



City of Anadarko – Anadarko Public Works Authority –

Anadarko Municipal Power Service

Code of Ordinances – Section 8 Utilities

Fall of 2017



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TITLE 8 – UTILITIES

Chapter 1. Municipal Utility Systems

Section 8-1-1. Utilities Provided Through Public Works Authority.

- A. Services Provided By City: The city provides electric, water, sewer and solid waste services for the residents of the city.
- B. Services Operated Through Public Works Authority: Electric, water, sewer and solid waste services are operated through the Anadarko public works authority, a municipal trust of which the city is the beneficiary. Said trust shall have control over the operation, maintenance and administration of said systems and services.

Section 8-1-2. Use of Water and Sewer Systems.

Whenever possible, every residential inhabitant within the corporate limits of the city, and every commercial or business entity or enterprise who may practically do so, shall secure all of its potable water requirements from the water system owned by the city and leased to the Anadarko public works authority, and connect to the sanitary sewer system owned by the city and leased to said authority, and not otherwise dispose of sewage, unless it is impossible or not feasible to do so.

Section 8-1-3. Operation of Utility Systems.

- A. Responsibility of Public Works Authority: The operations of the municipal electric, solid waste, water and sewer systems shall be the responsibility of the Anadarko public works authority. Said authority shall have the power to establish fees, rates, deposits, charges and such other rules and regulations as may be necessary for the efficient operation of these systems.
- B. Combining of Administrative Processes: Administrative processes for all systems may be combined with municipal operation for more efficient operation, at the discretion of the city council and the Anadarko public works authority board.
- C. Application of Ordinances: Ordinances relating to these municipal utility systems shall be applicable, whenever possible, to all municipal utility systems, including those operated by the Anadarko public works authority.

Section 8-1-4. Use of Utility Systems.

- A. Every resident within the corporate limits of the city, and every commercial or industrial establishment, shall utilize the municipal utility systems of the city, unless it is impossible to do so.
- B. Every customer is required to put up a deposit when making application for utility service. When applying for new utility services and an outstanding bill from a previous address exists; the entire amount due must be paid before the new application will be processed. A customer opting

for pre-paid electric service shall still be required to make a deposit for all other utility services that they may require.

- C. The Anadarko Public Works Authority may accept a letter of guarantee or intent to pay for a deposit from a legal government entity representing the federal, state, or tribal government who has a record in good standing in executing commitment in the letter of guarantee. Failure to meet the obligation under the agreement for letter of guarantee will terminate any further ability of the Authority to accept such arrangements from that particular entity, unless reinstated by the authority.
- D. Utility deposits will be applied against the customer's final utility bill. Customers discontinuing services with the Anadarko Public Works Authority must complete a service termination agreement and return it in person to the utility billing counter.
- E. Customers obtaining new, or transferred services, must provide the names and contact information for all persons responsible for the services. We may only discuss details of the account, including payment terms, disconnection notices, and extensions with those persons whose names are included on the account. A customer may authorize another individual or entity to have access to account information.

Section 8-1-5. Billing.

- A. All meters will be scheduled for reading during the first twenty working days of each month. Utility bills will be processed and mailed on the last working day of the month. Customers must inform the Anadarko Works Authority of any change in mailing address as we cannot be responsible for bills lost in the mail.
- B. Customers are billed for utility services utilized one month in arrears, as a result all payments are due on the 15th of the month following the receipt of services. If the 15th of the month falls on a holiday or weekend, payment will be due on the next working day. A 5% late payment penalty will be added to the amount of the bill if it remains unpaid after the due date.
- C. Acceptable forms of payment include: The Authority shall be authorized to accept cash, personal check Master Card, Visa, & Discover Card. Payments are also authorized to be accepted on the City website at <http://www.cityofanadarko.org/Home.aspx> under Online Bill Pay. The Authority also may draft a checking account, credit card, or a savings account. The Authority is authorized to implement interactive voice response payments through the phone system. The Anadarko Public Works Authority may accept a letter of guarantee or intent to pay for services from a legal government entity representing a local, federal, state, or tribal government who has a record in good standing in executing commitment in the letter of guarantee. The letter of guarantee from any approved entity shall be scheduled 15 days after being entered into with the Authority. No letter of guarantee will

be accepted after the 4:30 PM on the 20th of each month. Failure to meet the obligation under the agreement for letter of guarantee will terminate any further ability of the Authority to accept such arrangements from that particular entity.

- D. If the customer feels there has been an error made on their utility bill or otherwise questions or disputes the amount of the bill, the customer should discuss the situation with one of the Customer Service Representatives. If the customer does not feel satisfied after the discussion with the Customer Service Representative, the customer may discuss the problem with the Billing Supervisor, City Clerk, or Authority Manager.
- E. A customer may request a meter check for electric or water meters if the customer assumes the meter inaccurate. The minimum charge for testing shall be the actual cost of the authority and any additional fees required. This amount will be waived if the tests are out of Anadarko Public Works Authority's accuracy specifications (2%).

Section 8-1-6. Hours of Operation, Services, and Special Fees for Anadarko Municipal Power Service.

- A. The Anadarko municipal power service of the Anadarko public works authority, a public trust, Anadarko, Caddo County, Oklahoma, will accept payments until four thirty o'clock (4:30) P.M. daily rather than five o'clock (5:00) P.M., and
- B. The Anadarko municipal power service of the Anadarko public works authority, a public trust, Anadarko, Caddo County, Oklahoma, will accept service requests for installations, transfers of service, final cutoffs, and other customer service requests until three thirty o'clock (3:30) P.M. Requests made after three thirty o'clock (3:30) P.M. will be completed the next business day.
- C. The Anadarko municipal power service of the Anadarko public works authority, a public trust, Anadarko, Caddo County, Oklahoma, will not turn on a new service if the residents are not at home. A notice will be left at the residence advising that the second service request will need to be scheduled.
- D. The Anadarko municipal power service of the Anadarko public works authority, a public trust, Anadarko, Caddo County, Oklahoma, will charge a special fee of twenty five dollars (\$25.00) for all second request visits made during the business hours of eight o'clock (8:00) A.M. and three thirty o'clock (3:30) P.M.
- E. The Anadarko municipal power service of the Anadarko public works authority, a public trust, Anadarko, Caddo County, Oklahoma, will charge a special service fee of fifty dollars (\$50.00) if a utility meter is not accessible and cannot be read. A notice will be left at the residence advising the meter could not be accessed or read. The bill will be estimated for the current billing cycle and the fee will be assessed.

