

ZAPATA COUNTY
Mary Jayne Villarreal-Bonoan
COUNTY CLERK
Zapata, Tx 78076



70 2010 00159720

00159720

Instrument Number: 2010-00159720

As

Recorded On: July 12, 2010

No Fee Recording

Parties: ZAPATA COUNTY

To ZAPATA COUNTY WATERWORKS ORDINANCE

Number of Pages: 22

Comment: WATER ORDINANCE

(Parties listed above are for Clerks reference only)

**** Examined and Charged as Follows: ****

lo Fee Recording	0.00
Total Recording:	0.00

0
R
0
0
8
7
6
0
0
6
1
5

***** DO NOT REMOVE. THIS PAGE IS PART OF THE INSTRUMENT *****

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:

Record and Return To:

Document Number: 2010-00159720

Receipt Number: 8275

Recorded Date/Time: July 12, 2010 02:09:45P

Book-Vol/Pg: BK-OR VL-876 PG-615

User / Station: B Bravo - Cash Station 1

ZAPATA COUNTY

COUNTY CLERK

ZAPATA TX 78076

State of Texas |
County of Zapata

I hereby certify that this instrument was filed for record in my office on the date and time stamped hereon and was recorded on the volume and page of the named records of Zapata County, Texas.

Mary Jayne Villarreal Bonoan
Mary Jayne Villarreal-Bonoan, County Clerk



Zapata County Water & Wastewater Service Policies

BE IT ORDAINED BY THE ZAPATA COUNTY COMMISSIONER COURT

00159720

ENCLOSURES

- 1) Policy on Obtaining Water Services and Inspections
 - a.) Customer Service Inspection certificates
- 2) Customer Billing Policy
 - a.) Service Agreement
- 3) Policy for water and/or Sewer Line extensions
- 4) Grease Tap Policy
- 5) Water Service Disconnection
- 6) Deferred Payment Plan for Hardship Cases
- 7) Transfers and balances, Loaned Meters, Reading Meter, and Disconnections
- 8) Tampering with Water and Sewer Appurtenances

Enclosures (1) through (8) establish the policies and guidelines on water/sewer connections/disconnections for customers of the Zapata County Wastewater.

The Zapata County Wastewater establishes the policies and guidelines to provide standardization of services to all customers.

Customers may address any concerns and/or complaints of service to the Zapata County Waterworks through the General Manager.

This ordinance will remain in effect until cancelled or suspended.

PASSED AND APPROVED THIS 14 DAY OF June, 2010

0
R

0
0
8
7
6

0
0
6
1
6

ZAPATA COUNTY WATERWORKS WASTES & WASTEWATER ORDINANCE

AN ORDINANCE OF THE ZCWW REGULATING THE DISCHARGE OF WASTE INTO THE SANITARY SEWERS OF ZCWW; ESTABLISHING A PERMIT SYSTEM; ESTABLISHING A SYSTEM OF CHARGE FOR SERVICES RENDERED REGULATING UNSEWERED AND MISCELLANEOUS DISCHARGES; PROVIDING FOR ENFORCEMENT AND PROVIDING AN EFFECTIVE DATE; A SAVINGS CLAUSE AND A SEPARABILITY CLAUSE.

WHEREAS, the ZCWW has provided facilities for the collection and treatment of wastewater to promote the health, safety, and convenience of its people and for the safeguarding of water resources common to all, and

WHEREAS, provisions have made in the design, construction and operation of such facilities to accommodate certain types and quantities of industrial wastes in addition to normal wastewater, and

WHEREAS, it is the obligation of the producers of industrial waste to defray the Cost of the wastewater treatment services rendered by ZCWW in an equitable manner, insofar as it is practicable, in proportion to benefits derived, and

WHEREAS, protection to the quality of the effluent and proper operation of the wastewater collection and treatment facilities and quality of effluent may require either the exclusion, pretreatment, or controlled discharge at point of origin of certain types or quantities of industrial waste, and

WHEREAS, the ZCWW shall require future compliance with any rules and regulations promulgated under section 307 of CLEAN WATER ACT:

NOW, THEREFORE BE IT ORDAINED, BY THE ZAPATA COUNTY COMMISSIONERS COURT.

An ordinance to provide for the operation, maintenance, expansion of the wastewater system within the County of Zapata for establishment of fees and rates thereof; and for amendment of this ordinance, In the interest of the health, safety and welfare of the residents of the county of Zapata.

SECTION 1. DEFINITIONS

As used in this ordinance;

- 1) "APPROVING AUTHORITY "means the Utilities Director or his authorized representative:
- 2) "B.O.D. (Biochemical Oxygen demand)" means the quantity of oxygen by weight, expressed in mg/1 utilized in the biochemical oxidation of organic matter under standard laboratory conditions for five (5) days at a temperature of twenty(20) degrees centigrade;
- 3) "BUILDING SEWER" means the extension from the building drain to the public water sewer of other place of disposal (also called the house lateral and house connection);
- 4) "DIST" means the ZCWW or any authorized person acting in its behalf;

