

TOWN OF ROCK HALL, MARYLAND

ORDINANCE No. 2023-07

AN ORDINANCE concerning

Chapter 184 (Sewers) of the Code of the Town of Rock Hall, Maryland

FOR the purpose of amending Chapter 184 (Sewers) of the Code of the Town of Rock Hall to enact provisions regarding the pretreatment of wastewater by commercial and industrial users; providing that the title of this Ordinance shall be deemed a fair summary, and generally relating to sewers in the Town of Rock Hall.

RECITALS

WHEREAS, pursuant to Md. Code Ann., Local Gov't § 5-202, the Council of the Town of Rock Hall (the "Council") is generally authorized and empowered to pass ordinances to assure the good government of the Town of Rock Hall (the "Town"), protect and preserve the Town's rights, property, and privileges, preserve peace and good order, secure persons and property from danger and destruction, and protect the health, comfort, and convenience of the residents of the Town; and

WHEREAS, pursuant to Md. Code Ann., Envir. § 9-716, the Council is specifically authorized and empowered to adopt rules and regulations to provide for the maintenance and operation of any water or wastewater system under its control and to govern the installation and alteration of all water supply, plumbing, and drainage arrangements on private property; and

WHEREAS, pursuant to § 1001(F) of the Charter of the Town of Rock Hall (the "Charter"), the Council is authorized and empowered to do all things it deems necessary for the efficient operation and maintenance of the Town's sewer systems and wastewater treatment facilities; and

WHEREAS, pursuant to the foregoing authority, the Council has enacted Chapter 184 of the Code of the Town of Rock Hall (the "Town Code") regulating sewers and wastewater treatment in the Town; and

WHEREAS, the Council, for the good and welfare of the community, deems it necessary and appropriate to amend Chapter 184 (Sewers) of the Town Code for the purpose of enacting provisions regarding the pretreatment of wastewater by commercial and industrial users.

NOW, THEREFORE BE IT HEREBY ORDAINED AND ENACTED by the Council of the Town of Rock Hall that:

SECTION 1. Chapter 184 (Sewers) of the Code of the Town of Rock Hall is amended as follows:

§ 184-16 Unlawful discharges.

A. Prohibited substances. It shall be unlawful to permit or cause the flow of any of the following substances into the sanitary sewer system of the Town:

* * *

(7) Excessive amounts of oil or sand.

* * *

C. Interception. Every building or premises used or occupied by any sewer user where any commercial or industrial operations are conducted or permitted which result in the discharge into the sanitary sewer system of the Town of any of the products, waste products or other substances in the manner and to the extent prohibited in this chapter shall be equipped with an adequate and suitable catch basin, grease trap, filter or other interceptor, installed in such a manner that the products, waste products or other substances herein set forth will not flow into or be discharged into the sanitary sewer system. It shall be unlawful to permit the flow of waste from such building or premises into the sanitary sewer system unless such interceptor is installed and in good working order and approved by the Town or local Health Department. **Such interceptors shall be located so as to be easily accessible for cleaning and inspection and shall be inspected, cleaned and repaired regularly by the owner at the owner's expense.**

* * *

§ 184-17 **Pretreatment of wastewater.**

A. Pretreatment Facilities. Industrial and commercial users shall provide necessary wastewater treatment as required to comply with this chapter and shall achieve compliance with all federal categorical pretreatment standards, local limits and the prohibitions set out in § 184-16(D) of this chapter. Any facilities required to pretreat wastewater to a level acceptable to the Town shall be provided, operated and maintained at the industrial or commercial user's expense. Detailed plans showing pretreatment facilities and operating procedures shall be submitted to the Town for review and approval before construction of the facility. Such review and approval shall not relieve the industrial or commercial user from the responsibility of modifying the facility as necessary to produce a discharge acceptable to the Town under the provisions of this chapter. Any subsequent changes in the pretreatment facility or operating procedures shall be reported to the Town for review and approval prior to the user's initiation thereof.

B. Additional Pretreatment Measures.

(1) Whenever deemed necessary, the Town may require industrial or commercial users to restrict their discharge, designate that certain wastewater be discharged only into specific sewers, relocate and/or consolidate points of discharge, separate sewage waste streams from industrial or commercial waste streams, and such other conditions as may be necessary to protect the Town's sewerage and wastewater treatment systems

and facilities and determine the industrial or commercial user's compliance with the requirements of this chapter.

(2) An industrial or commercial user may be required, at the direction of the Town, to maintain, on the user's property and at the user's expense, a suitable storage and/or flow control facility to insure equalization of flow over a 24-hour period.

C. Monitoring Facilities. The Town may require to be provided and operated, at the user's expense, monitoring facilities to allow inspection, flow and/or pH measurement and sampling of the discharge from the building sewer and/or internal drainage systems. Detailed plans shall be submitted to and approved by the engineer prior to construction of the required monitoring facility. The monitoring facility shall provide ample room to allow accurate sampling of the discharge and at all times shall be maintained in a safe and proper operating condition. The monitoring facility shall comply with all applicable Town requirements and all applicable State and local construction standards and specifications.

