

CHAPTER 12

INDUSTRIAL WASTE DISPOSAL

Article 1. Industrial Waste Disposal Program Created

Sec. 12-1.

Established: Coordinator.

There is hereby established an industrial waste disposal program within the Town government. It shall be the policy of the Town that no person shall discharge or allow to be discharged from an establishment under his control any effluent that would injure the health, safety, and convenience of its people and in any way jeopardize the water resources of the Town.

Sec. 12-2.

Definitions.

Unless the contexts specifically indicates otherwise, the meaning of terms used in this ordinance shall be as follows:

(1) "BOD" (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20 degree C, expressed in milligrams per liter.

(2) "Building Drain" shall mean that part of the lowest horizontal piping of a drainage system which received the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five (5) feet outside the inner fact of the building wall.

(3) "Building Sewer" shall mean the extension from the building drain to the public sewer or other place of disposal.

(4) "Combined Sewer" shall mean a sewer receiving both surface run-off and sewage.

(5) "Garbage" shall mean solid waste from the domestic and commercial preparation, cooking, and dispensing of food, and from the handling, storage and sale of produce.

(6) "Industrial Wastes" shall mean the liquid wastes from industrial manufacturing processes, trade or business as distinct from sanitary sewage.

(7) "Natural Outlet" shall mean any outlet into a watercourse, pond, ditch, lake, or

other body of surface or groundwater.

(8) "Person" shall mean any individual, firm, company, association, society, corporation, or group.

(9) "pH" shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

(10) "Properly Shredded Garbage" shall mean the 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.

(11) "Public Sewer" shall mean a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.

(12) "Sanitary Sewer" shall mean a sewer which carries sewage and to which storm, surface, and groundwater are not intentionally admitted.

(13) "Sewage" shall mean a combination of the water-carried wastes from residences, business building, institutions, and industrial establishments, together with such ground, surface, and storm waters as may be present.

(14) "Sewage Treatment Plant" shall mean any arrangements of devices and structures used for treating sewage.

(15) "Sewage Works" shall mean all facilities for collecting, pumping, treating, and disposing of sewage.

(16) "Sewer" shall mean a pipe or conduit for carrying sewage.

(17) "Shall" is mandatory; "May" is permissive.

(18) "Slug" shall mean any discharge of water, sewage, or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than one (1) day more than ten (10) times the average twenty-four (24) hour concentration or flows during normal operation.

(19) "Storm Drain" (sometimes termed "storm sewer") shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes, and other unpolluted cooling water.

(20) "Superintendent" shall mean the Superintendent of Sewage Works and/or of Water Pollution Control of the Town, or his authorized deputy, agent, or representative.

(21) "Suspended Solids" shall mean solids that either float on the surface of, or are in suspension in water, sewage, or other liquids, and which are removable by laboratory filtering.

(22) "Watercourse" shall mean a channel in which a flow of water occurs, either continuously or intermittently.

Article 2. Use of Public Sewers Required

Sec. 12-3. Human or Animal Excrement Prohibited.

It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the Town, or in any area under the jurisdiction of the Town, any human or animal excrement, garbage, or other objectionable waste.

Sec. 12-4. Polluted Waters Prohibited.

It shall be unlawful to discharge to any natural outlet within the Town, or in any area under the jurisdiction of the Town, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of the ordinance.

Sec. 12-5. Types of Facilities Prohibited.

Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage.

Sec. 12-6. Toilet Facilities Required.

Every residence or other building must connect to the Town sewer system if within 300 feet of the sewer. Individuals must obtain a ten dollar (\$10.00) sewer permit from the Town plus the tapping saddle to make the tap must be purchased from the Town. Sewer lines leading to the sewer system must be of a minimum or equal requirement as schedule 40 PVC or equal rated material. All sewer lines must be a minimum of 18 inches deep. It will be up to the individual to get their own plumber to make the sewer tap and there will be an inspection by the Town inspector prior to covering up the sewer tap. A clean out valve must be provided for each sewer connection. it shall be unlawful for any person to connect to the sewer system without the above terms. Any person violating the above terms is subject to a one hundred dollar (\$100.00) fine and result in cutting off water service to this person.

Article 3. Building Sewers and Connections

Sec. 12-7. Permit Required for Connections to System.

No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Superintendent.

Sec. 12-8. Classes of Permits.

