipal statutes, ordinances and regulations.

14. No property owner or developer shall be compelled to connect to an REI constructed pursuant to this ordinance, however, any such connection made within fifteen (15) years of the dedication of said REI shall require the imposition of an impact fee in such amount and under such conditions as set forth in the negotiated agreement between the city of Blanchard, The Blanchard Municipal Improvement Authority and the person constructing the REI pursuant to this ordinance. In addition to the imposition of said impact fee, the city shall also assess other fees, including Connection Fees to recover the city's costs for said connection. [Ord. No. 2006-29, 10/10/2006]

ARTICLE 10

PENALTY

§ 16-1001 Penalty; failure to pay utility bills.

§ 16-1001 PENALTY; FAILURE TO PAY UTILITY BILLS.

1. Every person who violates any provision of this chapter, or of any ordinance, code or standard adopted by this chapter, or maintains or permits to

continue any situation defined by this chapter as unlawful, shall be guilty of an offense and, upon conviction thereof, shall be fined in any amount not to exceed the limits established in §8-301 of this code of ordinances. Every day upon which a violation continues shall be deemed a separate offense.

2. All bills for utility services due to the city of Blanchard, Oklahoma, shall be due and payable upon receipt and shall be considered delinquent if not paid on or before the 10th day of each month. Each delinquent utility bill shall have added thereto an additional one percent (1%) of unpaid balance per month as penalty. Any person delinquent in payment on the last day of each month shall be notified of such delinquency, and after five (5) days' notice shall have such services discontinued, and such services shall not be restored until the delinquent bill, including penalty, is paid in full. It shall be the duty of the city clerk-treasurer to notify the appropriate personnel of any such delinquency. Any person whose services have been discontinued for unpaid utility bills may have the same resumed upon the payment of all utilities due and the further sum of twenty-five dollars (\$25.00) to cover the cost. [Ord. No. 1991-03, 5/21/91]

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