- F. The Anadarko municipal power service of the Anadarko public works authority, a public trust, Anadarko, Caddo County, Oklahoma, will charge a special service fee of seventy five dollars (\$75.00) for all service request visits made after the hours of three thirty o'clock (3:30) P.M.

Section 8-1-7. Anadarko Municipal Power Services (AMPS) Utility Average Monthly Payment – AMP Plan

- A. AMP payments for the next twelve (12) months will be based upon the average of your last twelve (12) monthly payments.
- B. If the AMP reserve account has an overpayment, 1/12th of the overage will be deducted from the monthly AMP payment for the next twelve (12) months. This will lower your monthly AMP payment amount for the next twelve (12) months.
- C. If the AMP reserve account has an underpayment in the AMP reserve account, 1/12th of the shortage will be added to the monthly AMP payment for the next twelve (12) months. This will increase your monthly AMP Payment amount for the next twelve (12) months.
- D. AMP Payment Calculation:
 - 1. AMP payments for the next twelve (12) months will be based upon the average of your last twelve (12) monthly payments.
 - 2. If the AMP reserve account has an overpayment, 1/12th of the overage will be deducted from the monthly AMP payment for the next twelve (12) months. This will lower your monthly AMP payment amount for the next twelve (12) months.
 - 3. If the AMP reserve account has an underpayment in the AMP reserve account, 1/12th of the shortage will be added to the monthly AMP payment for the next twelve (12) months. This will increase your monthly AMP Payment amount for the next twelve (12) months.
- E. To be accepted for the AMP Plan, a customer must have and agree to maintain the following:
 - 1. A satisfactory billing record, meaning no more than two (2) late payments within the previous twelve (12) months.
 - 2. Maintained residence of the current address for the past twelve (12) months.
 - 3. The account balance paid in full upon entering the AMP Plan.
 - 4. Agree to maintain a good payment record upon entering the program. Payments must be submitted to the Utility Billing Office no later than 4:30PM on the due date each month. Penalty charges are not computed into the billings of AMP Plan Consumers, thus they will not be permitted.

Section 8-1-8. Turning On Utilities.

- A. Permission Required; Payment Of Deposits And Charges: It shall be unlawful for any person to turn the utility on to any premises from any municipal utility system, without written permission of the city clerk. Utilities shall not be turned on until any and all deposits and charges have been paid. The city clerk shall see that the utility is turned on when all requirements for service have been complied with.
- B. Turning On After Turnoff By City: When a utility has been turned off by city personnel, it shall not be turned on again without written permission of the city clerk.
- C. All customers must apply in person for all services. No applications will be taken by phone, fax, or otherwise. If renting or leasing, you will be required to provide a copy of the rental agreement or lease arrangement. If you own your home you must provide proof of ownership. Customers will provide two items of identification (preferably driver's license and social security card), will sign a work order for service, and pay all deposits and fees. Service is generally connected within 24 hours.
- D. Commercial and Industrial Services -The business applying for service should send someone authorized to sign for the business. The customer must obtain a current business license, which can be purchased at the Utility Billing Office. The customer will then provide identification, sign work order for service, and pay all deposits and fees.
- E. Tribal Housing Authorities & Apartment Complexes, etc. can turn on full residential services, without a deposit, for up to 14 calendar days to allow for cleaning and remodeling. If after 12:00 pm at the end of the 14 days and the utilities are not disconnected by the appropriate person; the Anadarko Public Works Authority will disconnect services at 1:00 pm. Full services will be available unless there are extenuating circumstances for not having them.
- F. Real Estate Companies may turn on full residential services at a property that is for sale as long as needed in the Real Estate Company's name. The Real Estate Company must come into the office to initiate and/or disconnect such services and will be responsible for the utility bills until proper work orders are signed to discontinue services. Full services will be available unless there is extenuating circumstances for not having them.
- G. If an account is in a customer's name that has passed away, the utility services shall be put in the current occupant's name. Current occupant will need to provide a copy of the death certificate and rent receipt or ownership of property, photo identification, social security card or CDIB. Current occupant will have to make deposit in the amount of current meter deposit rates listed below except in the event the current occupant is the legal surviving spouse.

Section 8-1-9. Delinquent Utility Bills.

Payment of Charges Required: A person owing delinquent municipal utility bills or other charges in connection with any municipal utility system shall not be extended additional services until such bills and charges have been paid.

Section 8-1-10. Extension of Time for Late Payment.