0
R
0
0
8
7
6
0
0
6
1
7

- 5) "C.O.D." (Chemical oxygen demand) means measure of the oxygen consuming capacity of inorganic and organic matter present in the water or wastewater expressed in mg/l as the amount of oxygen consumed from a chemical oxidant in a specific test, but not differentiating between stable and unstable organic matter and thus not necessarily correlating with biochemical oxygen demand;
- 6) "CONTROL MANHOLE" means a manhole giving access to a building sewer at some point before the building sewer discharge mixes with other discharges in the public sewer;
- 7) "CONTROL POINT" means point of access to a course of discharge before the discharge mixes with other discharges in the public sewer;
- 8) "GARBAGE" means animal and vegetable wastes and residue from preparation, cooking and dispensing of food; and from the handling, processing, storage and sale of food products and produce;
- 9) "INDUSTRIAL WASTE" means waste resulting from any process of industry, manufacturing, trade, or business from the development of any natural resource, or any mixture of the waste with water or normal wastewater, or distinct from normal wastewater;
- 10) "INDUSTRIAL WASTE CHARGE" means the charge made on those persons who discharge industrial wastes into the ZCWW sewer system;
- 11) "MILIGRAMS PER LITER" (mg/l) means the same as parts per million and is 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;
- 12) "NATURAL OUTLET" means any outlet into a water course, ditch, like, or other body of surface water or ground water;
- 13) "NORMAL DOMESTIC WASTEWATER" means wastewater excluding industrial wastewater discharged by a person into sanitary sewers and in which the average concentration of total suspended solids is not more than 200 mg/l and BOD is not more than 200 mg/l;
- 14) "OVERLOAD" means the imposition of organic or hydraulic loading on a treatment facility in excess of its engineered design capacity;
- 15) "PERSON" means any individual and includes any corporation, organization, government or governmental subdivision or agency, business trust, estate, trust, partnership association, or other legal entity;
- 16) "PH" means the logarithm (Base 10) of the reciprocal of the hydrogen ion concentration;
- 17) "PUBLIC SEWER" means pipe or conduit carrying wastewater or unpolluted drainage in which owners of the abutting properties shall have the use, subject to control by the DCCRD;
- 18) "SANITARY SEWER" means a public sewer that conveys domestic waste water or industrial wastes or a combination of both, and into which storm water are not intentionally passed;
- 19) "SLUG" means 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 hour concentration or flows during normal operation;

- 20) **"STANDARD METHODS"** means the examination and analytic procedures set forth in the latest edition, at the time of analysis, of "Standard Methods of Examination of Water and Wastewater" as prepared, approved, and published jointly by the American Public Health Association, the American Water works Association, and the Water Pollution Control Federation;
- 21) **"STORM SEWER"** means a public sewer which carries storm and surface waters and drainage into which domestic wastewater or industrial wastes are not intentionally passed;
- 22) **"STORM WATER"** means rainfall or any other form of precipitation;
- 23) **"SUPERINTENDENT"** means the Water and Wastewater superintendent of the ZCWW or his duly, authorized deputy, agent or representative;
- 24) **"SUSPENDED SOLIDS" (SS)** means solids measured in mg/l that either float on the surface of, or are in suspension in, water, wastewater, or other liquids, and which are largely, removable by a laboratory filtration device;
- 25) **" TO DISCHARGE"** includes to deposit, conduct, drain, emit, throw, run, allow to seep, or otherwise release or dispose of, or to allow, permit, or suffer any of these acts or omissions;
- 26) **"TRAP"** means a device designed to skim, settle, or otherwise remove grease, oil sand, flammable wastes or other harmful substances;
- 27) **"UNPOLLUTED WASTEWATER"** means water containing
- A. No free or emulsified grease or oil;
 - B. No acids or alkalis;
 - C. No phenols or other substances producing taste or order in receiving water;
 - D. No toxic or poisonous substances in suspension, colloidal state, or solutions;
 - E. No noxious or otherwise obnoxious or odorous gases;
 - F. Not more than an insignificant amount in mg/l each of suspended solids and BOD as determined as determined by the Texas Water Commission; and
 - G. Color not exceeding fifty (50) units as measured by the Platinum Cobalt method or determination as specified in Standard Methods ;
- 28) **"WASTE"** means rejected, unutilized or superfluous substances in liquid, gaseous, or solid form resulting from domestic, agricultural or industrial activities
- 29) **"WASTEWATER"** means a combination of the water-carried waste from residences, business building, institutions and industrial establishments, together with any ground, surface, and storm water that may be present;
- 30) **"WASTEWATER FACILITIES"** includes all facilities for collection pumping, treating, and disposing of wastewater and industrial wastes;
- 31) **"WASTEWATER TREATMENT PLANT"** means any ZCWW owned facilities, devices, and structures used for receiving, processing and treating wastewater, industrial waste, and sludge's from the sanitary sewers;
- 32) **"WASTEWATER SERVICE CHARGE"** means the charge on all users of the public sewer system whose wastes do not exceed in strength the concentration values established as representative of normal wastewater; and
- 33) **"WATERCOURSE"** means a natural or man-made channel in which a flow of water occurs, either continuously or intermittently.

34) "ZCWW" means Zapata County Waste Water.

