



**WALTERBORO CITY COUNCIL
REGULAR MEETING
JULY 5, 2022
6:15 P.M**

AGENDA

I. Call To Order:

1. Invocation.
2. Pledge of Allegiance.

II. Public Input on Agenda Items:

III. Public Hearing:

1. **Ordinance # 2022-08**, AN ORDINANCE TO AMEND CHAPTER 34, ARTICLE II (SEWERS) OF THE CODE OF ORDINANCES OF THE CITY OF WALTERBORO, SOUTH CAROLINA (Second and Final Reading).

IV. Presentations:

1. Mark Wysong, President, Walterboro-Colleton Chamber of Commerce.

V. Approval of Minutes:

1. Regular Meeting June 7, 2022.
2. Special Called Meeting June 21, 2022.

VI. Old Business:

1. **Ordinance # 2022-08**, AN ORDINANCE TO AMEND CHAPTER 34, ARTICLE 11 (SEWERS) OF THE CODE OF ORDINANCES OF THE CITY OF WALTERBORO, SOUTH CAROLINA. (Second and Final Reading)

VII. New Business:

1. **Ordinance # 2022-09**, AN ORDINANCE TO AMEND ORDINANCE # 2022-04, SO AS TO SET THE LOCAL OPTION SALES TAX CREDIT FACTOR IN THE FISCAL YEAR 2022-2023 BUDGET (Introduction and First Reading).
2. Consideration of requests from the Walterboro Rotary Club for the 8th Annual Ireland Creek Bridge Run to be held on Thursday, September 29, 2022 (Letter attached).

VIII. City Manager's Report:

1. Consideration of funding recommendation from the Accommodations Tax Advisory Committee.
2. Recognition of Fire Captain, Chris Cook.
3. Introduction of new Parks Director, Jonathan Burroughs.

IX. Executive Session:

1. Contractual Matter – Overhead street light conversion.
2. Personnel Matter – Appointment to Accommodations Tax Advisory Committee.

X. Open Session:

1. Council may Take Action on Items Discussed in Executive Session.

XI. Adjournment:

Walterboro City Council

City Hall

June 7, 2022

Minutes

A regular Meeting of Walterboro City Council was held at City Hall on Tuesday June 7, 2022, at 6:15 P.M., with Mayor Bill Young presiding.

Present: Joined in the meeting were: Mayor Bill Young, Councilmembers: Carl Brown, Judy Bridge, Paul Siegel, James Broderick, and Ladson Fishburne. City Manager Jeff Molinari, Assistant City Manager Ryan McLeod, City Clerk Adrienne Nettles, Finance Director Amy Risher, Utilities Director Wayne Crosby, City Attorney Brown McLeod, Tom Finigan, and The Band of Blue Winter Assembly. Councilmember Greg Pryor was not in attendance.

Call to Order:

With the above-mentioned Councilmembers present, Mayor Young called the meeting to order, and invited everyone to join in as he gave the invocation. Councilmember Bridge led the pledge of Allegiance to our flag.

Public Input on Agenda Items:

There was no public input on agenda items.

Public Hearing:

1. **Ordinance # 2022-03**, AN ORDINANCE TO AMEND THE FY 2021-2022 CITY OF WALTERBORO, SOUTH CAROLINA BUDGET ORDINANCE # 2021-04 SO AS TO PROVIDE ADDITIONAL REVENUES AND EXPENDITURES AND MATTERS RELATING THERETO (Second and Final Reading).

There was no public input.

2. **Ordinance # 2022-04**, AN ORDINANCE ADOPTING THE CITY ENTERPRISE FUND BUDGET FOR FISCAL YEAR 2022-2023 AND MATTERS RELATING THERETO (Second and Final Reading).

There was no public input.

3. **Ordinance # 2022-05**, AN ORDINANCE ADOPTING THE CITY ENTERPRISE FUND BUDGET FOR FISCAL YEAR 2022-2023 AND MATTERS RELATING THERETO (Second and Final Reading).

There was no public input

4. **Ordinance # 2022-06**, AN ORDINANCE OF THE CITY OF WALTERBORO, SOUTH CAROLINA, AMENDING THE COMPREHENSIVE FEE SCHEDULE FOR THE UTILITY SUPPORT DEPARTMENT (Second and Final Reading).

There was no public input.

5. **Ordinance # 2022-07**, AN ORDINANCE OF THE CITY OF WALTERBORO, SOUTH CAROLINA, AUTHORIZING EXPENDITURE OF CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS (Second and Final Reading).

There was no public input.

Approval of Minutes:

Upon motion of Councilmember Broderick, Seconded by Councilmember Brown, the following minutes were unanimously approved:

1. Regular meeting May 3, 2022.

Old Business:

1. **Ordinance # 2022-03**, AN ORDINANCE TO AMEND THE FY 2021-2022 CITY OF WALTERBORO, SOUTH CAROLINA BUDGET ORDINANCE # 2021-04 AS TO PROVIDE ADDITIONAL REVENUES AND EXPENDITURES AND MATTERS RELEATED THERETO (Second and Final Reading).

Motion: Councilmember Bridge; Seconded by: Councilmember Broderick.

Discussion: None.

Carried: All ayes.

Councilmember Bridge asked Finance Director Amy Risher will we get this information in some type of report?

Amy Risher stated, yes you we will get this when you receive your final revenue expense report.

2. **Ordinance # 2022-04**, AN ORDINANCE ADOPTING THE CITY GENERAL FUND BUDGET FOR FISCAL YEAR 2022-2023 AND MATTERS RELEATING THERETO (Second and Final Reading).

Motion: Councilmember Siegel; Seconded by: Councilmember Bridge.

Discussion: None.

Carried: All ayes.

3. **Ordinance # 2022-05**, AN ORDINANCE ADOPTING THE CITY ENTERPRISE FUND BUDGET FOR FISCAL YEAR 2022-2023 AND MATTERS RELATING THERETO (Second and Final Reading).

Motion: Councilmember Brown; Seconded by: Councilmember Siegel.

Discussion: None.

Carried: All ayes.

4. **Ordinance # 2022-06**, AN ORDINANCE OF THE CITY OF WALTERBORO, SOUTH CAROLINA, AMENDING THE COMPREHENSIVE FEE SCHEDULE FOR THE UTILITY SUPPORT DEPARTMENT (Second and Final Reading).

Motion: Councilmember Fishburne; Seconded by: Councilmember Brown.

Discussion: None.

Carried: All ayes.

5. **Ordinance # 2022-07**, AN ORDINANCE OF THE CITY OF WALTERBORO, SOUTH CAROLINA, AUTHORIZING EXPENDITURE OF CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS (Second and Final Reading)

Motion: Councilmember Brown; Seconded by: Councilmember Fishburne.

Discussion: None.

Carried: All ayes.

Councilmember Bridge would like to thank all the Department Heads and our City Manager for all the hard work that went into preparing these budgets. She would also like to thank the Budget Committee for all they have done in putting this together.

New Business:

1. **Ordinance # 2022-08**, AN ORDINANCE TO AMEND CHAPTER 34, ARTICLE II (SEWERS) OF THE CODE OF ORDINANCE OF THE CITY OF WALTERBORO, SOUTH CAROLINA (Introduction and First Reading)

City Manager Jeff Molinari stated Mr. Mayor and members of City Council you have in your agenda packet a proposed ordinance to amend Chapter 34 Article II, which deals with our sewer system. DHEC has approved our Sewer Pretreatment Program application and we need to amend our ordinance to be in compliance with the Clean Water Act. We have our Utilities Director Wayne Crosby here with us, who is going to go over the highlights of the Ordinance.

Utilities Director Wayne Crosby stated the city's existence sewer ordinance already gives us the ability to prevent anything that would be detrimental to our treatment process. We adopted the pretreatment program in 2019 that clearly defines volume and contamination and requires industries to pretreat if necessary. This program tells you what can and cannot be allowed in the treatment process. It tells you what can be handled at 2.64 million, and 5.625 million according to the design of this new plan. The adoption of the amended ordinance will make the pretreatment and sewer ordinance uniform, while allowing us to inspect the industrial discharge. It outlines enforcement actions we can take if an industry is not in compliance. We have had one industry that was under the pretreatment plan, and that industry has been purchased. We are in the process of renewing that Pretreatment program with the new industry. We are just waiting on the adoption of the new ordinance to make that happen.

Mayor Young asked; which industry is that?

Mr. Crosby answered, Crescent Dairy.

Councilmember Siegel asked, who purchased it?

Mr. Crosby answered, Gehl Foods.

Mr. Crosby stated we expected that it would be a similar process but my understanding it may not be. There may a difference in the pretreatment. Currently that is the only industry we have under our pretreatment program. We have provided this information to every industry that has asked for it if they were to locate to Walterboro. We provide this so we are uniform across the board. I ask for council's favorable consideration of the new ordinance.

Mayor Young stated, in reading through this I do have one question. It says all industrial users that discharge into the city system are required to comply with pretreatment provisions of the Clean Water Act. Is it possible to have an industrial business that might not have to do a pretreatment? Does this restrict someone who doesn't need it?

Mr. Crosby, great question. It does not restrict anyone. We have several industries that discharge into the system, but one is only considered a categorical user because of the dairy products.

Mayor Young stated, but the ordinance says all industrial user must use the pretreatment.

Mr. Crosby answered, it should say all industrial users may be subject to it. It's a step-by-step basis. Every industry would have to fill out a pretreatment program application.

Mayor Young stated: I wouldn't want to run anyone off if they thought they had to do a pretreatment.

Mr. Crosby stated most of these larger industries that are asking for the information are aware of the pretreatment process. Gehl Foods met with us 2-3 months ago. We went over the pretreatment process, and they know they must do it.

Mayor Young stated, I realize they are probably aware of it, I am just concerned about the way this is worded, it requires everyone to do it.

Mr. Crosby stated our attorney Brown Mcleod is reviewing the pretreatment ordinance as well.

Attorney Brown stated, I am in the process of reviewing it now. I think they just wanted to get it before Council as soon as possible.

Mr. Crosby stated, the problem with the existing ordinance is that we knew an industry was causing a problem. They would handle the problem right away, but it would eventually come back. We did not have anything in place like the pretreatment program that gave us proper control for them to maintain their system.

Motion: Councilmember Broderick; Seconded by: Councilmember Brown.

Discussion: None.

Carried: All ayes.

2. A PROCLAMATION TO RECOGNIZE THE COLLETON COUNTY HIGH SCHOOL BAND OF BLUE WINTER PERCUSSION ENSEMBLE.

Mayor Young asked Band Director Tom Finigan to tell Council a little about what the band has accomplished.

Tom Finigan stated good evening, City Council, I have here with me Clay Blackwood who is our Assistant Director of Band. Our Winter Percussion had an outstanding year. They started out the contest in 2nd place and went on to win 3 more in a row, ended up winning the Carolina Winter Ensemble. The Carolina Winter Ensemble handles winter guard, winter percussion, and indoors woodwinds and brass. This is a regional championship that they won. This is the second time that our group has won this award. We won it back in 2019. We are so proud of our students and the hard work they have put in along with the many hours of practice, and it has certainly shown.

Motion: Councilmember Broderick; Seconded by: Councilmember Bridge.

Discussion: None.

Carried: All ayes.

City Manager's Report:

1. Judicial and City Prosecutor Reappointments.

City Manager Jeff Molinari stated Mr. Mayor and members of City Council you have in your agenda packet a memo for the reappointments of Judicial and City prosecutor. The term for Associate Municipal Judge Deborah Kane O'Quinn expires June 30, 2022. Judge O'Quinn would like to continue to serve as Associate Municipal Judge. If reappointed, her term will run for two years and will expire June 30, 2024.

The Term for City Prosecutor, Maryann Blake expires on June 30, 2022. Ms. Blake would like to continue to serve as City Prosecutor. If reappointed, her term will run for one year and will expire June 30, 2023. City staff ask for Council's favorable consideration of these reappointments.

Motion: Councilmember Bridge; Seconded by: Councilmember Brown.

Discussion: None.

Carried: All ayes.

Executive Session:

1. Contractual Matter - Walterboro Wildlife Sanctuary Boardwalks.

2. Personal Matters:

- a. Parks Director Search
- b. Tourism Director Search.
- c. Appointments to Tree Protection Committee.

A motion was made to go into executive session by Councilmember Brown, seconded by Councilmember Bridge. Mayor Young explained that City Council will be going into Executive Session to discuss a Contractual Matter: Walterboro Wildlife Sanctuary Boardwalks and Personnel Matters: Parks Director Search, Tourism Director Search, and Appointment to Tree Protection Committee.

A motion to come out of Executive Session was made by Councilmember Brown, seconded by Councilmember Broderick, and passed unanimously.

A motion to approve the Scope of Services from Wood Environment & Infrastructure Solutions, Inc. for boardwalk replacement engineering services in the amount of \$135,550 to be paid from the Local Hospitality Tax Fund.

Motion: Councilmember Bridge; seconded by: Councilmember Broderick.

Discussion: None.

Carried: All ayes.

A motion to appoint Joshua Bowers to the Tree Protection Committee.

Motion: Councilmember Fishburne; seconded by: Mayor Young.

Discussion: None.

Carried: All ayes.