- A. Utility Bill payments are due prior to the close of business on the due date, normally the 15th of each month, without penalty. All payments must be received and posted in our office before 4:30 pm on the due date, or the customer will be subject to a 5% late payment penalty. Online and IVR payments received after 4:30 pm will be posted on the next day's business and will be subject to the late payment penalty. Payments left in the night drop after 4:30 pm will be posted the next business day and will also be subject to penalty.
- B. If payment is not made on or before the due date, a Friendly Reminder will be printed and sent to the customer. Friendly Reminders will be printed no less than one workday after the due date. Services will be disconnected and subject to a Failure to Pay Fee plus the 5% penalty; if the full payment is not received prior to 4:30pm on the 20th of each month. If the total payment is not received in our office before 4:30 pm your account will be on the cut off list. A Failure to Pay Fee will be charged on all accounts appearing on the cut off list. A Failure to Pay Fee will be charged on all online payments paid after 4:30 pm.
- C. Requests for extensions must be made in person with no exception. The decision for granting the extension may also be based on credit history. Extensions are for current balances only, may be requested for extenuating circumstances on an individual basis only. The decision for granting the extension may also be based on credit history. Customer(s) who are deemed as a financial risk will be denied an extension. Approved payment plans will require the signature of the customer(s). Customer(s) who abuse the extension program will be denied any further extensions.
- D. The purpose of the payment extension plan is to provide temporary assistance to our valued customers who have encountered difficulties in fulfilling financial obligations on their full-service utility accounts. The definition of difficulty is not defined and circumstances make each situation unique. Therefore, our policy is to review all requests for extensions on a case by case basis. An extension is not a right or term of your utility agreement, but a mechanism for you to regain fiscal stability if approved. The maximum time limit for rendering of full obligations on a payment plan is 30 days from the original due date of the bill or the last day of the current month.
- E. Not all extensions will be approved as the City practices fiscal responsibility and cannot accept the likelihood to incur debt by providing services without recovering costs. No more than one extension may be requested within a quarter during the calendar year. At no time shall a

customer be allowed more than 4 extensions during a calendar year. Customers granted an extension will enter into a contract for payment as a term of granting the extension. No requests for extensions or letters of guarantee will be accepted after the 20th day of the month. Only one extension will be granted at a time. Customers will remain responsible for future balances due while engaged in a payment arrangement. If you have a current Extension, you are not eligible to request another one.

- F. If a customer is granted an extension they will be required to pay one half (1/2) of their current balance and pay the remaining balance on or before the last business day of the current month. Failure to meet terms of the agreement will result in termination of the extension agreement and no further extensions will be approved for a 12 month period. All amounts owed are immediately due and payable. At least 50% of your current bill must be paid in order for the extension to be approved and set up. The Authority manager may waive the 50% payment under extenuating circumstances.
- G. A customer with a letter of guarantee for a specific utility service must pay the balance of the remaining bill for those services not to be disconnected. No letter of guarantee will be accepted without the balance of the utility services being paid in full.
- H. Letters of guarantee from any agency are also extension agreements, therefore the customer receiving the guarantee for payment must execute and enter into a contract for payment. Letters of guarantee from state agencies, tribal authorities, or any other entities do not constitute payment, but may keep services from being disconnected. Letters of guarantee MUST be Letters of guarantee MUST be provided when the customer executes the Extension Agreement.
- I. The customer should bring in the letter of guarantee when they complete the agreement. Letters of intent MUST be presented in person, by fax, email, or mail in person to the billing office no later than 4:30pm on the 20th of each month, there will be no exceptions. Payment in full must be received on or before the arranged extension date or the last business day of the current month. Failure to meet this obligation will be cause to deny further extensions.

Section 8-1-11. Returned Check Policy.

- A. If a customer has at least two checks returned to us by your financial institution, a third check will not be accepted as payment. Future payments must be in cash, cashier's check, money order, or accepted credit cards in the utility billing office. You will be charged a fee of \$40.00 dollars for processing the returned check.
- B. If you have been notified of a pending disconnection and your financial institution returns your check for the delinquent payment, service will be disconnected. Notification of a returned check will be a door hangar placed on the customer's door by a utility serviceman, and payment must be

made within 48 hours of the notice. If not paid within 48 hours, your service will be disconnected.

Section 8-1-12. Service Discontinued; Service Disconnect for Non-Payment.

- A. Reasons for Discontinuance of Service: Utilities may be cut off and service discontinued for any of the following reasons:
 - 1. Violation of any provision (city ordinance or APWA resolution) relating to any utility or service system, or violation of any such provision or any provision of a code adopted by reference, relating to water and sanitary plumbing or electrical installations, as the case may be; or
 - 2. Failure to pay a utility bill or other proper charge made in connection with the utility system by the time specified by this code.
 - 3. Abuse Of Another System; Nuisance Condition: A particular service may be cut off for any act or omission in regard to the abuse of another system or service, which jeopardizes the public health or safety, creates a public nuisance, or interferes with the rights of others.
 - 4. Conservation of Water: The city reserves the right to cut off or reduce any utility or service to any customer when necessary to conserve water, to protect life or property, or to repair or improve the system.
- B. If the bill is not paid, along with all other charges, on or before the date shown on the Friendly Reminder, utility service will be scheduled for disconnection. Accounts with a letter of guarantee or approved extension agreements shall meet the deadline in the payment arrangement.
- C. The Friendly Reminder states full payment is required on the past due bill. Although partial payments are accepted, partial payments will not prevent utility services from being discontinued for nonpayment. A customer may be disconnected for any amount due after the date of the Friendly Reminder or extension.
- D. On days when disconnection's are to be made, the night deposit box will be checked for overnight payments at 8:00 a.m. If full payment has been made, the customer's name will be taken off the disconnect list before it is given to the utility serviceman. The customer will be charged a Failure to Pay fee. Once the list has been given to the serviceman, full payment of the past due balance and the failure to pay fee must be made, even if the customer comes in to pay before the service has been disconnected.
- E. The Anadarko Public Works Authority maintains a list of locations where life support systems may be in use. To be put on this list, the customer should furnish the Anadarko Public Works Authority with a letter from a licensed physician stating the necessity for the system. Being on this list gives the customer priority for having power restored

during an outage. However, being on this list will not keep the customer from being disconnected due to nonpayment of the bill.

