

## Chapter 100: GENERAL PROVISIONS

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### ARTICLE I Adoption of Code

#### § 100-1. Adoption of Code.

The resolutions of the Beverly Sewerage Authority of a general and permanent nature adopted by the Beverly Sewerage Authority, as revised, codified and consolidated into chapters and sections and consisting of Chapters 1 through 475, are hereby approved and enacted as the "Code of the Beverly Sewerage Authority," hereinafter known and referred to as the "Code."

#### § 100-2. Code supersedes prior resolutions.

This resolution and the Code shall supersede all other general and permanent resolutions enacted prior to the enactment of this Code, except such resolutions as are hereinafter expressly saved from repeal or continued in force.

#### § 100-3. When effective.

This resolution shall take effect immediately upon adoption of this resolution.

#### § 100-4. Copy of Code on file.

A copy of the Code in loose-leaf form has been filed in the office of the Secretary of the Sewerage Authority and shall remain there for use and examination by the public until final action is taken on this resolution; and, if this resolution shall be adopted, such copy shall be certified to by the Secretary of the Beverly Sewerage Authority by impressing thereon the Seal of the Authority, as provided by law, and such certified copy shall remain on file in the office of the Secretary, to be made available to persons desiring to examine the same during all times while said Code is in effect.

#### § 100-5. Amendments to Code.

Any and all additions, amendments or supplements to the Code, when passed and adopted in such form as to indicate the intent of the governing body to make them a part thereof, shall be deemed to be incorporated into such Code so that reference to the "Code of the Beverly Sewerage Authority" shall be understood and intended to include such additions and amendments. Whenever such additions, amendments or supplements to the Code shall be adopted, they shall thereafter be printed and, as provided hereunder, inserted in the loose-leaf book containing said Code as amendments and supplements thereto.

#### § 100-6. Code book to be kept up-to-date.

It shall be the duty of the Secretary or someone authorized and directed by the Secretary to keep up-to-date the certified copy of the book containing the Code required to be filed in his or her office for the use of the public. All changes in said Code and all resolutions adopted subsequent to the effective date of this codification which shall be adopted specifically as part of the Code shall, when finally adopted, be included therein by reference until such changes or new resolutions are printed as supplements to said Code book, at which time such supplements shall be inserted therein.

#### § 100-7. Sale of Code book.

Copies of the Code, or any chapter or portion of it, may be purchased from the Secretary, or an authorized agent of the Secretary, upon the payment of a fee to be set by the Sewerage Authority. The Secretary may also arrange for procedures for the periodic supplementation of the Code.

**§ 100-8. Altering or tampering with Code; penalties for violation.**

It shall be unlawful for anyone to improperly change or amend, by additions or deletions, any part or portion of the Code or to alter or tamper with such Code in any manner whatsoever which will cause the law of the Beverly Sewerage Authority to be misrepresented thereby. Anyone violating this section or any part of this resolution shall be subject, upon conviction, to one or more of the following: a fine of not more than \$500, imprisonment for not more than 90 days or a period of community service not exceeding 90 days, in the discretion of the Judge imposing the same.

**§ 100-9. Severability of Code provisions.**

Each section of the Code and every part of each section is an independent section or part of a section, and the holding of any section or a part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other sections or parts thereof.

**§ 100-10. Severability of resolution provisions.**

Each section of this resolution is an independent section, and the holding of any section or part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other sections or parts thereof.

**§ 100-11. Repealer.**

All resolutions or parts of resolutions inconsistent with the provisions contained in the Code adopted by this resolution are hereby repealed; provided, however, that such repeal shall only be to the extent of such inconsistency, and any valid legislation of the Beverly Sewerage Authority which is not in conflict with the provisions of the Code shall be deemed to remain in full force and effect.

**§ 100-12. Changes in previously adopted resolutions.**

- A. In compiling and preparing the resolutions for adoption and revision as part of the Code, certain grammatical changes and other minor changes were made in one or more of said resolutions. It is the intention of the Sewerage Authority that all such changes be adopted as part of the Code as if the resolutions so changed had been previously formally amended to read as such.
- B. In addition, the changes, amendments or revisions noted throughout the Code as "amended" or "added" by this resolution are hereby enacted, to become effective upon the effective date of this resolution.

## Chapter 105: BYLAWS

[HISTORY: Adopted by the Beverly Sewerage Authority 5-13-1947 Amendments noted where applicable.]

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### ARTICLE I Office

#### § 105-1. Address.

The principal office of the Authority shall be at 446 Broad Street, in the City of Beverly, in the County of Burlington, at Beverly, New Jersey.

#### § 105-2. Additional offices.

The Authority may have offices at such other places as the Authority may from time to time designate.

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### ARTICLE II Meetings of Authority; Quorum

#### § 105-3. Annual meeting.

An annual meeting of the Authority for the election of a Chairman and Vice Chairman and for the transaction of any other business that may come before the meeting shall be held at 5:00 p.m. on the first Wednesday in February in each year.

#### § 105-4. Regular meetings.

A regular meeting of the Authority for the transaction of any business that may come before the meeting shall be held at 5:00 p.m. on the first Wednesday in each month.

#### § 105-5. Notice of regular meetings not required.

All annual and regular meetings of the Authority, and any continued or adjourned sessions thereof, shall be general meetings, that is to say, open for transaction of any business within the powers of the Authority without special notice of such business. All such meetings may be held without notice to the members of the Authority other than these bylaws. If the day specified for any such meeting is a legal holiday, then such meeting shall be held on the first available day which is not a legal holiday. The time stated for every such meeting shall be Eastern standard time or Eastern daylight saving time as may then be in effect.

#### § 105-6. Special meetings.

Special meetings of the Authority may be called by the Chairman or Vice Chairman or any two members of the Authority and shall be held at the date and time specified in such call, upon 24 hours' notice to each member of the Authority, specifying the date, time and business of the meeting.

#### § 105-7. Meeting location.

All meetings of the Authority shall be held in the Beverly City Hall, Beverly, or at such other place as all of the members of the Authority may expressly approve. Any or all notice of any meeting of the Authority may be waived by any member of the Authority, and any meeting of which notice shall have been so waived by each member of the Authority shall be a general meeting, that is to say, open for transaction of any business within the powers of the Authority without special notice of such business.

**§ 105-8. Quorum.**

At all meetings of the Authority, the presence of three members shall be necessary to constitute a quorum, and the vote of three members of the Authority at any meeting shall be necessary to take any action and any action so taken shall be the action of the Authority.

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**ARTICLE III Officers**

**§ 105-9. Designation of officers.**

The officers of the Authority shall be a Chairman and a Vice Chairman who shall be members of the Authority and a Secretary and a Treasurer who may, but need not be, members of the Authority. The offices of Secretary and Treasurer may be held by one person. The office of Assistant Treasurer will be held by the Beverly City Tax Collector for annual tax sale and maintenance of tax sale liens.

**§ 105-10. Employment of professionals and employees.**

The Authority may also from time to time appoint and employ such professional and technical advisers and experts and such other officers, agents and employees as it may require and may fix and determine the qualifications, terms of office, duties and compensation of all its officers and such advisers, experts, agents and employees.

**§ 105-11. Vacancies.**

Vacancies in any office having a fixed term shall be filled by the Authority for the unexpired balance of the term.

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**ARTICLE IV Chairman and Vice Chairman**

**§ 105-12. Appointment.**

The Chairman and Vice Chairman shall be appointed by the Authority from among the members of the Authority at the annual meeting of the Authority and shall hold office until the first day of February next ensuing and until their respective successors shall have been appointed and have qualified. They shall receive no compensation by virtue of their office as Chairman or Vice Chairman over and above the annual reimbursement of expenses for all authority members of \$1,500.

**§ 105-13. Powers and duties of Chairman.**

The Chairman shall possess such powers and shall perform such duties as provided in Chapter 245, Job Descriptions, of the Code of the Beverly Sewerage Authority.

**§ 105-14. Powers and duties of Vice Chairman.**

The Vice Chairman shall possess such powers and shall perform such duties as provided in Chapter 245, Job Descriptions, of the Code of the Beverly Sewerage Authority.

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**ARTICLE V Secretary**

**§ 105-15. Appointment.**

The Secretary shall be appointed and employed by the Authority. The term of office of the Secretary shall expire on the first day of February every year thereafter, and any Secretary so appointed and employed shall hold office until the expiration of his term and until his successor shall have been appointed and have qualified.

**§ 105-16. Powers and duties.**

The Secretary shall possess such powers and shall perform such duties as provided in Chapter 245, Job Descriptions, of the Code of the Beverly Sewerage Authority.

**§ 105-17. Assistant secretaries.**

Assistant secretaries may be appointed and employed by the Authority. They shall possess such powers and perform such duties as may be assigned to them from time to time by the Authority, the Chairman, the Vice Chairman or the Secretary. In the absence or incapacity of the Secretary, an Assistant Secretary shall, and at other times by the direction of the Secretary, an Assistant Secretary may, assume and perform all powers and duties of said Secretary.

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**ARTICLE VI Treasurer**

**§ 105-18. Appointment.**

The Treasurer shall be appointed and employed by the Authority. The term of office of the Treasurer shall expire on the first day of February every year thereafter, and the Treasurer so appointed and employed shall hold office until the expiration of his term and until his successor shall have been appointed and qualified.

**§ 105-19. Bond.**

The Treasurer shall make and give such bonds, undertakings or other security for the faithful performance of his duties as may be fixed from time to time by the Authority.

**§ 105-20. Powers and duties.**

The Treasurer shall possess such powers and shall perform such duties as provided in Chapter 245, Job Descriptions, of the Code of the Beverly Sewerage Authority.

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## **ARTICLE VII Amendments**

### **§ 105-21. Authorization to revise or repeal bylaws.**

These bylaws may be altered, amended or repealed without previous notice at any meeting of the Authority duly held by the votes of at least four members of the Authority or at any special meeting of the Authority duly called and held by the votes of at least three members of the authority.

## **Chapter 150: SEAL**

### **§ 150-1. Description.**

The Seal of the Authority shall be circular in form with the words "The Beverly Sewerage Authority" around the circumference enclosing the figures "1947."

### **§ 150-2. Adoption.**

The common Seal of the Authority in the form aforesaid be and the same hereby is adopted.

### **§ 150-3. Custody.**

The Secretary shall keep in safe custody the Seal of the Authority and shall affix such Seal to all papers authorized to be executed by the Authority requiring such Seal to be affixed.

## Chapter 235: EMPLOYEE PERSONNEL POLICIES

### § 235-1. Establishment.

Beverly Sewerage Authority hereby establishes employee policies concerning the treatment of and conduct by Authority employees.

### § 235-2. Types of policies.

Specifically set forth herein are policies concerning sexual harassment, equal employment opportunity, disciplinary actions and rules or conduct for all Authority employees. Each of the aforementioned policies are attached hereto and incorporated hereby as Exhibit "A." *Editor's Note: Exhibit "A" is on file in the office of the Authority's Secretary.*

### § 235-3. Copy to be provided; signed acknowledgment.

The Authority's Secretary is directed to deliver to each Authority employee one copy of each of the policies set forth in Exhibit "A" and to further obtain from said employee, a written acknowledgment that the employee has received the policies.

### § 235-4. Posting.

The Authority's Secretary is further directed to post each of the four policies in the Authority's office in a place where all employees can review the same.



## Chapter 245: JOB DESCRIPTIONS

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### ARTICLE I Board Member; Chairperson; Vice Chairperson

#### § 245-1. Position purpose.

Authority Board Members shall be committed to the public and to the Authority. Members shall represent the Authority in the community. Members shall have a duty of loyalty to the organization, its staff and other board members. Members shall practice discretion and accept decisions made on a majority basis promoting board unity and confidence. Members shall have the ability to participate effectively and positively in discussion and the awareness of staff's knowledge. Authority members shall possess honesty and integrity, practice good faith and make time available to conduct Authority business, both during and between monthly meetings. The Authority shall include a Chairperson (appointed in fifth year of service), a Vice Chairperson (appointed in fourth year of service) and three members; all of which may vote on issues and decisions concerning the Authority. Members accomplish their functions through regular meetings and by establishing a committee structure that is appropriate to the size of the organization and the Authority. The Authority recognizes the City of Beverly's personnel policy as the Authority's personnel policy.

#### § 245-2. Essential functions and basic duties for all members.

- A. Assumes responsibility for acting in the best interest of the public.
  - (1) Discloses and avoids conflict of interest.
  - (2) Does not participate in self-dealing.
  - (3) Maintains confidentiality.
  - (4) Shall be fair and impartial.
- B. Assumes responsibility for making informed decisions in good faith.
  - (1) Acts as a prudent person.
  - (2) Uses a good process for decision-making.
  - (3) Shall be honest.
  - (4) Ensures that adequate records are made of Board actions.
- C. Assumes responsibility for knowing and adhering to state law and administrative rules.
  - (1) Researches state laws.
  - (2) Researches administrative rules.
- D. Assumes responsibility for providing governance to the Authority.
  - (1) Annually reviews and approves the Authority's plans for funding its projects.
  - (2) Ascertains that the financial structure of the Authority is adequate for its current needs and its long-range plans.
  - (3) Annually reviews and approves the Authority's budget.
  - (4) Approves major policies.
  - (5) Approves major actions of the Authority, such as capital expenditures and major program and service changes.
  - (6) Assures that management succession is properly being provided.