00159720

SECTION 2: WASTEWATER RATES

Each wastewater user shall pay a service charge monthly during which service is furnished as herein provided or as provided by resolution, ordinance or order of the Commissioners Court. The following schedule of wastewater rates to be charged by the ZCWW within their prescribed service area and within county limits is hereby adopted and ordered into effect:

Proposed WW Rates: Residential						
Winter Average	8,276					
	<u>Current Rate:</u>	<u>Oct-09 Rate:</u>	<u>Oct-10 Rate:</u>	<u>Oct-11 Rate:</u>	<u>Oct-12 Rate:</u>	<u>Oct-13 Rate:</u>
<u>Minimum Charge</u>						
Residential Water	\$10.75	\$12.25	\$13.75	\$15.25	\$16.75	\$18.25
Consumption Charge						
2,001 Greater	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
ZAPATA COUNTY WATERWORKS						
PROPOSED WW RATES: Commercial						
	<u>Current Rate:</u>	<u>Oct-09 Rate:</u>	<u>Oct-10 Rate:</u>	<u>Oct-11 Rate:</u>	<u>Oct-12 Rate:</u>	<u>Oct-13 Rate:</u>
<u>Minimum Charge</u>						
Commercial MFR Water	\$18.00	\$20.51	\$23.02	\$25.53	\$28.05	\$30.56
Commercial MFR Water & Sewer	\$45.31	\$51.63	\$57.96	\$64.28	\$70.60	\$76.92
Commercial Res Water	\$60.21	\$68.61	\$77.01	\$85.41	\$93.81	\$102.21
Consumption Charge						
2,000 Greater	\$0.76	\$0.85	\$0.94	\$1.05	\$1.16	\$1.29
ZAPATA COUNTY WATERWORKS						
PROPOSED WW RATES: Governmental						
	<u>Current Rate:</u>	<u>Oct-09 Rate:</u>	<u>Oct-10 Rate:</u>	<u>Oct-11 Rate:</u>	<u>Oct-12 Rate:</u>	<u>Oct-13 Rate:</u>
<u>Minimum Charge</u>						
Public Entities	\$18.00	\$20.51	\$23.02	\$25.53	\$28.05	\$30.56
Consumption Charge						
2,000 Greater	\$0.76	\$0.85	\$0.94	\$1.05	\$1.16	\$1.29

0
R

0
0
8
7
6

0
0
6
2
0

SECTION 3: PROHIBITED DISCHARGES

- A. No person may discharge to public sewers any waste which by itself or by interaction with other wastes may
- 1) Injure or interfere with wastewater treatment processes or facilities;
 - 2) Constitute a hazard to humans or animals, or
 - 3) Create a hazard in receiving waters of the wastewater treatment plant effluent.
- B. All discharge shall conform to requirements of this ordinance.

SECTION 4: CHEMICAL DISCHARGES

- A. No discharge to public sewers may contain :
- 1) Cyanide greater than 1.0 mg/1;
 - 2) Fluoride other than that contained in the public water supply;
 - 3) Chlorides in concentrations greater than 250 mg/1;
 - 4) Gasoline, benzene , naphtha, fuel, oil, or other flammable or explosive liquid, soil or gas, or
 - 5) Substances causing an excessive Chemical Oxygen Demand (C.O.D.)
- B. No waste or wastewater discharge to public waters may contain:
- 1) Strong acid, iron pickling wastes, or concentrated plating solutions whether neutralized or not;
 - 2) Fats, wax, grease, or oils, whether emulsified or not, in excess of one hundred (100) mg/1 or containing substances which may solidify or become viscous at temperature between thirty-two (32) and one hundred fifty (150) degrees Fahrenheit (0 and 65 degrees Centigrade).
 - 3) Objectionable or toxic substances, exerting an excessive chlorine, to such degree that any material received in the composite wastewater treatment works exceeds the limits established by the Approving Authority of such materials; or
 - 4) Obnoxious , toxic or poisonous solids, liquids, or gases in quantities sufficient to violate the provisions of Section 2 (a)
- C. No waste, wastewater or other substance may be discharged into public Sewers which have a pH lower than 5.5 or higher than 9.5 or any other corrosive property capable of causing damage or hazard to structures, equipment, and/ or personnel at the wastewater facilities.
- D. All waste, wastewater, or other substance containing phenols, hydrogen Sulfide, or other taste-and-odor producing substances shall conform in concentration limits established by the Approving Authority. After treatment of the composite wastewater concentration limits may not exceed the requirements established by state, federal and other agencies with jurisdiction over discharge to receiving water.

NOT TO EXCEED

00159720

METAL	AVERAGE	DAILY COMPOSITE	GRABS SAMPLE
ARSENIC	0.1	0.2	0.3
BARIUM	1.0	2.0	4.0
CADMIUM	0.05	0.1	0.2
CHROMIUM	0.5	1.0	5.0
COPPER	0.5	1.0	2.0
LEAD	0.5	1.0	1.5
MANGANESE	1.0	2.0	3.0
MERCURY	0.005	0.005	0.01
NICKEL	1.0	2.0	3.0
SELENIUM	0.05	0.1	0.2
SILVER	0.05	0.1	0.2
ZINC	1.0	2.0	6.0

(NOTE: These concentration parameters and rules governing same are promulgated under authority of sections 5.132, Texas water Code-HAZARDOUS METALS and in accordance with Texas Water Commission Rule 329.41-49)

No other hazardous metals or toxic materials may be discharged into public sewers without a permit from the Authority specifying conditions of pretreatment, concentrations, volumes, and other applicable provisions.

E. Prohibited hazardous material include but are not limited to;

- 1) Antimony,
- 2) Beryllium,
- 3) Bismuth,
- 4) Cobalt,
- 5) Molybdenum,
- 6) Uranylion,
- 7) Rhenium ,
- 8) Strontium,
- 9) Tellurium,
- 10) Herbicides,
- 11) Fungicides, and
- 12) Pesticides,

SECTION 5. PARTICULATE SIZE:

A. No person may discharge garbage or any other solids into public sewers unless it is shredded to a degree that all particles can be carried freely under the flow conditions normally prevailing in public sewers. Particles greater than one-half (1/2) inch in any dimensions are prohibited.