- F. When the serviceman arrives at the location for which the disconnect order was issued, the serviceman is authorized and is required to disconnect the utility service. He is not authorized to contact the customer and he is not authorized to accept payment of the bill or to discuss a partial payment.
- G. If a customer has been disconnected for non-payment or disconnected (skip final) without proper notification an additional deposit may be required by the City Clerk (2 ½ times an average bill, RES. 87-7). If 2 ½ times the average bill is not figured/charged, a \$ 50.00 additional Meter Deposit will be assessed.
- H. If a customer has been disconnected for non-payment or disconnected (skip final) without proper notification still owing Anadarko Public Works Authority a final bill, regardless of the dollar amount, new or transferred services cannot be obtained by that person until the delinquent bill is paid.
- I. A customer with an outstanding balance can NOT put services in any other person (s) name to obtain utility services. The outstanding bill MUST be paid in full before utility services can be restored.
- J. Any property owner/landlord who owes a past due bill on any rental property shall not be able to have a renter install utilities at any rental property until all past due bills are paid in full on landlord/owner accounts.

Section 8-1-13. Reconnection of Service.

- A. Once a customer has been disconnected for nonpayment, the entire past due balance must be paid before utility services will be restored.
- B. In addition to all other charges, a Failure to Pay Fee must also be paid. Requests for reconnection may be completed between the hours of 8:00am - 3:30pm, Monday through Friday. The first time a customer is scheduled to be disconnected for nonpayment, they will be charged a Failure to Pay Fee of \$50.00. Each subsequent time a customer is scheduled for disconnection for nonpayment, they will be charged an incremental reconnection fee not to exceed \$ 100.00. The Fees will be applied as follows:

\$50.00 First Time Account is Scheduled for Failure to Pay

\$75.00 Second Time Account is Scheduled for Failure to Pay

\$100.00 Third Time Account is Scheduled for Failure to Pay

After a twelve month period of consecutive payments made on time, a customer's account

shall be treated as a first time failure to pay and the process starts anew.

Section 8-1-14. Collection of Amount Due by Another Party.

- A. All active customers should make all utility bill payments to the Anadarko Public Works Authority. After 90 days, former customers who have not paid their skip final or final bill at the Anadarko Public Works Authority shall have their account referred to a collection agency. At the time the account is referred to a collection agency, a collection fee equal to the amount of the collection agency's charge for collecting the account will be added to the customer's account. Most collection agencies charge a fee, which is a percentage of the amount collected, generally 40%.
- B. Payment for utility bills referred to a collection agency may be made to American Municipal Services (AMS), 3724 Old Denton, Carrollton, TX 75007 Toll Free Number 888-290-5660. CASH ONLY payments will be accepted at the Anadarko Public Works Authority located at 501 W. Virginia.

Section 8-1-15. Maintenance of Service Pipes; Wasting Water.

All customers using municipal utilities shall keep their service pipes and other apparatus in good repair and in proper operation, and shall not unnecessarily waste water nor contribute to unsanitary conditions.

Section 8-1-16. City Not Responsible for Utility Interruption.

The city shall not be responsible for any damages due to stoppage or interruption of any utility or service.

Section 8-1-17. Authority to Inspect Private Premises.

Personnel in the service of the city may enter any private premises served by municipal utilities at any reasonable time, and inspect the pipes, fixtures and/or wiring on the premises. (1988 Code § 16-194) Personnel entering the property of another sovereign entity shall attempt to notify the entity of the time and reason for the entrance.

Section 8-1-18. Tampering with Fire Hydrants; Damaging Utility System.

- A. Tampering with Fire Hydrants: It shall be unlawful for any person, unless duly authorized, to open, turn on or off, interfere with, attach any pipe or hose to, or connect anything with, any fire hydrant belonging to the city.
- B. Obstructing Access to Fire Hydrants: It shall be unlawful for any person to, in any manner, obstruct access to any fire hydrant by placing around or thereon brick, lumber, dirt or other thing.
- C. Damaging Utility System: It shall be unlawful for any person to damage, destroy or tamper with any pipes, lines, meters or other equipment or property which is a part of a municipal utility system.

Section 8-1-19. Service Availability Charge.

- A. Every utility customer who takes any utility service from the city of Anadarko shall pay a charge monthly for the availability of such service as follows:

	Electric	Water	Sewer
Residential Customer	\$10.00	\$13.50	\$10.00
Commercial Customer	\$20.00	\$22.00	\$20.00
Large Commercial Tax Exempt	\$100.00	\$100.00	\$100.00
Industrial or Agricultural	\$200.00	\$200.00	\$200.00

- B. The Anadarko Public Works Authority may adopt by resolution rules that govern a pre-paid electric meter service program as well as a fee and rate structure. The rules adopted and fee and rate structure shall be recognized as acceptable by industry standards. The rate and fee structure shall cover all necessary cost to administer the service including the cost of the operation, maintenance, meters and the software technology.
- C. A convenience fee of one dollar (\$1.00) will be charged for all payments remitted using a credit and/or debit card.

Section 8-1-20. Negotiated Rates.

An exception to fixed utility rates for one or more services shall be permitted for negotiations with large commercial and industrial customers based upon factors that include: the amount of economic activity generated in the community by those users, i.e., impact on utility systems; type and volume of services taken from the city; number and kind of jobs (local vs. commuter, etc.) created; taxes paid or generated; local purchasing; other local economic impacts, etc.

Section 8-1-21. Pass-Through Costs.

Each and every rate, fee, penalty, assessment, or other charge that is added to or included within invoices for excess payment for electric power, water, or any other commodity, service or product purchased by the APWA or the city from any source for resale shall be shown as a separate line item, and passed through on the monthly invoice or statement presented to customers for retail sales or service. Invoices, bills, or statements that include more than one such rate, fee, penalty, assessment or other charge from a single source may be consolidated and presented on the APWA or city statement to customers as a single line item.

Section 8-1-22. Disposition of Revenue from Pass-Through Costs.

- A. From and after the adoption date hereof fifty percent (50%) of all revenue accruing from the collection of pass-through costs shall be deposited into a utilities capital improvement account to be held and expended solely and exclusively for the purposes of retiring debt and for capital replacement of the utility systems and equipment of the Anadarko public works authority, and for no other purpose(s).