There being no further business to consider, a motion to adjourn was made by Councilmember Broderick, seconded by Councilmember Brown, and passed unanimously. Mayor Young adjourned the meeting at 7:37

P.M. Notice of the meeting was distributed with the agenda packets, to all local media, posted on City Hall bulletin boards and on the City's website at least twenty-four hours prior to the meeting time.

Respectfully,

Adrienne Nettles
City Clerk

Walterboro City Council
Special Called Meeting
City Hall
June 21, 2022

Minutes

A Special Called Meeting of Walterboro City Council was held at City Hall on Tuesday June 21, 2022, at 5:00 P.M., with Mayor Bill Young presiding.

PRESENT WERE: Mayor Bill Young, Councilmembers: Carl Brown, Judy Bridge, Paul Siegel, James Broderick, and Greg Pryor. City Manager Jeff Molinari, City Clerk Adrienne Nettles, Finance Director Amy Risher, Assistant City Manager Ryan McLeod, City Attorney Brown McLeod, and James Leslie from USDA. Councilmember Ladson Fishburne was absent.

CALL TO ORDER:

With the above-mentioned Councilmembers present, Mayor Young called the meeting to order.

PUBLIC INPUT ON AGENDA ITEMS:

There was no public input on agenda items.

NEW BUSINESS:

James Leslie with USDA stated good afternoon I want to thank you for your time. We have 4 grants totaling \$162,000 of grant dollars. The city's contribution would be \$136,900. Most of the letter conditions will be met when the documents are signed. This is a reimbursement grant. The grant will be funded after we receive the proof of purchase and invoices. These letter conditions do not ensure grant approval but is requesting the obligations of those funds. All purchases of this equipment should be done in 120 days. If you need more time we can request an extension, but we would need a written request for it. When we can close out the first grant which I will reimburse \$50,000. If you all have had a chance to read the letter of intent, we can vote to accept it.

Mayor Young asked; do we have the copy of the letter?

City Manager Molinari stated we have resolutions authorizing acceptance of the different grants.

City Manager Molinari stated Council can adopt the resolutions that authorize the Mayor and City Clerk to sign all the paperwork.

Mayor Young asked; do you need for is to pass something approving the letter?

City Manager Molinari stated, yes, Council will need to adopt each individual resolution, because on the resolutions we must indicate who was present and the amount.

Mayor Young asked Mr. Leslie; will that meet your needs if we just do them in these resolutions?

Mr. Leslie stated, either way is fine with me.

1. **Resolution # 2022-R-06**, A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE FORMS PURSUANT TO A USDA RURAL DEVELOPMENT COMMUNITY FACILITIES GRANT IN THE AMOUNT OF \$50,000 FOR THE PURCHASE OF POLICE VEHICLES FOR THE CITY OF WALTERBORO.

Motion: Councilmember Broderick; Seconded by Councilmember Pryor

Discussion: None

Carried: All ayes

2. **Resolution # 2022-R-07**, A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE FORMS PURSUANT TO A USDA RURAL DEVELOPMENT COMMUNITY FACILITIES GRANT IN THE AMOUNT OF \$32,500 FOR THE PURCHASE OF A TRUCK AND AIR COMPRESSOR FOR THE CITY OF WALTERBORO.

Motion: Councilmember Pryor; Seconded by Councilmember Bridge

Discussion: None

Carried: All ayes

3. **Resolution # 2022-R-08**, A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE FORMS PURSUANT TO A USDA RURAL DEVELOPMENT COMMUNITY FACILITIES GRANT IN THE AMOUNT OF \$26,900 FOR THE PURCHASE OF A TRUCK, MOWER, AND VENTRAC DECK FOR THE CITY OF WALTERBORO.

Motion: Councilmember Siegel; Seconded by Councilmember Brown

Discussion: None

Carried: All ayes

4. **Resolution # 2022-R-09**, A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE FORMS PURSUANT TO USDA RURAL DEVELOPMENT COMMUNITY FACILITIES GRANT IN THE AMOUNT OF \$49,900 FOR THE PURCHASE OF A TRUCK AND VACUUM TRAILER FOR THE CITY OF WALTERBORO.

Motion: Councilmember Bridge; Seconded by Councilmember Pryor

Discussion: None

Carried: All ayes

There being no further business to consider, a motion to adjourn was made by Councilmember Broderick, seconded by Councilmember Bridge, and passed unanimously. Mayor Young adjourned the meeting at 5:10 P.M. Notice of the meeting was distributed to all local media, posted on the City's website and the City Hall bulletin board at least twenty-four hours prior to meeting time.

Respectfully,

Adrienne Nettles
City Clerk

ORDINANCE # 2022-08

AN ORDINANCE TO AMEND CHAPTER 34, ARTICLE II (SEWERS) OF THE CODE OF ORDINANCES OF THE CITY OF WALTERBORO, SOUTH CAROLINA.

WHEREAS, the South Carolina Department of Health and Environmental Control (DHEC) has approved the industrial sewer pretreatment program application submitted by the City of Walterboro; and,

WHEREAS, the City of Walterboro is required to amend its sewer use ordinance to comply with the Federal Water Pollution Control Act, also known as the Clean Water Act.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF WALTERBORO, SOUTH CAROLINA, IN COUNCIL ASSEMBLED, that Section 34, Article II of the Code of Ordinances of the City of Walterboro is hereby repealed and replaced with the attached ordinance.

ADOPTED, this ____ day of _____.

William T. Young, Jr.
Mayor

ATTEST:

Adrienne Nettles
City Clerk

First Reading: _____
Public Hearing: _____
Second Reading: _____

ARTICLE II. - SEWERS⁽²⁾

• DIVISION 1. - GENERALLY

• Sec. 34-21. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

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

Approving authority means the City Manager's office.

Authorized or Duly Authorized Representative of the User means

(1) If the User is a corporation:

(a) The president, secretary, treasurer, or a vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or

(b) The manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for individual wastewater discharge permit requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

(2) If the User is a partnership or sole proprietorship: a general partner or proprietor, respectively.

(3) If the User is a Federal, State, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.

(4) The individuals described in paragraphs 1 through 3, above, may designate a Duly Authorized Representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the City.

Best Management Practices or BMPs means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in Section 34-77. BMPs include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage.

Biochemical oxygen demand (BOD) means a measure of the degree of pollutional strength of wastes of any nature. BOD, expressed in parts per million by weight, means the calculated pounds of oxygen required to satisfy the five-day oxygen demand of 1,000,000 pounds of domestic sewage or industrial wastes or a combination of both, when tested in accordance with the procedures given in the latest edition of Standard Methods for the Examination of Water and Sewage, published by the American Public Health Association.

Color means the true color due to substances in solution that cause any variation in the hue of the receiving stream, and is expressed in wavelengths of light.

Combined sewer means a sewer receiving both surface runoff and sewage.

Daily Maximum means the arithmetic average of all effluent samples for a pollutant collected during a calendar day.

Daily Maximum Limit means the maximum allowable discharge limit of a pollutant during a calendar day. Where Daily Maximum Limits are expressed in units of mass, the daily discharge is the total mass discharged over the course of the day. Where Daily Maximum Limits are expressed in terms of a concentration, the daily discharge is the arithmetic average measurement of the pollutant concentration derived from all measurements taken that day.

Domestic sewage means liquid waste from bathrooms, toilet rooms, kitchens and home laundries.

Garbage means solid wastes from the preparation, cooking and dispensing of food, and from the handling, storage and sale of produce.

Industrial wastes means the liquid wastes from commercial and industrial processes and operations, as distinct from domestic sewage.

Instantaneous Limit means the maximum concentration of a pollutant allowed to be discharged at any time, determined from the analysis of any discrete or composited sample collected, independent of the industrial flow rate and the duration of the sampling event.

Natural outlet means any outlet into a watercourse, pond, ditch, lake or other body of surface water or groundwater.

Parts per million or *ppm* means parts per million by weight, expressed in pounds. One million pounds of water or sewage equals approximately 120,000 gallons.

pH means the logarithm to the base 10 of the reciprocal of the weight of hydrogen ions in grams per liter of solution, and indicates the strength of acidity or alkalinity of a substance. A pH value of 7.0 is considered neutral. A stabilized pH will be considered as a pH that does not change beyond the specified limits when the waste is subjected to aeration. A pH below 7.0 is acid; above, alkaline.

Properly shredded garbage means wastes from the preparation, cooking and dispensing of food that have been shredded to such degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particles greater than one-half inch in any dimension.

Public sewer means a sewer in which all owners of abutting properties have equal rights, and that is controlled by public authority.

Receiving stream means that body of water, stream or watercourse receiving the discharge waters from the sewage treatment plant or formed by the discharge of the sewage treatment plant.

Sanitary sewer means a sewer which carries sewage or polluted industrial wastes and to which stormwater, surface water and groundwater or unpolluted industrial waste are not intentionally admitted.

Septic tank means a private domestic sewage treatment system consisting of an underground tank, distribution box and drainfield designed and constructed in accordance with any or all existing local and State requirements.

Sewage means a combination of the water-carried wastes from residences, business buildings, institutions and industrial establishments, together with such groundwater, surface water and stormwater as may be naturally present.

Sewage treatment plant means any arrangement of devices and structures for treating sewage.

Sewer means a pipe or conduit for carrying sewage.

Sewerage system means all facilities for collecting, conveying, pumping, treating and disposing of sewage.

Significant Industrial User (SIU) means:

(1) An Industrial User subject to categorical Pretreatment Standards; or

(2) An Industrial User that:

(a) Discharges an average of twenty-five thousand (25,000) gpd or more of process wastewater to the POTW (excluding sanitary, noncontact cooling and boiler blowdown wastewater);

(b) Contributes a process wastestream which makes up five (5) percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or

(c) Is designated as such by the City on the basis that it has a reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or Requirement.

Slug Load or Slug Discharge means any discharge at a flow rate or concentration, which could cause a violation of the prohibited discharge standards in Section 34-77 of this ordinance. A Slug Discharge is any Discharge of a non-routine, episodic nature, including but not limited to an

accidental spill or a non-customary batch Discharge, which has a reasonable potential to cause Interference or Pass Through, or in any other way violate the POTW's regulations, Local Limits or Permit conditions.

Storm sewer or storm drain means a sewer that carries stormwater, surface water and drainage, but excludes sewage and polluted wastes.

Subdistrict means any residential subdivision, real estate development, commercial, industrial or institutional complex.

Suspended solids means solids that either float on the surface of, or are in suspension in, water, sewage or other liquids, and that are removable by laboratory filtering.

(Code 1994, § 18-26; Code 2003, § 17.201)

- **Sec. 34-22. - Penalty.**

Failure to comply with this article shall subject the violator to a penalty in accordance with [Section 1-7](#), plus payment of all damages incurred to the sewerage system as a result of noncompliance.

(Code 1994, § 18-27; Code 2003, § 17.202)

- **Sec. 34-23. - Right of entry.**

The approving authority and duly authorized City representatives shall be permitted to enter upon all properties for the purpose of inspection, observation, measurement, sampling and testing in accordance with the provisions of this article. The City shall notify, if available, the person or a representative of the person, prior to entering the premises.

(Code 1994, § 18-28; Code 2003, § 17.203)

- **Sec. 34-24. - Disposal by public system required; exceptions.**

All sewage disposal within the City area shall be regulated by the approving authority. Disposal shall be by public sewers and sewerage system, except where no public sewer exists within a 300-foot radius of a building or where connection is impractical for technical reasons, the person owning that property may apply for a permit to construct and operate an approved septic tank system or similar system approved by the approving authority, provided that the quantity of sewage to be so disposed of does not exceed 1,000 gallons per day determined as provided in [Section 34-134](#) and further provided, that, the septic tank system is properly maintained so as to eliminate any hazard to the public or cause a public nuisance.

(Code 1994, § 18-29; Code 2003, § 17.204)

- **Sec. 34-25. - Privies, surface toilets and septic tanks.**

(a)

It shall be unlawful for any person to construct or maintain on his lot any surface toilet or septic tank where such lot abuts on a street with municipal sewerage.

(b)

It shall be unlawful for any person to maintain any privy or surface toilet other than approved septic tank within the City where municipal sewerage is not available.

(Code 1994, § 18-30; Code 2003, § 17.205)

- **Sec. 34-26. - Persons considered users.**

Any sewage discharger within the City located within 300 feet of any public sewer may be considered by the approving authority as a user of the public sewer and is subject to all provisions of this article. Sewer taps shall be required within five years or when the septic tank requires repair, whichever occurs first.

(Code 1994, § 18-31; Code 2003, § 17.206)

- **Sec. 34-27. - Tests and analyses.**

All tests and analyses of the characteristics of sewage referenced in this article shall be made in accordance with the procedures given in the latest edition of Standard Methods for Examination of Water and Sewage, as revised, published by the American Public Health Association. Such tests and analyses shall be determined at the control manhole provided for in [Section 34-821](#), or at the point of discharge of any sewage at the site of its origin on the premises of any person discharging such sewage into the sewers.

(Code 1994, § 18-32; Code 2003, § 17.207)

- **Sec. 34-28. - Emergency action.**

In the interest of the public health and safety, the approving authority and duly authorized representatives shall be permitted to take such emergency action as may be necessary in the operation of the sewerage system, including, but not limited to, the closing down any sewer or portion of the sewerage system for the purpose of making connections, alterations or repairs to the system.