- 0
R
- B. The Approving Authority is entitled to review and approve the installation and operation of any garbage grinder equipped with a motor of three-fourths (3/4) horsepower (0.76 hp metric) or greater.

0
0
8
7
6

SECTION 6. STORM WATER AND OTHER UNPOLLUTED DRAINAGE

- A. No person may discharge to public sanitary sewers
- 1) Unpolluted storm water, surface water, groundwater, roof runoff or subsurface drainage;
 - 2) Unpolluted cooling water;
 - 3) Unpolluted industrial process water;
 - 4) Other unpolluted drainage, or make any new connections from inflow sources
- B. In compliance with the Texas Water Quality Act and other statutes, the Approving Authority may designate storm sewers and other watercourses into which unpolluted drainage described in subsection (a) of this section may be discharged.

0
0
6
2
3

SECTION 7. TEMPERATURE

No person may discharge liquid or vapor having a temperature Higher than one hundred and fifty (150) degrees Fahrenheit (65 degrees Centigrade), or any substance which cause the temperature of the total wastewater treatment plant influent to increase at a rate of ten, (10) degrees Fahrenheit or more per hour, or a combined total increase of plant influent to one hundred ten (10) degrees Fahrenheit.

SECTION 8. RADIOACTIVE WASTE

- A. No person may discharge radioactive wastes or isotopes into public sewers without the permission of the Approving Authority.
- B. The Approving Authority may establish, in compliance with applicable state and federal regulations, regulations, for discharge of radioactive wastes into public sewers.

SECTION 9. IMPAIRMENT OF FACILITIES

- A. No person may discharge into public sewers any substance capable of causing.
- 1) Obstruction of the flow in sewers;
 - 2) Interference with the operating of treatment processes of facilities; or
 - 3) Excessive loading of treatment facilities.
- B. Discharges prohibited by section 9(a) include, but are not limited to, material which exert or cause concentrations of
- 1) Inert suspended solids greater than 250 mg/1 including but not limited to
 - A. Fuller's earth
 - B. Lime slurries; and
 - C. Lime residues;
 - 2) Dissolved solids greater than 500 mg/1 including but not limited to

- A. Sodium chloride, and
 - B. Sodium sulfate;
 - 3) Excessive discoloration including but not limited to
 - A. Dye wastes; and
 - B. Vegetable tanning solutions, or
 - 4) BOD, CCD, or chlorine demand in excess of normal plant Capacity.
- C. No person may discharge into public sewers any substance that may
- 1) Deposit grease or oil in the lines in such a manner as to clog the sewers;
 - 2) Overload skimming and grease handling equipment
 - 3) Pass to the receiving waters without being effectively treated to normal wastewater treatment process due to the non-amenability of the substance to bacterial action; or
 - 4) Deleteriously affect the treatment process due to excessive quantities.
- D. No person may discharge any substance into public sewers which
- 5) Is not amendable to treatment or reduction by the processes and facilities employed; or
 - 6) Is amendable to treatment only to such a degree that the treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.
- E. The Approving Authority shall regulate the flow and concentration of slugs when they may
- 1) Impair the treatment process
 - 2) Cause damage to collection facilities;
 - 3) Incur treatment costs exceeding those for normal wastewater; or
 - 4) Render the effluent unfit for stream disposal or industrial use.
- F. No person may discharge into public sewers solid or viscous substances which may violate subsection (1) of this section if present in sufficient quantity or size including but not limited to
- 1) Ashes;
 - 2) Cinders;
 - 3) Sand;
 - 4) Mud;
 - 5) Straw;
 - 6) Shavings;
 - 7) Metal;
 - 8) Glass;
 - 9) Rags;
 - 10) Feathers;
 - 11) Tars;
 - 12) Plastics;
 - 13) Wood;
 - 14) Underground garbage;
 - 15) Whole blood;
 - 16) Paunch manure;

- 17) Hair and flashings’;
- 18) Entrails;
- 19) Paper products, either whole or ground by garbage grinders;
- 20) Slops;
- 21) Chemical residues;
- 22) Paint residues, or
- 23) Bulk solids;

00159720

SECTION 10. COMPLIANCE WITH EXISTING AUTHORITY

- A. Unless exception is granted by the Approving Authority, the public sanitary sewer system shall be used by all persons discharging
 - 1) Wastewater;
 - 2) Industrial;
 - 3) Polluted liquids
- B. Unless authorized by the Texas Water Commission, no person may deposit or discharge any waste included in subsection (1) of this section on public or private property or into or adjacent to any
 - 1) Natural outlet;
 - 2) Watercourse;
 - 3) Storm sewer;
 - 4) Other area within the jurisdiction of the ZCWW.
- C. The Approving Authority shall verify prior to discharge that wastes authorized to be discharge will receive suitable treatment within the provisions of law, regulations ordinances, rules and orders of federal, state and local governments.

0
2
0
8
7
6
0
0
6
2
5

SECTION 11. ENFORCEMENT AND OPERATION

- A. The Utilities Director or his/her agent is charged with the duty of investigating, preventing and abating violations and enforcing the provisions of this ordinance.
- B. The utilities Director or his agent shall be responsible for the supervision and control of the maintenance of the existing sewer line and all new connections. The Utilities Director shall be responsible for the supervision and control of all other matters related to the operation, maintenance, alteration, repair, and management of the Wastewater collection system.