There shall be two classes of building sewer permits:

- (a) for residential and commercial service, and
- (b) for service to establishments producing industrial wastes.

In either case, the owner or his agent shall make application on a special form furnished by the Town. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgement of the Superintendent. A permit and inspection fee of ten dollars (\$10.00) for a residential or commercial building sewer permit, and twenty five dollars (\$25.00) for an industrial building sewer permit shall be paid to the Town at the time the application is filed.

Sec. 12-9. Owner to Pay Expenses.

All costs and expense incidental to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the Town from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

Sec. 12-10. Separate Sewer Required.

A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.

Sec. 12-11. Old Sewer Systems May be Used.

Old building sewers may be used in connection with new building only when they are found, on examination and test by the superintendent, to meet all requirements of this ordinance.

Sec. 12-12. Methods for Installation.

The size, slope, alignment, materials, or construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling the trench, shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the Town. In the absence of code provisions or in amplifications thereof, the materials and procedures set forth in appropriate specifications of the A.S.T.M. and W.P.C.F. Manual of Practice No. 9 shall apply.

Sec. 12-13. Method for Connection to Sewer System.

Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.

Sec. 12-14. Restrictions on Connections.

No person shall make connection of roof downspout, exterior foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.

Sec. 12-15. Connection Must Comply with Plumbing Code.

The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the Town, or the procedures set forth in appropriate specifications of the A.S.T.M. and the W.P.C.F. Manual of Practice No. 9. All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the Superintendent before installation.

Sec. 12-16. Connection Must be Under Town Supervision.

The applicant for the building sewer permit shall notify the Superintendent when the building sewer is ready for inspection and connection to the public sewer. The connection shall

be made under the supervision of the Superintendent or his representative.

Sec. 12-17.

Protection of Public Around Excavations.

All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Town.

Article 4. Use of the Public Sewers

Sec. 12-18.

Types of Water Restricted.

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

Sec. 12-19.

Method for Using Public System for Restricted Water.

Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers, or to a natural outlet approved by the Superintendent. Industrial cooling water or unpolluted process waters may be discharged, on approval of the Superintendent, to a storm sewer, combined sewer, or natural outlet.

Sec. 12-20.

Types of Discharges Restricted.

No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

- (a) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas.
- (b) Any waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interacting with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant, including but not limited to cyanide in excess of two (2) mg/l as CN in the wastes as discharged to the public sewer.

- (c) Any waters or wastes having a pH lower than 5.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.
- (d) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, tar, feathers, plastics, wood unground garbage, whole blood, paunch manure, hair and fleshing, entrails and paper dishes, cups, milk containers, etc. either whole or grounds by garbage grinders.

Sec. 12-21.

Superintendent May Prohibit Use for the Following Elements.

No person shall discharge or cause to be discharged the following described substances, materials, waters, or wastes if it appears likely in the opinion of the Superintendent that such wastes can harm either the sewers, sewage treatment process, or equipment, have an adverse effect on the receiving stream or can otherwise endanger life, limb, public property, or constitute a nuisance. In forming his opinion as to the acceptability of these wastes, the Superintendent will give consideration to such factors as the velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment, degree of treatability of wastes in the sewage treatment plant, and other pertinent factors. The substances prohibited are:

- (a) Any liquid or vapor having a temperature higher than 150 degree F (65 degree C).
- (b) Any water or waste containing fats, wax, greases, or oils, whether emulsified or not, in excess of 100 mg/l or containing substances which may solidify or become vicious at temperatures between 32° F and 150° F (0° and 65° C).
- (c) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of 3/4ths horsepower (0.76 hp metric) or greater shall be subject to the review and approval of the Superintendent.
- (d) Any waters or wastes containing strong acid iron pickling wastes, or concentrated plating solutions whether neutralized or not.
- (e) Any waters or wastes containing phenols or other taste or odor producing substances, in such concentration exceeding limits which may be established by the Superintendent as necessary, after treatment of the composite sewage, to meet the requirements of the state, federal or other public agencies of jurisdiction for such discharge to the receiving waters.
- (f) Any waters or wastes containing any of the following listed elements with

concentrations exceeding those shown:

<u>Element</u>	<u>mg/1</u>	<u>Element</u>	<u>mg/1</u>
Arsenic	0.05	Mercury	0.002
Barium	5.0	Nickel	1.0
Boron	1.0	Selenium	0.05
Cadmium	0.04 soft 0.01 hard	Silver	0.1
Chromium	0.5	Sinc	0.5
Copper	0.05 soft 1.0 hard	Iron	3.0
Lead	0.1	Aluminum	1.0
Cobalt	0.5	Manganese	0.5

(g) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Superintendent in compliance with applicable state or federal regulations.