- B. New pass-through deposits into the utilities capital improvement account shall increase at the rate of twenty five percent (25%) on each successive anniversary billing date thereafter until the pass-through total amounts shall reach one hundred percent (100%).
- C. The balance of revenue accruing from the collection of pass-through costs shall be deposited into the general operating account of the APWA.
- D. Subsection A of this section shall not be amended or changed in any manner so long as the APWA shall be obligated for any outstanding bonds or other debt.

Section 8-1-23. Method for Review and Recalculation of Utility Rates.

- A. Rates, fees and charges for all utility services shall be based upon an analysis of the actual cost of services to the city for providing such services, to include operation, maintenance, replacement and contractual obligations.
- B. It is the purpose of this section to assure the recovery of costs from users of the city utility systems for sustaining and improving the services established herein.
- C. The beginning of the fiscal year and following the release of the Consumer Price Index, the City Manager shall review the current rates and fees on all utilities in consultation with the city clerk and the city auditors in order to adjust rates in order to meet the obligation of the Authority. The City Manager should adjust the water and sewer rates by (2) two percent or the consumer price index published by the U.S. Department of Labor for the Southwest Region, whichever is greater. The rate adjustment shall be effective October 1st of year subsequent year, beginning October 1, 2018.
- D. The Authority shall adjust the electrical rate based upon the contractual obligations plus the operational and maintenance cost of the Department. The Authority Manager shall provide the Authority with the necessary data and recommend to the Authority if an electrical rate adjustment is necessary. Rate adjustments shall take effect on October 1 of each year.
- E. The Authority may reject any rate adjustments by adopting a resolution by a majority before the October 1 effective date.

Section 8-1-24. Round-Up Program for Customers.

The Authority is authorized to adopt a Round-up program for customers. The purpose of the Round-up program will be to allow customers to round-up the amount due with the additional money deposited into a fund to help provide assistance to customers who meet a financial need as outline by the program. The Authority shall adopt rules by resolution that establishes the eligibility for assistance, the operation, and how an individual can contribute to the program.

Section 8-1-25. Penalty.

Every person who violates any provision of this title, or of any ordinance, code or standard adopted by this title, or maintains or permits to continue any situation defined by this title as unlawful, or makes any false statements, representation or certification in any application, record, report, plan or other document filed, or required to be filed or maintained pursuant to this title, or who knowingly tampers with, falsifies or renders inaccurate any monitoring device required under this title shall be guilty of an offense and, upon conviction thereof, shall be fined in any amount not to exceed the limits established in section 1-10-24 of this code. Every day upon which a violation continues shall be deemed a separate offense.

Chapter 2. Water System

Section 8-2-1. Water Connections.

It shall be unlawful for any person, firm or corporation to make a connection to the municipal water system without first complying with all applicable provisions of this code and all requirements of the Anadarko public works authority.

Section 8-2-2. Mandatory Use of Water System.

- A. Conditions For Connection; Time Limit: The owners of all houses, buildings or properties used for human occupancy, employment, education, recreation or other purposes, situated within the city, and abutting on any street, alley or right of way in which there is now located, or may in the future be located, a municipal water line, are hereby required, at their expense, to connect their facility with the proper city water line (in accordance with all city requirements) and pay all city fees and use charges therefor, within one hundred twenty (120) days after the date of official city notice to do so; provided, that the city water line is within three hundred feet (300') of the property line.
- B. Private Water Wells:
 1. It shall be hereinafter unlawful for any person to maintain or establish a private water well to serve a facility, unless he shall first be connected to the city water system and pay the monthly water fees and charges; provided, that he meets all the requirements for mandatory hookup established in subsection A of this section.
 2. Where a city water line does not lie within three hundred feet (300') of the property line in the near future (1 to 5 years), an individual may utilize or establish a private water well without connection to the municipal water system and, therefore, without payment of the municipal water system fees and charges.
- C. Application For Connection; Payment Of Fee: No unauthorized person shall make any connections with any city water line without first having made application therefor to the city clerk, and without first having paid the established fee.

- D. Exception; Rural Water District: The requirements of this section shall not apply to persons currently being served directly by an existing rural water district.

Section 8-2-3. Water Rates, Fees and Charges.

A. Rates Established:

Residential:

Minimum bill	\$13.50
Next 1,000 gallons	\$2.50 per 1,000 gal.
Next 1,000 gallons	\$2.65 per 1,000 gal.
Next 1,000 gallons	\$2.75 per 1,000 gal.
Next 1,000 gallons	\$3.00 per 1,000 gal.
Next 1,000 gallons	\$3.25 per 1,000 gal.
All over 4,999 gallons	\$3.30 per 1,000 gal.

Commercial:

Minimum bill	\$22.00
All over 999 gallons	\$2.75 per 1,000 gal.
3/4 inch tap	\$250.00
1 inch tap	\$300.00
2 inch tap	\$1,000.00

- B. Outside City Limits: In addition to the service availability charge, the water rates for the treated water customers outside the city limits shall be four dollars (\$4.00) per thousand gallons.
- C. Water Deposit: Deposits for water service for residential uses and any business or industrial use, shall be as established in section 8-5-9 of this title.
- D. Billing; Nonpayment; Charges For Reconnection:
 1. Water service payments shall be due on the fifteenth of the month following billing.
 2. Notices shall be sent and service disconnected if overdue amounts are not paid according to the cutoff notice.
 3. A fee of twenty five dollars (\$25.00) will be charged for reconnections, fifty dollars (\$50.00) if the reconnection must be made after normal working hours.
- E. Review And Recalculation: The method for annual review and recalculation of water service rates, fees and charges shall be the same procedure as is set out in section 8-1-16 of this title for the establishment of utility rates, fees and charges

- F. Bulk Water Rates Established For Treated Water/Potable Water: The rate of one and one-half cents (\$0.015) per gallon shall be billed to each customer that shall purchase treated/potable water.
- G. Bulk Water Rates Established For Raw Water: The rate of ten dollars (\$10.00) per one thousand (1,000) gallons shall be billed to each customer that shall purchase nonpotable/raw water.
- H. Billing; Nonpayment:
 - 1. Bulk water payments shall be due on the fifteenth of the month following billing.
 - 2. Late notices/statements shall be sent to any overdue account holders. A five percent (5%) penalty shall be assessed to any past due/overdue balance.