SECTION 12. APPROVING AUTHORITY REQUIREMENTS

- A. If discharges or proposed discharges to public sewers may
 - 1) Deleteriously affect wastewater facilities, processes, equipment , or receiving waters;
 - 2) Create a hazard to life or health; or
 - 3) Create a public nuisance; the Approving Authority shall require
 - a. Pretreatment to an acceptable condition for discharge to the Public Sewers

- b. Control over the quantities and rates of discharge; and
- c. Payment to cover the cost of handling and treating the Wastes.

B. the Approving Authority is entitled to determine whether a discharging or proposed discharge is included under subsection (a) of this section.

C. The Approving Authority shall reject wastes when it determines that a discharge or proposed discharge does not meet the requirements of subsection (1) of this section.

SECTION 13. APPROVING AUTHORITY REVIEW AND APPROVAL

- A. If pretreatment or control is required, the Approving Authority shall review and approve design and installation of equipment and processes.
- B. The design and installation of equipment and processes must conform to all applicable statutes, codes, ordinance and other laws.
- C. Any person responsible for discharge requiring pretreatment, flow equalizing, or other facilities shall provide and maintain the facilities in effective operating condition at his own expense.

SECTION 14. REQUIREMENTS FOR TRAPS

- A. Discharge requiring a trap include
 - 1) Grease or waste containing grease in amounts that will impede or stop the flow in the public sewers;
 - 2) Oil;
 - 3) Sand;
 - 4) Flammable wastes; and
 - 5) Other harmful ingredients.
- B. Any person responsible for discharges requiring a trap shall at his own expense and as required by the Approving Authority
 - 1) Provide equipment and facilities of a type and capacity approved by the Approving Authority
 - 2) Locate the trap in a manner that provides ready and easy accessibility for cleaning and inspection ; and
 - 3) Maintain the trap in effective operating condition.

SECTION 15. REQUIREMENTS FOR BUILDING SEWERS

- A. Any person responsible for discharge through a building sewer carrying industrial wastes shall, at his own expense and as required by the Approving Authority
 - 1. Install an accessible control manhole
 - 2. Install meters and other appurtenances to facilitate observation sampling and measurement of the wastes; and
 - 3. Install safety equipment and facilities (ventilation, steps...) where needed;

SECTION 16. SAMPLING AND TESTING

- A. Sampling shall be conducted according to customarily accepted methods, reflecting the effects of constituents upon the sewage works and determining the existence of hazard to health, life, limb, and property.

00159720

(Note: The particular analysis involved will determine whether a twenty-four (24) hour composite sample from all outfalls of a premise is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analysis are obtained from (24) hour composites of all outfalls. Where applicable, 16 hour, 8-hours, or some other period may be required. Periodic grab samples are used to determine ph and oil and grease.)

- B. Examination and analysis of the characteristics of waters and wastes required by the ordinance shall be
 - 1) Conducted in accordance with the latest edition of Standard Methods; and
 - 2) Determined from suitable samples taken at the control manhole provided or other control point authorized by the Approving Authority.
- C. BOD and suspended solids shall be determined from composite sampling, except to detect unauthorized discharges.
- D. The Approving Authority shall determine which users or classes of users may contribute wastewater which is of greater strength than normal domestic wastewater. All users of classes of users so identified shall be sampled for flow BOD, TSS and ph at least annually.
- E. DCCRD may select an independent firm or laboratory to determine flow, BOD, and suspended solids, if necessary. Flow may alternately be determined by water meter measurements if no other flow device is available and no other source of raw water is used.

SECTION 17. SAVINGS CLAUSE

- A. A person discharging wastes into public sewers prior to the effective date of this ordinance may continue without penalty so long as he
 - 1) Does not increase the quantity or decrease the quality of discharge without permission of the Approving Authority;
 - 2) Has discharged the waste at least 3 months prior to the effective date of this ordinance; and
 - 3) Applies for and is granted a permit no later than 180 days after the effective date of this ordinance.

SECTION 18. CONDITIONS OF PERMITS

- A. The ZCWW may grant a permit to discharge to persons meeting all requirements of the savings clause provided that the person
 - 1) Submits an application within 180 days after the effective date of this ordinance on forms supplied by the Approving Authority;
 - 2) Secure approval by the Approving Authority of plans and specifications for the facilities when required; and

- 3) Has complied with all requirements for agreement or arrangements including but not limited to , provisions for
- a) Payment of charges
 - b) Installation and operation of the facilities and of pretreatment facilities, if required, and
 - c) Sampling and analysis to determine quantity and strength when directed by the ZCWW and
- 4) Provides a sampling point, when requested by the ZCWW subject to the provisions of this ordinance and approval of the Approving Authority.

B. A person applying for a new discharge shall

- 1) Meet all conditions of sub section (a) of this section; and
- 2) Secure a permit prior to discharging any waste.

SECTION 19. POWER TO ENTER PROPERTY

- A. The Director of Utilities and other duly authorized employees of the ZCWW bearing proper credentials and identifications are entitled to enter any public or private property at any reasonable time for the purpose of enforcing this ordinance.
- B. Any one acting under this authority shall observe the establishment's rules and regulations concerning safety, internal security, and fire protection.
- C. Except when caused by negligence or failure of person(s) to maintain safe conditions, the ZCWW shall identify the person(s) against loss or damage to their property by ZCWW employees and against liability claims and demands for personal injury or property damage assessed against the person(s) and growing out of the sampling operation.
- D. The Director of Utilities and other duly authorized employees of the ZCWW bearing proper credentials and identifications are entitled to enter all private properties through which the ZCWW holds a negotiated easement for the purpose of
 - 1) Inspection, observation, measurement, sampling or repair;
 - 2) Maintenance of any portion of the sewage system lying within the easements; and
 - 3) Conducting any other authorized activity. All activities shall be conducted in full accordance with the terms of the negotiated easement pertaining to the private property involved.
- E. No person acting authority of this provision may inquire into any processes including metallurgical, chemical, oil refining, ceramic, paper or other industries beyond that point having a direct bearing on the kind and source of discharge to the public sewers.