D. Accidental Discharge/Slug Control Plans. To provide protection from accidental/slug discharge of prohibited materials or other substances regulated by this chapter, the Town may require any industrial or commercial user to develop and implement an accidental discharge/slug control plan. At least once every two years, the Town shall evaluate whether each significant industrial or commercial user needs such a plan. Any industrial or commercial user required to develop and implement an accidental discharge/slug control plan shall submit a plan to the Town for review and approval which addresses, at a minimum, the following:

(1) Procedures and/or facilities to prevent accidental/slug discharge, including, but not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site run-off, worker training building of containment structures or equipment, measures for containing toxic organic pollutants (including solvents) and/or measures and equipment for emergency response;

(2) Description of industrial or commercial user discharge practices, including nonroutine batch discharges;

(3) Description and listing of stored chemicals;

(4) Procedures for immediately notifying the Town of any accidental or slug discharge, including the location of discharge, type of waste, concentration and volume of discharge and corrective measures being taken. Such notification procedures must be posted in a prominent place within the industrial or commercial user's facility to advise employees of the proper actions in the event of an accidental/slug discharge. The industrial or commercial user shall ensure that all employees who may cause or suffer an accidental/slug discharge to occur are advised of the notification procedures. Such notification procedures shall also apply to any discharge which violates any of the prohibited discharges in § 184-16 of this chapter; and

(5) Written notification of an accidental/slug discharge, which shall be submitted to the Town's Department of Public Works within five days following the event, including a description of the discharge, corrective and cleanup measures and measures initiated to prevent similar future occurrences. Such notification does not relieve the user of any expense, loss, damage or other liability which may be incurred as a result of damage to the Town's sewerage and wastewater treatment systems and facilities, fish kills or any other damage to person or property, nor shall such notification relieve the user of any fines, civil penalties or other liability which may be imposed by this chapter or other applicable federal, State or local regulations and/or laws.

E. Tenant Responsibility. Where an owner of property leases premises to any other person as a tenant under any rental or lease agreement, if either owner or the tenant is an industrial or commercial user, either or both may be held responsible for compliance with the provisions of this chapter.

§ 184-18 Violations and penalties.

Any person violating any of the provisions of this chapter shall be considered guilty of a misdemeanor and, upon conviction, may be fined \$100 or imprisoned in the county jail for 30 days, or both.

SECTION 2. The recitals to this Ordinance are incorporated herein and deemed a substantive part of this Ordinance.

SECTION 3. In this Ordinance, unless a section of the code is expressly repealed in its entirety and reenacted, new or added language is underlined and in boldface type, and deleted text is crossed out and enclosed in brackets. Substantive language added after the date of introduction is in bold, italicized font and language deleted after the date of introduction is crossed out with a double strikethrough.

SECTION 4. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance, it being the intent of the Council that this Ordinance shall stand, notwithstanding the invalidity of any section, subsection, sentence, clause, phrase, or portion hereof.

SECTION 5. All ordinances or parts of ordinances inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 6. The title of this Ordinance, or a condensed version thereof, shall be deemed to be, and is, a fair summary of this Ordinance for publication and all other purposes.

This Ordinance was introduced at a public meeting of the Council of the Town of Rock Hall, held on the 12 day of September 2023, and having been reviewed and considered for final action after a public hearing on the 12 day of October 2023, was duly passed and enacted on the 12 day of October 2023

AND BE IT FURTHER ENACTED BY THE COUNCIL OF THE TOWN OF ROCK HALL, MARYLAND, that this Ordinance shall become effective on the ~~12~~ day of ~~Oct~~ ^{2nd} ~~2023~~ ^{November}.

VOTE:

YEAS: 4

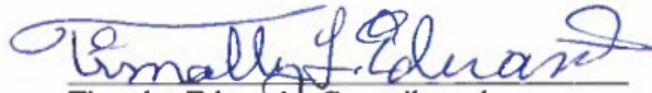
NAYS: _____

ABSTAINING: _____


James Cook, Mayor


Carolyn Jones, Vice Mayor

Absent
Eleanor Collyer, Councilmember


Timothy Edwards, Councilmember


Richard Seewald, Councilmember

Approved as to form:

Patrick W. Thomas, Town Attorney

AND BE IT FURTHER ENACTED BY THE COUNCIL OF THE TOWN OF ROCK HALL, MARYLAND, that this Ordinance shall become effective on the ~~12~~ day of ~~October~~ 2023.
2nd November

VOTE:

YEAS: 4

NAYS: _____


ABSTAINING: _____

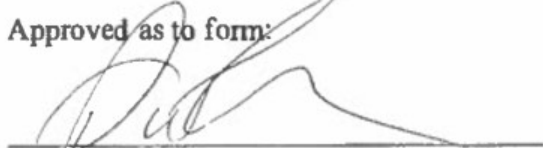

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