

**ORDINANCE NO. 01-2008-613**

**AN ORDINANCE RELATING TO GRANT COUNTY WASTEWATER  
TREATMENT FACILITIES, SEWER CONSTRUCTION AND  
ESTABLISHMENT OF PROCEDURES FOR CUSTOMER RATES, AND FOR  
THE PROVISION OF SERVICES**

WHEREAS, Grant County desires to provide for the maximum possible beneficial public use of the district's wastewater facilities through regulation of sewer construction, sewer use, and wastewater discharges;

WHEREAS, Grant County desires to provide for equitable distribution of the costs of the district's wastewater facilities;

WHEREAS, Grant County desires to provide procedures for complying with the requirements contained herein.

**NOW THEREFORE, BE IT ORDAINED BY THE FISCAL COURT OF THE  
COUNTY OF GRANT, COMMONWEALTH OF KENTUCKY, AS FOLLOWS.**

**SECTION I - PREAMBLE**

(A) The provisions of this chapter shall apply to the discharge of all wastewater to facilities of the district. This chapter provides for use of the district's wastewater facilities, regulation of sewer construction, control of the quantity and quality of wastewater discharged, wastewater pretreatment, equitable distribution of costs, sewer construction plans, issuance of wastewater discharge permits, minimum sewer construction standards and conditions, and penalties and other procedures in cases of violation of this chapter.

(B) This chapter shall apply to the county and to persons outside the district who are, by contract or agreement with the district, users of the district's wastewater sewers or wastewater treatment facilities.

(C) Nothing contained in this Ordinance shall permit or otherwise grant to the Grant County Sanitary Sewer District the authority or power to enter into any agreement, contract, or cooperative with any other sanitary sewer treatment authority or facility, including but not limited to any municipal sanitary sewer authority without the express written consent and approval of the Grant County Fiscal Court.

**SECTION II - DEFINITIONS**

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

- (A) **ACT.** The Federal Clean Water Act, as amended.
- (B) **ASTM.** The American Society for Testing and Materials.
- (C) **BOD (DENOTING BIOCHEMICAL OXYGEN DEMAND).** The quantity of oxygen used in the biochemical oxidation of organic matter under standard laboratory procedure during days at 20°C, expressed in milligrams per liter.
- (D) **DAY.** The 24-hour period beginning at 12:01 a.m.
- (E) **EASEMENT.** An acquired legal right for the specific use of land owned by others.
- (F) **EPA.** The United States Environmental Protection Agency.
- (G) **GARBAGE.** The solid animal and vegetable wastes resulting from the domestic or commercial handling, storage, dispensing, preparation, cooking, and serving of food.
- (H) **GOUNDWATER.** Water within the earth.
- (I) **INTERFERENCE.** Inhibition or disruption of any sewer system, wastewater treatment process, sludge disposal system, or their operation, which substantially contributes to a violation of applicable discharge permits.
- (J) **MANAGER.** The manager of the district wastewater system, or an authorized designee.
- (K) **NATURAL OUTLET.** Any outlet into a watercourse, pond, ditch, lake, or any other body of surface or groundwater.
- (L) **NPDES.** National Pollutant Discharge Elimination System permit program, whether administered by the EPA or by the state.
- (M) **OWNER.** The person or persons who legally own, lease, or occupy private property with wastewater facilities that discharge, or will discharge, to the district wastewater facilities.
- (N) **PERSON.** Any individual, firm, company, association, society, partnership, corporation, municipality, or other similar organization, agency, or group.
- (O) **PRETREATMENT.** The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater before discharge into the district's wastewater facilities.