(Code 1994, § 18-33; Code 2003, § 17.208)

- **Sec. 34-29. - Damaging or tampering with City equipment, sewer system.**

No person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface or tamper with any equipment or materials belonging to the City which are used for the purpose of making measurements, tests or examinations and left upon the premises of a person discharging sewage into the sewer. This protection against damage shall also apply to any part of the public sewer system. Any person violating this section shall be subject to immediate arrest and prosecution.

(Code 1994, § 18-34; Code 2003, § 17.209)

- **Secs. 34-30—34-48. - Reserved.**

- **DIVISION 2. - CONNECTIONS**

- **Sec. 34-49. - Prerequisites.**

It shall be unlawful for any person to make or undertake to make or cause to be made any connection to the sewerage system without first having made application, paid the required fees, and received approval.

(Code 1994, § 18-35; Code 2003, § 17.210)

- **Sec. 34-50. - Application.**

Any person desiring connection to be made with the sewerage system shall make application on an appropriate form to the Public Works Director, stating the name of the owner of the property, the location of the lot, and the kind of connection desired. Every such application shall be signed by the person making the application and shall be accompanied by the appropriate connection fee.

(Code 1994, § 18-36; Code 2003, § 17.211)

- **Sec. 34-51. - Approval.**

The City reserves the right to inspect and grant permission for all connections to the sewerage system and require the payment of a tap fee before permission to connect can be granted to any person. The tap fee shall be as provided for in [Section 34-133](#).

(Code 1994, § 18-37; Code 2003, § 17.212)

- **Sec. 34-52. - Taps.**

All sewer taps shall conform to the requirements of the approving authority in location, size, type, materials and methods used, and shall be accomplished only by a regularly licensed plumber authorized by the approving authority or by City representatives. It shall be the responsibility of each person requesting connection to the public sewer to notify the approving authority and arrange for a final inspection of the connection before placing the connection in use.

(Code 1994, § 18-54; Code 2003, § 17.213)

- **Sec. 34-53. - Damage to system.**

Any person using the public sewers shall be responsible for any stoppage or damage caused by abuse of the sewerage system through the sewer connection of that person and shall be held accountable for all expenses incurred by the City or other property owners as a result of the abuse.

(Code 1994, § 18-55; Code 2003, § 17.214)

- **Sec. 34-54. - City's right to discontinue or prevent connection.**

Upon ten days' written notice, the City reserves the right to prevent or discontinue sewer connection by any person until such time as the provisions of this article have been fulfilled to the satisfaction of the approving authority. When deemed necessary by the City to protect the sewerage system or the public, the City may discontinue or prevent sewer connection without notice to the person.

(Code 1994, § 18-56; Code 2003, § 17.215)

- **Sec. 34-55. - Reconnection.**

It shall be unlawful for any person to reconnect a sewer when the sewer has been cut off for noncompliance with this article or for any other reason, except where specifically approved in writing by the approving authority. Such approval shall be contingent upon satisfaction of all provisions of this article including, but not limited to, payment of all penalties, charges, claims, damages, judgments and costs incident thereto.

(Code 1994, § 18-57; Code 2003, § 17.216)

- **Secs. 34-56—34-74. - Reserved.**

- **DIVISION 3. - USE REGULATIONS**

- **Sec. 34-75. - Stormwater; surface drainage; unpolluted water.**

(a)

No person shall discharge or cause to be discharged into any sanitary sewer any stormwater, surface water, groundwater, roof runoff, subsurface drainage, cooling water or unpolluted industrial or commercial process water.

(b)

Stormwater and surface drainage shall be admitted to only such sewers that are specifically designated as storm sewers or storm drains. Unpolluted process and cooling waters may, upon written application and approval by the approving authority, be discharged to storm sewers or storm drains.

(Code 1994, § 18-71; Code 2003, § 17.217)

- **Sec. 34-76. - Prohibited discharges to ground surface, water body, etc.**

No person shall be allowed to discharge or cause to be discharged any domestic sewage or industrial waste to the ground surface or to any stream, watercourse, ditch, lake or other body of surface water.

(Code 1994, § 18-72; Code 2003, § 17.218)

- **Sec. 34-77. - Prohibited discharges to public sanitary sewers.**

General Prohibitions. No User shall introduce or cause to be introduced into the POTW any pollutant or wastewater which causes Pass Through or Interference. These general prohibitions

apply to all Users of the POTW whether or not they are subject to categorical Pretreatment Standards or any other National, State, or local Pretreatment Standards or Requirements.

Specific Prohibitions. No User shall introduce or cause to be introduced into the POTW the following pollutants, substances, or wastewater:

Except as provided in this article, no person shall discharge or cause to be discharged any of the following described waters or wastes to any public sanitary sewer:

- (1) Clothing, rags, textile remnants or wastes, cloth, scraps or similar materials, except fibers or scraps that will pass through a one-quarter-inch mesh screen or its equivalent in screening ability.
- (2) Liquids or vapors having a temperature higher than 160 degrees Fahrenheit. Pollutants which create a fire or explosive hazard in the POTW, including, but not limited to, wastestreams with a closed-cup flashpoint of less than 140 degrees F (60 degrees C) using the test methods specified in 40 CFR 261.21;
- (3) Waters or wastes containing more than 100 parts per million fats, oil or grease.
- (4) Liquids, solids or gases which, by reason of their nature or quality, may cause fire or explosion, or be in any way injurious to persons, the sewerage system, the sewage treatment works or the operation of the sewage treatment works.
- (5) Liquid waste in which the suspended solids exceed 400 parts per million.
- (6) Liquid waste having a BOD of more than 250 parts per million, except as provided for in this article.
- (7) Waters or wastes having a stabilized pH lower than 6.0 or higher than 8.5 or having other corrosive property capable of causing damage or hazard to structures, equipment or personnel of the sewage works.
- (8) Waters or wastes containing a poisonous or toxic substance or any other materials in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, or create any hazard in the receiving stream at the sewage treatment plant.
- (9) Waters or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials in the sewerage system.
- (10) Noxious or malodorous gases or substances capable of creating a public nuisance.
- (11) Garbage that has not been properly shredded.

- (12) Ashes, cinders, sand, mud, straw, shavings, metal, glass, bones, feathers, tar, plastics, wood, paunch manure, butcher's offal or any other solid or viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewerage system.
- (13) Materials which form excessive amounts of scum that may interfere with the operation of the sewage treatment works or cause undue additional labor in connection with its operation.
- (14) Waters or wastes containing dyes or other color which biological processes cannot remove and which require special chemical treatment.
- (15) Waters or wastes containing lint in such quantities as to be detrimental to sewer lines, sewage pumps or the sewage treatment works.
- ~~(16) Pollutants, including oxygen-demanding pollutants (BOD, etc.), released in a discharge at a flow rate and/or pollutant concentration which, either singly or by interaction with other pollutants, will cause interference with the POTW.~~
- ~~(17) Wastewater having a temperature greater than 160 degrees F or which will inhibit biological activity in the treatment plant resulting in interference, but in no case wastewater which causes the temperature at the introduction into the treatment plant to exceed 104 degrees F.~~

(Code 1994, § 18-73; Code 2003, § 17.219)

~~**Sec. 34-78. -- Authority to require analysis of water.**~~

- ~~(a) Any person who discharges any sewage into the City public sewers may be required to make written application to the approving authority, giving complete information as to the nature and characteristics of the sewage as determined by an analysis of a composite sample of the waste made by an independent laboratory.~~
- ~~(b) Any person who has been granted approval to discharge sewage into the City's public sewers shall notify and seek approval by the approving authority when the nature or quantity of such sewage changes; the person may be required to furnish to the approving authority a complete analysis of a composite sample of the sewage as determined by an independent laboratory.~~
- ~~(c) Any person wishing to make a connection with the public sewers and discharge sewage to the public sewers shall make a written application to the approving authority, and may be required to furnish to the approving authority a complete analysis of a composite sample of the sewage as determined by an independent laboratory, in addition to compliance with all other provisions of this article.~~

~~(Code 1994, § 18-74; Code 2003, § 17.220)~~

• **Sec. 34-798. - Pretreatment.**

(a)

All industrial users that discharge into the City's system are required to comply with pretreatment provisions of the Clean Water Act, as set forth in the General Pretreatment Regulations, 40 CFR 403, promulgated thereunder, the approved State Pretreatment Program (R.61-9.403), and the City's approved pretreatment program.

(b)

Whenever the waste characteristics of sewage being discharged by any person exceed the limits set forth in [Section 34-77](#), or when necessary in the opinion of the approving authority, the person discharging sewage shall construct or cause to be constructed, at no expense to the City, such preliminary handling or treatment as may be required to:

(+)

Reduce the BOD to 250 parts per million, and the suspended solids to 400 parts per million;

or

(-)

Change the objectionable characteristics or constituents to come within the maximum limits provided for in [Section 34-7784](#).

(Code 1994, § 18-75; Code 2003, § 17.221)

• **Sec. 34-8079. - Pretreatment facilities.**

(a)

~~Users shall provide wastewater treatment as necessary to comply with this ordinance and shall achieve compliance with all categorical Pretreatment Standards, Local Limits, and the prohibitions set out in Section 34-77 of this ordinance within the time limitations specified by EPA, the State, or the City, whichever is more stringent. Any facilities necessary for compliance shall be provided, operated, and maintained at the User's expense. Detailed plans describing such facilities and operating procedures shall be submitted to the City for review, and shall be acceptable to the City before such facilities are constructed. The review of such plans and operating procedures shall in no way relieve the User from the responsibility of modifying such facilities as necessary to produce a discharge acceptable to the City under the provisions of this ordinance.~~

(a)

Plans, specifications and other pertinent information relating to proposed preliminary treatment or handling facilities shall be submitted for the approval of the approving authority and no construction of such facilities shall be commenced until such approval is obtained in writing.

(b)

~~Where preliminary treatment or holding facilities are provided for any purpose they shall be maintained continuously in satisfactory and effective operation at no cost to the City.~~

(Code 1994, § 18-76; Code 2003, § 17.222)

• **Sec. 34-810. - Separators.**

Grease, oil and sand separators or traps shall be provided when, in the opinion of the approving authority, they are necessary for the proper handling and control of liquid wastes containing grease, oil or sand in excessive amounts. Such separators shall not be required for private living quarters or dwelling units, but may be required for certain industrial or commercial establishments, public eating places, hospitals, hotels, schools, or other institutions. Such separators shall be readily accessible for inspection by the approving authority and shall be maintained and cleaned by the person at no expense to the City and in continuously efficient operation at all times.

(Code 1994, § 18-77; Code 2003, § 17.223)

• **Sec. 34-821. - Control manhole.**

Any person discharging industrial wastes into the public sewers may be required to construct and maintain a suitable control or inspection manhole, either downstream from any pretreatment, storage or other approved works or, if pretreatment is not required, at the point where the sewage enters the public sewers. Such manhole shall be located so as to be readily accessible and shall be constructed in such a manner as may be approved by the approving authority so as to facilitate such inspection or measuring as may be required for proper sampling and/or control of the waste discharged.

(Code 1994, § 18-78; Code 2003, § 17.224)

• ~~**Sec. 34-83. - Inspection and testing of industrial wastes.**~~

~~(a)~~

~~The industrial waste of each person discharging such wastes into the public sewers shall be subject to periodic inspection, and a determination of the character and concentration of such wastes shall be made quarterly, or more often, as may be deemed necessary by the approving authority or their authorized representatives. Such inspection and tests shall also be made immediately after any approved process change which may affect the quantity or quality of the waste discharged.~~

~~(b)~~

~~Samples shall be collected in such manner as to be representative of the actual quality of the waste. Laboratory methods used in the examination of such waste shall be those set forth in Standard Methods for the Examination of Water and Sewage, as revised, published by the American Public Health Association, a copy of which is on file at the office of the Director of Public Utilities for inspection by any interested parties.~~

~~(c)~~

~~The determination of the flow, character, and concentration of industrial wastes as provided in this section shall be used as a basis for charges, cost recovery and surcharges.~~

~~(Code 1994, § 18-79; Code 2003, § 17.225)~~

• **Sec. 34-842. - Equalization of flow.**

(a)

Any sewage that has an average working day flow greater than:

- (1) 5,000 gallons, if tributary to the sewage pumping stations; or
- (2) 5,000 gallons, if tributary to the main gravity system;

may be admitted into the sanitary sewers; provided such sewage is discharged at rates which will not overload the sewerage system.

(b)

When necessary in the opinion of the approving authority, and whenever the total volume of sewage to be discharged by any person in any one day shall exceed the limits set forth in Subsection (a) of this section, such person may be required, at no expense to the City, to construct holding or storage tanks in order to equalize the discharge over a 24-hour period. Such tanks shall be so equipped as to mix thoroughly the sewage so that its quality shall be uniform when discharged to the public sewers. The control of the volume of discharge of the sewage to the sewer shall be by a waterworks-type rate controller or other approved device, the operation and setting of which shall be directed by the approving authority. Notice shall be given to the approving authority when normal operations of the person will be interrupted for 24 hours or longer and wastes will not be available for discharge.

(c)

Where the volume of any sewage discharged by any person exceeds the limits set forth under Subsection (a) of this section, the entire volume of such wastes shall be understood to come within the requirements set forth under Subsection (b) of this section.

