

TOWN OF LYONS BOARD OF TRUSTEES MEETING

SHIRLEY F. JOHNSON COUNCIL CHAMBERS

LYONS TOWN HALL, 432 5TH AVENUE, LYONS, COLORADO

DRAFT AGENDA

MONDAY, MARCH 2ND, 2020

6:00 pm – 6:50 pm WORKSHOP

PRE-TREATMENT ORDINANCE

I. Workshop

I.1. PRE-TREATMENT CODE/ORDINANCE DRAFT

Documents:

[PRETREATMENT DRAFT 3.PDF](#)

“The Town of Lyons will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities. Persons needing accommodations or special assistance should contact the Town at hr@townoflyons.com as soon as possible, but no later than 72 hours before the scheduled event.”

Draft Wastewater Pretreatment Code

LMC 13-4-90. Wastewater Pretreatment

(a) No customer shall discharge wastewater containing pollutants in excess of the following limits to the town system:

Copper –
Lead-
Mercury-
BOD-
Etc.

(Determining the acceptable pollutant levels or limits on a per customer basis will require additional work.)

(b) The Town Administrator is authorized to update local limits for discharges into the Town's wastewater system, subject to Board of Trustees approval by resolution. When adopted by Board resolution, users shall have a period of up to thirty (30) days to bring discharges into compliance with such regulations. The Town Administrator is authorized to extend such compliance period for up to an additional sixty (60) days for good cause shown. Such compliance periods shall not affect the Town's ability to order emergency suspensions of service pursuant to Section 13-4-90(g).

(c) Where necessary customer shall provide, at its own expense, such preliminary pretreatment for its wastewater to meet the above limits. Any equipment and facilities required to pretreat wastewater to a level in compliance with this chapter shall be provided, operated and maintained at the user's expense. Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to the Town for review, and shall be approved in writing by the Town before construction of the facility. The review of such plans and operating procedures will in no way relieve the user from the responsibility of modifying the facility as necessary to produce wastewater in compliance with the provisions of this chapter. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to the Town and approved in writing prior to the user's initiation of the changes.

(d) The Town will annually publish on its website or in one or more newspapers a list of users in significant noncompliance with applicable pretreatment requirements. All records relating to compliance with applicable standards or requirements shall be made available to officials of the EPA or state regulatory authority upon request, subject to any limitations contained in state statutes. [This was in the Louisville Mun. Code 13.32.100]

(e) The Town Administrator is authorized to take any and all actions necessary or appropriate to enforce the provisions of this Chapter, including the issuance of written notices of violation with a designated cure period to remedy any violation. If the violator fails to cure a violation within the designated cure period, the Town may suspend wastewater and/or water service to such violator.

(f) When the Town Administrator finds that a user has violated, or continues to violate, any provision of this Chapter or an individual wastewater discharge permit, or a general permit or order issued hereunder, or any pretreatment standard or requirement, the Town may fine such user in an amount not to exceed one thousand (\$1,000) dollars. Such fines shall be assessed on a per-violation, per-day basis.

(g) Unpaid charges, fines, and penalties (“amount due”) shall, after thirty (30) calendar days after their scheduled “due date”, be assessed an additional penalty of five percent (5%) of the unpaid balance, and thereafter an additional penalty of five percent (5%) per month or fraction thereof to a maximum of twenty-five percent (25%) of the amount due, and interest shall accrue on the amount due after thirty (30) calendar days at a rate of 0.666% per month (8.0% per annum). A perpetual lien against the user’s property shall exist and may be recorded for unpaid charges, fines, and penalties.

(h) The Town may immediately suspend a user’s right to discharge, after informal or written 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 Town may also immediately suspend a user’s discharge, after notice and opportunity to respond, that threatens to interfere with the operation of the wastewater treatment plant, or which presents, or may present, an endangerment to the environment. The Town may immediately suspend a User’s receipt of water service from the Town, after informal or written 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 Town may also immediately suspend a User’s receipt of water service from the Town, after notice and opportunity to respond, that threatens to interfere with the operation of the wastewater treatment plant, or which presents, or may present, an endangerment to the environment. Nothing in this Section shall be interpreted as requiring a hearing prior to any Emergency Suspension under this Section.

(i) Nothing in this section shall be construed to prohibit the Town from recovering the costs of collection, including but not limited to disconnection or reconnection fees, reinstatement charges, or penalties where fraud is involved.