- (7) Determines eligibility for and appoints members to subcommittees as needed.
  - (8) Assures that the members are adequately and currently informed of the condition of the Authority and its operations.
  - (9) Assures that published reports properly reflect the operating results and financial condition of the Authority.
  - (10) Ascertains that management has established appropriate policies to define and identify conflicts of interest throughout the Authority, and is diligently administering and enforcing those policies.
  - (11) Appoints auditors, engineers and solicitors subject to approval by members.
- E. Assumes responsibility for attending and participating in meetings.
- (1) Attends all regular monthly meetings.
  - (2) Fail to attend four consecutive meetings without good cause, the Authority may request the City Council to adopt a resolution to remove this member or ask for the member's resignation.
  - (3) Arrives at or before meeting time and is ready to start on time.
  - (4) Contacts the Chairperson or Secretary when absent or late.
  - (5) Arranges for an appointed member to attend the Delanco Sewerage Authority meeting when absent, when needed.
  - (6) Contributes to the discussions, makes suggestions.
- F. Assumes responsibility for evaluating and determining appropriate compensation and benefits for the employees.
- (1) Reviews employee's performance.
  - (2) Determines compensation based upon performance review.
- G. Beverly Sewerage Authority Treatment Plant.
- (1) Visitation by appointment only; contact the Executive Director or designated authorized personnel.
  - (2) Directs questions to the Executive Director or designated authorized personnel.

**§ 245-3. Essential functions and basic duties of Chairperson.**

- A. The Chairperson shall be appointed by the Authority.
- (1) The Authority appoints the Chairperson.
  - (2) The Chairperson position is filled by the member who is in their last year of service and includes five years of continuous service.
- B. The Chairperson basic duties.
- (1) Conducts meetings in accordance to Robert's Rules of Order and the Authority bylaws.
  - (2) Performs all duties customary to this office.
  - (3) Supervises the affairs of the Authority in accordance with applicable statutes/ordinances and the policies and directives approved by the Authority.
- C. The Chairperson serves as Financial Liaison.
- (1) Approves expenditures against budget.

- (2) Reviews monthly budget status reports from the Treasurer.
- (3) Signs vouchers and checks.

**§ 245-4. Essential functions and basic duties of Vice Chairperson.**

- A. Vice Chairperson shall be appointed by the Authority.
  - (1) The Authority appoints the Vice Chairperson.
  - (2) The position is filled by the member who is in their second to last year of service and includes four years of continuous service.
- B. Vice Chairperson basic duties.
  - (1) Performs all duties of the Chairperson when the Chair is absent.
  - (2) Assists Chairperson on his/her duties or specified duties.
  - (3) Becomes Chairperson if current Chairperson resigns or is unable to perform his/her duties.

**§ 245-5. Performance measurements.**

- A. Appropriate policies and procedures are complied.
- B. Positive business relations exist with employees, government officials and professionals.

**§ 245-6. Qualifications.**

- A. Education/certification:
  - (1) High school graduate or equivalent preferred.
- B. Required knowledge:
  - (1) Knowledge of related sewage applications.
  - (2) Understanding of government regulations.
  - (3) Understanding of Authority policies and procedures.
- C. Experience required:
  - (1) Previous related experience preferred but not required.

**§ 245-7. Working conditions.**

- A. None. No hazardous or significantly unpleasant conditions.

**§ 245-8. Interpretation; amendment.**

All descriptions of responsibilities, functions and duties in this article are intended to be interpreted as being inclusive of but not necessarily limited to the stated responsibility, function or duty and can be changed with the majority rule of the Authority.

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## **ARTICLE II Secretary**

### **§ 245-9. Position purpose.**

- A. Responsible for providing secretarial support to the Sewerage Authority.
- B. Maintains and stores correspondence files and other files pertaining to the Sewerage Authority.
- C. Prepares agendas and rules and regulations, records, stores and prepares minutes of meetings, prepares and answers official correspondence.
- D. Follows laws, rules and regulations that govern the Authority.
- E. Consults with the Authority professional staff.

### **§ 245-10. Essential functions and basic duties.**

- A. Assumes responsibility for performing related clerical support functions:
  - (1) Draft letters and reports on behalf of the Sewerage Authority.
  - (2) Store and retrieve data on computers.
  - (3) Prepare agendas or programs for meetings.
  - (4) Attend and take minutes of meetings, both in the office and at other locations.
  - (5) Follow laws, rules and regulations that govern the Authority.
- B. Assumes responsibility for overseeing daily operations and performing administrative functions:
  - (1) Process telephone calls.
  - (2) Make and record appointments.
  - (3) Operate office equipment, such as photocopiers, facsimile machines, computers.
  - (4) Receive and process incoming and outgoing mail.
  - (5) Consults with professionals, residents, vendors and management.
  - (6) Purchase office supplies up to the amount of \$300.
- C. Assumes responsibility for establishing and maintaining effective business relations with vendors, the professionals and management:
  - (1) Serves as a liaison between the Authority and regulatory authorities.
  - (2) Represents the Authority to various professionals and groups.
  - (3) Ensures appropriate levels of confidentiality regarding Authority operations.
  - (4) Attends and participates in meetings as required.
- D. Effectively supervises office personnel, ensuring optimal performance:
  - (1) Trains, directs and coordinates office and administrative personnel. Ensures that the training and development needs are met and provides assistance and support as needed.
  - (2) Ensures that work area is clean, secure and well maintained.
- E. Assumes responsibility for maintaining, overseeing and executing the regulations required by the state regarding affirmative action:

- (1) Maintains, oversees and executes the regulations required by the state regarding affirmative action.
- F. Assumes responsibility for overseeing the Authority records:
- (1) Maintains and stores all files and records pertaining the Authority.
  - (2) Follows all laws, rules and regulations that govern the Authority regarding records retention, etc.

**§ 245-11. Performance measurements.**

- A. All documents, records and reports are prepared and maintained appropriately and in a timely manner.
- B. Appropriate Department policies and procedures are developed and updated as needed.
- C. Positive business relations exist with vendors, government officials and professionals.
- D. Minutes and correspondence are correct and completed in a timely manner.
- E. All functions pertaining to the Sewerage Authority are completed in accordance with established standards, policies and procedures.

**§ 245-12. Qualifications.**

- A. Education/certification:
  - (1) High school graduate or equivalent preferred.
- B. Required knowledge:
  - (1) Knowledge of related computer applications.
  - (2) Familiarity with basic office procedures.
- C. Experience required:
  - (1) Typing or keyboarding experience required.
  - (2) Previous related experience preferred but not required.
- D. Skills/abilities:
  - (1) Good typing skills.
  - (2) Attentive to detail and accuracy.
  - (3) Sound organizational and interpersonal skills.
  - (4) Can work under pressure and meet deadlines.
  - (5) Able to work independently.
  - (6) Good aptitude for working with computers, photocopiers, facsimile machines and other office equipment.

**§ 245-13. Physical activities and requirements.**

- A. Finger dexterity. Using primarily just the fingers to make small movements such as typing, picking up small objects or pinching fingers together.

- B. Talking. Especially where one must convey information to professionals or important instructions or ideas accurately, loudly or quickly.
- C. Average hearing. Able to hear average or normal conversations and receive ordinary information.
- D. Average vision. Average, ordinary visual acuity necessary to prepare or inspect documents or operate machinery.
- E. Physical strength. Sedentary work; sitting most of the time. Lift boxes up to 20 pounds.

**§ 245-14. Mental activities and requirements.**

- A. Reasoning ability. Ability to apply common sense understanding to carry out detailed but uninvolved instructions and to deal with problems involving a few variables.
- B. Mathematics ability. Ability to perform basic math skills, use decimals to compute percents.
- C. Language ability.
  - (1) Ability to use passive vocabulary of 5,000 to 6,000 words; define unfamiliar words in dictionaries for meaning, spelling and pronunciation.
  - (2) Ability to write sentences using proper punctuation, adjectives and adverbs.

**§ 245-15. Working conditions.**

None. No hazardous or significantly unpleasant conditions (such as in a typical office).

**§ 245-16. Interpretation; amendment.**

All descriptions of responsibilities, functions and duties in this article are intended to be interpreted as being inclusive of but not necessarily limited to the stated responsibility, function or duty and can be changed with the majority rule of the Authority.

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**ARTICLE III Treasurer**

**§ 245-17. Position purpose.**

- A. Responsible for directing, coordinating, maintaining, and controlling an accounting system that properly reflects the financial position of the Authority.
- B. Monitors Authority policies and procedures and recommends improvements after consulting with the Authority and its professionals.
- C. Ensures accurate internal and external recording and reporting of financial transactions.
- D. Oversees budgeting, general ledger, accounts payable and receivable, payroll, fixed asset management, etc.
- E. Ensures that accounting activities are in accordance with established legal, regulatory and Authority procedures.

**§ 245-18. Essential functions and basic duties.**

- A. Assumes responsibility for performing and developing accounting and related clerical support functions:
  - (1) Supervises the development and implementation of financial information, including general ledger and budgeting.
  - (2) Maintains files, including filing of general ledger journals, vouchers, accounts payable documentation and other miscellaneous filings.
  - (3) Types a variety of documents, reports and records.
  - (4) Keys daily worksheets to the general ledger system.
  - (5) Prints accounts payable checks and inserts checks and invoices into envelopes for mailing.
  - (6) Prepares requisitions and quotes for office, computer and routine supply purchases.
- B. Assumes responsibility for the effective preparation, maintenance and reporting of internal and external financial records and analysis:
  - (1) Oversees the preparation of daily, monthly, annual and other periodic financial statements and reports. Ensures that external document submissions and filings are accurate and timely.
  - (2) Coordinates tax reporting requirements. Files federal, state, payroll and pension tax returns. Oversees the preparation and filing of payroll taxes, and tracks and reports pension data.
  - (3) Oversees the preparation and control of operational budgets.
  - (4) Coordinates the annual audit. Ensures that accounting records and reports are in compliance with GAAP and government regulations. Cooperates with and assists external auditors as appropriate.
- C. Assumes responsibility for the management of the Authority quarterly bills:
  - (1) Oversees the preparation and mailing of quarterly Authority charged bills.
  - (2) Collects revenues and fees.
  - (3) Enforces Authority rules and regulations concerning the collection of Authority fees and revenues.
  - (4) Assists with the formulation and revision of the scheduled fees and revenues to be changed and collected.
- D. Assumes responsibility for overseeing daily operations and performing administrative functions:
  - (1) Ensures effective financial internal controls for the Authority. Continually evaluates established policies and procedures, and updates or modifies them as necessary. Documents and creates necessary forms to organize the office processes.
  - (2) Interfaces with the IT Department in the development and implementation of efficient systems consistent with new software applications.
  - (3) Ensures the timely completion of posting, reports, records and other documentation.
- E. Assumes responsibility for overseeing payroll operations:
  - (1) Reviews employees timecards or time sheets for completeness and makes sure hours are correct.
  - (2) Keeps records and calculates sick time, vacation time and holidays.
  - (3) Reviews timecard for errors and resolves problems with employee or supervisor.

- (4) Computes earnings based on the number of hours worked.
  - (5) Computes deductions required by law and computes pay by subtracting these deductions.
  - (6) Processes and issues employee paychecks.
  - (7) Records employee information and updates files with changes.
  - (8) Keeps track of changes in tax and deductions laws and advises employees.
  - (9) Prepares reports for auditor and files.
  - (10) Prepares and mails earnings and tax withholding statements at end of year.
- F. Assumes responsibility for establishing and maintaining effective business relations with vendors, outside auditors, the professionals and management:
- (1) Serves as a liaison between the Authority and external auditors and regulatory authorities.
  - (2) Represents the Authority to various professionals and groups.
  - (3) Ensures appropriate levels of confidentiality regarding Authority operations.
  - (4) Attends and participates in meetings as required.
- G. Effectively supervises office personnel, ensuring optimal performance:
- (1) Trains, directs and coordinates personnel. Ensures that the training and development needs are met and provides assistance and support as needed.
  - (2) Ensures that work area is clean, secure and well maintained.

**§ 245-19. Performance measurements.**

- A. Appropriate department policies and procedures are developed and updated as needed.
- B. Positive business relations exist with auditors, government officials and professionals.
- C. Accounting documents, records and reports are prepared and maintained in a timely manner.
- D. Department files are appropriately maintained.
- E. Account reconciliations are correct and completed in a timely manner.
- F. Accounting functions are completed in accordance with established standards, policies and procedures.

**§ 245-20. Qualifications.**

- A. Education/certification:
  - (1) High school graduate or equivalent preferred.
  - (2) College credits in accounting preferred.
- B. Required knowledge:
  - (1) Knowledge of related computer applications.
  - (2) Familiarity with basic office procedures.
  - (3) Knowledge of financial and accounting practices and procedures.