- (P) **PROPERLY SHREDDED GARBAGE.** Garbage that has been shredded such that all particles will be carried freely under flow conditions normally prevailing in the wastewater sewers, with no particle greater than ½-inch in any dimension.
- (Q) **PUBLIC SERVICE COMMISSION.** The commission with regulatory jurisdiction over the affected utility as provided for in KRS Ch. 278 *et seq* and/or KRS Chapter 74.
- (R) **RATE SCHEDULE.** Any individual or joint fare, toll, charge, rental or other compensation for service rendered or to be rendered by any utility, and any rule, regulation, practice, act, requirement or privilege in any way relating to such fare, toll, charge, rental or other compensation, and any schedule or tariff or part of a schedule or tariff thereof.
- (S) **RESIDENTIAL USER.** All premises used only for human residency and that are connected to the wastewater facilities.
- (T) **SANITARY WASTEWATER.** Wastewater discharged from the sanitary conveniences of dwellings, office buildings, industrial plants, or institutions.
- (U) **STANDARD METHODS.** The latest edition of Standard Methods for the Examination of Water and Wastewater, published by the American Public Health Association, Water Pollution Control Federation, and American Water Works Association.
- (V) **STATE.** The State or Commonwealth of Kentucky.
- (W) **STORMWATER.** A sewer for conveying storm, surface, and other waters, that are not intended to be transported to a treatment facility.
- (X) **SURFACE WATER.** Water that occurs when the rate of precipitation exceeds the rate at which water may percolate into the soil.
- (Y) **SUSPENDED SOLIDS.** The total suspended matter that either floats on the surface of, or is in suspension in, water or wastewater, as determined by 40 CFR 136.
- (Z) **TOXICS.** Any of the pollutants designed by federal regulations pursuant to §307(a)(1) of the Act.
- (AA) **WASTEWATER.** A combination of liquid and water-carried wastes from residences, commercial buildings, industries, and institutions, together with any groundwater, surface water, or storm water that may be present.
- (BB) **WASTEWATER FACILITY.** The combination of wastewater sewers and treatment facilities.

- (CC) **WASTEWATER SEWER.** The structures, processes, equipment, and arrangements necessary to collect and transport wastewaters to the treatment facility.
- (DD) **WASTEWATER TREATMENT FACILITY.** The structures, processes, equipment, and arrangements necessary to treat and discharge wastewater.
- (EE) **WPCF.** The Water Pollution Control Federation.

### **SECTION III - TAMPERING**

- (A) No person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment that is part of the district's wastewater facilities.
- (B) It shall be unlawful for any person, firm or corporation not authorized by the Grant County Sanitary Sewer District to in any way or manner whatsoever tamper with the district owned and operated sewerage system or any of their appurtenances or facilities.
- (C) It shall be unlawful for any person, firm or corporation to place or cause or permit to be placed any foreign object of any kind or nature into any sewer line, manhole, lamphole or other appurtenances or facility of the district owned and operated sewerage system.
- (D) Subject to division (E), it shall be unlawful for any person, firm or corporation to change or cause to be changed the grade or contour of the surface of the area near any sewer line, manhole, lamphole, or other appurtenances or facility of the district owned and operated sewerage system without first having submitted to the district a plan or sketch and such other information as may be required showing the nature and extent of the proposed changes and having received from the district written permission to make the change.
- (E) The County Road Department is herein given perpetual authority to change or cause to be changed the grade or contour of surface areas near sewer lines, manholes, lampholes, and other appurtenances or facilities of the district provided they will be responsible for restoration or damage caused by soil changes and the district is notified of such change.

### **SECTION IV - USE OF WASTEWATER FACILITIES**

#### **(A.) DEPOSITING OBJECTIONABLE WASTES PROHIBITED.**

It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the district, or in any area under

the jurisdiction of the district, any human or animal excrement, garbage, or other objectionable waste.

**(B) UNAUTHORIZED WASTEWATER DISCHARGES PROHIBITED.**

Wastewater discharges to the district's wastewater facilities are not authorized unless approved by the manager in accordance with provisions of this chapter.

**(C) PRIVIES, SEPTIC TANKS, AND OTHER FACILITIES.**

Except as provided in this chapter, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of wastewater.