SECTION 20. AUTHORITY TO DISCONNECT SERVICE

- A. The ZCWW may terminate water and wastewater disposal service and disconnect a customer from the system when

1. Acids or chemicals which damage the sewer lines or treatment process are released to the sewer potentially causing accelerated deterioration of these structures or interfering with proper conveyance and treatment of wastewater;
 2. A governmental agency informs ZCWW that the effluent from the wastewater treatment plant is no longer of a quality permitted for discharge to a watercourse, and it is found that the customer is delivering wastewater to the ZCWW system that cannot be sufficiently treated or requires treatment that is not provided by the ZCWW as normal domestic treatment; or
 3. The customer
 - a) Discharges waste or wastewater that is in violation of the permit issued by the Approving Authority
 - b) Discharges wastewater at an uncontrolled, variable rate in sufficient quantity to cause an imbalance in the wastewater treatment system;
 - c) Fails to pay monthly bills for water and sanitary sewer services when due; or
 - d) Repeats a discharge of prohibited wastes to public sewers in violation of Section 2 through 9 as stated above
- C. If services is discontinued pursuant to subsection (a) (2) of this section, the ZCWW shall
- 1) Disconnect the customer;
 - 2) Supply the customer with the governmental agency's report and provide the customer with all pertinent information; and
 - 3) Continue disconnection until such time as the customer provides pretreatment/ additional pretreatment or other characteristics from his wastes.
- D. In addition ZCWW shall have the right to shut off water/or service to any premises for which charges for water and/ or sewer services are more than thirty (30) days delinquent, and any such service shut off shall not be restored until all delinquent charges and penalties and turn- on charge to be specified by the ZCWW, have been paid. The enforcement of payment of delinquent water and sewer bills by shutting off service as herein above provided shall be in addition to any other lawful enforcement methods which the ZCWW may have, shall be cumulative thereto, and may be pursued by the ZCWW in addition to any other legal or equitable remedies which the ZCWW may have to collect the debt or to require compliance with the ZCWW Ordinance.
- E. Any business, industry or individual violates any of the provisions of this ordinance, which result in fines or penalties being levied against the ZCWW, shall become liable for said fine or penalty, plus any expenses, loss or damage occasioned by such violation. This cost is levied in addition to the fine identified in the section entitled "User Charge System".

SECTION 21. NOTICE

The ZCWW shall serve persons discharging in violation of this Ordinance with written notice stating the nature of the violation and providing for a hearing before the Director of Utilities a reasonable time limit for satisfactory compliance.

SECTION 22. CONTINUING PROHIBITED DISCHARGES

No person may continue discharging in violation of this Ordinance beyond the time limit provided in the notice.

SECTION 23. PENALTY

- A. A person who continues prohibited discharges is guilty of a Misdemeanor and upon conviction is punishable by a fine of not less than \$500 for each act of violation and for each day of violation.
- B. In addition to proceeding under authority of subsection (a) of this section, the ZCWW is entitled to pursue all other criminal and civil remedies to which it is entitled under authority of statutes or other ordinances against a person continuing prohibited discharges.

SECTION 24. FAILURE TO PAY

In addition to sanctions provided by this Ordinance, the ZCWW is entitled to exercise sanctions provided for by the other Ordinance of the ZCWW for failure to pay the bill for water and sanitary sewer services when due.

SECTION 25. PENALTY FOR CRIMINAL MISCHIEF

The ZCWW may pursue all criminal and civil remedies to which it is entitled under authority of statutes and Ordinances against a person negligently, willfully or maliciously causing loss by tampering with or destroying public sewers or treatment facilities.

SECTION 26. SEVERABILITY

If any provisions of this ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications, and to this end the provisions of this ordinance are declared to be severable.

SECTION 27. SEPARABILITY

All ordinances or parts of ordinances in conflict with the terms and provisions of this ordinance are hereby revoked to the extent of such conflict.

SECTION 28. EFFECTIVE DATE.

This ordinance shall be in full force and effect from and after its passage, approval, recording, and publication as provided by law.

SECTION 29. BUILDING SEWER SYSTEM CONNECTIONS AND PERMITS

- A. No person shall uncover, make any connections with other opening into, use, alter or disturb any public sewer or appurtenance thereof, without first obtaining a written permit from the Utilities Director or his duly authorized agent/ representative. No building shall be covered until