- (4) Understanding of government regulations and reporting requirements.
- (5) Understanding of related and auditing and IT functions.
- C. Experience required:
  - (1) Previous related experience preferred but not required.
- D. Skills/abilities:
  - (1) Analytical and technical skills.
  - (2) Sound organizational and interpersonal skills.
  - (3) Can work under pressure and meet deadlines.
  - (4) Able to work independently.
  - (5) Good aptitude for working with computers, and use of all related hardware and software.

**§ 245-21. Physical activities and requirements.**

- A. Finger dexterity. Using primarily just the fingers to make small movements such as typing, picking up small objects or pinching fingers together.
- B. Talking. Especially where one must convey information to professionals or important instructions or ideas accurately, loudly or quickly.
- C. Average hearing. Able to hear average or normal conversations and receive ordinary information.
- D. Average vision. Average, ordinary visual acuity necessary to prepare or inspect documents or operate machinery.
- E. Physical strength. Sedentary work; sitting most of the time. Lift boxes up to 20 pounds.

**§ 245-22. Mental activities and requirements.**

- A. Reasoning ability. Ability to apply common sense understanding to carry out detailed but uninvolved instructions and to deal with problems involving a few variables.
- B. Mathematics ability. Ability to perform basic math skills, use decimals to compute percents.
- C. Language ability. Ability to use passive vocabulary of 5,000 to 6,000 words.

**§ 245-23. Working conditions.**

None. No hazardous or significantly unpleasant conditions (such as in a typical office).

**§ 245-24. Interpretation; amendment.**

**[Amended 7-11-2006 by Res. No. 2006-27]**

All descriptions of responsibilities, functions and duties in this article are intended to be interpreted as being inclusive of but not necessarily limited to the stated responsibility, function or duty and can be changed with the majority rule of the Authority.

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**ARTICLE IV Secretary's Role in GovConnect Program**

**§ 245-25. District official; Authority official.**

The Beverly Sewerage Authority is herewith designated as the District official to be enrolled in the GovConnect program and designates the Authority Secretary as the Authority official.

**§ 245-26. Acceptance of usage policies.**

Upon enrollment, the designated Authority official agrees to accept and uphold GovConnect usage policies on behalf of the Beverly Sewerage Authority.

## Chapter 310: BACKWATER VALVES

### § 310-1. National Plumbing Code Section 5.5.

The following provisions on backwater valves are from the National Plumbing Code:

#### **5.5.1 Where Required.**

- a. Fixtures and/or drain inlets subject to backflow and flooding from blocked or restricted public sewers shall be protected by a backwater valve. Such situations include those where fixtures and/or drains are located above the crown level of the public sewer at the point of connection thereto, but are below the level of the curb at the point where the building sewer crosses under the curb at the property line.
- b. Backwater valves shall be installed in branches of the drainage system which receive flow only from fixtures and/or drains subject to backflow from the public sewer. Other portions of the drainage system not subject to backflow shall drain directly to the public sewer.

#### **5.5.2 Material Standard and Accessibility**

Backwater valves shall conform to the standard listed in Table 3.1.3 and shall be installed so that their internal working parts are accessible for periodic cleaning, repair or replacement.

## **Chapter 325: GARBAGE DISPOSALS**

The City of Beverly prohibits the installation of garbage disposal systems where the waste created from the garbage disposal system is discharged, directly or indirectly, into the Beverly City sewer system.

## Chapter 330: INDUSTRIAL WASTE

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### ARTICLE I General Provisions

#### § 330-1. Purpose and policy.

- A. This chapter sets forth uniform requirements for all discharges into the wastewater collection system of the Beverly Sewerage Authority flowing to the collection system and the treatment works of the Beverly Sewerage Authority and enables each Authority to comply with all applicable state and federal laws and regulations pertaining to wastewater treatment and industrial pretreatment.
- B. The objectives of this chapter are:
- (1) To prevent the introduction of pollutants into the Publicly Owned Collection System of the Beverly Sewerage Authority (hereinafter referred to as "POCS") which are thereafter introduced into the Publicly Owned Treatment Works of the Beverly Sewerage Authority (hereinafter referred to as the "POTW") which will interfere with the operation of the system or contaminate the resulting sludge:
  - (2) To prevent the introduction of pollutants into the Beverly POCS and POTW which will pass through the system, inadequately treated, into receiving waters or the atmosphere or otherwise be incompatible with the system; and
  - (3) To improve the opportunity to recycle and reclaim wastewaters and sludges from the system.
- C. This chapter authorizes monitoring and enforcement activities, requires industrial user reporting, and provides for the regulation of dischargers to the POCS and to the POTW through enforcement of general requirements for all users and through the issuance of permits to certain nondomestic discharges.
- D. This chapter shall apply to the City of Beverly and to persons outside the City who are dischargers to the POCS. Except as otherwise provided herein, the Superintendent of the Beverly Sewerage Authority shall administer, implement, and enforce the provisions of this chapter.

#### § 330-2. Definitions.

- A. Unless the context specifically indicates otherwise, the following terms and phrases, as used in this chapter, shall have the meanings hereinafter designated:

ACT or THE ACT — The Federal Water Pollution Control Act, also known as the "Clean Water Act," as amended, 33 U.S.C. § 1251 et seq.

APPROVAL AUTHORITY — The Director of the NJDEPs Division of Water Resources or his/her authorized representatives.

APPROVED TEST PROCEDURE — All analysis shall be performed in accordance with the analytical test procedures approved under 40 CFR Part 136. Analysis for those pollutants not covered therein shall be performed in accordance with procedures approved by the NJDEP.

AUTHORITY — The Beverly Sewerage Authority and its members, Executive Director or Superintendent and their agents, employees and representatives.

AUTHORIZED REPRESENTATIVES OF INDUSTRIAL USER — An authorized representative of an industrial user may be:

- (1) A principal executive officer of at least the level of vice president, if the industrial user is a corporation;
- (2) A general partner or proprietor if the industrial user is a partnership or proprietorship, respectively;
- (3) A duly authorized representative of the individual designated above if such representative is responsible for the overall operation of the regulated facility, such as a position of plant manager, superintendent, or person of equivalent responsibility.

**DELANCO AUTHORITY** — The Delanco Sewerage Authority and its members, superintendent and their agents, employees and representatives.

**BIOCHEMICAL OXYGEN DEMAND (BOD)** — The quantity of oxygen utilized in the biochemical oxidation of organic matter for five days at 20° C expressed in terms of weight and concentration ([milligrams per liter (mg/l)]) in accordance with an approved test procedure.

**CATEGORICAL STANDARDS** — Pretreatment standards specifying quantities or concentrations of pollutants or pollutant properties which may be discharged or introduced to a POTW by existing or new industrial users in specific industrial subcategories.

**CHEMICAL OXYGEN DEMAND (COD)** — A measure of the oxygen-consuming capacity of inorganic and organic matter present in water or wastewater expressed as the amount of oxygen consumed by a chemical oxidant in accordance with an approved test procedure.

**CHLORINE DEMAND** — The amount of chlorine expressed in mg/l which will complete the normal reaction with all chemicals and materials in the waste having an excess to 0.1 mg/l after 30 minutes contact time at room temperature.

**COMMISSIONER** — The Commissioner of the New Jersey Department of Environmental Protection or his/her authorized representative.

**COMPATIBLE POLLUTANT** — Biochemical oxygen demand, suspended solids, pH and fecal coliform bacteria, and such additional pollutants as are now or may be in the future specified and controlled in the Authority's NJPDES permit, where the POTW is designed to treat such pollutants and, in fact, does treat such pollutants to the degree required by the NJPDES permit.

**COMPOSITE SAMPLE** — A sample consisting of several effluent portions collected during a specific time period and combined to make a representative sample.

**CONSISTENT REMOVAL** — A reduction in the amount of a pollutant or alteration of the nature of the pollutant by the wastewater treatment system to a less toxic or harmless state in the effluent which is achieved by the system as measured according to the procedures set forth in Section 403.7(d)(2) of the "General Pretreatment Regulations for Existing and New Sources of Pollution" (40 CFR, Part 403) promulgated pursuant to the Act.

**CONTROL AUTHORITY** — Refers to the "approval authority" defined hereinabove; or the Superintendent if the Authority has an approved pretreatment program under the provisions of 40 CFR 403.11.

**COOLING WATER** — Any water used for the purpose of carrying away excess heat, and which may contain biocides used to control biological growth or other additives to protect the system against corrosion, scaling and the like.

**DEPARTMENT** — The New Jersey Department of Environmental Protection.

**DISCHARGE** — The releasing, spilling, leaking, pumping, pouring, emitting, emptying, or dumping of a pollutant into the waters of the state or onto the land or into wells from which the pollutant might flow or drain into said waters, and shall include the release of any pollutant into a municipal treatment works.

DOMESTIC WASTEWATER — The liquid waste or liquid borne waste:

- (1) Resulting from the noncommercial preparation, cooking and handling of food; and/or
- (2) Consisting of human excrement and similar wastes from the sanitary conveniences.

EPA — The United States Environmental Protection Agency.

FEDERAL CATEGORICAL PRETREATMENT STANDARDS — Pretreatment standards as codified in 40 CFR Chapter I, Subchapter N, specifying quantities or concentrations of pollutants or pollutant properties which may be discharged or introduced to a POTW by existing or new industrial users in specific industrial subcategories.

GARBAGE — Solid wastes from the domestic and commercial preparation, cooking, dispensing, handling, storage and/or sale of food.

GRAB SAMPLE — A sample which is taken from a waste stream on a one-time basis without regard to flow or time.

HOLDING TANK WASTE — Any waste from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks, and vacuum-pump tank trucks.

INCOMPATIBLE POLLUTANT — Any pollutant which is not a "compatible pollutant" as defined in this section.

INDIRECT DISCHARGE — The discharge or the introduction of nondomestic pollutants from any service regulated under Section 307(b) or (c) of the Act (33 U.S.C. § 1317), into the POTW (including holding tank waste discharged into the system).

INDUSTRIAL PROCESS WASTEWATER — In addition to any groundwater, surface water, and stormwaters from the site which is introduced into a treatment works, the liquid waste or liquidborne waste resulting from the processes employed by any person identified in the Standard Industrial Classification Manual, 1972, Office of Management and Budget, as amended and supplemented under one of the following divisions:

- (1) Division A, Agriculture, Forestry, and Fishing.
- (2) Division B, Mining.
- (3) Division D, Manufacturing.
- (4) Division E, Transportation, Communications, Electric, Gas, and Sanitary Services.
- (5) Division I, Services.

INDUSTRIAL USER — Any person, commercial or industrial entity who discharges, causes, or permits the discharge of nondomestic wastewater into the treatment works.

INTERFERENCE

- (1) Means:
  - (a) Inhibiting or disrupting the operation of a POCS or a POTW or its treatment process so as to contribute to, cause or increase a violation of any condition of a state or federal permit under which the POTW operates; or
  - (b) Discharging industrial process wastewater which, in combination with existing domestic flows are of such volume and/or strength as to exceed the POTW design capacity or that approved by the Superintendent; or
  - (c) Exceeding the threshold concentrations of organic and inorganic pollutants that are inhibitory to biological treatment processes as specified in the "Federal Guidelines

for State and Local Pretreatment Programs," EPA-430/9-76-017a, Volume 1, 1977 (or the latest revision thereof), unless in the case of a specific pollutant the treatment works is designed to accommodate higher concentrations of that specific pollutant; or

- (d) Preventing the use or disposal of sludge produced by the POTW in accordance with Section 405 of the Federal Clean Water Act of 1977 (33 U.S.C. § 1251 et seq.), any regulations or criteria or guidelines developed pursuant to the Federal Resource Conservation and Recovery Act of 1976 (42 U.S.C. § 3251 et seq.), the Federal Clean Air Act (42 U.S.C. § 7401 et seq.), the Federal Toxic Substances Control Act (15 U.S.C. § 2601 et seq.), Sections 2, 4, and 6 of the State Act, and, to the extent practicable, the New Jersey Guidelines for the Utilization and Disposal of Municipal and Industrial Sludges and Septage.
- (2) Pursuant to 40 CFR 403.3(h), pollutants in the effluent from an industrial user shall not be considered to cause interference where the industrial user is in compliance with specific prohibitions or standards developed by the federal, state or local governments.

**NEW JERSEY POLLUTANT DISCHARGE ELIMINATION SYSTEM (NJPDES)** — The New Jersey system for the issuing, modifying, suspending, revoking and reissuing, terminating, monitoring and enforcing, of discharge permits pursuant to the State Act. The term also includes discharge permits (NPDES) issued pursuant to Section 402 of the Clean Water Act of 1977 (33 U.S.C. § 1251 et seq.).

**NORMAL SLUDGE** — Analysis by the Authority showing not more than the following:

- (1) BOD: Seven pounds per million gallons (200 mg/l) or less.
- (2) Chlorine demand: 16 pounds per million gallons (20 mg/l) or less.
- (3) Ether soluble materials: 417 pounds per million gallons 50 mg/l or less.
- (4) pH: No less than 5.5 nor more than 9.0.
- (5) Suspended solids: 2,083 pounds per million gallons 250 mg/l or less.

**PERSON** — Any individual, firm, company, partnership, corporation, association, group or society, including the State of New Jersey, and agencies, districts, commissions and political subdivisions created by or pursuant to state law, and federal agencies, departments or instrumentalities thereof.