**(D) CONNECTION TO SEWER REQUIRED; EXCEPTION.**

The owner of any house, building, or property used for human occupancy, employment, recreation, or other purposes under the jurisdiction of this chapter and abutting on any street, alley, or rights-of-way in which there is or may be located a wastewater sewer connected to the treatment facility of the district, is required at the owner's expense to install suitable toilet facilities therein and to connect facilities directly to the proper sewer in accordance with the provisions of this chapter, within 60 days after date of official notice to do so provided the proper wastewater sewer is within 300 feet of any house, building or property used for human occupancy, employment, recreation, or other purpose. This section shall not apply to any person served by a privately constructed, owned, operated, or maintained wastewater sewer and wastewater treatment facility that discharges directly to a natural outlet in accordance with the provisions of this chapter and applicable state and federal laws.

For purposes of calculating 300 feet as indicated in this section, distance will be measured in a straight line from the nearest practical connection point with an existing sewer line to that point of the owner's occupied structure where sewerage is currently discharged from that structure to an existing septic or other sewer treatment facility. All determinations requiring an owner to tap in to the district's system shall be made by the manager whose decision shall be final. Any appeal from the manager's determination requiring an owner to tap in to the district's system shall be made by the owner to the district no later than 30 days following the district's notification to the owner requiring owner's tap in to the district's system.

The manager of the district may exempt the owner from the tap in requirements of this section if such tap in would be impractical due to topographical or other engineering considerations.

**(E) DISCHARGE OF STORMWATER AND OTHER UNPOLLUTED DRAINAGE.**

All uncontaminated discharges of stormwater, surface water, groundwater, roof runoff, subsurface drainage, or other waters not required to be treated in the treatment facility shall be made to storm sewers or natural outlets designed for discharges. Any connection, drain, or arrangement that will permit waters to enter any other wastewater sewer shall be deemed to be in violation of this section and this chapter.

**(F) RESTRICTED DISCHARGES.**

No person shall discharge or cause to be discharged to any of the district's wastewater facilities any substances, materials, waters, or waste in quantities or concentrations that will:

- (1) Create a fire or explosion hazard including but not limited to gasoline, benzene, naphtha, fuel, oil, or other flammable or explosive liquid, solid, or gas;
- (2) Cause corrosive damage or hazard to structures, equipment, or personnel of the wastewater facilities, and in no case will discharges be allowed with a pH lower than 5.0.

**(G) FEDERAL CATEGORICAL PRETREATMENT STANDARDS.**

No person shall discharge or cause to be discharged to any wastewater facilities, wastewaters containing substances in excess of the quantity prescribed by the applicable Federal Categorical Pretreatment Standard promulgated by EPA, except as otherwise provided in this section. Compliance with applicable pretreatment standards shall be made within three years of the date the standard is promulgated for existing systems; however, compliance with a categorical pretreatment standard for new sources shall be required upon connection to the POTW.

**(H) SPECIAL AGREEMENTS.**

Nothing in this subchapter shall be construed as preventing any special agreement or arrangement between the district and any user of the wastewater facilities, whereby wastewater of unusual strength or character is accepted into the system and specially treated subject to any applicable payments or user charges.

**SECTION V - PRIVATE WASTEWATER DISPOSAL**

**(A) PRIVATE SYSTEM REQUIRED.**

All houses, buildings, or properties that are required by other authority to have sanitary or industrial wastewater facilities, are subject to the jurisdiction of this chapter, and are located where a proper wastewater sewer is not available as specified by the provisions of Section V(E) of this chapter, shall be equipped at the owner's expense with suitable wastewater facilities connected to a private wastewater disposal system, which complies with the provisions of this subchapter.

**(B) CONSTRUCTION PERMIT; FEE.**

Before beginning construction of a private wastewater disposal system required under Section VI(M), above, the owner shall first obtain a written construction permit signed by the manager. The application for such permit shall be made on a form furnished by the district, which the applicant shall supplement by any plans, specifications, and other information relevant to wastewater discharges as are deemed necessary by the manager. A permit and inspection fee of \$500 shall be paid to the district at the time the application is filed.