(Code 1994, § 18-80; Code 2003, § 17.226)

• **Sec. 34-853. - Authority to permit, prohibit discharge of particular industrial wastes, individual Wastewater Discharge Permits**

~~The approving authority, without limitation by other sections of this article, may authorize any person to discharge industrial waste of unusual strength or character into the sewers of the City under approved conditions or pretreatment. The approving authority may prohibit entry of particular industrial wastes into the sanitary sewer whenever such action is necessary to prevent damage to the system or to determine the effects of such wastes on the sewage system.~~

(a)

~~When requested by the City, a User must submit information on the nature and characteristics of its wastewater. The City is authorized to prepare a form for this purpose and may periodically require Users to update this information.~~

(b)

~~No Significant Industrial User shall discharge wastewater into the POTW without first obtaining an individual wastewater discharge permit from the City, except that a Significant Industrial User that has filed a timely application pursuant to Section 34-83 of this ordinance may continue to discharge for the time period specified therein.~~

(c)

The City may require other Users to obtain individual wastewater discharge permits as necessary to carry out the purposes of this ordinance.

(d)

Any violation of the terms and conditions of an individual wastewater discharge permit shall be deemed a violation of this ordinance and subjects the wastewater discharge permittee to the sanctions set out in Section 34-93 of this ordinance. Obtaining an individual wastewater discharge permit does not relieve a permittee of its obligation to comply with all Federal and State Pretreatment Standards or Requirements or with any other requirements of Federal, State, and local law.

(e)

Any User required to obtain an individual wastewater discharge permit who proposes to begin or recommence discharging into the POTW must obtain such permit prior to the beginning or recommencing of such discharge. An application for this individual wastewater discharge permit must be filed at least 180 days prior to the date upon which any discharge will begin or recommence.

(f)

All Users required to obtain an individual wastewater discharge permit must submit a permit application. The City may require Users to submit all or some of the following information as part of a permit application:

(1) Identifying Information.

- a. The name and address of the facility, including the name of the operator and owner.
- b. Contact information, description of activities, facilities, and plant production processes on the premises;

(2) Environmental Permits. A list of any environmental control permits held by or for the facility.

(3) Description of Operations.

- a. A brief description of the nature, average rate of production (including each product produced by type, amount, processes, and rate of production), and standard industrial classifications of the operation(s) carried out by such User. This description should include a schematic process diagram, which indicates points of discharge to the POTW from the regulated processes.
- b. Types of wastes generated, and a list of all raw materials and chemicals used or stored at the facility which are, or could accidentally or intentionally be, discharged to the POTW;
- c. Number and type of employees, hours of operation, and proposed or actual hours of operation;
- d. Type and amount of raw materials processed (average and maximum per day);

(4) Time and duration of discharges;

(5) The location for monitoring all wastes covered by the permit;

(6) Flow Measurement. Information showing the measured average daily and maximum daily flow, in gallons per day, to the POTW from regulated process streams and other streams, as necessary.

(7) Measurement of Pollutants.

- a. The categorical Pretreatment Standards applicable to each regulated process and any new categorically regulated processes for Existing Sources.
- b. The results of sampling and analysis identifying the nature and concentration, and/or mass, where required by the Standard or by the City, of regulated pollutants in the discharge from each regulated process.
- c. Instantaneous, Daily Maximum, and long-term average concentrations, or mass, where required, shall be reported.
- d. The sample shall be representative of daily operations and shall be analyzed in accordance with procedures set out in Section 34-89 (h) of this ordinance. Where the Standard requires compliance with a BMP or pollution prevention alternative, the User shall submit documentation as required by the City or the applicable Standards to determine compliance with the Standard.
- e. Sampling must be performed in accordance with procedures set out in Section 34-89 (i) of this ordinance.

(8) Any other information as may be deemed necessary by the City to evaluate the permit application.

Incomplete or inaccurate applications will not be processed and will be returned to the User for revision.

(g)

All wastewater discharge permit applications, User reports and certification statements must be signed by an Authorized Representative of the User and contain the certification statement in Section 34-89 (l).

If the designation of an Authorized Representative is no longer accurate because a different individual or position has responsibility for the overall operation of the facility or overall responsibility for environmental matters for the company, a new written authorization satisfying the requirements of this Section must be submitted to the City prior to or together with any reports to be signed by an Authorized Representative.

(h)

The City will evaluate the data furnished by the User and may require additional information. The City will determine whether to issue an individual wastewater discharge permit. The City may deny any application for an individual wastewater discharge permit.

• **Sec. 34-84. – Local Limits.**

The City is authorized to establish local limits pursuant to 61-9.403.5(d).

The following pollutant limits are established to protect against Pass Through and Interference. No person shall discharge wastewater containing in excess of the following.

Average Daily Limit

2.0 mg/L antimony
1.0 mg/l arsenic
800 mg/l BOD₅
0.1 mg/l cadmium
2.0 mg/l chromium
1.5 mg/l copper
0.5 mg/l cyanide
0.5 mg/l lead
0.002 mg/l mercury
0.02 mg/l molybdenum
2.0 mg/l nickel
0.4 mg/l selenium
0.05 mg/l silver
800 mg/l total suspended solids
2.0 mg/l zinc

The above limits apply at the point where the wastewater is discharged to the POTW. All concentrations for metallic substances are for total metal unless indicated otherwise. The City may impose mass limitations in addition to the concentration-based limitations above.

The City may develop Best Management Practices (BMPs), by ordinance or in individual wastewater discharge permits to implement Local Limits and the requirements of Section 34-84.

• **Sec. 34-85. – Right of Revision.**

The City reserves the right to establish, by ordinance or in individual wastewater discharge permits more stringent Standards or Requirements on discharges to the POTW consistent with the purpose of this ordinance.

• **Sec. 34-86. – Dilution.**

No User shall ever increase the use of process water, or in any way attempt to dilute a discharge, as a partial or complete substitute for adequate treatment to achieve compliance with a discharge limitation unless expressly authorized by an applicable Pretreatment Standard or Requirement. The

City may impose mass limitations on Users who are using dilution to meet applicable Pretreatment Standards or Requirements or in other cases when the imposition of mass limitations is appropriate.

• **Sec. 34-87. – Accidental Discharge/Slug Discharge Control Plans.**

The City shall evaluate whether each SIU needs an accidental discharge/slug discharge control plan or other action to control Slug Discharges. The City may require any User to develop, submit for approval, and implement such a plan or take such other action that may be necessary to control Slug Discharges. Alternatively, the City may develop such a plan for any User. An accidental discharge/slug discharge control plan shall address, at a minimum, the following:

(a) Description of discharge practices, including nonroutine batch discharges;

(b) Description of stored chemicals;

(c) Procedures for immediately notifying the City of any accidental or Slug Discharge, as required by Section 34-89 (f) of this ordinance; and

(d) Procedures to prevent adverse impact from any accidental or Slug Discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants, including solvents, and/or measures and equipment for emergency response.

• **34-88. – Individual Wastewater Discharge Permit Issuance.**

(a)

An individual wastewater discharge permit shall be issued for a specified time period, not to exceed five (5) years from the effective date of the permit. An individual wastewater discharge permit may be issued for a period less than five (5) years, at the discretion of the City. Each individual wastewater discharge permit will indicate a specific date upon which it will expire.

(b)

An individual wastewater discharge permit shall include such conditions as are deemed reasonably necessary by the City to prevent Pass Through or Interference, protect the quality of the water body receiving the treatment plant's effluent, protect worker health and safety, facilitate sludge management and disposal, and protect against damage to the POTW.

(1) Individual wastewater discharge permits must contain:

a. A statement that indicates the wastewater discharge permit issuance date, expiration date and effective date;

b. A statement that the wastewater discharge permit is nontransferable without prior notification to the City and provisions for furnishing the new owner or operator with a copy of the existing wastewater discharge permit;

c. Effluent limits, including Best Management Practices, based on applicable Pretreatment Standards;

d. Self monitoring, sampling, reporting, notification, and record-keeping requirements. These requirements shall include an identification of pollutants (or best management practice) to be monitored, sampling location, sampling frequency, and sample type based on Federal, State, and local law.

e. A statement of applicable civil and criminal penalties for violation of Pretreatment Standards and Requirements, and any applicable compliance schedule. Such schedule may not extend the time for compliance beyond that required by applicable Federal, State, or local law.

f. Requirements to control Slug Discharge, if determined by the City to be necessary.

(2) Individual wastewater discharge permits may contain, but need not be limited to, the following conditions:

a. Limits on the average and/or maximum rate of discharge, time of discharge, and/or requirements for flow regulation and equalization;

b. Requirements for the installation of pretreatment technology, pollution control, or construction of appropriate containment devices, designed to reduce, eliminate, or prevent the introduction of pollutants into the treatment works;

c. Requirements for the development and implementation of spill control plans or other special conditions including management practices necessary to adequately prevent accidental, unanticipated, or nonroutine discharges;

d. Development and implementation of waste minimization plans to reduce the amount of pollutants discharged to the POTW;

e. The unit charge or schedule of User charges and fees for the management of the wastewater discharged to the POTW;

f. Requirements for installation and maintenance of inspection and sampling facilities and equipment, including flow measurement devices;

g. A statement that compliance with the individual wastewater discharge permit does not relieve the permittee of responsibility for compliance with all applicable Federal and State Pretreatment Standards, including those which become effective during the term of the individual wastewater discharge permit; and

h. Other conditions as deemed appropriate by the City to ensure compliance with this ordinance, and State and Federal laws, rules, and regulations.

(c)

The City may modify an individual wastewater discharge permit for good cause, including, but not limited to, the following reasons:

- (1) To incorporate any new or revised Federal, State, or local Pretreatment Standards or Requirements;
- (2) To address significant alterations or additions to the User's operation, processes, or wastewater volume or character since the time of the individual wastewater discharge permit issuance;
- (3) A change in the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge;
- (4) Information indicating that the permitted discharge poses a threat to the City's POTW, City personnel, or the receiving waters;
- (5) Violation of any terms or conditions of the individual wastewater discharge permit;
- (6) Misrepresentations or failure to fully disclose all relevant facts in the wastewater discharge permit application or in any required reporting;
- (7) Revision of or a grant of variance from categorical Pretreatment Standards;
- (8) To correct typographical or other errors in the individual wastewater discharge permit; or
- (9) To reflect a transfer of the facility ownership or operation to a new owner or operator where requested.

(d)

Individual wastewater discharge permits may be transferred to a new owner or operator only if the City approves the individual wastewater discharge permit transfer. A notice to the City must include a written certification by the new owner or operator which:

- (1) States that the new owner and/or operator has no immediate intent to change the facility's operations and processes;
- (2) Identifies the specific date on which the transfer is to occur; and
- (3) Acknowledges full responsibility for complying with the existing individual wastewater discharge permit.

Failure to provide advance notice of a transfer renders the individual wastewater discharge permit void as of the date of facility transfer.

(e)

The City may revoke an individual wastewater discharge permit for good cause, including, but not limited to, the following reasons:

- (1) Failure to notify the City of significant changes to the wastewater prior to the changed discharge;
- (2) Failure to provide prior notification to the City of changed conditions;
- (3) Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application;
- (4) Falsifying self-monitoring reports and certification statements;
- (5) Tampering with monitoring equipment;
- (6) Refusing to allow the City timely access to the facility premises and records;
- (7) Failure to meet effluent limitations;
- (8) Failure to pay fines;
- (9) Failure to pay sewer charges;
- (10) Failure to meet compliance schedules;
- (11) Failure to complete a wastewater survey or the wastewater discharge permit application;
- (12) Failure to provide advance notice of the transfer of business ownership of a permitted facility; or
- (13) Violation of any Pretreatment Standard or Requirement, or any terms of the wastewater discharge permit or this ordinance.

Individual wastewater discharge permits shall be voidable upon cessation of operations or transfer of business ownership. All individual wastewater discharge permits issued to a User are void upon the issuance of a new individual wastewater discharge permit to that User.

(f)

A User with an expiring individual wastewater discharge permit shall apply for individual wastewater discharge permit reissuance by submitting a complete permit application a minimum of 180 days prior to the expiration of the User's existing individual wastewater discharge permit.

• **34-89. – Reporting Requirements.**

(a)___

Baseline Monitoring Reports

- (1) Within either one hundred eighty (180) days after the effective date of a categorical Pretreatment Standard, or the final administrative decision on a category determination under 40 CFR 403.6(a)(4), whichever is later, existing Categorical Industrial Users currently discharging to or scheduled to discharge to the POTW shall submit to the City a

report which contains the information listed in paragraph (2), below. At least ninety (90) days prior to commencement of their discharge, New Sources, and sources that become Categorical Industrial Users subsequent to the promulgation of an applicable categorical Standard, shall submit to the City a report which contains the information listed in paragraph (2), below. A New Source shall report the method of pretreatment it intends to use to meet applicable categorical Standards. A New Source also shall give estimates of its anticipated flow and quantity of pollutants to be discharged.

(2) Users described above shall submit the information set forth below.

a. All information required in Section 34-83 (f)(1)(a), Section 34-83 (f)(2), Section 34-83 (f)(3)(a), and Section 34-83 (f) (6).

b. Measurement of pollutants.

1. The User shall provide the information required in Section 34-83 (f)(7)(a) through (d).

2. The User shall take a minimum of one representative sample to compile that data necessary to comply with the requirements of this paragraph.