**pH** — The logarithm (base 10) of the reciprocal of the concentration of hydrogen ions in moles per liter of solution. Solutions with a pH greater than seven are said to be basic; solutions with a pH less than seven are said to be acidic; pH equal to seven is considered neutral. Analysis shall be performed in accordance with an approved test procedure.

**POLLUTANT** — Any dredged spoil, solid waste, holding tank waste, incinerator residue, sewage, garbage, refuse, oil, grease, sewage sludge, septage, munitions, chemical wastes, biological materials, radioactive substance, thermal waste, wrecked or discarded equipment, rock, sand, cellar dirt, and industrial, municipal or agricultural waste or other residue directly or indirectly discharged into the waters of the state, the introduction of which renders these waters detrimental or immediately or potentially dangerous to the public health or unfit for public or commercial use.

**PRETREATMENT** — The application of physical, chemical and/or biological processes to reduce the amount of pollutants in, or alter the nature of the polluting properties of, wastewater prior to discharging such wastewater into the treatment works.

**PRETREATMENT STANDARDS** — All applicable federal or state rules and regulations implementing Section 307 of the Clean Water Act of 1977 (33 U.S.C. § 1251 et seq.) or



N.J.S.A. 58:11-49, as well as any nonconflicting state or local standards. In cases of conflicting standards or regulations, the more stringent thereof shall be applied.

**PUBLICLY OWNED TREATMENT WORKS (POTW)** — A treatment works as defined by Section 212 of the Act (33 U.S.C. § 1292) which is owned in this instance by the Beverly Sewerage Authority. For the purposes of this chapter, POTW shall also include any sewers that convey wastewaters to the POTW from dischargers into the Authority's POCS.

**REGIONAL ADMINISTRATOR** — The Administrator of Region II of the United States Environmental Protection Agency or his/her authorized representative.

**SIGNIFICANT INDUSTRIAL USER or SIU**

- (1) Any user in Beverly including, but not limited to, any significant industrial user as defined in 40 CFR 403.3 and any significant indirect user as defined in N.J.A.C. 7:14A-1.2, but excluding municipal collection systems, who discharges wastewater into the local agency where:
  - (a) The user is subject to categorical pretreatment standards under 40 CFR 403.6 and 40 CFR Chapter 1, Subchapter N;
  - (b) The user's average volume of process wastewater exceeds 25,000 gallons per day;
  - (c) The amount of BOD, COD or suspended solids in the industrial process wastewater discharge exceeds the mass equivalent of 25,000 gallons per day of domestic waste of the affected local agency;
  - (d) The volume of industrial process wastewater in the discharge exceeds five percent or more of the average dry weather flow of the local agency;
  - (e) The user's discharge of process wastewater contributes, five percent or more of the daily mass loading of any pollutants listed in N.J.A.C. 7:14A-4, Appendix A Tables II through V;
  - (f) The user is designated as an SIU by the Department on the basis that the user has a reasonable potential for adversely affecting the local agency's operation;
  - (g) The user is designated as an SIU by the control authority on the basis that the user has been in violation of any federal, state, or local pretreatment standard or requirement, including, but not limited to significant noncompliance as defined in 40 CFR 403.8(f)(2)(vii);
  - (h) The control authority determines it would be consistent with the intent of the Pretreatment Act or State Act to require a permit for the industrial user;
  - (i) The user is determined to be a hazardous waste facility that received a permit in accordance with N.J.A.C. 7:26G-12;
  - (j) The user's discharge consists of landfill leachate, which is either pure, treated, or diluted; or
  - (k) The user's discharge consists of 25,000 gallons per day or more of process wastewater and/or polluted groundwater which is pumped from the ground in order to decontaminate an aquifer; however,
- (2) Upon finding that any user has no reasonable potential for adversely affecting the Authorities' operation or for violating any federal, state or local pretreatment standard or requirement, the Department may at any time, on its own initiative or in response to a petition received from a user or local agency, and in accordance with 40 CFR 403.8(f)(6), determine that any user is not a significant industrial user.

STANDARD INDUSTRIAL CLASSIFICATION (SIC) — A classification pursuant to the Standard Industrial Classification Manual, 1972 (as revised), issued by the Executive Office of the President, Office of Management and Budget.

STATE — State of New Jersey.

STATE ACT — The New Jersey "Water Pollution Control Act," N.J.S.A. 58:10A-1 et seq.

STORMWATER — Any flow occurring during or immediately following any form of natural precipitation and resulting therefrom.

SUPERINTENDENT — The Superintendent or Executive Director of the wastewater collection system of the Delanco Sewerage Authority or his/her duly appointed deputy, agent or representative.

SUSPENDED SOLIDS — The total nonfilterable residue as defined in Manual of Methods for Chemical Analysis of Water and Wastes and analyzed in accordance with an approved test procedure.

TOXIC POLLUTANT — Those pollutants, or combinations of pollutants, including disease-causing agents, which after discharge and upon exposure, ingestion, inhalation or assimilation into any organism, either directly or indirectly by ingestion through food chains, may, on the basis of information available to the Commissioner, cause death, disease, behavioral abnormalities, cancer, genetic mutations, physiological malfunctions, including malfunctions in reproduction, or physical deformation, in such organisms or their offspring. "Toxic pollutants" shall include but not be limited to those pollutants designated under Section 307 of the Federal Act or Section 4 of the State Act.

TREATMENT WORKS — Any device or system, whether public or private, used in the storage, treatment, recycling, or reclamation of municipal or industrial waste of a liquid nature, including intercepting sewers, outfall sewers, sewage collection systems, cooling towers and ponds, pumping, power and other equipment and their appurtenances; extensions, improvements, remodeling, additions, and alterations thereof; elements essential to provide a reliable recycled supply such as standby treatment units and clear well facilities; any other works including sites for the treatment process or for ultimate disposal of residues resulting from such treatment. Additionally, "treatment works" means any other method or system for preventing, abating, reducing, storing, treating, separating, or disposing of pollutants, including stormwater runoff, or industrial waste in combined or separate stormwater and sanitary sewer systems.

TREATMENT WORKS PLANT — That portion of the treatment works designed to provide treatment to wastewater.

WASTEWATER — The liquid and water-carried wastes from the dwellings, commercial buildings, industrial facilities, and institutions, together with any groundwater, surface water, and stormwater that may be present, whether treated or untreated, which is discharged into or permitted to enter the collection system of the Beverly Sewerage Authority and thereafter the collection system.

- B. Terms not otherwise defined herein shall be as adopted in the latest edition of Standard Methods for the Examination of Water and Wastewater, published by the American Public Health Association, the American Water Works Association and the Water Pollution Control Federation; the "Federal Guidelines for State and Local Pretreatment Programs," EPA-430/9-76-017a, Volume 1, 1977, or the latest revision, thereof; the Clean Water Act, 33 U.S.C. § 1251 et seq.; the New Jersey, "Water Pollution Control Act," N.J.S.A. 58:10A-1 et seq.; or "Pretreatment Standards for Sewerage, etc.," N.J.S.A. 58:11-49 et seq.

### § 330-3. Abbreviations.

The following abbreviations shall have the designated meanings:

BOD	- Biochemical oxygen demand
CFR	- Code of Federal Regulations
COD	- Chemical oxygen demand
EPA	- Environmental Protection Agency
l	- Liter
mg	- Milligrams
mg/l	- Milligrams per liter
N.J.A.C.	- New Jersey Administrative Code
N.J.S.A.	- New Jersey Statutes Annotated
NJDEP	- New Jersey Department of Environmental Protection
NJPDES	- New Jersey Pollutant Discharge Elimination System
NPDES	- National Pollutant Discharge Elimination System
POCS	- Publicly Owned Collection System
POTW	- Publicly Owned Treatment Works
SIC	- Standard Industrial Classification
U.S.C.	- United States Code
TSS	- Total Suspended Solids

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## **ARTICLE II Prohibitions and Limitations on Wastewater Discharges**

### **§ 330-4. Prohibitions.**

No person shall discharge, deposit, cause or allow to be discharged or deposited into the Beverly Sewerage Authority Collection System any wastewater which significantly contributes to a violation of any of the parameters in the Authority NJPDES permit, or which contains any of the following:

- A. Oil and grease.
  - (1) Oil and grease from industrial facilities, in concentrations or amounts violating pretreatment standards; this includes petroleum based hydrocarbons as determined by silica gel absorption;
  - (2) Wastewater from commercial and/or industrial facilities containing floatable fats, wax, grease, or oil; and
  - (3) Total fats, wax, grease, or oil concentration of more than 100 mg/l, whether emulsified or not, or containing substances which may solidify or become viscous at temperatures between 32° F. and 150° F. (0° C. and 65° C.) at the point of discharge into the treatment works.
- B. Explosive and/or flammable mixtures. Liquids, solids or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances, to cause fire or explosion or be injurious in any other way to the treatment works or to the operation of the works; such materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides,

chlorates, perchlorates, bromates, carbides, hydrides, and sulfides. Explosive and flammable mixtures shall also include any waste stream with a closed-cup flashpoint less than 60° C.

- C. Noxious materials. Pollutants which, either singly or by interaction with other wastes, are malodorous, are capable of creating a public nuisance or hazard to life or health, or are present in sufficient concentrations to prevent entry into the treatment works for its maintenance and repair.
- D. Improperly shredded garbage. Garbage that has not been ground or comminuted to such a degree that all particles will be floating or carried freely in suspension under flow conditions normally prevailing in the treatment works, with no particle greater than 1/2 inch by any dimension; the discharge of any improperly shredded garbage is prohibited; this prohibition does not apply to the use of garbage disposal units in private dwellings whose only discharge is domestic wastewater.
- E. Radioactive wastes. Prohibited except in conformance with N.J.A.C. 7:28-11.2 (Disposal of Radioactive Materials - Disposal by Release into Sanitary Sewerage Systems).
- F. Solid or viscous wastes. Solid or viscous wastes which will or may cause obstruction to the flow in a sewer, or otherwise interfere with the proper operation of the treatment works; prohibited materials include, but are not limited to, grease, improperly shredded garbage, animal guts or tissues, diseased human organs or tissue fluids, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, wastepaper, wood, plastic, tar, asphalt residues, residues from refining or processing of fuel or lubricating oil, and similar substances. (Other materials may be specified at the discretion of the Superintendent.)
- G. Excessive discharge. **[Amended 1-9-2007 by Res. No. 2007-02]**
  - (1) Wastewater at an instantaneous flow rate in excess of 85 gallons per minute without preapproval from the Authority. Such preapproval will be contingent upon a capacity analysis of the down gradient sanitary sewer system.
  - (2) Wastewater at a flow rate that exceeds for any time period longer than 15 minutes more than five times the average daily flow rate of the industrial user during normal operations or containing such concentrations or quantities of pollutants that would cause a treatment process upset, inference, or loss of treatment efficiency.
- H. Toxic discharge. Waters or wastes containing objectionable or toxic substances in sufficient quantity, either singly or by interaction with other pollutants, to result in pass-through, to cause interference with the treatment works plant, to constitute a hazard to humans or animals, to create a toxic effect in the receiving waters of the POTW, or to exceed standards promulgated by the EPA pursuant to Section 307(a) of the Act, or the NJDEP pursuant to Section 4 of the State Act (or the maximum permissible concentrations specified in Table I).
- I. Stormwater. Discharge of stormwater, including surface and groundwater from sump pumps and cellar drains, into the collection system from any source; (optional: except existing combined sewers).
- J. Discolored materials. Wastes with color which would cause the treatment works to exceed water quality color criteria.
- K. Substances interfering with sludge management. Any substance which may cause the POTW's sludge to be unsuitable for reclamation and reuse or to interfere with the reclamation process where the POTW is pursuing a reuse and reclamation program. In no case shall a substance discharged to the POTW cause the POTW to be in noncompliance with sludge use or disposal criteria, guidelines or regulations developed under Section 405 of the Act; any criteria, guidelines, or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or, to the extent practicable, the "New Jersey Guidelines for the Utilization and Disposal of Municipal

and Industrial Sludges and Septage."

- L. Corrosive wastes. Any waste which will cause corrosion or deterioration of the POTW; all wastes discharged to the treatment works must not have a pH value lower than 5.0 or greater than 10.0 standard units (unless the treatment works is specifically designed to accommodate such discharges); prohibited materials include, but are not limited to, acids, alkalies, sulfides, concentrated chloride and fluoride compounds, and substances which will react with water to form acidic or alkaline products with a pH value that does not fall within the range stated herein.
- M. Heat. Heat in amounts which will inhibit biological activity in the treatment works, resulting in interference or causing damage, but in no case heat in such quantities that the temperature exceeds 65° C. (150° F.) at the treatment works and 40° C. (104° F.) at the POTW, unless the NJDEP, upon request of the POTW, approves alternate temperature limits.
- N. Pathogenic bacteria (viable). Other than those normal to domestic sewage.