(h) Any waters or wastes having a pH in excess of 9.5.

(i) Materials which exert or cause:

(1) Unusual concentrations or inert suspended solids (such as, but not limited to Fullers earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate).

(2) Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).

(3) Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.

(4) Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.

(j) Waters or wastes containing substances which are not amendable to treatment or

reduction by the sewage treatment processes employed, or are amendable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

Sec. 29-22. Superintendent Will Apply the Following to Correct a Public Nuisance.

If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in Section 12-29 of this Article, and which in the judgment of the Superintendent, may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters, or otherwise create a hazard to life or constitute a public nuisance, the Superintendent will either apply a, b, or c below, and will apply d:

- (a) Reject the wastes,
- (b) Require pretreatment to an acceptable condition for discharge to the public sewers,
- (c) Require control over the quantities and rates of discharge, and/or
- (d) Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions of Section 12-35 of this Article.

If the Superintendent permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the requirements of all applicable codes, ordinances and laws.

Sec. 12-23. Interceptors Required.

Grease, oil and sand interceptors shall be provided when in the opinion of the Superintendent, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, or other harmful ingredients; except that such interceptors shall be of a type and capacity approved by the Superintendent, and shall be located as to be readily and easily accessible for cleaning and inspection.

Sec. 12-24. Preliminary Treatment or Flow Equalizing Facilities Must be Maintained.

Where preliminary treatment or flow-equalizing facilities are provided for any waters or

wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

Sec. 12-25. Manhole Requirements.

When required by the Superintendent, the owner of any property services by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling and measurement of the wastes. Such manhole, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the Superintendent. The manhole shall be installed by the owner at his expense, and shall be maintained by him so as to be safe and accessible at all times.

Sec. 12-26. Testing Must Comply with Adopted Code.

All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this ordinance shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater", published by the American Public Health Association, and shall be determined at the control manhole provided, or upon suitable samples taken at said control manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb, and property. (The particular analysis involved will determine whether a twenty-four (24) hour composite of all outfalls of a premise is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analysis are obtained from twenty-four (24) hour composites of all outfalls whereas pH's are determined from periodic grab samples.

Sec. 12-27. Special Agreements are Authorized.

No statement contained in this article shall be construed as preventing any special agreement or arrangement between the Town and any industrial concern whereby an industrial waste or unusual strength or character may be accepted by the Town for treatment, subject to payment therefore, by the industrial concern.

Sec. 12-28. Rate Schedule for Sewer Use.

The following rates shall be in effect for residential or average strength sewage:

3,000 of water metered, or portion thereof, with a minimum monthly charge of six dollars (\$6.00).

In addition to the above charges, commercial or industrial users shall pay the following surcharges:

Volume of sewage	\$__ per 1,000 gallons
BOD above normal	\$__ per part per million
SS above normal	\$__ per part per million

Article 5. Protection from Damage

Sec. 12-29. Protection of System from Damage.

No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is a part of the sewage works. Any person violating this provision shall be subject to immediate arrest under the charge of disorderly conduct.

Article 6. Powers and Authority of Inspectors

Sec. 12-30. Inspectors May Enter All Properties for Inspection.

The Superintendent and other duly authorized employees of the Town bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing in accordance with the provisions of his ordinance. The Superintendent or his representatives shall have no authority to inquire into any processes including metallurgical, chemical, oil, refining, ceramic, paper, or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment.

Sec. 12-31. Inspectors are Responsible for Their Own Safety.

While performing the necessary work on private properties referred to in Section 12-38, the Superintendent or duly authorized employees of the Town shall observe all safety rules applicable to the premises established by the company and the company shall be held harmless for injury or death to the Town employees and the Town shall indemnify the company against loss or damage to its property by Town employees and against liability claims and demands for

personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in Section 12-33.

Sec. 12-32.

Inspectors May Enter Town Easements.

The Superintendent and other duly authorized employees of the Town bearing proper credentials and identification shall be permitted to enter all private properties through which the Town holds a duly negotiated easement for the purpose of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewage works lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

Article 7. Penalties

Sec. 12-33.