Section 8-2-4. Tampering With or Injuring Water System.

- A. Tampering Prohibited: It shall be unlawful for any person to injure or deface, or in any way tamper with, any portion of the municipal water system, or to turn the water off or on from any main at any time or place, unless he is duly authorized so to do by the Anadarko public works authority, or in the case of an emergency. (See also section 8-5-4 of this title.)
- B. Emergency Action: Any emergency action must be reported to the city manager no later than ten o'clock (10:00) A.M., on the first working day following the emergency action. Alteration of any water meter shall be deemed a separate offense.
- C. Alteration Of Water Meters Or System Elements: In addition to the payment of any fines and water service fees and charges due, any alteration of a water meter or water system element which results in damage to said elements, shall also be grounds for payment of costs related to said damages for replacement and repair.
- D. Payment Of Costs Before Service Resumed: Service shall not be resumed until all costs have been paid to the city.
- E. Replacement Cost Assigned: Any damage caused to a water meter or meter box as a result of an action or negligence of the property owner or utility holder will result in the repairs and/or replacement cost being charged back to the property/utility holder. Actions shall include, but are not limited to, directly or indirectly permitting a person to park a vehicle on the meter box, attempting to alter the meter, damage by machinery or equipment, and wilful destruction. The property owner will be billed the replacement cost plus labor on their utility account. Second offense may result in the suspension of services plus the cost of replacement.

Section 8-2-5. Penalty.

See section 8-1-17 of this title for penalty provisions applicable to this chapter.

Chapter 3. Sewer System

Section 8-3-1. Use of Sewer System.

It shall be unlawful for any person, firm or corporation to make any connection to the municipal sewer system without first complying with all applicable provisions of this code and all requirements of the Anadarko public works authority.

Section 8-3-2. Mandatory Sewer Connections.

- A. Conditions For Connection; Time Limit: The owners of all houses, buildings or property used for human occupancy, employment, recreation or other purposes, situated within the corporate limits of the city, and abutting on any street, alley or right of way in which there is located a public sanitary sewer of the city are hereby required, at their own expense, to install suitable toilet facilities therein, and to have such facilities connected directly with the proper public sewer within one hundred twenty (120) days after the date of official city notice to do so; provided, that such public sewer is within three hundred feet (300') of the property line.
- B. Serving Or Posting Of Notice: Said notice, as provided for in subsection A of this section, shall be served by any designated agent of the city by delivering a true and correct copy to the property owner, or leaving the same at his usual place of residence with a member of his family over the age of fifteen (15) years, or if such owner cannot be found, by posting a copy of such notice at the front entrance of the building involved.
- C. Failure To Comply; Discontinuance Of Water Service: Any person who shall fail, neglect or refuse to comply with the terms of this section, after having been notified so to do as provided herein, shall be guilty of an offense. In the event of a continuous violation of this section by any property owner, the city may discontinue the furnishing of water to such property owner, until such time as a proper sewer connection has been made.

Section 8-3-3. Method for Establishing Sewer Utility Rates.

- A. Rates Established: In addition to the service availability charge set out in section 8-1-12 of this title, the rate of one dollar fifty cents (\$1.50) per thousand gallons of metered water, or of estimated non-metered water used shall be billed to each single-family dwelling unit for sewer service, whether or not located in a multi-family structure, and to each separate commercial or industrial facility served. All new sewer taps one hundred dollars (\$100.00). A yearly septic tank trunk dumping permit fee will be two hundred fifty dollars (\$250.00) and the charge for dumping into the city system will be fifty dollars (\$50.00) per one thousand (1,000) gallons. (Ord. 1245, 10-21-2015)
- B. Outside City Limits: In addition to the service availability charge set out in section 8-1-12 of this

title, the rate of four dollars (\$4.00) per thousand gallons of metered water, or of estimated nonmetered water used shall be billed to each single-family dwelling unit for sewer service, whether or not located in a multi-family structure, and to each separate commercial or industrial facility served.

- C. Sewer Deposit: Deposits for sewer service for residential uses and any business or industrial use, shall be as established in section 8-5-9 of this title.
- D. Billing; Nonpayment; Charges For Reconnection:
 - 1. Sewer service payments shall be due on the fifteenth of the month following billing.
 - 2. Notices shall be sent and service disconnected if overdue amounts are not paid according to the cutoff notice.
 - 3. A fee of twenty five dollars (\$25.00) will be charged for reconnections, fifty dollars (\$50.00) if the reconnection must be made after normal working hours.
- E. Review And Recalculation: The method for annual review and recalculation of sewer service rates, fees and charges shall be the same procedure as is set out in section 8-1-16 of this title for the establishment of utility rates, fees and charges.

Section 8-3-4. Private Sewage Disposal Facilities.

- A. Compliance With Section: Except as hereinafter provided in this section, it shall be unlawful for any person to construct or maintain any privy, privy vault, septic tank, cesspool or other facility intended to be used for the disposal of sewage, within the corporate limits of the city.
- B. Construction Regulations: Where a connection to a public sanitary sewer line is not required under the provisions of section 8-3-2 of this chapter, a private septic tank for sewage disposal may be constructed and maintained, provided it is constructed and maintained under the rules and regulations of the local and county health officer, and in compliance with the recommendations and requirements of the Oklahoma state department of health. No septic tank shall be permitted to discharge to any public sewer or natural outlet.
- C. Operation In Sanitary Manner: The owners of private septic tanks shall operate and maintain the same in a sanitary manner at all times, at no expense to the city, and no statement contained in this chapter shall be construed to interfere with any additional requirements that may be imposed by the local, county or state health officers.
- D. Connection To Public Sewer When Available: At such times as a public sewer becomes available to a property served by a septic tank, a direct connection shall be made to such public sewer in compliance with section 8-3-2 of this chapter, and the septic tank shall immediately be abandoned and filled with suitable material.