3. Samples should be taken immediately downstream from pretreatment facilities if such exist or immediately downstream from the regulated process if no pretreatment exists. If other wastewaters are mixed with the regulated wastewater prior to pretreatment, the User should measure the flows and concentrations necessary to allow use of the combined wastestream formula in 61-9.403.6(f) to evaluate compliance with the Pretreatment Standards. Where an alternate concentration or mass limit has been calculated in accordance with 61-9.403.6(f) this adjusted limit along with supporting data shall be submitted to the Control Authority;

4. Sampling and analysis shall be performed in accordance with Section 34-89 (h);

5. The City may allow the submission of a baseline report which utilizes only historical data so long as the data provides information sufficient to determine the need for industrial pretreatment measures;

6. The baseline report shall indicate the time, date and place of sampling and methods of analysis, and shall certify that such sampling and analysis is representative of normal work cycles and expected pollutant discharges to the POTW.

c. Compliance Certification. A statement, reviewed by the User's Authorized Representative as defined in Section 34-21 and certified by a qualified professional, indicating whether Pretreatment Standards are being met on a consistent basis, and, if not, whether additional operation and maintenance (O&M) and/or additional pretreatment is required to meet the Pretreatment Standards and Requirements.

d. Compliance Schedule. If additional pretreatment and/or O&M will be required to meet the Pretreatment Standards, the shortest schedule by which the User will provide such additional pretreatment and/or O&M must be provided. The completion date in this schedule shall not be later than the compliance date established for the applicable Pretreatment Standard. A compliance schedule pursuant to this Section must meet the requirements set out in Section 34-89(b) of this ordinance.

e. Signature and Report Certification. All baseline monitoring reports must be certified in accordance with Section 34-89(l) of this ordinance and signed by an Authorized Representative as defined in Section 34-21.

(b)

Compliance Schedule Progress Reports. The following conditions shall apply to the compliance schedule required by Section 34-89 (a)(2)d. of this ordinance:

(1) The schedule shall contain progress increments in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the User to meet the applicable Pretreatment Standards (such events include, but are not limited to, hiring an engineer, completing preliminary and final plans, executing contracts for major components, commencing and completing construction, and beginning and conducting routine operation);

(2) No increment referred to above shall exceed nine (9) months;

(3) The User shall submit a progress report to the City no later than fourteen (14) days following each date in the schedule and the final date of compliance including, as a minimum, whether or not it complied with the increment of progress, the reason for any delay, and, if appropriate, the steps being taken by the User to return to the established schedule; and

(4) In no event shall more than nine (9) months elapse between such progress reports to the City.

(c)

Reports on Compliance with Categorical Pretreatment Standard Deadline. Within ninety (90) days following the date for final compliance with applicable categorical Pretreatment Standards, or in the case of a New Source following commencement of the introduction of wastewater into the POTW, any User subject to such Pretreatment Standards and Requirements shall submit to the City a report containing the information described in Section 34-83(f)(6) and (7) and Section 34-89(a)(2)b.2. of this ordinance. For all other Users subject to categorical Pretreatment Standards expressed in terms of allowable pollutant discharge per unit of production (or other measure of operation), this report shall include the User's actual production during the appropriate sampling period. All compliance reports must be signed and certified in accordance with Section 34-89(l) of this ordinance. All sampling will be done in conformance with Section 34-89(i).

(d)

Periodic Compliance Reports.

(1) All Significant Industrial Users must, at a frequency determined by the City submit no less than twice per year (June and December) reports indicating the nature, concentration of pollutants in the discharge which are limited by Pretreatment Standards and the measured or estimated average and maximum daily flows for the reporting period. In cases where the Pretreatment Standard requires compliance with a Best Management Practice (BMP) or pollution prevention alternative, the User must submit documentation required by the City or the Pretreatment Standard necessary to determine the compliance status of the User.

(2) All periodic compliance reports must be signed and certified in accordance with Section 34-89(l) of this ordinance.

(3) All wastewater samples must be representative of the User's discharge. Wastewater monitoring and flow measurement facilities shall be properly operated, kept clean, and maintained in good working order at all times. The failure of a User to keep its monitoring facility in good working order shall not be grounds for the User to claim that sample results are unrepresentative of its discharge.

(4) If a User subject to the reporting requirement in this section monitors any regulated pollutant at the appropriate sampling location more frequently than required by the City, using the procedures prescribed in Section 34-89(l) of this ordinance, the results of this monitoring shall be included in the report.

(e)

Reports of Changed Conditions. Each User must notify the City of any significant changes to the User's operations or system which might alter the nature, quality, or volume of its wastewater.

(1) The City may require the User to submit such information as may be deemed necessary to evaluate the changed condition, including the submission of a wastewater discharge permit application.

(2) The City may issue an individual wastewater discharge permit or modify an existing wastewater discharge under in response to changed conditions or anticipated changed conditions.

(f)

Reports of Potential Problems

(1) In the case of any discharge, including, but not limited to, accidental discharges, discharges of a nonroutine, episodic nature, a noncustomary batch discharge, a Slug Discharge or Slug Load, that might cause potential problems for the POTW, the User shall immediately telephone and notify the City of the incident. This notification shall include the

location of the discharge, type of waste, concentration and volume, if known, and corrective actions taken by the User.

(2) Within five (5) days following such discharge, the User shall, unless waived by the City, submit a detailed written report describing the cause(s) of the discharge and the measures to be taken by the User to prevent similar future occurrences. Such notification shall not relieve the User of any expense, loss, damage, or other liability which might be incurred as a result of damage to the POTW, natural resources, or any other damage to person or property; nor shall such notification relieve the User of any fines, penalties, or other liability which may be imposed pursuant to this ordinance.

(3) A notice shall be permanently posted on the User's bulletin board or other prominent place advising employees who to call in the event of a discharge described in paragraph (1), above. Employers shall ensure that all employees, who could cause such a discharge to occur, are advised of the emergency notification procedure.

(4) Significant Industrial Users are required to notify the City immediately of any changes at its facility affecting the potential for a Slug Discharge.

(g)

Notice of Violation/Repeat Sampling and Reporting. If sampling performed by a User indicates a violation, the User must notify the City within twenty-four (24) hours of becoming aware of the violation. The User shall also repeat the sampling and analysis and submit the results of the repeat analysis to the City within thirty (30) days after becoming aware of the violation.

(h)

Analytical Requirements. All pollutant analyses, including sampling techniques, to be submitted as part of a wastewater discharge permit application or report shall be performed in accordance with the techniques prescribed in 40 CFR Part 136 and amendments thereto, unless otherwise specified in an applicable categorical Pretreatment Standard. If 40 CFR Part 136 does not contain sampling or analytical techniques for the pollutant in question, or where the EPA determines that the Part 136 sampling and analytical techniques are inappropriate for the pollutant in question, sampling and analyses shall be performed by using validated analytical methods or any other applicable sampling and analytical procedures, including procedures suggested by the City or other parties approved by EPA.

(i)

Sample Collection. Samples collected to satisfy reporting requirements must be based on data obtained through appropriate sampling and analysis performed during the period covered by the report, based on data that is representative of conditions occurring during the reporting period.

(1) Except as indicated in Section (2) and (3) below, the User must collect wastewater samples using 24-hour flow-proportional composite sampling techniques, unless

time-proportional composite sampling or grab sampling is authorized by the City. Where time-proportional composite sampling or grab sampling is authorized by the City, the samples must be representative of the discharge. Using protocols (including appropriate preservation) specified in 40 CFR Part 136 and appropriate EPA guidance, multiple grab samples collected during a 24-hour period may be composited prior to the analysis as follows: for cyanide, total phenols, and sulfides the samples may be composited in the laboratory or in the field; for volatile organics and oil and grease, the samples may be composited in the laboratory. Composite samples for other parameters unaffected by the compositing procedures as documented in approved EPA methodologies may be authorized by the City, as appropriate. In addition, grab samples may be required to show compliance with Instantaneous Limits.

(2) Samples for oil and grease, temperature, pH, cyanide, total phenols, sulfides, and volatile organic compounds must be obtained using grab collection techniques.

(3) For sampling required in support of baseline monitoring and 90-day compliance reports, a minimum of four (4) grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide and volatile organic compounds for facilities for which historical sampling data do not exist; for facilities for which historical sampling data are available, the City may authorize a lower minimum. For the reports required by paragraphs Section 34-89(d), the Industrial User is required to collect the number of grab samples necessary to assess and assure compliance by with applicable Pretreatment Standards and Requirements.

(j)

Written reports will be deemed to have been submitted on the date postmarked. For reports, which are not mailed, postage prepaid, into a mail facility serviced by the United States Postal Service, the date of receipt of the report shall govern.

(k)

Recordkeeping. Users subject to the reporting requirements of this ordinance shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this ordinance, any additional records of information obtained pursuant to monitoring activities undertaken by the User independent of such requirements, and documentation associated with Best Management Practices established under Section 34-84. Records shall include the date, exact place, method, and time of sampling, and the name of the person(s) taking the samples; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses. These records shall remain available for a period of at least three (3) years. This period shall be automatically extended for the duration of any litigation concerning the User or the City, or where the User has been specifically notified of a longer retention period by the City.

(l)

Certification Statements.

Certification of Permit Applications, User Reports and Initial Monitoring Waiver—The following certification statement is required to be signed and submitted by Users submitting permit

applications in accordance with Section 34-83(g); Users submitting baseline monitoring reports under Section 34-89(a)(2)e.; Users submitting reports on compliance with the categorical Pretreatment Standard deadlines under Section 34-89(c); and Users submitting periodic compliance reports required by Section 34-89(d)(1) and (2). The following certification statement must be signed by an Authorized Representative as defined in Section 34-21:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

• **34-90. – Compliance Monitoring.**

(a)

Right of Entry: Inspection and Sampling. The City shall have the right to enter the premises of any User to determine whether the User is complying with all requirements of this ordinance and any individual wastewater discharge permit or order issued hereunder. Users shall allow the City ready access to all parts of the premises for the purposes of inspection, sampling, records examination and copying, and the performance of any additional duties.

(1) Where a User has security measures in force which require proper identification and clearance before entry into its premises, the User shall make necessary arrangements with its security guards so that, upon presentation of suitable identification, the City shall be permitted to enter without delay for the purposes of performing specific responsibilities.

(2) The City shall have the right to set up on the User's property, or require installation of, such devices as are necessary to conduct sampling and/or metering of the User's operations.

(3) The City may require the User to install monitoring equipment as necessary. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the User at its own expense. All devices used to measure wastewater flow and quality shall be calibrated annually to ensure their accuracy.

(4) Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the User at the written or verbal request of the City and shall not be replaced. The costs of clearing such access shall be born by the User.

(5) Unreasonable delays in allowing the City access to the User's premises shall be a violation of this ordinance.

(b)

Search Warrants. If the City has been refused access to a building, structure, or property, or any part thereof, and is able to demonstrate probable cause to believe that there may be a violation of this ordinance, or that there is a need to inspect and/or sample as part of a routine inspection and

sampling program of the City designed to verify compliance with this ordinance or any permit or order issued hereunder, or to protect the overall public health, safety and welfare of the community, the City may seek issuance of a search warrant.

• **34-91. – Confidential Information.**

(a) _____

Information and data on a User obtained from reports, surveys, wastewater discharge permit applications, individual wastewater discharge permits, and monitoring programs, and from the City's inspection and sampling activities, shall be available to the public without restriction, unless the User specifically requests, and is able to demonstrate to the satisfaction of the City, that the release of such information would divulge information, processes, or methods of production entitled to protection as trade secrets under applicable State law. Any such request must be asserted at the time of submission of the information or data. When requested and demonstrated by the User furnishing a report that such information should be held confidential, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public, but shall be made available immediately upon request to governmental agencies for uses related to the NPDES program or pretreatment program, and in enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics and other effluent data, as defined at 40 CFR 2.302 shall not be recognized as confidential information and shall be available to the public without restriction.

• **34-92. – Publication of Users in Significant Noncompliance.**

(a) _____

The City shall publish annually, in a newspaper of general circulation that provides meaningful public notice within the jurisdictions served by the POTW, a list of the Users which, at any time during the previous twelve (12) months, were in Significant Noncompliance with applicable Pretreatment Standards and Requirements. The term Significant Noncompliance shall be applicable to all Significant Industrial Users (or any other Industrial User that violates paragraphs (3), (4) or (8) of this Section) and shall mean:

(1) Chronic violations of wastewater discharge limits, defined here as those in which sixty-six percent (66%) or more of all the measurements taken for the same pollutant parameter taken during a six- (6-) month period exceed (by any magnitude) a numeric Pretreatment Standard or Requirement, including Instantaneous Limits;

(2) Technical Review Criteria (TRC) violations, defined here as those in which thirty-three percent (33%) or more of wastewater measurements taken for each pollutant parameter during a six- (6-) month period equals or exceeds the product of the numeric Pretreatment Standard or Requirement including Instantaneous Limits, multiplied by the applicable criteria (1.4 for BOD, TSS, fats, oils and grease, and 1.2 for all other pollutants except pH);

(3) Any other violation of a Pretreatment Standard or Requirement (Daily Maximum, long-term average, Instantaneous Limit, or narrative standard) that the City determines has caused, alone or in combination with other discharges, Interference or Pass Through, including endangering the health of POTW personnel or the general public;

(4) Any discharge of a pollutant that has caused imminent endangerment to the public or to the environment, or has resulted in the City's exercise of its emergency authority to halt or prevent such a discharge;

(5) Failure to meet, within ninety (90) days of the scheduled date, a compliance schedule milestone contained in an individual wastewater discharge permit or enforcement order for starting construction, completing construction, or attaining final compliance;

(6) Failure to provide within forty-five (45) days after the due date, any required reports, including baseline monitoring reports, reports on compliance with categorical Pretreatment Standard deadlines, periodic self-monitoring reports, and reports on compliance with compliance schedules;

(7) Failure to accurately report noncompliance; or

(8) Any other violation(s), which may include a violation of Best Management Practices, which the City determines will adversely affect the operation or implementation of the local pretreatment program.