Reasonable Time to Abate Violation.

Any person found to be violating any provision of this ordinance except Article 6 shall be served by the Town with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

Sec. 12-34.

Failure to Abate Violation.

Any person who shall continue any violation beyond the time limit provided for in Section 12-41, shall be guilty of a misdemeanor, and on conviction thereof shall be fined in the amount not exceeding five hundred dollars (\$500.00) for each violation. Each day on which any such violation shall continue shall be deemed a separate offense.

Article 8. Regulations for Collection of Garbage Refuse and Waste Materials

Sec. 12-35.

Definitions.

The following words and phrases, wherever used in these ordinances, shall be construed as follows:

GARBAGE: The word "garbage" shall be held to include and mean kitchen and table refuse leavings, offal, swill and every accumulation of animal and vegetable and other matter that attends the preparation, consumption, decay or dealing in or storage of meats, fish, fowls, birds, fruits and vegetables.

REFUSE: The word "refuse" shall include both garbage and trash, as defined in this section.

TRASH: The word "trash" shall include and mean crockery, bottles, broken bricks, tin cans, metal vessels, trimmings from lawns, trees and flower gardens, pasteboard boxes, berry boxes, rags, papers, straw boxes, sawdust, packing materials, shavings, ashes, and all rubbish or other refuse.

WASTE MATERIAL: "Waste materials" consists of natural soil, earth, sand, clay, gravel, loam, stones, bricks, brickbats, plaster, portland cement, glass and glassware, cinders, metals and all other noncombustible waste matter.

Sec. 12-36. General Refuse Container and Storage Requirements - for Dwellings.

It shall be the duty of every owner, tenant, lessee or occupant of any private dwelling house to comply with the following provisions pertaining to the storage of refuse:

- (1) All garbage from dwellings shall be thoroughly drained of all liquid substances, wrapped in papers and stored in metal cans or plastic with tight-fitting covers and convenient handles or bails for carrying. Such cans shall have a capacity of not less than one (1) gallons, nor a capacity of more than thirty (30) gallons and shall not weigh more than forty (40) pounds when fully loaded.
- (2) Trash from dwellings may be stored in cans for the storage of garbage or in separate metal containers with handles or bails, the cover of which shall not be fastened to the container in any matter which will interfere with emptying the contents of the container. Grass cuttings and brush trimmings may be stored in separate boxes, cartons or baskets of a capacity of not more than three (3) cubic feet, and shrub and tree trimmings may be securely tied in bundles not over three (3) feet in length and not over one (1) foot in diameter.
- (3) Garbage and trash containers shall be located in a single place on each premises, which place shall be easily accessible to the street or alley from which collections are made. Containers located inside buildings must be accessible to the collector. No containers shall be placed on the curb.

- (4) Garbage and trash containers shall not be located directly under downspout or eaves where they will be deluged with water during rain or storms.
- (5) Unless the owner of a dwelling provides adequate storage facilities, the occupants of each dwelling shall provide a sufficient number of garbage or trash containers to afford storage of one week's accumulation of garbage and trash. Where several families occupy the same unit, such as an apartment house, the owner of the unit may provide common storage facilities for the occupants in such units.

Sec. 12-37.

General Refuse Container and Storage Requirements - For Business and Industrial Establishments.

It shall be the duty of the owner, tenant, lessee or occupant of each business or industrial establishment to comply with the following provisions pertaining to the storage of refuse:

- (1) All garbage from such establishment shall be stored in metal cans meeting the requirements prescribed in Section 12-44 for dwellings.
- (2) All trash shall be stored in metal containers or other types of containers approved by the Mayor.
- (3) Trash containers shall be ratproof and shall have waterproof lids.
- (4) Garbage and trash containers, if located outside of buildings, shall not be located directly under downspout or eaves where they will be deluged by water during storms.
- (5) All empty cardboard boxes placed in trash containers must be flattened.

Sec. 12-38.

Maintenance, Repair and Replacement of Refuse Containers.

All refuse containers shall be kept in a clean and sanitary condition at all times, and shall be kept free of rodents, pests and stinging insects. Whenever a refuse container has deteriorated or has been damaged, and is no longer sanitary, rodentproof or capable of retaining its load, it shall be repaired or replaced by the owner. When the owner fails to repair or replace unsanitary containers after notice of this condition has been given by the Town, the owner shall be guilty of a misdemeanor.

