

Ordinance 0002-26 – Sanitary Sewer Amendments – Corrected

An ordinance to amend Chapter 98, Utilities, of the Municipal Code of the City of Racine, Wisconsin.

The Common Council of the City of Racine, Wisconsin, do ordain as follows:

Part 1: Chapter 98, Article I, Section 98-1, Water and Wastewater utilities created; jurisdiction, is amended as follows:

The words “Wastewater discharge falls under the jurisdiction of the wastewater utility and is considered public when it enters the public sewer. Wastewater in the public sewer may be used for any purposes deemed necessary by the wastewater utility.” are inserted as the second- and third-to-last sentence of subsection (c).

Part 2: Chapter 98, Article I, Section 98-4, Definitions, is amended as follows:

The words “starting at the public right of way on the lateral.” are inserted in the definition of *Public Sewer* following the words “public authority.”

Part 3: Chapter 98, Article IV, Division 3, Section 98-124, Definitions, is amended as follows:

The title of the definition *Significant industrial contributor* is amended to read *Significant industrial user*.

In subsection (3), of the definition of *Significant industrial user*, the words “incompatible pollutants at a flow rate greater than five percent of the flow carried by the municipal system; or” are deleted, and the words “a process waste stream which makes up 5% or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or” are substituted therefor.

In the definition of *Slug*, the words “any discharge of water, sewage or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than 15 minutes more than five times the average 24-hour concentration or flows during normal operation” are deleted and the words “any nonroutine, episodic discharge, such as a discharge resulting from a spill or a noncustomary batch discharge” are substituted therefor.

The new definition, “*Unpolluted* means any water that is deemed by the Wisconsin DNR as being approved for discharge to storm sewer or surface water.” shall be inserted in the alphabetically-appropriate place.

Part 4: Chapter 98, Article IV, Division 3, Section 98-150, Pretreatment regulations—General provisions, is amended as follows:

In subsection (b) Definitions, for the term *Significant industrial user*, subsection (3) the words “incompatible pollutants at a flow rate greater than five percent of the flow carried by

the municipal system;" are deleted and the words "a process waste stream which makes up 5% or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant;" are substituted therefor.

In subsection (b) subsection (5) the words "the general manager may, with the consent of the wastewater commission, at any time, on its own initiative or in response to a petition received from an industrial user" are deleted and the words "the utility may at any time, on its own initiative or in response to a petition received from an industrial user, and in accordance with procedures in 40 CFR 403.8(f)(6)," are substituted therefor.

In subsection b, subsection "(21) Any form and quantity of glycol discharge." Shall be created and added.

In subsection (m), the words "on (date)" are deleted.

In subsection (m), subsection (3), the words ", or designee" are inserted following the words "general manager."

Part 6: Chapter 98, Article IV, Division 3, Section 98-152, Pretreatment of wastewater, is amended as follows:

In subsection (a) the words "acceptable to" are deleted and the words "approved by" are substituted therefor.

Part 7: Chapter 98, Article IV, Division 3, Section 98-153, Administration, is amended as follows:

In subsection (a), subsection (2), the words ", or designee," are inserted in the sentence, "This permit is approved only after the general manager has inspected the facility." Following the words "general manager."

In subsection (a), subsection (8) the words "four-year period" are deleted and the words "period not to exceed five years" are substituted therefor.

In subsection (a), subsection (10), the words "without the written permission of the Utility" are inserted following the words "a new significant user."

In subsection (b), subsection (6), the words ", or designee," shall be inserted in the first paragraph between the words "general manager" and the words "of the incident."

In subsection (b), subsection (6), subsection a., the second paragraph, the words "All slug and accidental discharges shall be recorded and maintained on file at the industry in accordance with Section 98-151(l) regardless of whether the discharge entered the sanitary sewer system." shall be inserted as a final sentence.

In subsection (b), subsubsection (14), the words “The user shall notify” are deleted and the words “The General Manager may require a user to notify” are inserted therefor.

Part 8: Chapter 98, Article IV, Division 3, Section 98-155, Enforcement, is amended as follows:

In each instance in Section 98-155, where the words “may” and “may not” are used in reference to a discretionary action of the utility or the general manager, the words “may” and “may not” are deleted and the words “has the discretion to” are inserted therefor.

In subsection (d), the words “board of standards” are deleted and the words “hearing officials” are inserted therefor.

Part 9: This ordinance shall take effect upon passage by a majority vote of the members-elect of the City of Racine Common Council and publication or posting as required by law.

Fiscal Note: N/A

Pursuant to Wisconsin Statutes section 62.09(8)(c), the mayor shall have the veto power as to all acts of the common council, except such as to which it is expressly or by necessary implication otherwise provided. All such acts shall be submitted to the mayor by the clerk and shall be in force upon approval evidenced by the mayor’s signature, or upon failing to approve or disapprove within 5 days, which fact shall be certified thereon by the clerk. If the mayor disapproves, the mayor’s objections shall be filed with the clerk, who shall present them to the council at its next meeting. A two-thirds vote of all the members of the council shall then make the act effective notwithstanding the objections of the mayor.