

ORDINANCE NO. 169-08

AN ORDINANCE OF THE CITY OF HACKBERRY, DENTON COUNTY ESTABLISHING THE REQUIREMENTS FOR NORMAL WASTEWATER THAT ENTERS HACKBERRY'S SEWER SYSTEM AND THE WASTES THAT ARE NOT PERMITTED, PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000.00 FOR EACH OFFENSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Hackberry, Texas (the "City") is a General Law City located in Denton County, Texas and is a Type A municipality organized under the laws of the State of Texas;

WHEREAS, the City owns and operates a wastewater gathering system and wastewater treatment facility (the "System");

WHEREAS, the System is designed to safely and efficiently transport and treat normal waste as defined herein;

WHEREAS, the System is not designed to safely or efficiently transport or treat prohibited waste as defined herein, and

WHEREAS, the City Council finds that the strict regulation of the waste materials that enter the System will promote the health, safety and welfare of the citizens of the City and protect the System from damage and unreasonable wear and tear.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HACKBERRY, TEXAS:

Section 1. Findings Incorporated and Common Name.

The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein. This ordinance will be known as the Hackberry Sewer Use Ordinance.

Section 2. Requirements for Normal Wastewater.

(a) Biochemical Oxygen Demand (B.O.D.). B.O.D. of wastewater delivered to the System, as determined by standard methods, shall not exceed 250 mg/l.

(b) Total Suspended Solids. Total Suspended Solids delivered to the System as

determined by Standard Methods, shall not exceed 250 mg/l.

(c) Hydrogen Ion Concentration (pH). The pH of wastewater delivered to the System shall not be lower than 6.0 nor higher than 10.0. No acids shall be discharged into the System unless neutralized to a pH of 6.0 or more.

(d) Hydrogen Sulfide Concentration. Dissolved sulfides in wastewater at the point of delivery to the System shall not exceed 0.1 mg/l.

Section 3. Prohibited Waste:

The following substances shall not be allowed enter the System at any time: gasoline; cleaning solvents; non emulsified oils and greases; mineral oils; ashes; cinders; sand; gravel; tar; asphalt; ceramic wastes; plastics; other viscous substances; feathers; hair in an amount other than that which is incident to ordinary household activities; rags; metal; metal filings; glass; wood shavings; sawdust; unshredded garbage; toxic, corrosive, explosive or malodorous gases; acetylene generation sludge; cyanides or cyanide or cyanogen compounds capable of liberating hydrocyanic gas on acidification in excess of 2 mg/l by weight as CN; radioactive materials which will permit a transient concentration higher than 100 microcuries per liter; emulsified oil and grease, exclusive of soaps, exceeding on analysis an average of 100 mg/l of ether-soluble matter; acids or alkalis having a pH value lower than 6.0 or higher than 10.0; other similar substances as those named in this paragraph in quantities capable of causing obstruction to the flow of wastewater in mains or interfere with the operation of the System; and, wastewater containing specific pollutant concentrations in excess or any of the numerical limitations named hereunder shall be prohibited from discharge to the System:

Maximum Allowable

Pollutant	Concentration (ug/l)
Arsenic	100
Barium	1,000
Cadmium	50
Chromium	500
Copper	500
Lead	500
Manganese	1,000
Mercury	5
Nickel	1,000
Selenium	50
Silver	50
Zinc	1,000
Total Toxic Organics	1,000

Section 4. Use of the Hackberry Sewer System.

The System is to used only for the transportation and treatment of Normal Wastewater as defined in Section 2 of this Ordinance. It is an offense for any person to knowingly allow one or more of the substances identified, listed or described in Section 3 of this Ordinance to inter the System.

Section 5. Penalty.

An offense under this Ordinance is punishable by a fine not to exceed two thousand dollars (\$2,000.00) for each day that an offense under the ordinance is committed. The penal provisions imposed under this Ordinance shall not preclude the City from filing suit to enjoin violation. The City retains all legal rights and remedies available to it pursuant to local, state and federal law.

Section 6. Severability.

Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

Section 7. Savings.

This Ordinance shall be cumulative of all other ordinances of the City and shall not repeal any of the provisions of those ordinances except in those instances where the provisions of, and only to the extent, those ordinances are in direct conflict with the provisions of this Ordinance.

Section 8. Effective Date. This Ordinance shall become effective from and after its adoption and publication as required by law.

ADOPTED by the City Council of the City of Hackberry, Texas, on this the 10th day
of June, 2008.

APPROVED:

By: _____

Jeromy Cannon, Mayor

ATTEST:

Vila Higgins
City Secretary

APPROVED AS TO FORM:

John Rafter
John Rafter, City Attorney