**§ 330-5. Limitations.**

- A. Tables IA and IB presents the maximum concentrations of certain pollutants allowable in wastewater discharges to the collection system and the POTW by any discharger. Dilution of any wastewater discharge for the purpose of satisfying these requirements shall be considered a violation of this chapter. The limits on certain pesticides, benzides, and PCB's in Table IA are (in conformance with the Final Toxic Effluent Standards published in the Federal Register) as follows (date references are in Final Toxic Effluent Standards published dates in the Federal Register):
  - (1) Polychlorinated biphenyls (PCBs): February 2, 1977.
  - (2) Standard for aldrin/dieldrin, benzidine DDT (DDD, DDE), endrin and toxaphene: January 12, 1977.
- B. All users are limited by restrictions and prohibitions set forth in applicable state and federal regulations, including Categorical Pretreatment Standards, as promulgated.
  - (1) Table IA.

**Table IA  
Maximum Permissible Concentration  
(mg/l)**

Pollutant	1-Day Maximum	30-Day Average
Aldrin	*	*
Dieldrin	*	*
DDE	*	*
DDD	*	*
DDT	*	*
PCB	*	*
Endrin		
(Manufacturer)	0.0075	0.0015
(Formulator)	*	*
Toxaphene		
(Manufacturer)	0.0075	0.0015

(Formulator)	*	*
Benzidine		
(Manufacturer)	0.050	0.010
(Dye applicators)	0.025	0.010

**NOTE:**

\*No detectable quantity.

- (2) Table IB. The characteristics, per sample, of sewage and wastes discharged into the sewerage system shall not exceed the following standards:

**Table IB**

<b>Pollutant of Concern</b>	<b>Local Limit</b>	<b>Units</b>
Biological:		
Biochemical oxygen demand (BOD)	1000*	mg/l
Total suspended solids (TSS)	500*	mg/l
Ammonia-nitrogen	100*	mg/l
Phosphorus	10**	mg/l
Oil and grease	100*	mg/l
Toxins:		
Cyanide	0.0877	mg/l
Volatile Organics:		
Toluene	1.0	mg/l
1,2-Dichloroethane	0.00469	mg/l
Trichloroethane (TCE)	0.787	mg/l
Tetrachloroethene (PCE)	0.0684	mg/l
Miscellaneous		
pH	5 to 9	S.U.
Metals:		
Arsenic	0.25***	mg/l
Cadmium	0.0225	mg/l
Chromium	0.428	mg/l
Copper	0.748	mg/l
Lead	0.157	mg/l
Mercury	0.00747	mg/l
Molybdenum	0.457	mg/l
Nickel	0.431	mg/l
Selenium	0.0909	mg/l
Silver	0.415	mg/l
Zinc	1.79	mg/l

NOTES:

\* Discharges in excess of these limits will be considered by the Authority on a case-by-case basis provided proper application is made to the Authority and approval is granted prior to any discharge in excess of the limits shown.

\*\* Discharges in excess of the limit shown will be subject to implementation of best management practices on a case-by-case basis provided proper application is made to the Authority and approval is granted prior to any discharge in excess of the limit shown.

\*\*\* This limit is based on readily available treatment technology and is subject to the imposition of best management practices approved by the Authority at such time as the quantity of this pollutant becomes a concern in the Authority's Sewerage Treatment Plant's effluent or sludge.

- C. Sewer extensions specifications. Any industrial user adding a sewer extension to the Authorities' collection system shall design the same in accordance with N.J.A.C. 5:21 et seq. and the Beverly Sewerage Authority Master Plan. The sewer extension design proposed by the industrial user shall be subject to an application review and approval by the Authority and any and all other controlling governmental boards or bodies having jurisdiction over the proposed sewer extension plan. Any proposed industrial user proposing a sewer extension that proposes a flow in excess of 85 gpm shall submit a down gradient capacity analysis in accordance with § 330-4 of this chapter.

**§ 330-6. Federal Categorical Pretreatment Standards.**

Upon the effective date of the Federal Categorical Pretreatment Standard for a particular industrial subcategory, the federal standard, if more stringent than limitations imposed under this chapter for sources in that subcategory, shall immediately supersede the limitations imposed under this chapter. Affected industrial users shall comply with such standards within the stated compliance deadlines. The Superintendent shall attempt to notify affected industrial users of the applicable reporting requirements under 40 CFR 403.12, but a failure to notify does not relieve such industries of the obligation to comply with such reporting requirements.

**§ 330-7. Modification of Federal Categorical Pretreatment Standards.**

Federal Categorical Pretreatment Standards can be modified only through the federal regulatory mechanism available pursuant to 40 CFR 403.7.

**§ 330-8. State requirements.**

State requirements and limitations on discharges shall apply in any case where they are more stringent than federal requirements and limitations or those in this chapter.

**§ 330-9. Authority's right of revision.**

The Authority reserves the right to establish more stringent limitations or requirements on discharges to the collection system if deemed necessary to comply with objectives presented in Article I of this chapter.

**§ 330-10. Dilution of discharge.**

No user shall ever increase the use of process water or potable water to dilute a discharge as a partial or complete substitute to achieve compliance with the limitations contained in the Federal Categorical Pretreatment Standards, or in any other pollutant specific limitation developed by the Authority of the state.

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## **ARTICLE III Control of Prohibited Wastes**

### **§ 330-11. Regulatory actions.**

If wastewaters containing any substance prohibited, exceeding prescribed limits, or violating restrictions imposed by Article II of this chapter are discharged into the collection system of the Authority the Superintendent shall take all actions necessary to:

- A. Prohibit the discharge of such wastewater;
- B. Require an industrial user to demonstrate that in-plant modifications will reduce or eliminate the discharge of such substances so as to be in conformance with this chapter;
- C. Require pretreatment, including storage facilities, or flow equalization necessary to ensure complete compliance with this chapter;
- D. Require the discharger making, causing or allowing the discharge to pay all the additional cost or expense incurred by the Authority for any damages caused by excess loads imposed on the treatment works; and
- E. Take such other remedial action including discontinuation of such service and/or court action for injunctive relief, as may be deemed to be desirable or necessary to achieve the purpose of this chapter.

### **§ 330-12. Pretreatment facilities.**

Dischargers shall provide necessary wastewater treatment as required to comply with this chapter and the requirements of the Beverly Sewerage Authority and shall achieve compliance with all Federal Categorical Pretreatment Standards within the time limitations as specified by the Federal Pretreatment Regulations. Pretreatment facilities, where required, shall be provided for and operated efficiently by the owner or operator at his/her own costs and expense and shall be maintained in good working order, subject to the requirements of this chapter and all other applicable federal, state or local statutes, regulations, resolutions or ordinances.

### **§ 330-13. Submission of plans.**

Where pretreatment or equalization of wastewater flows prior to discharge into any part of the Beverly Wastewater Collection System is required for new industrial facilities or for the expansion or modification of existing industrial facilities, application, plans, specifications, operating procedures, and other pertinent data or information relating to such pretreatment or flow-control facilities shall first be submitted by the discharger to the Secretary of the Beverly Sewerage Authority for review, comment and/or approval. Such approval shall not exempt the discharger of the facilities from compliance with any applicable code, ordinance, rule, regulation or order of any governmental authority. Any subsequent modifications to such pretreatment or flow-control facilities including changes in any method of operation which may affect the discharge shall not be made without due notice to and prior permission of the Authority.

### **§ 330-14. Pretreatment facilities operations.**



Pretreatment facilities shall be maintained in good working order and operated efficiently by the owner or operator at his/her own cost and expense, subject to the requirements of this chapter and the requirements of the Beverly Sewerage Authority and all other applicable state and federal codes, regulations, ordinances and laws.

**§ 330-15. Admission to property.**

- A. Whenever it shall be necessary for the purpose of this chapter, the Superintendent, Authority representatives, the Commissioner and/or the Regional Administrator, upon the presentation of credentials, may enter upon the premises of any discharger at reasonable times for the purpose of inspecting/copying any records required to be kept under the provisions of this chapter.
- B. The Superintendent, authority representatives, the Commissioner and/or the Regional Administrator, upon presentation of credentials, may enter upon the premises of any discharger at any time for the purpose of inspecting any monitoring equipment or method, and/or measuring, sampling, and/or testing any discharge of wastewater to the treatment works in order to determine compliance with any pretreatment standard, or other prohibition or limitation contained in this chapter.

**§ 330-16. Accidental discharges.**

Each industrial user after receiving the prior permission of the Authority shall provide protection from accidental discharge of prohibited materials or other substances regulated by this chapter if required by the Authority. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the owner or industrial user's own cost and expense. Upon request detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the Authority for review and comment prior to construction of the facility. No industrial user who commences contribution to the POCS after the effective date of this chapter shall be permitted to introduce pollutants into the systems until accidental discharge procedures have been reviewed by the Engineer and Superintendent of the Authority. Review of such plans and operating procedures shall not relieve the industrial user from the responsibility of modifying his/her facility as necessary to meet the requirements of this chapter.

- A. Telephone notice. In the case of an accidental discharge of prohibited materials or other substances regulated by this chapter, or, if for any reason an industrial user does not comply, or will be unable to comply, with any prohibition or limitation in this chapter, the user responsible for such discharge shall immediately telephone and notify the Authority of the incident. The notification shall include location of discharge, type of waste, concentration and volume. Furthermore, such industrial user shall take immediate action to contain and minimize the accidental discharge to the POCS so as to prevent interference with the treatment process and/or damage to the treatment works.
- B. Written notice. Within five working days following an accidental or noncomplying discharge under this section, the industrial user shall submit to the Superintendent of the Authority a detailed written report describing the date, time and cause of the discharge, the quantity and characteristics of the discharge and corrective action taken at the time of the discharge, and the measures to be taken by the user to prevent similar future occurrences. Such notification shall not relieve the industrial user of any expense, loss, damage, or other liability which may be incurred as a result of damage to the POCS and the POTW, fish kills, or any other damage to person or property; nor shall such notification relieve the industrial user of any fines, civil penalties, or other liability which may be imposed by this article or other applicable law. The Superintendent will submit the report to the Authority.
- C. Notice to employees. All industrial users shall develop an emergency notification procedure. A

notice shall be permanently posted on the industrial user's bulletin board or other prominent place advising employees of the responsible individual to notify in the event of an accidental or noncomplying discharge. This person shall be responsible for initiating the emergency notification procedures as required above. Employers shall insure that all employees who may cause or allow such a discharge to occur are advised of the emergency notification procedure.

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## **ARTICLE IV Nondomestic Wastewater Discharge Permits**

### **§ 330-17. Permit required.**

- A. It shall be unlawful for any person to discharge directly or indirectly into the POCS or POTW, sewage combined with industrial wastes or other wastes, the characteristics of which classify the person as a significant industrial user, except under the issuance of a nondomestic wastewater discharge permit ("permit") therefore by the Beverly Sewer Authority and upon such terms and conditions as may be established by the Authority in the issuance of such a permit.
- B. Existing significant industrial users shall apply for a permit within 60 calendar days after the effective date of this chapter.
- C. New significant industrial users may not connect to the POCS or POTW unless a permit has been obtained. Such users shall apply for the permit at least 120 calendar days before connecting to such treatment works.

### **§ 330-18. Application for permit.**

- A. Industrial users required to obtain a permit shall complete and file with the Beverly Sewer Authority an application in the form prescribed by the Authority. *Editor's Note: The "Industrial Sewer Connection Application" form is on file in the office of the Authority's Secretary.*
- B. The Beverly Sewer Authority will evaluate the data furnished by the industrial user and may require additional information. After evaluation and acceptance of the data furnished, the Authority may issue a nondomestic wastewater discharge permit subject to terms and conditions provided herein.

### **§ 330-19. Terms and conditions.**

- A. Discharge permit conditions shall be expressly subject to all provisions of this chapter and all other rules, regulations, user charges and fees which are in effect or which may be established by the Beverly Sewer Authority.
- B. The following terms may be imposed by the Beverly Sewer Authority in the issuance of the permit:
  - (1) A limitation upon the characteristics and volume of wastes and the rate of flow permitted from the premises.
  - (2) The installation and maintenance by the permittee at his own expense of: facilities or equipment for intermittent or continuous measurement of sewage, industrial wastes or other wastes, discharged; detention tanks or other facilities or equipment for reducing the maximum rates of discharge; pretreatment and flow control facilities; suitable control, or sampling manhole or manholes; grease, oil and sand interceptors, separators or traps.
  - (3) The submission to and approval by the Beverly Sewer Authority of plans and

specifications for any of the facilities or equipment required to be installed and maintained by the permittee.

- (4) Maintenance of appropriate records of all measurements made by the permittee or sewage, industrial wastes or other wastes as specified by the Beverly Sewer Authority and affording the Authority access thereto.
- (5) The submission to the Beverly Sewer Authority of periodic reports setting forth adequate data upon which the acceptability of the sewage, industrial wastes or other wastes may be determined subsequent to the commencement of operation of any pretreatment or flow control facilities.
- (6) Specifications for monitoring programs which may include sampling locations, frequency and method of sampling, number, type and standards for tests and reporting schedule.
- (7) Such other terms and conditions as may be necessary to protect the POCS and POTW and to carry out the intent and provisions of this chapter.
- (8) Requirements for notification of the Beverly Sewer Authority of any new introduction of wastewater constituents or any substantial change in the volume or character of the wastewater constituents being introduced into the POCS and POTW.
- (9) Payments to cover the added cost of handling and treating the waters or wastes, which payments are not covered by existing sewer charges.
- (10) Requirements for notification of slug discharges.
- (11) Requirements for notification of accidental discharges.
- (12) Payment to cover the cost of permit administration.
- (13) Compliance schedules.