Sec. 12-39.

Molesting or Unauthorized Opening of Refuse Containers.

No person shall molest refuse containers, and no person not duly authorized by the Town shall open such containers without the express permission of the owner.

Sec. 12-40.

Town's Exclusive Right to Collect and Remove Refuse.

The Town, through its duly authorized agents or employees in the sanitation department, shall have an exclusive right to collect, remove and haul refuse within the Town, and it shall be unlawful for any other person to collect, remove or haul refuse in the Town, except as otherwise provided.

Sec. 12-41.

Private or Contract Collection and Removal of Refuse.

(a) Authorization for private or contract refuse collection, removal and hauling may be issued on the basis of convenience and necessity, as determined by the Town council, and may be revoked by the Town council at any time it becomes evident that such collection, removal and hauling does not comply with the provisions of these ordinances.

(b) The collection and removal of refuse by private or contract haulers shall not relieve the owner or occupant of any premises or responsibility for complying with all the provisions of these ordinances regarding the storage of refuse or the payment of the minimum monthly service fee provided.

Sec. 12-42.

Charges for Collection and Removal of Refuse.

The owner or occupant of each premises shall pay fees monthly to the Town of Ft. Towson or the removal of refuse.

That said fees shall be set forth and regulations on file with the Town Clerk at the Town Hall, Ft. Towson, Oklahoma and shall be open for inspection at any time.

(a) As long as water service is connected to the premises and billings are rendered therefor, said charges shall accrue and it shall be conclusively presumed that the service provided for herein shall have been rendered by the Town. Payment of said charges shall be made at the same time and in the same manner as water bills are paid, and all rules and regulations governing the collection of water bills shall apply in every particular to the collection for bills for refuse service.

(b) Any person as defined in this ordinance, who violates any of the provisions of this ordinance or fails to provide a necessary garbage can or other receptacles

required, or who shall allow premises occupied to become unsanitary, or who shall in any manner violate any of the provisions of this ordinance, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined in any sum not to exceed one hundred dollars (\$100.00) for each offense. Failure to comply with any of the provisions of this ordinance shall be deemed a continuing offense; and each days continuance or failure to comply herein shall constitute a separate and distinct offense for each of the days.

- © Town of Ft. Towson is hereby granted authority to disconnect any water connections on any premises where the persons occupying said premises violates any of the provisions of this ordinance or fails to make payment of said water bill or refuse bill when statements are made and under the regulations set forth by the Town of Ft. Towson.

Sec. 12-43.

Burning of Refuse.

It shall be unlawful for any person to burn any refuse anywhere within the Town, without first obtaining a permit from the chief of the fire department. If a permit is granted, the burning shall be done in strict compliance with the directions given in connection with the granting of the permit. This section is hereby declared necessary for the proper protection of the property and health of the citizens of the Town, and violation of this section is hereby declared to be a public nuisance and unlawful.

Sec. 12-44.

Unlawful Scattering, Storing, Dumping, Etc.

(a) The scattering of refuse, the storage of refuse except in containers as provided for by these ordinances or the accumulation of refuse by reason of nonpayment of fees or charges for its removal, is hereby declared to be a public nuisance and unlawful.

(b) Under no circumstances shall refuse be dumped, swept, thrown or otherwise deposited or stored on any street or in any alley or on any lot, without being placed in proper containers as prescribed in these ordinances, nor shall waste material and debris from construction repair work, leaves, trees, or tree trimmings be dumped or stored on any street or in any alley.

© It shall be unlawful for any person to bury any refuse at any place within the Town or to transport any refuse upon any street within the Town, except as otherwise provided.

Sec. 12-45.

Removal of Dead Animals.

The bodies of dead animals within the Town shall be promptly removed. In case of small animals, such as dogs and cats, the Town shall remove the same. For larger animals, the owner shall pay the costs for removal of such animals. In case the owner of such animal is not known, the occupant or owner of the premises upon which the dead animal is found shall pay the charges for the removal, or if found upon any public street or park, the Town shall pay for the removal of such dead animal.

Sec. 12-46.

Removal of Waste Material and Construction Debris.

Waste material and the debris from the construction or repair of buildings, structures or dwellings shall be removed by the owner, tenant or contractor at his expense, and such waste material or debris shall not be stored in receptacles used for refuse collection.