Section 8-3-5. Grease, Oil and Sand Interceptors.

A. Installation Required; Exception:

- 1. A grease interceptor shall be installed in the waste line leading from sinks, drains or other fixtures in restaurants, hotel kitchens, cafeterias and food processing establishments, and in any bar, lounge, private club or fountain where food is prepared or served, or where dishes, glasses, pots, pans or other kitchenwares are washed, or any other establishment where grease or broken glass can be introduced into the drainage system in quantities that can affect line stoppage or hinder sewage disposal. Grease, oil and sand interceptors are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand or other ingredients harmful to the building's drainage system, the public sewer or sewage treatment plant process.
- 2. Interceptors shall not be required for private living quarters or residential dwelling units.

B. Maintenance And Operation; Inspection: All interceptors shall be of a type and capacity as defined in the city's current adopted plumbing code and shall be approved by the city building inspector. All interceptors shall be located so as to be readily and easily accessible for cleaning and inspection. Such interceptors shall be properly inspected following construction, by the city building inspector, and shall be maintained by the owner, at his expense, in continuously efficient operation at all times.

C. Avoiding Hazardous Conditions: An oil separator shall be installed in the drainage system of any establishment where, in the judgment of the city building inspector, a hazard exists or where oils or other flammables can be introduced or admitted into the public sewer by accident or otherwise.

D. Certain Business Establishments:

- 1. All garages, filling stations and car washes having carwash racks or facilities shall install combination grit and grease interceptors.
- 2. All commercial laundries shall be equipped with an interceptor having a removable wire basket or similar device that will prevent strings, rags, buttons or other materials detrimental to the public sewage system from passing into the drainage system.
- 3. Bottling plants shall discharge all process wastes into an interceptor which will provide for the separation of broken glass or other solids, before discharging liquid wastes into the drainage system.
- 4. Slaughterhouses shall equip all slaughtering room drains with a separator which shall prevent the discharge of feathers, entrails

and other material likely to clog the drainage system.

- E. Time Limit For Installation: All existing establishments listed in sub-section A of this section shall have ninety (90) days from the effective date hereof to install an improved interceptor or separator. Establishments covered under subsection C of this section will be handled on a case by case basis to determine whether an oil separator is required. All establishments covered under subsection A of this section, constructed henceforth, shall include an approved interceptor.
- F. Right Of Entry For Inspections: The city building inspector, utilities superintendent or city manager shall have the right of entry during usual business hours, to conduct an inspection of an interceptor or separator.
- G. Violation; Penalty:
1. Notice; Cease Violation: Any person found to be in violation of this section shall be served with a written notice stating the violation and provided forty eight (48) hours for the satisfactory correction thereof. In the event an establishment is cited with a second violation within one year from the first violation, the city of Anadarko will immediately discontinue water service to the establishment for a period of not less than ten (10) days during which time the offender shall correct the violation and will be fined no less than the amount stated in section 8-1-17 of this title. After the first violation, the city of Anadarko will require maintenance logs. These logs will be required, but not limited, to contain the date, time, company, and initials of company's service person cleaning the interceptor. During the one year probation period, the city of Anadarko can and will have permission of person(s) in violation to inspect property at any time for proper maintenance of a grease interceptor.
 2. Continued Violation; Fine: Any person who shall continue any violation beyond the time limit provided for in subsection G1 of this section, and upon conviction thereof, shall be fined in an amount not exceeding the limits established in section 1-10-24 of this code for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.

Section 8-3-6. Penalty.

Unless otherwise provided, section 8-1-17 of this title shall be applicable to persons violating this chapter.

Chapter 4. Industrial Wastes

Section 8-4-1. Definitions.

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

The following abbreviations shall have these designated meanings:

BOD	Biochemical oxygen demand
CFR	Code of federal regulations
COD	Chemical oxygen demand
EPA	Environmental protection agency
L	Liter
mg	Milligrams
mg/L	Milligrams per liter
NPDES system	National pollutant discharge elimination
POTW	Publicly owned treatment works
SIC	Standard industrial classification
SWDA et seq.	Solid waste disposal act, 42 USC 6901
USC	United States Code
TSS	Total suspended solids

ACT OR THE ACT: The federal water pollution control act, also known as the clean water act, as amended, 33 USC 1251 et seq.

APPROVAL AUTHORITY: The director in an NPDES state with an approved state pretreatment program and the administrator of the EPA in a non-NPDES state or NPDES state without an approved state pretreatment program.

AUTHORIZED REPRESENTATIVE OF INDUSTRIAL USER: This term may be:

- A. A principal executive officer of at least the level of vice president, if the industrial user is a corporation;
- B. A general partner or proprietor if the industrial user is a partnership or proprietorship, respectively;
- C. A duly authorized representative of the individual designated above if such representative is responsible for the overall operation of the facilities from which the indirect discharge originates.

BIOCHEMICAL OXYGEN DEMAND (BOD): The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure, five (5) days at twenty degrees centigrade (20°C), expressed in terms of weight and concentration (milligrams per liter [mg/l]).

BUILDING SEWER: A sewer conveying wastewater from the premises of a user to the POTW (see definition of Publicly Owned Treatment Works [POTW]).

CATEGORICAL STANDARDS: The national categorical pretreatment standard or standards.

CITY: The city of Anadarko, Oklahoma, or the city council of Anadarko, Oklahoma.