**(C) DESIGN REQUIREMENTS.**

The type, capacities, location, and layout of a private wastewater disposal system shall comply with all requirements of the Department of Public Health of the State or applicable federal law. Septic tank or cesspool discharges require the use of subsurface disposal. This requirement excludes deep well disposal as defined by state and federal laws.

**(D) OPERATING PERMIT.**

Before beginning of operation of a private wastewater disposal system, the owner shall first obtain a written operating permit signed by the manager. The operating permit shall not become effective until the installation is completed to the satisfaction of the manager. The manager shall be allowed to inspect the work at any stage of construction, and, in any event, the applicant for the operating permit shall notify the manager when the work is ready for final inspection and before any underground portions are covered. The inspection shall be made within 48 normal business hours after receipt of notice by the manager.

**(E) TRANSFER OF OWNERSHIP TO DISTRICT.**

Owners shall transfer ownership of a private wastewater disposal system to the district after receipt of operating permit and approval by the Public Service Commission, State of Kentucky, and the like provided, however, any such transfer of ownership shall be subject to the approval of the District and upon such terms and conditions as the District may deem appropriate.

**(F) CONNECTION TO DISTRICT'S SYSTEM WHEN AVAILABLE.**

At such time as a wastewater sewer becomes available, as defined in § 51.018, to a property served by a private wastewater disposal system, a direct connection shall be made to the wastewater sewer within 30 days, and any septic tanks, cesspools, and similar wastewater disposal facilities shall be emptied as prescribed by local regulations and filled with suitable material.

**(G) SANITARY OPERATION REQUIRED.**

The owner shall operate and maintain the private wastewater disposal facilities in a sanitary manner at all times in accordance with the conditions of the operating permit and at no expense to the district. The facilities shall be subject to inspection by the manager at reasonable times.

**(H) NONINTERFERENCE WITH ADDITIONAL REQUIREMENTS.**

No statement contained in this subchapter shall be construed to interfere with any additional requirements that may be imposed by the State of Kentucky, EPA, County Health Department, Public Service Commission, or other applicable authority.

**(I) EXEMPTIONS.**

This subchapter shall not apply to any private system that discharges to wastewater facilities of the district or that discharges directly to a natural outlet by authority of a separate NPDES permit and in compliance with applicable state and federal laws.

**SECTION VI - BUILDING SEWERS AND CONNECTIONS**

**(A) CONNECTION PERMIT**

No unauthorized person shall uncover, make any connection with or opening into, use, alter, or disturb any wastewater sewer or storm sewer without first obtaining a written permit from the manager.

**(B) CONNECTION AND INSTALLATION COSTS.**

The costs and expenses incidental to the building sewer installation and connection to the district's wastewater facilities shall be borne by the owner. The owner shall indemnify the district from any loss or damage that directly or indirectly may result from the installation of the building sewer.

**(C) SEPARATE CONNECTION REQUIRED FOR EACH BUILDING.**

A separate and independent building sewer shall be provided for every building, except when one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, courtyard, or driveway. In such cases, the building sewer serving the front building may be extended to the rear building and the whole considered as one building sewer. The district assumes no obligation or responsibility for damage caused by or resulting from any single building sewer that serves two buildings.

**(D) USE OF EXISTING BUILDING SEWERS.**



Existing building sewers may be used for connection of new buildings only when they are found, after examination and test by the manager, to meet the requirements of this chapter.

**(E) BUILDING SEWER DESIGN.**

The size, slope, alignment, construction materials, trench excavation and backfill methods, pipe placement, jointing, and testing methods used in the construction and installation of a building sewer shall conform to the Building and Plumbing Code or other applicable requirements of the district. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the ASTM and WPCF shall apply.