- after it has been inspected and approved by their Administrator. All control manholes and the equipment contained therein is deemed to be part of the public wastewater system.
- B. The owner or his agent shall make application for a new sewer permit on a form furnished by the ZCWW. The permit application shall be supplemented by any plans, specifications, or other information required by this Ordinance or considered pertinent in the judgment of the ZCWW. A hook-up fee shall be paid to the ZCWW at the time the application is filed.
 - C. All applicants for the sewer service must pay the sewer tap before the ZCWW operator can make the sewer tap connection. The county will provide the material for the sewer tap from the sewer trunk line to the applicant's property line, not to exceed sixty (60) feet of pipe for residential or commercial sewer line connections, unless adopted by ZCWW.
 - D. All sewer taps will be done by the ZCWW under the supervision of a certified collection operator only after all fees have been paid.
 - E. Each residence or business must be connected to an individual sewer tap or sewer service lateral unless approved by the ZCWW.
 - F. All new applicants will be required, and existing customers will be advised to install a preventive check valve on their sewer service lines to prevent any sewer backflow. The ZCWW will not be responsible for damages incurred when the county is flushing out its sewer mains or sewer main line stoppages occur.
 - G. All cost and expenses incident to the installation, connection and maintenance of the building sewer to the county sewer connection shall be borne by the property owner.
 - H. All costs, expenses and liabilities incident to the installation and connection of the building sewer shall be borne by the property owner. The property owner shall indemnify and save harmless to the ZCWW from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.
 - I. It shall be the duty of each property owner to maintain, clean and repair the private sewer lines on his property at his own expense as necessary to keep such lines free and clear of obstructions and in good working order and to maintain and keep clear of obstructions the lateral lines serving his property.
 - J. It shall be the duty of the ZCWW to maintain, clean and repair as necessary and at its expense the sewer trunk lines and to repair or replace any broken or crushed lateral lines. The ZCWW shall not be responsible for cleaning or maintenance of lateral lines.
 - K. In a case of a bona fide dispute as to whether needed maintenance, cleaning or repair of a portion of sewer line is the responsibility of the property owner or the ZCWW under the provisions of this ordinance, it shall be the duty of the property owner to establish that the obstruction, disrepair or defect has occurred in that portion of the line for which the ZCWW is responsible.
 - L. If the property owner fails to establish the ZCWW responsibility, it shall be the property owner's responsibility to perform the necessary maintenance as provided in this ordinance.
 - M. If the ZCWW responsibility is established, the ZCWW shall perform the necessary maintenance and shall reimburse the property owner for reasonable expense incurred in locating the defect in the line or in otherwise establishing the ZCWW responsibility.

- N. The property owner would be responsible under this ordinance for the total maintenance and repair of the private sewer lines of his property and for the maintenance and cleaning of the entire sewer line out to the trunk line. The ZCWW, on the other hand, is not responsible for any private lines. The ZCWW also has no responsibility to clean the lateral lines. 00159720
- O. Any property owner who shall violate the provisions of this ordinance shall be liable to the ZCWW for civil damages incurred in correcting the defect, and in addition, shall be guilty of a misdemeanor.
- a) A separate and independent building sewer shall be provided for every building, provided however that where one building stands at the rear of another, or on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, yard or driveway, the building sewer from the front building may be extended to the rear building.
 - b) Old building sewers may be used in connection with new buildings only when they are found, on examination and test by administrator, to meet all requirements.
 - c) The size and slope of the building sewer shall be subject to approval by the Administrator, but in no event shall the diameter be less than (4) inches. The slope of such four (4) inch pipe shall not be less than one-quarter (¼) inch per foot, unless otherwise permitted. The slope of pipe, the diameter of which is six (6) inches or more, shall be not less than one-eighth (1/8) inch per foot unless otherwise permitted.
 - d) All buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewer carried by such drain shall be lifted by artificial means approved by the Utilities Director or his duly authorized agent/ representative, and discharged to the building sewer.
 - e) All joints and connections shall be made gastight and watertight. All joints and discharges to the building sewer shall be approved by the Utilities Director or his duly authorized agent/ representative.
 - f) No sewer connection will be permitted unless there is capacity available in all downstream sewers, lift stations, force mains and the wastewater treatment plant, including capacity for treatment of BOD and suspended soils.
 - g) All newly constructed building sewers shall have a properly sized cleanout at the head and at the property line of said sewer that is accessible at all times. These cleanouts shall allow access of sewer cleaning equipment of a size equivalent to the size of the building sewer and for inspections.

SECTION 30. MANDATORY CONNECTION TO AVAILABLE PUBLIC WASTEWATER SYSTEM

- A. Structures in which wastewater originates lying within the ZCWW shall be connected to the available public wastewater system as defined herein, within 90 days of mailed notice by regular mail from the ZCWW that such sanitary sewer is ready for use. Persons opening such structures shall pay all fees and charges due under this ordinance at the time of connection.

- B. All customers within the County of Zapata receiving water service and required to be connected to the county sewer system will be charged the county fee for sewer service, effective immediately.
- C. Every owner of the lot or parcel of property in the County of Zapata which abuts upon any street or public way containing a sewer line, upon which lot or parcel of property a building shall have been constructed for residential, commercial or industrial use, must cause such a building to be connected with the sanitary sewer system immediately.

SECTION 31. UNSANITARY DEPOSITS, DISCHARGE TO NATURAL OUTLETS PROHIBITED

- A. It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner upon public or private property within the County of Zapata, or in any area under the jurisdiction of said County of Zapata, any human or animal excrement, garbage or other objectionable waste.
- B. It shall be unlawful when an available public wastewater system exists, to discharge to any natural outlet within the County of Zapata, or in any area under the jurisdiction of said County of Zapata any sanitary sewage, industrial waste, or other polluted waters. Under no circumstances shall such discharge be made unless specifically permitted by the applicable County Health Department.
- C. The owner of every house, building or property used for human occupancy, employment, recreation or other purposes, situated within the County of Zapata and abutting on any street, alley, or right-of-way in which there is located a public sanitary or combined sewer of the County of Zapata, which is not more than two hundred (200) feet from any such structure, is hereby required at his/her expense to install suitable sewage facilities directly with the proper public sewer in accordance with the provisions of this article, within ninety (90) days after receipt of official notice to do so.

