

ORDINANCE #371

AN ORDINANCE OF THE MAYOR & COUNCIL OF THE CITY OF MONTEZUMA, GEORGIA TO AMEND CODE SECTIONS 94-296 BY ELIMINATING THIS SECTION ENTIRELY & SUBSTITUTING THE FOLLOWING NEW SECTION.

BE IT ORDAINED by the Mayor and Council of the City of Montezuma, Georgia and it is hereby ordained by authority of same that the Code of Ordinances of the City of Montezuma, Georgia, be, and the same is hereby amended by deleting Section 94-296 in its entirety and inserting a new Section 94.296, as follows;

Existing section to be deleted:

**Sec. 94-296 Surcharge for heavier concentrations of pollutants**

~~When the Five-Day Biochemical Oxygen Demand (BOD), Total Suspended Solids (TSS), Fats, Oil and Grease (FOG), or any other pollutant concentrations from a user are greater than the range of concentration of these pollutants in normal domestic sewage, a surcharge may be levied as follows:~~

- ~~(1) A base surcharge of \$250.00 per month for exceeding the pollutant limitations~~
- ~~(2) When the five-day BOD exceeds two hundred fifty (250) parts per million, a surcharge of ten cents (\$0.10) per pound of excess BOD shall apply.~~
- ~~(3) When the total suspended solids concentration exceeds two hundred fifty (250) parts per million, a surcharge of one cent (\$0.01) per pound of excess suspended solids shall apply.~~
- ~~(4) When the fats, oil and grease concentration exceeds one hundred (100) parts per million, a surcharge of ten cents (\$0.10) per pound excess fats, oil and grease shall apply.~~

~~The monthly surcharge for each pollutant shall be computed as follows for any day of the month that limits are exceeded:~~

$$\text{Surcharge} = 8.34 \times (Q + 1,000,000) \times (X - C) \times R$$

~~Where~~ ~~R = Surcharge Rate in Dollars~~  
~~X = Actual concentration of pollutant (BOD, TSS, FOG, etc.)~~  
~~C = Base concentration of pollutant (BOD, TSS, FOG, etc.)~~  
~~X = Total flow from user per month (in gallons)~~

~~The total surcharge shall be the base monthly charge (\$250.00) plus the daily surcharges for each pollutant that exceeds the base concentration.~~

~~Sampling frequency, analysis and responsibilities will be as follows:~~

- ~~(1) The user will be required to provide the City with a composite sample as well as the volume discharged for any 24 hour period discharge occurred. Composite samples will consist of at least five flow proportional samples over an eight (8)~~

~~hour period, automated samplers are preferred, and discharge flow will be measured with acceptable metering equipment.~~

- ~~(2) Sample analysis will be performed by and EPA approved laboratory at City expense.~~
- ~~(3) The user will provide the City with a discharge schedule.~~
- ~~(4) The City will have access to samplers to monitor and collect samples from the user the day following discharge.~~
- ~~(5) The City will have access to flow metering equipment to record daily totals.~~
- ~~(6) Annual calibration is required for flow measuring equipment.~~

## New sections to be inserted:

### Sec. 94.296 Surcharge for heavier concentrations of pollutants

(a) When the Five-Day Biochemical Oxygen Demand (BOD), Total Suspended Solids (TSS), Fats, Oil and Grease (FOG), or any other pollutant concentrations from a user are greater than the range of concentration of these pollutants in normal domestic sewage, a surcharge may be levied as follows:

- (1) A base surcharge of \$250.00 per month for exceeding the pollutant limitations
- (2) When the five-day BOD exceeds two hundred fifty (250) parts per million, a surcharge of ten cents (\$0.10) per pound of excess BOD shall apply.
- (3) When the total suspended solids concentration exceeds two hundred fifty (250) parts per million, a surcharge of one-cent (\$0.01) per pound of excess suspended solids shall apply.
- (4) When the fats, oil and grease concentration exceeds one hundred (100) parts per million, a surcharge of ten cents (\$0.10) per pound excess fats, oil and grease shall apply.

(b) The monthly surcharge for each pollutant shall be computed as follows:

$$\text{Surcharge} = 8.34 \times (Q \div 1,000,000) \times \{X - C\} \times R$$

Where  
R = Surcharge Rate in Dollars  
X = Actual concentration of pollutant (BOD, TSS, FOG, etc.)  
C = Base concentration of pollutant (BOD, TSS, FOG, etc.)  
Q = Total flow from user per month (in gallons)

The surcharge for each pollutant shall be based on a monthly average of each pollutant or a combined daily poundage calculation for the month. The method of a monthly average or a daily calculation of poundage shall be determined by the frequency and strength of the waste. The total surcharge shall be the base monthly charge (\$250.00) plus the surcharges for each pollutant that exceeds the base concentration for that month.

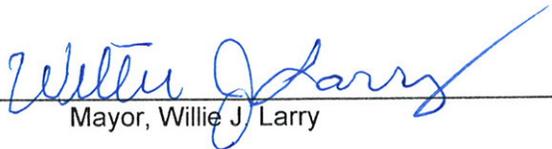
(c) Sampling Requirements:

- (1) The flow metering and sample point shall be located between the users last unit process and before entering the collection system.
- (2) The user shall meter the discharge daily with acceptable metering equipment and report totals to the City by the fifth day of the following month.
- (3) The City shall have access to flow metering equipment.

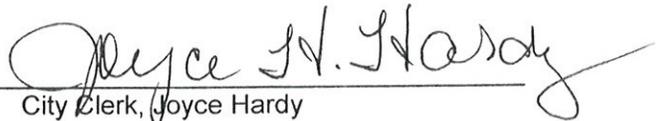
- (4) Annual calibration is required for flow measuring equipment.
- (5) Sampling frequency shall be determined by the amount, frequency and strength of the discharge. If the user is required to monitor pollutant concentrations under an existing Industrial Pretreatment Permit then the user will supply a copy of the monthly results to the City. These results may be used or more testing may be required. If more testing is required it shall be preformed at the Cities expense and the user shall be required to provide the City with a composite sample on a weekly schedule to be determined by the frequency and strength of discharge. Composite samples shall consist of at least five flow proportional samples over an eight (8) hour period, automated samplers are preferred. Sample analysis shall be performed by an EPA approved laboratory.
- (6) The user shall provide the City with a discharge schedule.
- (7) The City shall have access to the users samplers to monitor and collect samples.

**SO ORDAINED**, this 10th day of February, 2009.

**CITY OF MONTEZUMA, GEORGIA**

By:   
Mayor, Willie J. Larry

(SEAL)

Attest:   
City Clerk, Joyce Hardy