**(F) BUILDING SEWER ELEVATION.**

Whenever practical, the building sewer shall be brought to a building at an elevation below the basement floor. In buildings in which any building drain is too low to permit gravity flow to the district's wastewater sewer, the wastewater carried by the building drain shall be lifted by an approved means and discharged to a building sewer draining to the district.

**(G) SURFACE RUNOFF AND GROUNDWATER DRAINS, CONNECTION PROHIBITED.**

(1) No person shall connect roof, foundation, areaway, parking lot, roadway, or other surface runoff or groundwater drains to any sewer that is connected to a wastewater treatment facility unless the connection is authorized in writing by the manager.

(2) Except as provided in division (1) above, roof, foundation, areaway, parking lot, roadway, or other surface runoff or groundwater drains shall discharge to natural outlets or storm sewers.

**(H) CONFORMANCE TO APPLICABLE CODES.**

(1) The connection of a building sewer into a wastewater sewer shall conform to the requirements of the Building and Plumbing Code or other applicable requirements to the district or to the procedures set forth in appropriate specifications of the ASTM or the WPCF. The connections shall be made gas-tight and watertight and verified by proper testing. Any deviation from the prescribed procedures and materials must be approved in writing by the manager before installation.

(2) The connection of a surface runoff or groundwater drain to a storm sewer or natural outlet designed to transport surface runoff or groundwater drainage

shall conform to the requirements of the applicable Building Code or other applicable requirements of the district. The connection of any drain to a wastewater sewer under special permit as provided herein shall conform to the requirements specified by the manager as a condition of approval of the permit.

**(I) CONNECTION INSPECTION.**

The applicant for a building sewer or other drainage connection permit shall notify the manager when the sewer or drainage connection is ready for inspection before its connection to the district's facilities. The connection and testing, as deemed necessary by the manager, shall be made under the supervision of the manager.

**(J) EXCAVATING GUARDS AND PROPERTY RESTORATION.**

Excavations for building sewer installation shall be adequately guarded with barricades and lights to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the district.

**(K) PROTECTION OF CAPACITY; EXISTING USERS.**

The manager shall not issue a permit for any class of connection to the district's wastewater sewers of wastewater treatment facilities unless there is sufficient capacity not legally committed to the other users in the wastewater sewers and treatment facilities to convey and adequately treat the quantity of wastewater that the requested connection if there are legally binding commitments to provide the needed capacity.

**(L) DETERMINATION OF WASTEWATER CHARACTERISTICS.**

(1) Measurements, tests, and analyses of the characteristics of wastewater to which reference is made in this chapter, shall be determined in accordance with 40 CFR 136 methods approved by the manager and shall comply with state and federal law. Sampling locations, times, durations, and frequencies shall be determined on an individual basis subject to approval by the manager. The discharger shall have the option to use, at his or her own expense, more complete approved sampling methods, locations, times, durations, and frequencies than specified by the manager. Any additional results beyond those required are also to be reported to the control authority.

(2) Measurements, tests, and analyses of the characteristics of wastewater required by this chapter shall be performed by a qualified laboratory. When analyses are required of a discharger, the discharger may, in lieu of using the district's laboratory, make arrangement with any qualified laboratory, including that of the discharger, to perform the analyses.

(3) Monitoring of wastewater characteristics necessary for determining compliance with applicable pretreatment standards shall be conducted on the basis of the schedule below, unless more frequent monitoring is required by authority other than this chapter, or if the manager determines that the characteristics of the specific discharge warrant more frequent monitoring.

Average Actual Discharge	Monitoring Frequency
Less than 100,000 gpd	Semi-annually
100,000 – 999,999 gpd	Quarterly
More than 999,999 gpd	Monthly

(4) Monitoring of wastewater characteristics for any purpose other than determining compliance with pretreatment standards shall be conducted on a frequency deemed necessary by the manager.

(5) Upon demonstration by any person that the characteristics of the wastewater discharged by that person are consistent, the manager may reduce the monitoring frequency as may be required by authority other than this chapter. In no case shall the frequency of monitoring be less than semi-annual for determining compliance with pretreatment standards.