• **34-93. -Hauled Waste.**

(a) _____

Septic tank waste may be introduced into the POTW only at locations designated by the City, and at such times as are established by the City. Such waste shall not violate Section 34-77 of this ordinance or any other requirements established by the City. The City does not accept industrial hauled wastewater.

(b) _____

The City may require haulers of industrial waste to obtain individual wastewater discharge permits. The City may require generators of hauled industrial waste to obtain individual wastewater discharge permits. The City also may prohibit the disposal of hauled industrial waste. The discharge of hauled industrial waste is subject to all other requirements of this ordinance.

(c)

Industrial waste haulers may discharge loads only at locations designated by the City. No load may be discharged without prior consent of the City. The City may collect samples of each hauled load to ensure compliance with applicable Standards. The City may require the industrial waste hauler to provide a waste analysis of any load prior to discharge.

(d)

Industrial waste haulers must provide a waste-tracking form for every load. This form shall include, at a minimum, the name and address of the industrial waste hauler, permit number, truck identification, names and addresses of sources of waste, and volume and characteristics of waste. The form shall identify the type of industry, known or suspected waste constituents, and whether any wastes are RCRA hazardous wastes.

• **34-94. –Enforcement and Penalties.**

(a) _____

The City may immediately suspend a User's discharge, after informal notice to the User, whenever such suspension is necessary to stop an actual or threatened discharge, which reasonably appears to present, or cause an imminent or substantial endangerment to the health or welfare of persons. The City may also immediately suspend a User's discharge, after notice and opportunity to respond, that threatens to interfere with the operation of the POTW, or which presents, or may present, an endangerment to the environment.

(1) Any User notified of a suspension of its discharge shall immediately stop or eliminate its contribution. In the event of a User's failure to immediately comply voluntarily with the suspension order, the City may take such steps as deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the POTW, its receiving stream, or endangerment to any individuals. The City may allow the User to recommence its discharge when the User has demonstrated to the satisfaction of the City that the period of endangerment has passed.

(2) A User that is responsible, in whole or in part, for any discharge presenting imminent endangerment shall submit a detailed written statement, describing the causes of the harmful contribution and the measures taken to prevent any future occurrence, to the City prior to the date of any show cause or termination hearing.

Nothing in this Section shall be interpreted as requiring a hearing prior to any Emergency Suspension under this Section.

(b)

Termination of Discharge. In addition to the provisions in Section 34-88(e) of this ordinance, any User who violates the following conditions is subject to discharge termination:

(1) Violation of individual wastewater discharge permit conditions;

(2) Failure to accurately report the wastewater constituents and characteristics of its discharge;

(3) Failure to report significant changes in operations or wastewater volume, constituents, and characteristics prior to discharge;

(4) Refusal of reasonable access to the User's premises for the purpose of inspection, monitoring, or sampling; or

(5) Violation of the Pretreatment Standards of this ordinance.

Such User will be notified of the proposed termination of its discharge and be offered an opportunity to show cause why the proposed action should not be taken. Exercise of this option by the City shall not be a bar to, or a prerequisite for, taking any other action against the User.

(c)

Civil Penalties.

(1) A User who has violated, or continues to violate, any provision of this ordinance, an individual wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement shall be liable to the City for a maximum civil penalty of \$2,000 per violation, per day.

(2) The City may recover reasonable attorneys' fees, court costs, and other expenses associated with enforcement activities, including sampling and monitoring expenses, and the cost of any actual damages incurred by the City.

(3) In determining the amount of civil liability, the Court shall take into account all relevant circumstances, including, but not limited to, the extent of harm caused by the violation, the magnitude and duration of the violation, any economic benefit gained through the User's violation, corrective actions by the User, the compliance history of the User, and any other factor as justice requires.

(4) Filing a suit for civil penalties shall not be a bar against, or a prerequisite for, taking any other action against a User.

(d)

Remedies Nonexclusive. The remedies provided for in this ordinance are not exclusive. The City may take any, all, or any combination of these actions against a noncompliant User. Enforcement of pretreatment violations will generally be in accordance with the City's enforcement response guide. However, the City may take other action against any User when the circumstances warrant. Further, the City is empowered to take more than one enforcement action against any noncompliant User.

(Code 1994, § 18-81; Code 2003, § 17.227)

- ~~Secs. 34-8694~~—34-104. - Reserved.
- **DIVISION 4. - EXTENSIONS**

- **Sec. 34-105. - Compatibility with City plans.**

All sewerage system extensions must be compatible with present and future plans and needs of the City.

(Code 1994, § 18-97; Code 2003, § 17.228)

- **Sec. 34-106. - Plans and specifications.**

Any subdistrict proposing to build local or lateral sanitary sewers or extensions to existing local or lateral sanitary sewers to connect directly or indirectly into the City's sanitary sewerage system shall conform its plans and specifications to the requirements of the approving authority. The plans and specifications shall be prepared by a registered engineer who is authorized by State law and approved or approvable by any and all local, County and State authorities having jurisdiction.

(Code 1994, § 18-98; Code 2003, § 17.229)

• **Sec. 34-107. - Administrative procedures.**

The subdistrict shall implement the following administrative procedures:

- (1) Submit preliminary construction plans to the approving authority in sufficient detail to indicate location, system layout, line sizes, service connections, flows, character of sewage, relationship with and connection to the City's system, and total development plans.
- (2) Receive preliminary approval from the City and other agencies having jurisdiction.
- (3) Prepare construction drawings and documents for City approval.
- (4) Secure all other agency approvals of construction drawings and specifications.
- (5) Upon receipt of all approvals, proceed with construction, notifying the approving authority of construction schedules.
- (6) Provide the approving authority and its authorized representatives with permission for on-site inspection during construction.
- (7) Furnish to the approving authority a certificate of completion, instrument of conveyance, and warranty, together with such other legal documents as may be required for annexation, reimbursement and similar special provisions.

(Code 1994, § 18-99; Code 2003, § 17.230)

• **Sec. 34-108. - Contractor.**

Construction of the proposed sewerage system shall be accomplished by a registered licensed contractor under State law who shall have paid all business licenses required by the City.

(Code 1994, § 18-100; Code 2003, § 17.231)

• **Sec. 34-109. - Bidding.**

Public bids must be received and tabulated for any portion of the proposed system that qualifies for reimbursement from the City. These tabulated bids must be submitted to and approved by the approving authority or City Council before the award of construction contracts.

(Code 1994, § 18-101; Code 2003, § 17.232)

- **Sec. 34-110. - Installation of taps.**

All sewer taps shall be made during construction from the main out to the property line. The location of all taps shall be recorded on the as-constructed drawings.

(Code 1994, § 18-102; Code 2003, § 17.233)

- **Sec. 34-111. - Certificate of completion.**

Upon completion of construction, the engineer employed by the subdistrict shall inspect the construction, furnish to the approving authority, at no cost to the City, his certificate of completion indicating that the sewerage system has been constructed in accordance with the approved plans and specifications, and provide four copies of as-constructed drawings.

(Code 1994, § 18-103; Code 2003, § 17.234)

- **Sec. 34-112. - Warranty.**

The owner or his authorized agent shall submit a warranty, which is a legal instrument in which the owner warrants the materials, equipment, and construction of the system for 12 months. The owner shall further warrant to the approving authority that all fees have been paid by him so that there is no outstanding indebtedness remaining, and holding the City harmless in each instance.

(Code 1994, § 18-104; Code 2003, § 17.235)

- **Sec. 34-113. - Instrument of conveyance.**

When all other requirements of this article have been met and approved the owner shall prepare and submit to the approving authority an instrument of conveyance conveying the constructed system to the City at no cost to the City. The system shall thereafter be owned, operated and maintained by the City as provided for in this article. The instrument of conveyance shall also include permanent easements and rights-of-way fully described and duly recorded at the appropriate authority.

(Code 1994, § 18-105; Code 2003, § 17.236)

- **Secs. 34-114—34-132. - Reserved.**

- **DIVISION 5. - USER CHARGES**

- **Sec. 34-133. - Schedule.**

(a)

The City shall, at least annually, adopt an adequate schedule of sewer service charges to defray the cost of operating and maintaining the City's sanitary sewerage system. The costs

to be used as a basis of determining charges shall include, but are not limited to, direct operation and maintenance, administration, collection and billing of charges, studies and reports, professional fees, repairs and capital improvements. The sewer service charges adopted shall be such that each user pays at least his proportionate share of all such costs.

- (b) The sewer service charges shall be published in a form for public distribution and notice and shall become a part of this article upon adoption and public notification.
- (c) Sewer service charges shall be based on the cost of treatment per 1,000 gallons of sewage.
- (d) All residential sewer charges shall be the same for one year beginning with the April 25 billing of a year and ending with the February 25 billing of the following year. These charges shall be based on the average consumption for water used for the billing of December 25 and the billing of February 25. If a consumption of the December and February billing was unusually high, the most immediate previous normal cycles may be used for the average, or bill the sewer charges on actual usage for the remainder of the year.
- (e) When a customer is on a sewer average and transfers service, that sewer average shall be transferred with them to the new address until the new averages are established on the next year's billing.

(Code 1994, § 18-121; Code 2003, § 17.237)

• **Sec. 34-134. - Determination of flow.**

- (a) The volume of flow used in computing user charges and surcharges shall be based upon metered water consumption as shown in the records of meter reading maintained by any approved water authority. If a person discharging wastes into the sanitary sewer system produces evidence to the approving authority that greater than ten percent of his water used does not reach the City sanitary sewer, the user may apply to the approving authority for a reduced percentage of total water consumption to be used in computing sewer charges.
- (b) Where the person discharging wastewater into the City's sanitary sewers procures any part or all of his water supply from sources other than approved water authorities, all or part of which is discharged into the sanitary sewers, the person discharging the waste shall install and maintain, at his expense, water meters of a type approved by the approving authority for the purpose of determining the proper volume of flow to be charged. The approving authority has a right to read such private meters.

(Code 1994, § 18-122; Code 2003, § 17.238)

• **Sec. 34-135. - Payment of bimonthly charges; late payment.**

All metered accounts shall be read every other month and billed to the customer, and such bills shall be due and payable immediately. If a bill is not paid in its entirety by the 25th of the month, a penalty of ten percent shall be added. If any bill remains unpaid by the 15th of the following month, all service to such customer shall be forthwith discontinued without notice and shall remain discontinued until the customer has paid the past due amount and the current late charge. If the new bill has been generated for the next cycle, the customer shall pay the new bill, past due bill and the late charge.

(Code 1994, § 18-123; Code 2003, § 17.239)

- **Sec. 34-136. - Discontinuation of service.**

The City may discontinue sewer service to any person who is more than 15 days in arrears with payment of charges, cost recovery, or surcharges. Sewer service may be discontinued by complete severance of the sewer connection, or the City may authorize any public utility to discontinue water service through the person's water meter. Renewed water service or sewer reconnection may be permitted only after payment of all charges and penalties as provided in this article.

(Code 1994, § 18-124; Code 2003, § 17.240)

- **Sec. 34-137. - Additional charge for users outside the City.**

Any user of the sanitary sewerage system whose discharge originates outside of the City limits may be required by the approving authority to pay an additional charge to offset use of existing sanitary sewerage facilities or use of the City's bonding capacity for future expansion or upgrading of the sanitary sewerage system.

(Code 1994, § 18-125; Code 2003, § 17.241)

- **Sec. 34-138. - Industrial waste—Surcharge.**

(a)

The approving authority may, at its discretion, allow industrial waste which exceeds the limitation of [Section 34-77\(5\)](#) and (6), to be discharged into the sanitary sewerage system; provided that the person discharging such waste shall agree to the payment of a surcharge to offset any cost to treat that BOD or suspended solids in excess of allowable limits. This surcharge shall be imposed in addition to any other charges made for sewer service.

(b)

The surcharge covering the cost of treatment of such industrial wastes shall be determined in the following manner:

(1)

The approving authority shall fix the rate to be charged during the new fiscal year for excess BOD or suspended solids at the beginning of the fiscal year, from actual costs per 1,000 pounds removed from the combined domestic and industrial wastes as experienced at the City's sewage treatment plant during the preceding fiscal year.

(2)

The rate shall be applied to the amount of excess BOD and suspended solids as determined by averaging at least three waste discharge samples taken in accordance with the provisions of [Sections 34-27](#), [34-83](#) and [34-134](#).

(Code 1994, § 18-126; Code 2003, § 17.242)

- **Sec. 34-139. - Same—Industrial cost recovery.**

(a)

ORDINANCE # 2022-09

AN ORDINANCE TO AMEND ORDINANCE # 2022-04, SO AS TO SET THE LOCAL OPTION SALES TAX CREDIT FACTOR IN THE FISCAL YEAR 2022-2023 BUDGET.