#### **§ 330-20. Duration of permits.**

Permits shall be issued for a specified time period, not to exceed five years. A permit may be issued for a period less than a year or may be stated to expire on a given date. The permittee shall submit such information, forms and fees as are required by the Beverly Sewer Authority for renewal no later than 180 days prior to the date of expiration. If the permittee is not notified by the Authority 30 days prior to the expiration of the permit, the permit shall be extended until such time as the Authority reissues the permit.

#### **§ 330-21. Nontransferability of permit.**

Wastewater discharge permits are issued to a specific user for a specific operation. A wastewater discharge permit shall not be reassigned or transferred or sold to a new owner, new user, different premises, or a new or changed operation.

#### **§ 330-22. Permit revocation.**

Any permittee who violates any conditions of the permit, or this chapter, or applicable state and federal regulations, is subject to having his permit revoked.

#### **§ 330-23. Permit modifications.**

A. The terms and conditions of a permit may be subject to modification and change by the

Beverly Sewer Authority during the life of the permit as limitations or requirements are modified and changed. The Permittee shall be informed of any proposed changes in his permit at least 30 days prior to the effective date of change. Any change or new conditions in the permit shall include a reasonable time schedule for compliance.

- B. An industrial user proposing to make a significant change in its discharge volume or quality shall apply for a permit modification at least 90 days before making changes.
- C. The permittee may request, by certified mail, a hearing to show cause why a permit should or should not be modified.

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## **ARTICLE V Industrial Wastewater Monitoring and Reports**

### **§ 330-24. Reporting requirements for industrial users.**

- A. All industrial users subject to Federal Categorical Pretreatment Standards shall, at a minimum, comply with the reporting requirements contained in 40 CFR 403.12 including, but not limited to, baseline monitoring reports, pretreatment deadline compliance reports and periodic compliance reports.
- B. Compliance date report. Within 90 days following the date for final compliance with applicable pretreatment standards or, in the case of a new source, following commencement of the introduction of wastewater into the POCS, any user subject to pretreatment standards shall submit to the Superintendent of the Authority a report indicating the average and maximum daily flows and the nature and concentration of all pollutants discharged from the process units which are regulated by such pretreatment standards. The report shall state whether the applicable pretreatment standards are being met on a consistent basis and, if not, what additional operation and maintenance (O&M) work and/or pretreatment is necessary to bring the user into compliance with the applicable pretreatment standards. This statement shall be signed by an authorized representative of the industrial user and certified to by a certified professional. All industrial users shall, in addition, comply with all applicable state pretreatment reporting requirements.
- C. Periodic discharge reports.
  - (1) Every significant industrial user shall submit to the Superintendent of the Authority on a monthly basis a flow report of the daily flow into the POCS. In addition, a periodic discharge report shall be submitted during the months of June and December, unless required more frequently in a pretreatment standard or by the Superintendent or other approval authority. At the discretion of the Superintendent and in consideration of such factors as local high or low flow rates, holidays, budget cycles, etc., the Superintendent may agree to alter the months during which the above reports are to be submitted. The Superintendent may require any other industrial users discharging or proposing to discharge into the treatment works to file such periodic reports.
  - (2) The discharge report shall include, but not be limited to, nature of process, volume, rates of flow concentrations of incompatible pollutants, total mass of each incompatible pollutant discharged, hours of operation, and other information which relates to the generation of waste. Such reports may also include the chemical constituents and quantity of liquid materials stored on site even though they are not normally discharged. In addition to discharge reports, the Superintendent may require information in the form of self-monitoring reports.

### **§ 330-25. Records and monitoring.**

- A. All industrial users after receiving prior permission from the Authority who discharge or

propose to discharge wastewaters to the treatment works shall maintain such records of production and related factors, effluent flows, and pollutant amounts or concentrations as are necessary to demonstrate compliance with the requirements of this chapter and any applicable state or federal pretreatment standards or requirements.

- B. Such records shall be made available upon request by the Superintendent of the Authority. All such records relating to compliance with pretreatment standards shall be made available to officials of the Department, the NJDEP and the EPA upon demand. A summary of such data indicating the industrial user's compliance with this chapter shall be prepared and submitted to the Superintendent of the Authority. All records shall be retained for a minimum of five years.
- C. The owner or operator of any premises of facility discharging industrial wastes into the collection system treatment works may be required at the discretion of the Authority to install at his/her own cost and expense suitable monitoring equipment to facilitate the accurate observation, sampling, and measurement of wastes. Such equipment shall be maintained in proper working order and kept safe, secure from unauthorized entry or tampering, and accessible at all times. This subsection does not preclude the Authority from installing such equipment at its own expense.
- D. When more than one industrial user can discharge into a common sewer, the Superintendent may require installation of separate monitoring equipment for each industrial user. When there is a significant difference in wastewater constituents and characteristics produced by different operations of a single industrial user, the Superintendent may require that separate facilities be installed for each discharge.
- E. Whether constructed on public or private property, the monitoring facilities shall be constructed in accordance with requirements of the Authority and all applicable construction standards and specifications. Plans and specifications for all such work will be submitted to the Superintendent of the Authority, the Authority's representative, and the Commissioner for approval prior to construction.

### **§ 330-26. Inspection, sampling and analysis.**

- A. Representative sampling point. All industrial users proposing to connect to or continue to discharge to any part of the POCS must make available a sampling point representative of the discharge which is acceptable to, and approved by, the Superintendent of the Authority. This point must be available to the POCS, POTW, the Department, or EPA for purposes of conducting sampling inspections, compliance monitoring and/or metering operations.
- B. Compliance determination. Compliance determinations by the Superintendent, the Authority's representative, the Commissioner, and/or the Regional Administrator, with respect to Article II prohibitions and limitations, shall be made on the basis of either instantaneous grab samples, sequential samples, or composite samples, as appropriate. Sequential or composite samples may be taken over a twenty-four-hour period, or any other time span as deemed appropriate by the Superintendent, the NJDEP or the EPA to meet the requirements of a specific situation.
- C. Analysis of industrial wastewaters. Laboratory analyses of industrial wastewater samples shall be performed in accordance with an approved test procedure as defined in § 330-2 and shall be performed by a laboratory certified to do the analyses by the NJDEP. They shall be performed in accordance with "Standard Methods for the Examination of Water and Wastewater," 15th edition, published jointly by American Public Health Association, American Water Works Association, and Water Pollution Control Federation, EPA "Methods for Chemical Analysis of Water and Wastes," EPA 600/4-79-020; and EPA "Guidelines Establishing Test Procedures for the Analysis of Pollutants," published in the Federal Register, Vol. 41, No. 232, 12-1-1976 and subsequent revisions. Analysis of those pollutants

not covered by the publications referred to therein shall be performed in accordance with procedures approved by the Department.

- D. Sampling frequency. Sampling of industrial wastewater for the purpose of compliance determinations with respect to Article II prohibitions and limitations will be done at such intervals as the Superintendent of the Authority, the Commissioner, and/or the EPA Regional Administrator may designate. However, it is the intention of the Superintendent to conduct compliance sampling or to cause such sampling to be conducted for all significant industrial users at least once in every one-year period.

**§ 330-27. Pretreatment.**

- A. Users shall provide necessary wastewater treatment as required to comply with this chapter and shall achieve compliance with all Federal Categorical Pretreatment Standards within the time limitations as specified by the Federal Pretreatment Regulations. Any facilities required to pretreat wastewater to a level acceptable to the Authority shall be provided, operated, and maintained at the user's expense. Application and detailed plans showing the pretreatment facilities and operating procedures shall be submitted to the Authority for review, and shall be acceptable to the Authority before construction of the facility. The review of such plans and operating procedures will in no way relieve the user from the responsibility of modifying the facility as necessary to produce an effluent acceptable to the Authority under the provisions of this chapter. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be acceptable to each Authority prior to the user's initiation of the changes.
- B. The Authority shall annually publish in the official City newspaper a list of the users which, during the previous 12 months, were significantly violating [as defined by 40 CFR 403.8(f)(2)(vii)] applicable Categorical Pretreatment Standards or other pretreatment requirements. The notification shall also summarize any enforcement actions taken against the user(s) during the same 12 months.

**§ 330-28. Confidential information and public access.**

- A. Information and data on an industrial user obtained from reports, questionnaires (permit applications, permits) and monitoring programs and from inspections shall be available to the public without restriction unless the industrial user specifically requests and is able to demonstrate to the satisfaction of the Authority that the release of such information would divulge information, processes or methods of production entitled to protection as trade secrets or due to reasons of business confidentiality as that term is defined and applied in 40 CFR Part 2. Wastewater constituents and characteristics (i.e., effluent data) will not be recognized as confidential information. For the purposes of this section, "effluent data" shall have the meaning set forth at 40 CFR 2.302(a)(2).
- B. When information accepted by the Authority as confidential is requested by the EPA and/or the NJDEP for uses related to this chapter, the New Jersey Pollutant Discharge Elimination System (NJPDES) and/or the State or Federal Pretreatment Programs, the Authority shall serve the person who furnished the information in question with written notice by certified mail, return receipt requested, at least 10 working days in advance of the disclosure of its intent to disclose the information. The Authority shall submit the claim of confidentiality to the EPA or NJDEP with the information.
- C. Nonconfidential files on users and the Pretreatment Program are open to the public for inspection at the Authority's office during normal business hours. Subject to the availability of a copy machine, there will be a charge for copies at the rate determined by the Authority. Requests for such review are to be made in writing and appointments will be required.

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## **ARTICLE VI Industrial Discharge Permit System**

### **§ 330-29. Permit required.**

Any person desiring to make a connection to the sewerage system or desiring to increase or otherwise change the composition of industrial process wastewater shall apply to the Secretary of the Beverly Sewerage Authority for an industrial discharge permit in accordance with the requirements of this chapter and in accordance with an application form approved by the Authority.

### **§ 330-30. Violations.**

No person shall discharge, cause to be discharged or allow discharge of industrial wastes into the sewerage system without having first obtained a permit to do so. In violation hereof, said person is subject to Article VII, Enforcement Procedures, and costs as provided by Article VIII.

### **§ 330-31. Surcharges.**

Where in the opinion of the Authority sewage and other waste of deleterious character or adversely affect the collection system or the treatment processes, the Authority reserves the right to surcharge the person causing, allowing or otherwise permitting the discharge thereof into the sewerage system the added operating and treatment costs occasioned thereby and may terminate serve to said person and/or require such sewage and waste to be treated by said person to remove or neutralize the objectionable substances or unduly high concentrations or substances before discharge into the system. The surcharge for treatment of waste referred in this section shall be based upon the following formula:

Surcharge percentage =

$33 (\text{BOD}^* \text{ in mg/l} / .300) + 33 (\text{TSS}^* \text{ in mg/l} / 300) + 34 (\text{oil and grease}^* \text{ in mg/l}/50)$

\* Where the actual concentrations are less than 300 mg/l for BOD or TSS and 50 mg/l for oil and grease, the value in the parentheses shall be equal to 1.

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## **ARTICLE VII Enforcement Procedures**

### **§ 330-32. Harmful contributions.**

- A. The Authority may suspend any wastewater treatment service (and/or the nondomestic wastewater discharge permit) when such suspension is necessary, in the opinion of the Authority, in order to stop an actual or threatened discharge which presents or may present an imminent or substantial endangerment to the health or welfare of persons, to the environment, and causes interference to the POCS.
- B. Any person notified of a suspension of the wastewater treatment service (and/or the nondomestic wastewater discharge permit) shall immediately stop or eliminate the contribution. In the event of a failure of the person to comply voluntarily with suspension order, the Authority shall take such steps as deemed necessary including immediate severances of the sewer connection, to prevent or minimize damage to the POCS and to the POTW system or endangerment to any individuals. The Authority shall reinstate (the nondomestic wastewater discharge permit and/or) the wastewater treatment service upon proof of the elimination of the noncomplying discharge. A detailed written statement submitted by the user describing the causes of the harmful contribution and the measures taken to prevent any

future occurrence shall be submitted to the Authority within 15 days of the date of occurrence.

**§ 330-33. Termination of service.**

In addition to termination as provided in § 330-32, any user who violates the following conditions of this chapter, or applicable state and federal regulations, is subject to having his service terminated or nondomestic wastewater discharge permit suspended in accordance with the procedures of Article VII of this chapter:

- A. Failure of a user to factually report the wastewater constituents and characteristics of his discharge;
- B. Failure of the user to report significant changes in operations, or wastewater constituents and characteristics;
- C. Refusal of reasonable access to the user's premises for the purpose of inspection or monitoring; or
- D. Violation of provisions of this chapter.