(6) In determining the discharge characteristics, factors such as continuous, batch, or seasonable operation, as well as the information requirements of other provisions in this chapter, shall be considered by the manager. The manager may obtain wastewater samples as required to verify the consistency of discharge characteristics.

(7) Fees for any given measurement, test, or analysis of wastewater required by this chapter and performed by the district shall be the same for all classes of dischargers, regardless of the quantity or quality of the discharge, and shall reflect only direct cost. Costs of analyses performed by an independent laboratory at the option of the discharger shall be borne directly by the discharger.

**(M) REPAIR OF DAMAGE; LIABILITY FOR COSTS.**

If the drainage or discharge from any establishment causes a deposit, obstruction, or damage to any of the district's wastewater facilities, the manager shall cause the deposit or obstruction to be promptly removed or cause the damage to be promptly repaired. The cost for the work, including materials, labor, and supervision, shall be borne by the person causing the deposit, obstruction, or damage.

**SECTION VII - PRETREATMENT**

(A) **WASTEWATERS CONTAINING NUISANCE OR HAZARDOUS SUBSTANCES; PRETREATMENT REQUIREMENTS.**

- (1) The manager will initially rely on the Federal Categorical Pretreatment Standards to protect wastewater facilities or receiving waters; however, if any wastewater that contains substances or characteristics shown to have deleterious effect on the wastewater facilities, processes, equipment, or receiving waters, or that constitutes a public nuisance or hazard is discharged or proposed for discharge to the wastewater sewers, the manager may:
  - (a) Require pretreatment to a condition acceptable for discharge to the wastewater sewers;
  - (b) Require control over the quantities and rates of discharges;
  - (c) Require payment to cover added cost of handling and treating the wastewaters not covered by existing fees and charges;
  - (d) Require the development of compliance schedules to meet any applicable treatment requirements;
  - (e) Require the submission of reports necessary to ensure compliance with applicable pretreatment requirements;
  - (f) Carry out all inspection, surveillance, and monitoring necessary to determine compliance with applicable pretreatment requirements;
  - (g) Obtain remedies for noncompliance by any user. The remedies may include injunctive relief, the civil penalties specified in this chapter, or appropriate criminal penalties; or
  - (h) Reject the wastewater if scientific evidence indicates the discharge will create unreasonable hazards or have unreasonable deleterious effects on the wastewater facilities.
- (2) When considering the above alternatives, the manager shall ensure that conditions of the district's NPDES permit are met. The manager also shall consider the cost effectiveness and the economic impact of the alternatives on the discharger. If the manager allows the pretreatment or equalization of wastewater flows, the installation of necessary facilities shall be subject to review. The manager shall review and recommend any appropriate changes to the program, within 30 days of submittal.
- (3) Where pretreatment or flow-equalizing facilities are provided or required for any wastewater, they shall be maintained continuously in satisfactory and effective operation at the owner's expense.

(B) **COMPLIANCE WITH PRETREATMENT REQUIREMENTS;  
SUBMISSION OF PLAN.**

Persons required to pretreat wastewater in accordance with this subchapter shall provide a statement to be reviewed by an authorized representative of the user and certified by a qualified person. The statement shall indicate whether applicable pretreatment requirements are being met on a consistent basis and, if not, describe the additional operation and maintenance or additional pretreatment needed for the user to meet the pretreatment requirements, the user shall submit a plan (including schedules) to the manager. The plan (including schedules) shall be consistent with applicable conditions of the district NPDES permit or other local, state or federal laws.

(C) **MONITORING REQUIREMENTS.**

Discharges of wastewater to the district's wastewater facilities from the facilities of any user shall be monitored in accordance with the provisions of this chapter.

(D) **EFFECT OF FEDERAL LAW.**

If the federal government promulgates a regulation for a given new or existing user that establishes pretreatment standards or establishes that such a user is exempt from pretreatment standards, the federal regulations shall immediately supersede applicable subsections of this subchapter.