WHEREAS, the fiscal year 2022-2023 budget was adopted with the passage of Ordinance # 2022-04 on June 7, 2022; and,

WHEREAS, City Council has determined that a need exists to amend said budget to set the Local Option Sales Tax Credit Factor for the fiscal year 2022-2023 budget.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF WALTERBORO, SOUTH CAROLINA, IN COUNCIL ASSEMBLED, that the fiscal year 2022-2023 budget be amended as follows:

1. A local option sales tax credit factor of .002224 shall be established.

This ordinance shall become effective upon adoption.

ADOPTED, this _____ day of _____, 2022.

William T. Young, Jr.
Mayor

ATTEST:

Adrienne M. Nettles, City Clerk

First Reading: _____

Public Hearing: _____

Second Reading: _____



June 23, 2022

Walterboro City Council
242 Hampton Street
Walterboro, SC 29488

RE: 8th Annual Ireland Creek Bridge Run

Dear Mayor and City Council,

The Walterboro Rotary Club is planning for the 8th Annual Ireland Creek Bridge Run to be held on Thursday, September 29, 2022. We look forward to another successful event. Our fundraising efforts benefit many organizations in Walterboro. There are several items we are requesting approval from City Council for the event on Thursday, September 29th:

- Close one side of Ireland Creek Road and Ivanhoe Road between Washington Street and Forest Hills Road from 5:00 PM until 7:00 PM.
- Reserve picnic area on Ireland Creek from 1:00 PM – 9:00 PM (tent and tables).
- Allow for event directional signs (18" x 24") to be placed where appropriate in the city.
- Provide police escort for runners and walkers.

On behalf of the Walterboro Rotary Club, we thank you for your continued support and encouragement.

Sincerely,

A handwritten signature in blue ink that reads "Scott H. Wachter".

The Rev. Dr. Scott H. Wachter
Rotary Club President



Accommodations Tax Advisory Committee

To: Walterboro City Council
Cc: Jeffrey P. Molinari, City Manager
From: Accommodations Tax Advisory Committee
Date: June 21, 2022
Re: Approvals at the June 16, 2022 meeting

At its regularly called meeting held on June 16, 2022, the Accommodations Tax Advisory Committee approved the following requests:

<u>Requests for 30% Designated Marketing Organization</u>	<u>Requested</u>	<u>Approved</u>
Walterboro Tourism Commission	\$65,000	\$65,000

<u>Requests for 65% Tourism Fund</u>	<u>Requested</u>	<u>Approved</u>
Palmetto Cycling Coalition – Festivelo 2022	\$20,300	\$16,000
SC Artisans Center – billboards	\$23,952	\$20,000
Colleton County Rice Festival 2023	\$30,000	\$30,000
Walterboro Tourism Comm – Walterboro Rocks!	\$35,000	\$35,000

Should these requests be approved as submitted, the projected remaining balance for 2022-2023 will be approximately **\$154,923**. The remaining funds will be for consideration at the next scheduled meeting in October 2022. Therefore, the Accommodations Tax Advisory Committee respectfully requests City Council approve these items.

City of Walterboro DMO 30% Accommodations Tax Funding Request 2022-2023

Project Name: Walterboro “The Front Porch of the Lowcountry” DMO

Amount requested from A-tax: Approx. \$65,000 (30% tourism funding estimate for DMO)

Organization Name: Walterboro Tourism Commission (DMO)

Tax ID Number: 27-0473097

Contact Name: Prepared By: Madison S. Terry
Tourism Director
Secretary/Treasurer Walterboro Tourism
Commission
Submitted By: Ryan McLeod
Assistant City Manager

Address: 100 South Jefferies Blvd.
Walterboro, SC 29488

Phone: 843-782- 1004

Email: mterry@walterborosc.org
rmcleod@walterborosc.org

Project/Event Description (narrative)

The Walterboro Tourism Commission, an I.R.S. designated 501 c (6) nonprofit organization, is a central tourism resource dedicated to increasing visibility of the tourism industry in the Walterboro area to attract crucial tourism related dollars and economic growth, as well as the development and promotion of Walterboro as a tourist destination. The Executive Committee consists of the *Mayor of the City of Walterboro*, the *City Manager of the City of Walterboro*, an *appointee of Walterboro City Council*, and the *Tourism Director as Secretary/Treasurer*. As the Designated Marketing Organization (DMO) for Walterboro, WTC manages the 30% tourism marketing funding. In a collaborative effort, a marketing plan is being implemented to continue the momentum and direction Walterboro has already developed as “The Front Porch of the Lowcountry” by building upon Walterboro’s success in branding our city with the red rocking chair logo. Walterboro City Council established and maintained trademarks on our logos.

The 30% tourism funding is estimated at approximately \$65,000. This accommodation tax funding provides for a comprehensive advertising campaign to improve consolidated billboard advertising, billboard vinyl production, cooperative print and multimedia advertising, as well as brochure distribution and visibility.

The duration of this project is fiscal year July 1, 2022, thru June 30, 2023.

Benefit to Tourism and/or the Community

Joint efforts to successfully promote Walterboro's cultural, historical and recreational opportunities ensure the long-term sustainability and economic development through the growth of the tourism industry. By increasing the profile of Walterboro through this advertising campaign and fostering a better understanding of tourism's role in economic, cultural, and social development of our area, these promotional dollars result in increased overall prosperity consistent with the economic development plan and increased overnight stays.

To track effectiveness of this project, we will utilize several tools, including visitor information logs at the Wildlife Center, Artisan's Center, Colleton Museum & Farmer's Market, leads generated by online advertising and impressions from magazines and other print.

Tourism is now a \$23.8 billion industry in the state of South Carolina. Based on our tracking, the number of visitors to Walterboro has increased this year. The uptick in visitors can be attributed to continued advertising, red rocker branding, increase in brochure materials, and increased visibility through public relations and events. Support and advertisement from the SCPRT TAG grant gives us extra coverage and many cooperative advertising opportunities.

30% Accommodations Tax Tourism Marketing Funding Proposal Request 2022-2023

Funding:

Accommodations Tax allocation 30% tourism funding: **\$65,000**

Total Funding **\$65,000**

Expenses:

Advertising

 Billboards & Production of New Billboard Vinyl's **\$65,000**

Project Total **\$65,000**



Visit
Walterboro
The Front Porch of the Lowcountry

Come Rock With Us

Exits 53 & 57



Walterboro Tourism Commission | "Come Rock With Us" | 14'x48" | Beaufort, SC - Liz Milchem

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**Festivelo XXV 2022/Palmetto Cycling Coalition
Accommodations Tax Funding Request 2022**

I. Basic Information

A. Project Name:

Walterboro Festivelo XXV 2022: "A Festival of Cycling in the SC Lowcountry" (Twenty-Fifth annual)

B. Amount requested from A-tax: \$20,300

C. Total Cost of Project:

D. Applicant Information

1. Organization name with Federal ID number

Palmetto Cycling Coalition

57-1030701

2. Contact Name and Title of person submitting application

Amy Johnson Ely, Executive Director, Palmetto Cycling Coalition

3. Address

PO Box 50066, Columbia, SC 29250

4. Phone, Fax and E-mail

803-445-1099 (office) 706-714-8450 (cell)

Email: amy@pccsc.net

II. Narrative

Provide a detailed description of the project to be accomplished with A-tax funding to include at least the following mandatory components:

A. General Description (Include information about innovative ideas, community support, partnerships and evidence of management capability)

Festivelo is recognized as one of the most unique bicycling festivals in the USA! Founded by Charles Fox and the Fox Family, Festivelo is a bicycle touring event based at the Farmers Market & Museum in downtown Walterboro, S.C. The ride normally brings in 280-350 riders along with an additional 50-75 people who are non-riders and/or volunteers from 25-30 states and usually a few countries each year, for several days. 2022 will mark the 25th annual FestiVELO Ride, taking place November 9-13, 2022, out of Walterboro, SC.

Our annual four-day event offers your choice of morning rides in the Walterboro/Colleton County area, including a short, medium, and long ride (30, 65, and 100 mile options), fully supported with restrooms, food, and mechanics.

Some say the food and festivities make Festivelo the best multi-day ride in South Carolina, because of the hot meals at the lunch stops (World O' Grits, etc.) and again at dinner (BBQ, etc.) each day when riders return to home base in Walterboro in the afternoons. This all inclusive registration and "add on's" include all the festivities one needs to celebrate a long ride with friends: themed dinners, drinks, live music, dancing, oysters, campfire, smores, wine and chocolate, etc.

For a few years now, Festivelo has been headquartered out of Walterboro, and this continues to be a good decision. The terrain is flat and the traffic is light, which makes Walterboro a good choice for people wanting to do a first Century (100 mile) ride, drawing people into a welcoming atmosphere to push their distance more than previously.

The riders and the course are constantly monitored and help is always not far away, with "Support and Gear", also known as SAG. Rest stops are located about every 15 miles, and each includes packaged snacks (Yahoo & Moon Pie, etc.), water, Gatorade, and a restroom. On Thursday, we lead a ride for those who have never broken the 100-mile mark, and a trophy is given to every 100 mile finisher, no matter their time. On Sunday, every rider who rides 100 miles all 4 days earns a Festivelo 100 Mile Iron Butt Trophy!

The Walterboro location affords the opportunity to have a great ride early in the day and then visit Walterboro or surrounding cities in the afternoon and/or evening. However, event organizers encourage everyone to stay in Walterboro and participate in the many different Festivelo events and visit the restaurants, antique shops, art center, wildlife sanctuary, and the other businesses.

Festivelo is run by a core group of leaders, dozens of volunteers, and a dozen modestly paid contract staff for the week of the event. The partnerships and expertise of the leading ride managers (which is only a handful of people) make this event happen, year after year. The planning team has monthly meetings via Zoom throughout the year to reconvene all the logistics necessary to plan and execute the ride.

The use of the Racereach App is absolutely crucial for the ride managers, because it enables integration and coordination of ride logistics, including ride routes, rest stops, volunteers and their contact information, registrations, rider locations, and the website. Without the Racereach App, Festivelo would be much more expensive and cumbersome to execute.

B. Benefit to Tourism

Festivelo typically brings in over 400-500 people to Colleton County, from a total of 25-30 states and a few countries. Approximately 65% of registered riders were from outside of South Carolina in 2021, and approximately 95% of registered riders were from over 50 miles outside of Walterboro. In 2021, we estimate that approximately 959 hotel room nights were utilized by the participants along with filling the available B and B's, RV and camping locations. We program the Festivelo event from 5:30am until 9:30pm, so it is impossible for ride participants to engage in the event without engaging in the experiences provided in the City of Walterboro. Very often, ride participants bring their family members along, since there are so many social opportunities programed around the ride. Since the ride has normally had increasing rates of satisfaction every year; it is led by roughly the same crew of organizers; and because the pandemic has caused a "Bike Boom" quoted in bike magazines nationwide this past year; we anticipate Walterboro Festivelo XXV 2022 will equal or surpass 2021.

We know our participants visit the local restaurants, antique shops, art venues, and points of interest. In addition, Festivelo makes every effort to use local vendors in Walterboro/Colleton County. Walterboro is afforded international visibility, as well as additional press coverage in all forms of media. Many segments of the rides are filmed and photographed and shared with family, friends, and the international bicycling community. The numbers of riders participating in Festivelo continues to increase each year due to the additional advertising, extended stay hotel discount packages. Festivelo rider demographics typically are represented by a median age of 55 years and a higher than average median income with disposable income. As the population in the USA increases in median age, people are seeking events such as Festivelo to stay healthy, active, and connect with new friends. Our participants stay in the local hotels, eat in various restaurants, and shop in several of the retail outlets. Visitors are charmed by the quaint atmosphere and are encouraged to return.

Festivelo has partnered with Hincapie to make our 2022 jersey, in exchange for cross promotion of the Hincapie and Festivelo ride. IE, Festivelo postcards will go in their rider bags, and Hincapie postcards will go in Festivelo rider bags. The benefit here is a higher likelihood of recruiting registered riders from further outside the 50 mile radius of Walterboro.

For our 2022 ride, we'd like to expand on the Cycling Event Guide from last year and add more information about items of interest within and around Walterboro, in addition to other content our target audience might enjoy.

We believe the annual marketing investment for this ride pays off, since in 2021, we obtained over 40 new riders who heard of us first on social media. These new riders will likely become repeat riders into future years ahead.

C. Benefit to Community

Because of the multiple ways Festivelo impacts the local economy, including through hotels, restaurants, shops, and paying for supplies and food locally, the event has a financial benefit for the full spectrum of diverse communities of Walterboro. The HQ is located in the city of Walterboro's downtown, in the Farmer's Market, additionally benefiting the local and often homegrown small pop-up businesses and shops of downtown with 300-400 riders drawn to the after-ride festivities. Additionally, the event provides a relaxed atmosphere for good natured fun and fitness, which offers only positive vibes from tourists visiting Walterboro.

And finally, event organizers are homegrown in SC and NC, with a heart for the lowcountry, so naturally cultural engagement is built into every SAG stop, giving tourists a chance to meet many others from Walterboro's various churches, etc., whose volunteers often host the SAG stops. The social settings of the SAG stops is one of many reasons ride participants come from all parts of the US to enjoy themselves, and that was specifically noted many times in the post ride survey.

D. Tracking: Number of hotel/motel room nights projected to be added as a direct result of this project (include brief explanation as to the calculation used for this estimate as well as description of how you plan to track this information).