**§ 330-34. Notification of violation.**

- A. Whenever the Superintendent of the Authority finds that any person has violated or is violating this chapter, or any prohibition, limitation or requirement contained herein, he/she may serve upon such person a written notice stating the nature of the violation and providing a reasonable time, not to exceed 30 days, for the satisfactory correction thereof. If, with good cause, the user cannot achieve compliance within 30 days, then the user shall submit a response as to why it cannot so comply and, if necessary, shall submit, within said 30 days, an application for issuance or revision of a nondomestic wastewater discharge permit, or other approval as may have been granted.
- B. The Authority may suspend sewer service (without such notification) when such suspension is necessary in the opinion of the Authority in order to stop an actual or threatened discharge which presents or may present an imminent or substantial endangerment to the health or welfare of persons.

**§ 330-35. Show cause hearing.**

- A. If the violation is not corrected by timely compliance, the Superintendent may order any person who causes or allows an unauthorized discharge to show cause before the Authority why service should not be terminated. A notice shall be served on the offending party, specifying the time and place of a hearing to be held by the Authority making the charge regarding the violation, and directing the offending party to show cause before said Authority why an order should not be made directing the termination of service. The notice of the hearing shall be served personally or by registered or certified mail, return receipt requested, at least 10 days before the hearing. Service may be made on any agent or officer of a corporation.
- B. The Authority may itself conduct the hearing and take the evidence or may designate any of its members or any officer or employee of the Authority to:
  - (1) Issue in the name of the Authority notices of hearings requesting that attendance and testimony of witnesses and the production of evidence relevant to any matter involved in any such hearings.
  - (2) Take the evidence.



- (3) Transmit a report of the evidence and hearing, including transcripts/records and other evidence, together with recommendations to the Authority for action thereon.
- C. At any order to show cause hearing, testimony taken before the Authority or any person designated by it must be under oath and recorded either by a hearing officer in a summary manner or stenographically. In the latter case, the transcript so recorded will be made available to any member of the public or any party to the hearing upon payment of the usual charges therefor. The Authority, however, may, pursuant to law, order certain portions of the hearing be held in private session. The transcript of any hearing held in private session will not be made available to members of the public except as provided by law.
- D. After the Authority has reviewed the evidence and recommendation of the hearing officer, it may issue an order to the party responsible for the discharge directing that, following a specified time period, the sewer service be discontinued unless adequate treatment facilities, devices or other related appurtenances shall have been installed or existing treatment facilities, devices or other related appurtenances are properly operated, and such further orders and directives as are necessary and appropriate.

**§ 330-36. Legal action; violations and penalties.**

- A. Penalties. Any person who is found to have violated, or who willfully or negligently failed to comply with any provision of, this chapter, and the orders and permits issued hereunder, may be subject to civil action, in accordance with the provisions of state statutes. Each day on which a violation shall occur or continue to occur shall be deemed a separate and distinct offense. Convicted violators may be subject to a civil penalty for each offense, to be collected by procedures established by state law.
- B. Injunctive relief. If any person violates any provision of this chapter, any pretreatment standard, any provision of the "Pretreatment Standards for Sewerage, etc." (N.J.S.A. 58:11-49 et seq.), or any regulations promulgated thereunder, the Authority may institute a civil action in the Superior Court or other court of competent jurisdiction for injunctive relief to prohibit and prevent such violation.

**§ 330-37. Falsification of information.**

Any person who knowingly makes any false statements, representations or certifications in any application, record, report, plan or other documents filed or required to be maintained pursuant to this chapter or a nondomestic wastewater discharge permit, or who falsifies, tampers with or knowingly renders inaccurate any monitoring device or method required to be maintained pursuant to this chapter, shall be in violation of this chapter and the State Act.

**§ 330-38. (Reserved)**

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**ARTICLE VIII Fees and Costs**

**§ 330-39. Purpose.**

It is the purpose of this article to establish fees for users of Authority's wastewater collection system for activities not included in the Authority's annual operating budget. The applicable charges or fees shall be set forth in the Authority's Schedule of Charges and Fees.

**§ 330-40. Application fees.**

Accompanying the application called for within this chapter there shall be a nonrefundable fee of \$50 which shall be used to offset the administrative costs involved in reviewing the application submitted under this chapter.

**§ 330-41. Escrow for costs of profession review.**

In addition to the application fee, each applicant shall deposit in cash the sum of \$500 with the Authority Secretary to be placed in escrow by the Authority to cover the cost of professional review by the professionals employed by the Authority to make the reviews called for by the application. At the time of submitting his application and plans to the Authority, the applicant shall be required to execute an escrow agreement between the applicant and the Authority to cover the cost of the technical and professional review of the application, plans and inspections called for by this chapter. Said escrow agreement shall be in the form approved by the Solicitor of the Beverly Sewer Authority. The escrow agreement shall provide that the applicant pay all necessary and reasonable costs incurred by the technical and professional staff employed by the Authority for the review of applicant's application, plans and inspections. The sums specified above are deemed estimates which shall be posted prior to consideration by the Authority. In the event that more than the sums specified above are required to pay the reasonable costs incurred, the applicant shall, prior to being permitted to take the next step, or to continue with his activities, or in any event prior to final approval for any work performed, pay all additional sums required. In the event that the sums posted are more than those required, the excess funds shall be returned to the applicant within 14 days of the issuance of final approval of the project. Prior to the issuance of final approval, the Authority Secretary shall determine from the professional staff employed by the Authority whether there are any additional sums required to be paid from the escrow funds established. In the event that there are, the Authority Secretary shall so notify the Authority Treasurer of the amounts to be held in that account. The Authority Secretary shall determine the position of all escrow accounts and where additional funds are required. It shall be the obligation of the Authority to so notify the applicant of the amounts needed and to properly make all payments required to be made under this section of the resolution. In addition to those terms, the escrow agreement may require any other additional terms which are agreed to by applicant and the Authority. A schedule of fees shall be posted in the office of the Authority Secretary and such other place or places as the Authority shall direct.

**§ 330-42. Meters and measuring devices.**

All permittees under the provisions of this chapter shall at their expense install a suitable device for continuously indicating, recording and totalizing the flow of discharge into the sanitary sewerage system, provided that such meters and measuring devices are to be located at the main sewer plant. Specifications and plans for the complete metering or measuring devices shall be submitted to the Authority with the application and shall meet its approval.

**§ 330-43. Control and maintenance.**

All meters or measuring devices installed or required to be installed shall be under the control of the Superintendent and accessible to the Authority's representatives during the operational hours of the industry. The industrial user for whom such measuring equipment is installed, at its own expense, shall be responsible for:

- A. Maintenance and safekeeping.
- B. All repairs whether by normal wear or other causes.
- C. Quarterly certified calibration by the manufacturer.
- D. Supplying daily recording charts to the Authority.

**§ 330-44. Payment of costs.**

Costs for the repair or calibration, if paid for by the Authority, shall be due and payable to the Authority within 30 days after written notification of such payment by the Authority to the permittee.

**§ 330-45. Inspection.**

The Authority and its designates shall have the right to enter the establishment of the industrial user for inspection of the operation of the industrial waste treatment facilities and the collection of samples from any component thereof.

**§ 330-46. Use of bypasses.**

The use of any bypassing device in the industrial waste treatment facilities shall not be used in connection with wastewaters to be discharged into the Authority sanitary system, or the bypassing or attempted bypassing of any meter or measuring devices called for within this section of this chapter shall not be allowed under any circumstances. Any accidental spills, overflows, equipment or process failures shall be reported to the Superintendent of the Authority immediately and confirmed in writing within 10 days with an explanation of the cause and planned action to eliminate further reoccurrences. The Superintendent reserves the right to immediately suspend, pending hearing as more particularly set forth under other provisions of this chapter, any permit issued pursuant to this chapter for a violation or alleged violation of this provision

## Chapter 345: LATERALS

### § 345-1. Authority's service line.

- A. New connections to existing sewer mains will be at the expense of the Applicant, including tapping (if approved by the Authority), fittings, pipe, labor and related materials. New laterals from the main to the curb vent shall be installed by a licensed plumber at the expense of the property owner. The Authority will inspect all sewer connections prior to any backfilling, otherwise service will not be provided and any facilities not inspected will be removed at the property owner's expense. Connections to the sewer mains from the main to the building shall be maintained by the property owner, including the curb vent. Any work performed on any portion of the lateral between the main and the building served or to be served shall be performed by a New Jersey licensed plumber who shall provide a bond or certified check in the amount set forth by the Authority guaranteeing any defects in materials and workmanship. All road opening permits shall be secured as required from the state, county or township. In the event that a building is considered for abandonment or demolition, the Authority will require a proper application to be submitted setting forth the method of disconnecting lines in accordance with Beverly Sewerage Authority specifications. This work will be at the property owner's expense.
- B. Connections to the existing sanitary sewer, unless otherwise approved by the Authority, shall be made with saddles or wyes. Under no condition will projections be permitted inside the main. Where the size of the connection is six inches or more, a manhole will be required.
- C. Connections made below groundwater shall be inspected by the Authority, and the inspection shall be continuous at the expense of the owner. There shall be no direct payment made for this inspection service for the first four hours, if made during regular work hours of the Beverly Sewerage Authority. Thereafter, the rate shall be \$20 per hour up to the normal end of the working day for the Beverly Sewerage Authority, and at a rate of 1 1/2 times that for any time thereafter, paid for by the plumber.
- D. No plumber or any other person shall perform any work on any sewer or connection without the consent of the Authority or its authorized representative. The plumber or other person, prior to commencing any work on the connection between the main and the applicant's building, shall submit an application on a form prescribed by the Beverly Sewerage Authority. *Editor's Note: The sewer permit application form is on file in the office of the Authority's Secretary.* If the application in the Authority's opinion is satisfactory, a permit will be issued. There shall be a fee of \$50 per lateral for the permit for residential and commercial connections. Industrial connections shall pay the permit fee prescribed in Article VIII, Fees, of Chapter 330, Industrial Waste, of the Code of the Beverly Sewerage Authority, as may be amended or supplemented from time to time.
- E. Any person proposing to add a sewer extension or lateral to connection to the Authorities' collection system shall design the same in accordance with the provisions of N.J.A.C. 5:21 et seq. and the Beverly Sewerage Authority Master Plan. The proposed sewer extension or lateral plan proposed shall be subject to an application review and approval by the Authority and any and all other controlling governmental boards or bodies having jurisdiction over the same.

### § 345-2. Size and kind of service lateral.

- A. The Authority reserves the right to determine the size and kind of service lateral from the main to the curblines, from the curblines to the property or building(s) to be served, or from the main in the right-of-way to the property or building(s) to be served. Laterals of all sizes from the main to the curblines shall be constructed of cast iron soil pipe, or PVC sewer pipe. Cast iron soil pipe, PVC sewer pipe, or clay sewer pipe may be used on the owner's property. Each

material specified must meet designated specifications to the satisfaction of the Authority. Special attention must be given to level and quality of trench base to prevent dips in the line.

- B. The service lateral from the curb to the property, including the sewer vent, shall be furnished, installed, and shall be laid in a straight line from the point of connection to the main where the main is in a right-of-way from the end of the Authority-constructed service lateral to the structure to be served, and shall have a cleanout at least every 75 feet and at all bends. All lines must be laid in a good workmanlike manner and laid to the proper grade. All portions of the service lateral and sewer vent installed are to be maintained by the property owner.
- C. The vent shall be a vertical riser and cap to be located no less than one foot and no more than four feet from the property line toward the structure to be served.

**§ 345-3. Separate trench.**

No service lateral shall be laid in the same trench with any gas pipe, water service, or any other facility of any public service company, nor within three feet of any open excavation, vault, meter pit; nor shall the location be in conflict with any sidewalk or driveway. All service shall comply with the latest rules and regulation of the State of New Jersey Department of Environmental Protection.

**§ 345-4. Maintenance by customer.**

All connections, service laterals, sewer vents and fixtures furnished shall be maintained by the customer in good order, and all piping and connections furnished and owned by the Authority and on the property of the customer shall be protected properly and cared for by the customer. All leaks in the service lateral or any other pipe fixture in or upon the premises served must be repaired immediately by the owner or occupant of the premises. The customer shall be responsible for acquiring a permit and notifying the Authority of the party engaged by said customer to do any maintenance work in the customer's service lateral prior to work being commenced, and said party shall not backfill any trench until the work has been inspected and approved by the Authority's representative. Any work not acceptable shall be immediately removed and replaced by work which is acceptable. All laterals shall be maintained by the customer/property owner.

**§ 345-5. Disclaimer of Authority's responsibility.**

The Authority shall in no way be responsible for maintaining any portion of the service lateral owned by the customer, or for damage done by sewage escaping therefrom; or for lines or fixtures on the customer's property; and the customer shall at all times comply with applicable municipal regulations with respect thereto, and make changes therein, required by reason of changes of grade, relocation of mains, or otherwise.

**§ 345-6. Property served by single service lateral.**

- A. A service lateral from the curb or the main in a right-of-way to a property shall not serve more than one property, but any such property upon application by the owner may be served by two or more laterals, each of which for billing purposes shall be considered as being one customer account.
- B. Where two or more customers are now served through a single service lateral, any violation of the rules of the Authority with respect to either or any of said customer, shall be deemed a violation, and unless it is corrected after reasonable notice, the Authority may take such action as may be taken for a single customer, except that such action will not be taken until a customer who has not violated the Authority's rules has been given a reasonable opportunity

to connect his pipe to a separately controlled service lateral.