(E) **REVISION OF PRETREATMENT STANDARDS; APPLICATION  
REQUIRED.**

The manager shall promptly apply for and obtain authorization from the EPA to revise discharge limitations for those substances listed in the Federal Categorical Pretreatment Standards for which consistent removal occurs in the wastewater treatment facilities of the district. The manager shall not adopt or enforce discharge limitations more stringent than the requested limitations until the state or EPA acts on the application.

**SECTION VIII - ADMINISTRATION AND ENFORCEMENT**

(A) **ADMINISTRATION BY MANAGER OF DISTRICT**

Except as otherwise provided herein, the manager of the district wastewater systems shall administer, implement, and enforce the provisions of this chapter.

(B) **RIGHT OF ENTRY FOR PURPOSE OF INSPECTIONS; EASEMENTS  
ON PRIVATE PROPERTY; INDEMNIFICATION.**

(1) The manager, bearing proper credentials and identification, shall be permitted to enter properties at any reasonable time for purposes of inspection, observation, measurement, and sampling of the wastewater discharge to ensure that discharge to the district's wastewater facilities is in accordance with the provision of this chapter.

(2) The manager, bearing proper credentials and identification, shall be permitted to enter all private property at reasonable times, through which the district holds an easement for the purpose of inspection, observation, measurement, sampling, repair, and maintenance of any of the district's wastewater facilities within the easement. All entry and any subsequent work on the easement shall be done in full accordance with the terms of the easement pertaining to the private property involved.

(3) While performing the necessary work on private properties referred to in divisions (1) and (2) above, the manager shall observe all safety rules established by the owner or occupant of the property and applicable to the premises.

**(C) NOTICE OF VIOLATION.**

Any person found in violation of this chapter or any requirement of a permit issued hereunder, may be served with a written notice stating the nature of the violation and providing a reasonable time limit for compliance. Any notice given shall be in writing and served in person or by registered or certified mail. The notice shall be sent to the last address of the violator known to the manager. When the address is unknown, service may be made on the owner of record of the property involved. If satisfactory action is not taken in the time allotted by the notice, the penalty provisions of this chapter shall be implemented.

**(E) AMENDMENTS TO ORDINANCE.**

Public notice shall be given in accordance with applicable provisions of the Fiscal Court, or state and federal law before adoption of any amendments of this chapter.

**(F) PENALTY**

(1) Any person who violates any provision of this chapter for which no other penalty is provided shall be guilty of a misdemeanor and, upon conviction, fined not more than \$1,000.00.

(2) Any person who continues to violate the discharge provisions of this chapter, beyond the time limit provided in Section VIII (C) may be charged with commission of a misdemeanor and, after conviction thereof, shall be fined not more than \$1,000.00 for each day the violation continues, or may be subject to

disconnection from the district's wastewater facilities. Each day or any portion thereof of a violation shall constitute a separate violation.

(3) Any person, firm or corporation found guilty of violating any of the provisions of Section III shall be guilty of a misdemeanor and, upon conviction, fined not less than \$10 nor more than \$500 for each such offence.

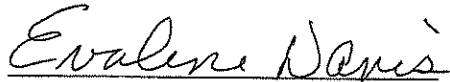
Introduced, recorded and ordered published by the Grant County Fiscal Court on the 07th day of January, 2008.

Adopted by the Grant County Fiscal Court at its' meeting on the 22 day of January, 2008 and, on said occasion signed in open session by the County Judge Executive as evidence of his approval and affirmative vote of the Grant County Fiscal Court, attested under seal by the Grant County Fiscal Court Clerk and declared to be in full force and effect by its' passage and recordation of same.

GRANT COUNTY FISCAL COURT

BY:   
GRANT COUNTY JUDGE EXECUTIVE

ATTEST:



CLERK

GRANT COUNTY FISCAL COURT