In 2021, we estimate that approximately 959 hotel room nights were utilized by the participants along with filling the available RV and camping locations. Therefore, we project a conservative estimate of 900-1000 hotel rooms for 2022, based on those used in 2021 and the persistently rising buzz around cycling since the pandemic began and people continuing to seek outdoor exercise and socialization. We've extrapolated that estimate, based on estimating 280-350 riders, along with an additional 50-75 non-riders and volunteer organizers for 2-5 days/nights, and the majority stay 3-4 nights.

E. Duration of Project (Start and End dates)

The event will occur from Nov 9-13, 2022, but many volunteers show up Nov 6th. Up to 30 volunteer and staff ride organizers are in Walterboro for 5-7 days. The project is prepared in those initial days, by: posting signs, parking routes, raising banners, setting up the venues for meals, music, SAG, and ride HQ, and preparing other managers and volunteers in a host of meetings.

F. List Permits (if any required)

Event organizers coordinate with the local sheriff, police, and fire department, and we intend to secure another Special Use Permit again for the camping location, as we did in 2021, which is for securing the church's grassy adjacent lot.

G. Additional comments (optional)

III. Budget

Category	Amount
Marketing: Print media ads and social media	2500
Signs: promotion directional signs	500
Toilets: port-o-lets & trailer-based toilets	2250
Cycling Event Guide	6500
Website development	1000
Website bike route development	1500
App development for full integration of registration, volunteer management, route viewing, rider location finder, etc.	5000
Stickers	300
Ride with GPS account	\$300
Postage & printing	\$450
total	20300
Food for registrants & vols(rest stops, meals)	\$17,000
Supplies, Event T & Jersey	\$10,000
Motel, Museum Rental, and Campsite setup	\$7,000
Transportation, Moto, & facilities	\$5,000
Other labor, Insurance, & Entertainment	\$9,000
total	\$48,000



South Carolina Artisans Center
The Official Folk Art and Craft Center of South Carolina
June 6, 2022

I. Basic Information

A. Project Name: SC Artisans Center - Marketing & Promotions

B. Requested Amount: \$23,952

C. Total Project Cost: \$23,952

D. Applicant Information:

1. EIN# 57-0983458
2. David Smalls, Executive Director
3. 318 Wichman Street
Walterboro, SC 29488
4. 843-549-0011
info@scartisanscenter.com

II. Narrative

The South Carolina Artisans Center is the largest single tourist attraction located in Walterboro. We have established through visitor surveys that our most successful marketing tool is billboards, and specifically those located on Interstate 95. Like any other established business we would like to grow in both customer count and in sales. The Center is again requesting the support of the Accommodations Tax Committee. We need to strengthen our visibility to tourists and visitors by the continuance use of (2) billboards on Interstate 95. We are requesting \$23,952 which includes \$21,600 for the lease and \$2,352 for new artwork production to continue the lease to promote the SC Artisans Center.

A. General Project Description:

The South Carolina Artisans Center was officially designated the "Official Folk Art and Craft Center of South Carolina" by the governor. The Center was originally conceived as a rural economic tourism development project. It was determined early in the planning stages that this Center should have an economic impact upon the entire state and the project's planners proceeded to make this happen. The Center now showcases the work of over 215 artists from 35 out of 46 counties across the state; provides educational programming and promotes community outreach to residents and visitors alike.

B. & C. Benefit to Tourism and/or Community:

We have become a major Tourist Destination off I-95. Approximately 411,000 people have visited the Center over the past twenty eight (28) years. Over 95% of the Center's customers have traveled from outside of Colleton County and over 85% are visitors from another state. The majority of our customers have taken time from their traveling to stop in Walterboro, shop at the Center and enjoy our exhibits. They are also looking for other places in Walterboro to shop and dine. The City of Walterboro has made downtown a wonderful place to send our visitors.

We also welcome tour groups and partner with SC Lowcountry Tourism for tour groups and FAM tours to heighten the awareness of our Center. As with individual visitors, these groups are looking for additional local attractions, shops, and historical venues to visit. The Center always offers information about local and area places to visit, dine, shop, and spend the night.

The South Carolina Artisans Center is the only Tourist Attraction/Retail Venue in the Walterboro area that is open for business 6 days a week. Because of these regularly scheduled hours of operation, the Center has been designated as an "official stop" for the South Carolina National Heritage Corridor. A "stop" is a Visitors Center that distributes literature about Walterboro, Colleton County, and the entire heritage corridor.

The South Carolina Artisans Center has consistently pursued all avenues of advertising and marketing including *Facebook*, *Instagram* and *Twitter* pages and on our website www.southcarolinaartisanscenter.com.

D. Tracking:

The Center continues to experience nice increases in the number of visitors, with a high percentage of these visitors coming from I-95. This has been encouraged by the marketing of the Center through billboards and brochures. The Center is one of the biggest promoters of local businesses and recommends local restaurants, downtown shops, historical highlights, the Walterboro Wildlife Sanctuary and the use of our motels and Bed & Breakfasts.

Total number of visitors for FY2021-2022 was 10,375 and that was an increase from FY2020-2021 which was 6,585. We track the number by visitor count using tally sheets.

E. Duration of this project

The fiscal year ending June 30, 2023

III. Budget

Adam Outdoor Advertising - billboards (2)

Revenue	
ATAX	\$23,952
Expenses	
Billboards (2)	\$21,600
New artwork (2)	<u>2,352</u>
Total	\$23,952

IV. Required Attachments

(Attached)

V. Billboard Information

Locations: I-95 Bulletin @ MM 38 - P3354 \$800 (4-week period) for 12 periods
I-95 Bulletin @ MM 77 - 5392 \$1,000 (4-week period) for 12 periods

Artwork:
(Attached)

VI. Prior Recipients Only

(Attached)

**City of Walterboro
Accommodations Tax Funding Request**

Project Name: 2023 Colleton County Rice Festival

Organization Name: Colleton County Rice Festival
P.O. Box 1705
Walterboro, SC 29488
843-549-1079
843-549-5232 (Fax)

Contact Names: Jimmy Trippe/Ashley Rhode

Federal ID Number: 57-0691134

ATAX Request Amount: \$30,000.00

Colleton County Rice Festival - Rice Run - Tour de Lowcountry – Rice Run-Dock Dogs-
Swinging Medallions-Fireworks Finale, Palmetto
Amusements

Project/Event Description (narrative)

We are working toward the 2023 festival which will be held on April 28,29, 30, 2023. The Colleton County Rice Festival is held annually during the last full weekend of April. Now in its 48th year, the Southern Tourism Society has recognized the festival as one of the top 20 events, which covers 12 states. It has become a premier springtime event throughout the Palmetto State and offers something for every age and taste. In 2022, an estimated 20,000.00 visitors attended the festival over the weekend long event. The festival is drawing more out of town people and getting bigger each year. 2022 Rice Festival drew record crowds. We feel everyone was ready to get outside plus we had great weather.

The activities will begin with the Rice Festival Beauty Pageant. The Tour de Lowcountry Bike ride is scheduled for March 25th. The Bike Ride, in its 8th year, brought in over 200 riders, with 195 of the riders from out of town. The Ride had riders from seven states, South Carolina, North Carolina, Georgia, Tennessee, Florida, and Kentucky. We will be having a GALA in Spring for our sponsors and to promote our festival to our community for future sponsors. Taste of Walterboro will be on Tuesday, April 25th. The actual Festival days will be Friday April 28th, Saturday April 29 and Sunday April 30th. Sunday we will have a Golf Tournament and entertainment at the amphitheater on Sunday afternoon. Our stage will be in front of City Hall for our local talent and some great entertainment all through the day. I have been trying to book the Swinging Medallions for years and finally was able to book them. We feel like they will bring in shaggers from all over our great state for a dance at the Amphitheater from 8:00 pm until 11:00 pm. This event will be for 21 years and older to dance and hear the Swinging Medallions. Tickets will be sold for this event. This will be a great place to watch Fireworks. The Fireworks will be held at

9:00 pm on Saturday, which is a great community event. We are still trying to lock in the Dock Dogs but haven't signed a contract with them yet. We feel like we must bring in more bathrooms and do a better job keeping our festival clean and the litter picked up during both days of festival. When we have tourist coming in, we must showcase our city. All in all, we feel that the above events bring in visitors from all over to stay in our motels and dine in our restaurants. The Rice Festival Committee will obtain all permits required.

Once again, we will be doing an event guide that will be distributed outside our community to further promote our city and community.

Because of the continuing success of the Rice Festival with results that sustain and promote a growing economy, an all-out effort is presently underway by various local groups and organizations to encourage visitors to come into the county and city. The Rice Festival Committee Members are actively involved in many of these endeavors and are working closely with community leaders to make Walterboro and Colleton County a favorite destination of visitors throughout South Carolina and tourist motoring along I-95. With the new Discovery Center and Amphitheater, we feel like it will do nothing but enhance the Rice Festival.

Benefit to Tourism and/or the Community

Special events and programs that enhance the quality of life make for an attractive package in enticing the traveling public in this area. Colleton County will never be heavily industrialized but can capitalize on its cultural, natural, and historic resources to bring more visitors into the County. The more visitors that come to Colleton County the more secure are tourism related jobs. Increased visitors also mean increased sales and tax collections. We are strategically located on the I-95 South/North Corridor and just 32 miles from I-26. These kinds of activities certainly appeal to travelers who will eat in our restaurants, stay in our motels and shop in and about the Walterboro area.

Many food, arts and crafts vendors and participants in the Rice Run and Tour de Lowcountry are out of state and stay overnight at the local hotels, eat in our various restaurants and shop in several of the retail outlets. Visitors are charmed by the quaint atmosphere and are encouraged to return. We estimate that vendors, runners, participants, and visitors will utilize at least 120 hotel rooms.

Accommodations Tax Funds – 2022

Received	\$22,000.00
Direct Tourism Expenditures:	
TV:	\$4,361.00
Radio:	\$500.00
Billboards:	\$6,000.00
Others (flyers, brochures, posters, direct e-mail, website and misc.)	
	\$13,350.00
Total:	\$24,211.00

Accommodations Tax Funding Proposal Request - 2023

Direct Tourism Expenditures:	
TV Charleston Market:	\$5,000.00
Radio:	\$ 500.00
Billboards:	\$ 7,500.00
Event Guide	\$1,000.00
Other (flyers, brochures, posters, direct e-mail, website and misc.)	
	\$16,000.00
Total	\$30,000.00

City of Walterboro
65% Accommodations Tax Funding Request 2022-2023

Project Name: ***"Walterboro Rocks!"*** advertising campaign 2022-2023

Amount requested from A-tax: \$35,000

Organization Name: Walterboro Tourism Commission

Tax ID Number: 27-0473097

Contact Name: Prepared By: Madison Terry
Tourism Director
Secretary/Treasurer Walterboro Tourism Commission
Submitted By: Ryan McLeod
Assistant City Manager

Address: 100 South Jefferies Blvd.
Walterboro, SC 29488

Phone: 843-782-1004

Email: mterry@walterborosc.org
rmcleod@walterborosc.org

Project/Event Description (narrative)

The ***"Walterboro Rocks!"*** campaign is a comprehensive plan designed to implement a variety of advertising methods to draw visitors to Walterboro for increased overnight stays.

The Walterboro Tourism Commission, an I.R.S. designated 501 C (6) nonprofit, is a central tourism resource dedicated to increasing the exposure of local attractions in the Walterboro area. The purpose of the commission is to promote Walterboro as a premier travel destination.

Over the years, the WTC has progressed and grown the comprehensive ***"Walterboro Rocks"*** advertising campaign to boost our visibility with the red rocking chair brand. The organization plans to increase efforts to develop and expand advertising and marketing, through consistent

brand recognition, improving our digital presence, and focusing on new ways to target and attract potential tourists.

Together, with the Walterboro Welcome Center located at exit 53 off I-95, the new Walterboro Wildlife Center, along with other tourism commission partners, will help take the interstate draw to the next level. The goal is to put Walterboro on the map as a destination for travelers as they make their way along I-95 and local thoroughfares, through strategic advertising placement.

The duration of this project is fiscal year **July 1, 2022, thru June 30, 2023**

Benefit to Tourism and/or the Community

By marketing our Historic Downtown, other historic, cultural, nature-based resources in Walterboro, the Lowcountry Region and South Carolina, this project aims to capitalize on the economic impact it will bring to this area. An influx of new visitors will not only boost revenue for local businesses with overnight stays and crucial tourism related dollars, but it will also create the potential for new residents who will further invest in the community.

WTC will continue to track the effectiveness of the **"Walterboro Rocks!"** campaign utilizing various tools, including visitor information logs at the Welcome Center, Wildlife Center, tourism commission partners, hotel occupancy data, and leads and impressions generated by online advertising.

65% Accommodations Tax Funding Proposal Request – 2022-2023

Advertising

Broadcast Media: **\$10,000**
(OTT-Over The Top media services, Spotify, Mobile Advertising, ABC News 4)

Print Media: **\$5,000**
(Augusta Magazine, The Local Palate, Conde Nast, Traveler of Charleston, SCPRT State Travel Guide, Brochures)

Digital Advertising **\$20,000**
(Boosted Posts and Content for Facebook & Instagram, Online Display Optimization and Geo Targeting, SCPRT Cooperative Advertising)

Project Total **\$35,000**