**§ 345-7. Prohibited connections.**

- A. Under no circumstances will any of the following be connected to the sanitary sewers, either directly or indirectly; viz:
- (1) Foundations underdrains;
  - (2) Floor drain, area drain, or yard drain;
  - (3) Rain conductor or downspout;
  - (4) Grease pit;
  - (5) Air-conditioning equipment, except condensate air conditioning equipment units less than 1 1/2 tons' capacity;
  - (6) Stormwater inlets or catch basins;
  - (7) Drains from piece of equipment or manufacturing process, except when specifically authorized under the provisions of these rules and regulations.
  - (8) Sump pump discharges.

**§ 345-8. Special connections.**

Service laterals to public buildings, churches, apartments, commercial establishments, and industrial establishments, shall be installed to conform to detailed plans and specifications as approved by the Authority. Applicant must submit five copies of said plans. Plans must be two feet by three feet, and a scale no less than one inch equals 100 feet.

**§ 345-9. Special precautions in wet ground.**

- A. Where groundwater is normally above the invert elevation of the service lateral, "Tyton" joints, or approved equal, or cast iron soil pipe with properly caulked lead joints, shall be used in construction of service laterals. Where the bottom is soft and yields, the Authority reserves the right to require that the service be laid in partial or total concrete encasement. Junctions of two different types of pipe shall, at the option of the Authority, be required to be constructed in concrete of a mix determined by the Authority.

**§ 345-10. Pipe specifications.**

- A. Type: polyvinyl chloride sewer pipe and fittings.
- (1) Materials. Polyvinyl Chloride Pipe (PVC) pipe and fittings shall be circular plastic gravity sewer pipe, type PSM SDR-35 in accordance with ASTM D3034. Pipes shall be furnished in maximum lengths of 20 feet. Joints for PVC sewer pipe shall be bell and spigot formed in pipe sections with elastomeric seals, in accordance with ASTM D3212.
  - (2) Installation shall be made in strict accordance with the manufacturer's manual and recommendations. Before material will be permitted to be used, the manufacturer's manual, describing the material and method of installation, must be filed with the Authority for approval.
- B. Type: ductile iron sewer pipe
- (1) Pipe shall be centrifugally cast metal or sand lined molds to ANSI/AWWA C151/A21.11

or flanged joints that comply with ANSI/AWWA C115/A21.15. Pipe shall be a minimum of Class 50. The outside diameter of the pipe shall be coated with a uniform thickness of hot applied asphalt coating. The inside of the pipe shall be lined with polyethylene to protect the interior from hydrogen sulfide corrosion.

**§ 345-11. Compliance with manufacturer's manual required.**

Installations must be made in strict accordance with manufacturer's manual. Before material will be permitted to be used, the manufacturer's manual, describing material and method of installation, must be filed with the Authority for approval.

## Chapter 465: RATES AND CHARGES

### § 465-1. Definitions.

The following words, when used in this chapter, shall be deemed to have the meanings herein specified:

HOUSE CONNECTION — The sewer line running from a building to the property line and connecting with the service connection.

PERSON — Any person, firm, association or corporation.

SERVICE CONNECTION — The sewer line extended from the property line to the main or lateral in the street.

### § 465-2. Connection to sewerage system.

All property lying along the line of the sewerage system of the Beverly Sewerage Authority, upon which any building shall have been erected or constructed or upon which any building shall hereafter be erected or constructed and which is used for dwelling purposes or which uses sewer service, may be connected with such sewerage system.

### § 465-3. Permission to connect; fee. [Amended 9/6/2023 by Res. No. 2023-9-2]

- A. Hereafter, before any connection shall be made to the sewerage system aforesaid by any owner of property along the line thereof, said owner shall make application, in writing, to the Beverly Sewerage Authority and pay a connection fee of \$1,734.86, payable as set forth in Subsection B hereof. Such owner shall not make such connection until the permission of the Beverly Sewerage Authority has been granted.
- B. The connection fee of \$1734.86 referred to in Subsection A hereof shall be payable in advance.

### § 465-4. Plans and specifications.

Plans and specifications for said connection to the sewerage system must meet with the approval of the Beverly Sewerage Authority and with rules and regulations of the proper municipal department either now existing or hereafter adopted.

### § 465-5. Costs to be borne by person connecting.

The person connecting his property with the sewerage system shall make the house connection at his own expense, and, in the event there is no service connection, he shall make the service connection at his own expense. Any damage to the pavement, sidewalk, curb or gutters, resulting from the making of any such connection shall be repaired by such person at his own expense.

### § 465-6. Service charges and rentals.

#### [Amended 9/7/2022 by Res. No. 2022-9-1]

The following service charges for nonindustrial wastes are hereby fixed and officially established by the Beverly Sewerage Authority as the service charges or rentals to be charged for the use of any sewerage system of the Beverly Sewerage Authority:



- A. Quarterly charges for sanitary sewerage services.
- (1) Schedule A: Residential. The minimum quarterly charge for each one-family residential dwelling, each dwelling unit of an apartment or of a multiple-family dwelling, or of a condominium and for a house shall be \$80.00 per quarter with a minimum allowance of 10,000 gallons.
  - (2) Schedule B: Commercial. The minimum quarterly charge for each store, office, restaurant, warehouse, service station, public garage and other commercial establishment (except schools, churches, nursing homes and boarding homes), shall be \$91.00 per quarter with a minimum allowance of 10,000 gallons.
  - (3) Schedule C: Churches and Places of Worship. The minimum quarterly charge for each church and place of worship shall be \$80.00 per quarter with a minimum allowance of 10,000 gallons.
  - (4) Schedule D: Public and Private Schools. The minimum quarterly charge for each public or private school shall be \$153.00 per quarter with a minimum allowance of 20,000 gallons.
  - (5) Schedule E: Manufacturing and Industrial Plants. The minimum quarterly charge for each manufacturing and industrial plant shall be \$257.00 per quarter with a minimum allowance of 30,000 gallons.
  - (6) Schedule F: Nursing Home or Boarding Home. The charge for each building used to house the residents of a nursing home or a boarding home shall be \$153.00 per quarter with a minimum allowance of 10,000 gallons. Other buildings used in connection with the nursing home or the boarding home shall pay the commercial rate.
  - (7) Schedule G: Non-profit Public Buildings. Includes public library, fire stations, American Legion and Beverly Housing Authority office shall be \$35.00 per quarter with a minimum allowance of 10,000 gallons.
- B. Excess water consumption charges for Schedules A to F, inclusive. Consumption in excess of the water allowance within the quarter for the minimum quarterly charge will be billed at \$6 per 1,000 gallons. If the consumption of water in a manufacturing or industrial plant exceeds 2,000,000 gallons per year, the billable gallons shall be certified by the Authority Engineer.

**§ 465-7. Payment of charges and rentals.**

**[Amended 7-13-1993 by Res. No. 1993-14; 7-11-2006 by Res. No. 2006-27]**

- A. The charges or rentals for the use of the sewerage system as established by the terms of § 465-6 shall cover a quarterly period and shall be due and payable on the last day of the first month of each quarter. In the case of a new installation or connection, the charge shall be due and payable in advance upon the date of the making of such connection.
- B. The quarterly charges or rentals shall be based upon water usage as metered by the local water utility. Minimum charges are billed in advance of the quarter and overusage charges are for three months prior. The first and fourth quarterly charges and rentals shall be calculated on the actual meter reading for the prior quarter. The second and third quarter billings will be based on actual water usage or the average of the previous fourth and first quarter readings, whichever is less. In the event of nonpayment of the service charges or rentals when due, such service charges or rentals shall bear interest from their due date at the rate of 1 1/2% per month after 30 days from the time when they become due and shall be and remain a lien on the premises which such sewer is connected in the same manner in which taxes are a lien on real estate, and the Authority shall have the same remedies for the enforcement of the lien of such service charges or rentals as the municipality has for the enforcement of the lien of

taxes upon real estate. In the event of nonpayment of the service charges or rentals for a period of 30 days, the Authority may cause the sewer connection of such person to be disconnected, and such person may not again use the facilities of the system until the defaulting user pays all arrears, plus a new connection fee.

**§ 465-8. Discharge of nondomestic waste.**

No factory effluents or industrial wastes, comprising wastes other than domestic, shall be discharged into the sewerage system, except upon compliance with the following rules, regulations and conditions:

- A. Each industrial plant making application for permission to discharge industrial waste into the sewerage system shall furnish all the information necessary to determine the quantity of such waste and the nature or quality of the materials therein and other characteristics of such waste. The industrial plant shall agree in such application to bear the cost of the original and any subsequent chemical analysis and laboratory tests.
- B. Adequate means shall be provided at each industrial plant connected with the sewerage system for periodic determination of all characteristics and concentrations of wastes. Such determination shall be made at least twice each year, or, if deemed necessary by the Authority, such determination may be made quarterly. Samples shall be collected in such manner as to be truly representative of the actual quality of the wastes, and standard method of analysis shall be used.
- C. Industrial waste discharged or proposed to be discharged into the sewerage system shall be subject to analysis by the Authority.
- D. Industrial plants shall cooperate by adopting such schedules of discharge as will, without interfering with factory production, minimize peak concentration.
- E. So far as practicable, industrial wastes may be discharged into the sewerage system with a minimum of pretreatment or without pretreatment, provided the consent of the Authority is first obtained.
- F. In the event that the materials in wastes discharged or proposed to be discharged from any industrial plant or the chemicals in or characteristics of such wastes interfere or will interfere with the efficiency of the sewage treatment and disposal works or unduly increase the cost of operation thereof, said industrial plant shall produce wastes of acceptable quality before discharge thereof into the sewerage system by reducing its peak discharges, by construction of equalizing tanks, by pretreatment, by partial pretreatment, by elimination of troublesome wastes or by other approved means.
- G. Inasmuch as the difficulties involved in treatment and disposal of industrial wastes from a particular industry may be mitigated or aggravated by waste from another industry, and the cost of such treatment and disposal may be decreased or increased thereby, it is not deemed practicable at this time to fix any numerical standards or limitations with respect to concentration or quality of industrial wastes. It is, therefore, the intention of these rules, regulations and conditions to allow maximum latitude in the use of the sewerage system and to require control or special procedure by industries only in such cases as the failure so to do would seriously affect the operation of the sewerage treatment and disposal works or would entail unwarranted expense for treatment and disposal thereof at said treatment and disposal works.

**§ 465-9. Metering of nondomestic wastes.**

Each industry discharging factory effluents or industrial wastes into the sewers shall install a suitable device for continuously recording and totalizing the flow discharged by it into the

sewerage system and shall submit for approval by the Authority plans for complete metering installation.

**§ 465-10. Violations and penalties.**

Any person found to have violated an order of the Authority, or who willfully or negligently failed to comply with any provision of this chapter, shall be subject to all penalties allowed by law for each offense. For each violation of this chapter, the Authority may assess a monetary penalty of up to \$500 per offense. Each day on which a violation shall occur or continue shall be deemed a separate and distinct offense. In addition to the penalties provided herein, the Authority may recover reasonable Authority's fees, court cost, and cost of litigation by appropriate suit at law against the person found to have violated the provisions of this chapter.

**§ 465-11. Fair share obligation payment.**

From time to time, the Authority may establish that, in addition to the rates, fees and charges established and set forth in this chapter, there shall be an additional fair share obligation payment. The fair share obligation payment shall be established by the Authority to offset the costs of capital improvements needed to increase the size/infrastructure of the Authority's collection system due to the added wastewater proposed to be discharged by the developer (payer of the fair share obligation) in question.

**§ 465-12. Professional escrows for sewer development.**

Any developer who has previously obtained from the City of Beverly Planning/Zoning Board an approval for either a minor or major subdivision or a final site plan approval and who proposes to construct a sewerage collection system on the lots or site plan shall, as previously required within this Code, submit to the Authority a comprehensive plan of the proposed sewerage development. In addition, the developer shall deposit with the Secretary of the Authority a professional escrow which shall be held by the Authority in an interest-bearing account in the name of the particular developer until the project is reviewed, inspected and deemed complete by the Authority's consulting professionals. The Authority will, on a monthly basis, provide to the developer who has established an escrow account an account statement as to the activity within the particular account during the preceding month. In the event, at any time during the course of the development, the initial amount established in the escrow account is deemed insufficient, the developer shall, within 15 days' notice, replenish the escrow in an amount established by the Authority to complete the necessary professional review. In the event that a sewer development escrow account is not replenished, the Authority's consulting professionals shall have no further obligation to review, inspect or approve a proposed sewer development. A sewer development escrow account shall be funded by a developer in accordance with the following escrow calculation formula:

- A. For any minor or major subdivision, the developer shall establish an initial escrow of \$100 per lot for the first 50 lots and \$50 per lot for each lot thereafter.
- B. For any approved site plan, the developer shall deposit with the Authority an escrow of \$500 per acre for the first 10 acres and \$100 per acre thereafter.

## Chapter 475: RETURNED CHECKS

### § 475-1. Service charge.

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There shall be a returned check service charge of \$20 imposed on any account in which the check has been returned for insufficient funds, closed accounts, etc., and said amount will be applied to the proper sewer account.