SECTION 32. PROHIBITED DISCHARGES

- A. No person may discharge to public sewers any waste which by itself or by interaction with other wastes may.
 - 1) Injure or interfere with wastewater treatment process facilities.
 - 2) Constitute a hazard to humans or animals
 - 3) Create a hazard in receiving waters of the wastewater treatment plant effluent.

SECTION 33. SINK CONNECTIONS

- A. It shall be unlawful for the owner or occupant of any building situated within two hundred (200) feet of any county sanitary sewer, in which building food is cooked or clothing is washed, to fail to have a suitable sink or hopper for the reception of water waste.

SECTION 34. WASH AND SLOP STANDS TO BE CONNECTED

A. It shall be unlawful for any person to refuse or fail to connect all wash stands in his or her house or where the property line such premises extends within two hundred (200) feet of any such sewer, 720 or to allow any slops, wash or waste water of any kind to flow over the pavement, or under the pavement,, or into any open gutter or into the street.

SECTION 35. STATE REQUIREMENTS

- A. State requirements and limitations on discharge shall apply in any case where they are more stringent than federal or state requirements and limitations on those in this ordinance.
- B. No user shall discharge or cause to be discharged any storm water, surface water, and ground water, water from footing drains, roof water or any sanitary sewer or sewer connections. Any premises connected to a storm sewer shall comply with state, and federal requirements as well as those of the ZCWW.
- C. Downspouts, septic tank and roof leaders shall be disconnected from sanitary sewers within six (6) months after the effective date of this ordinance. If it is not done, the ZCWW shall perform this work and bill the user.
- D. Grease, oil and sand interceptors shall be provided when in the opinion of the Administrator they are necessary for the proper handling of liquid wastes containing grease in excessive amounts or any flammable wastes, sand and other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be located as to be readily and easy accessible for cleaning and inspection. Grease and oil interceptors shall be constructed of impervious material capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, watertight and equipped with easily removable covers, which when bolted in place shall be gastight and watertight, where installed, all grease, oil and sand interceptors or flow equalizing facilities shall be maintained by the owner , at his own expense, in continuously efficient operation at all times.

SECTION. 36 SEPTIC TANK, SLUDGE DISPOSAL, APPLICATION, AND PERMIT REQUIREMENTS

- A. No septic tank for sewage shall be constructed in any part of the County of Zapata where a county sanitary sewer is accessible or available, nor shall it be lawful to continue use of a septic tank on any lot, piece or parcel of ground abutting on or contiguous to any county sanitary sewer for a period longer than ninety (90) days after sewers have been installed and placed into use.
- B. Where a county sanitary sewer is not accessible or available, it shall be unlawful to construct a septic tank within the corporate limits of the County of Zapata without first securing a permit from the County building department. A plot plan of the property with shape, size and description of the septic tank and drain field shall be submitted at the time of the application for such permit. Such plan shall be approved by the County Enforcement Department.
- C. An ordinance regulating the disposal of wastes refuse, effluent, sludge or any other materials from septic tanks and cesspools located within the County of Zapata and deposited at sight designated by the Code Enforcement Officers.

- D. Every contractor, prior to disposal of any material or substance which is regulated by this ordinance, shall first notify the Code Enforcement Officers of his intent and file the required application for a permit.

00159720

SECTION 37. WASTEWATER CONNECTION PERMIT FEE (TAP-IN FEE)

A. Residential or single family dwelling		
4" Tap		\$475
6" Tap		\$475
8" Tap		\$475
B. Multi Family		
4" Tap		\$475
6" Tap		\$1,075
8" Tap		\$1,425
10" Tap		\$1,450
C. Commercial and Industrial		
4" Tap		\$530
6" Tap		\$1,075
8" Tap		\$1,425
10" Tap		\$1,450

SECTION 38. NO FREE SERVICE

No free service shall be allowed for any user of the ZCWW for any sewer service.

SECTION 39. TEMPORARY INTERRUPTION OF SERVICE

- A. The ZCWW reserves the right to cut off any utility service without notice in case of emergencies. When an interruption in service is necessary for the maintenance and improvement of the utility system, affected customers will be notified as circumstances permit.

SECTION 40. RESTRICTING USE

- A. The ZCWW hereby reserves the right to at any time restrict or prevent the use of any utility service furnished by the ZCWW during periods of emergency or circumstances demanding such restriction or prevention use.

SECTION 41. AMENDMENT

- A. This ordinance may be amended by the ZCWW from time to time by the same ordinance adoption procedure followed in the adoption of this ordinance.

The remedies provided for in this Ordinance are not exclusive. The control Authority may take any legally authorize actions against a noncompliant permittee or generator, including, but not limited to, all applicable remedies enumerated in Chapter VII, Article I, of the Code of Ordinances, County of Zapata, Texas.

Section ___-1025. Severability.

"If any part or parts of this Ordinance shall be held to be invalid, such invalidity shall not affect the remaining parts of this chapter. The governing body declares that it would have passed the remaining parts of this chapter if it had known that such part or parts thereof would be declared invalid."

PASSED AND APPROVED this the 14 day of June 2010.

Enacted By:

Commissioners Court County of Zapata

Rosalva Guerra, Judge of Zapata County

Commissioners

Jose Emilio Vela, Precinct 1

Jorge E. Martinez, Precinct 3

Gabriel Villarreal, Precinct 2

Norberto Garza, Precinct 4

Date:

COUNTY CLERK



0
R
0
0
8
7
6
0
0
6
3
6