CONTROL AUTHORITY: Shall refer to the "approval authority", defined hereinabove, or the superintendent if the city has an approved pretreatment program under the provisions of 40 CFR 403.11.

COOLING WATER: The water discharged from any use such as air conditioning, cooling or refrigeration, or to which the only pollutant added is heat.

DIRECT DISCHARGE: The discharge of treated or untreated waste- water directly to the waters of the state of Oklahoma.

ENVIRONMENTAL PROTECTION AGENCY (EPA): The U.S. environmental protection agency, or, where appropriate, the term may also be used as a designation for the administrator or other duly authorized official of said agency.

GRAB SAMPLE: A sample which is taken from a waste stream on a one time basis with no regard to the flow in the waste stream and without consideration of time.

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

INDIRECT DISCHARGE: The discharge or the introduction of non- domestic pollutants from any source regulated under section 307(b) or (c) of the act, (33 USC 1317), into the POTW (including holding tank waste discharged into the system).

INDUSTRIAL USER: A source of indirect discharge which does not constitute a "discharge of pollutants" under regulations issued pursuant to section 402 of the act (33 USC 1342).

INTERFERENCE: The inhibition or disruption of the POTW treatment processes or operations, which contributes to a violation of any requirement of the city NPDES permit. The word includes prevention of sewage sludge use or disposal by the POTW in accordance with section 405 of the act, {33 USC 1345} or any criteria, guidelines or regulations developed pursuant to the solid waste disposal act {SWDA}, the clean air act, the toxic substances control act or more stringent state criteria {including those contained in any state sludge management plan prepared pursuant to title IV of SWDA} applicable to the method of disposal or use employed by the POTW.

NATIONAL CATEGORICAL PRETREATMENT STANDARD: Any regulation containing pollutant discharge limits promulgated by the EPA in accordance with section 307(b) and (c) of the act {33 USC 1347} which applies to a specific category of industrial users.

NATIONAL POLLU- TION DISCHARGE ELIMINATION SYSTEM OR NPDES PERMIT: A permit issued pursuant to section 402 of the act (33 USC 1342).

NATIONAL PROHIBITIVE DISCHARGE STANDARD: Any regulation developed under the authority of section 307(b) of the act and 40 CFR, section 403.5.

NEW SOURCE: Any source, the construction of which is commenced after the publication of proposed regulations prescribing a section 307(c) (33 USC 1317) categorical pretreatment standard which will be applicable to such source, if such standard is thereafter promulgated within one hundred twenty (120) days of proposal in the federal register. Where the standard is promulgated later than one hundred twenty (120) days after proposal, a "new source" means any source, the construction of which is commenced after the date of promulgation of the standard.

pH: The logarithm (base 10) of the reciprocal of the concentration of hydrogen ions, expressed in grams per liter of solution.

POTW TREATMENT PLANT: That portion of the POTW designed to provide treatment to wastewater.

PERSON: Any individual, partnership, copartnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity or any other legal entity, or their legal representatives, agents or assigns. The masculine gender shall include the feminine, and the singular shall include the plural where indicated by the context.

POLLUTANT: Any dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt and industrial, municipal and agricultural waste discharged into water.

POLLUTION: The manmade or man induced alteration of the chemical, physical, biological and radiological integrity of water.

PRETREATMENT OR TREATMENT: The reduction of the amount of pollutants, the elimination of- pollutants, the alteration of the nature of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of, discharging or otherwise introducing such pollutants into a POTW. The reduction or alteration can be obtained by physical, chemical or biological processes, or process changes of other means, except as prohibited by 40 CFR, section 403.5(d).

PRETREATMENT REQUIREMENTS: Any substantive or procedural requirement related to pretreatment, other than a national pretreatment standard imposed on an industrial user.

PUBLICLY OWNED TREATMENT WORKS (POTW): A treatment works as defined by section 212 of the act (33 USC 1292), which is owned, in this instance, by the city. This definition includes any sewers that convey wastewater to the POTW treatment plant, but does not include pipes, sewers or other conveyances not connected to a facility providing treatment. For the purposes of this chapter, "POTW" shall also include any sewers that convey wastewaters to the POTW from persons outside the city of Anadarko, Oklahoma, who are, by contract or agreement with the city, users of the city POTW.

SHALL AND MAY: The word "shall" is mandatory; "may" is permissive.

SIGNIFICANT INDUSTRIAL USER: Any industrial user of the city wastewater disposal system who: a) has a discharge flow of twenty five thousand (25,000) gallons or more per average work day; or b) has a flow greater than five percent (5%) of the flow in the city wastewater treatment system; or c) has in its wastes, toxic pollutants as defined pursuant to section 307 of the act or Oklahoma Statutes and rules; or d) is found by the city, the Oklahoma department of pollution control, or the U.S. environmental protection agency (EPA) to have significant impact, either singly or in combination with other contributing industries, on the wastewater treatment system, the quality of sludge, the system's effluent quality, or air emissions generated by the system.

STATE: The state of Oklahoma.

STANDARD INDUSTRIAL CLASSIFICATION (SIC): A classification pursuant to the standard industrial classification manual, issued by the executive office of the president, office of management and budget.

STORM WATER: Any flow occurring during, or following, any form of natural precipitation and resulting therefrom.

SUSPENDED SOLIDS: The total suspended matter that floats on the surface of, or is suspended in, water, wastewater or other liquids, and which is removable by laboratory filtering.

TOXIC POLLUTANT: Any pollutant or combination of pollutants listed as toxic in regulations promulgated by the administrator of the environmental protection agency under the provisions of section 307(a) of the act or other acts.

USER: Any person who contributes, causes or permits the contribution of wastewater into the city POTW.

WASTEWATER: The liquid and water carried industrial or domestic wastes from dwellings, commercial buildings, industrial facilities and institutions, together with any ground water, surface water and storm water that may be present, whether treated or untreated which is contributed into or permitted to enter the POTW.

WASTEWATER CONTRIBUTION PERMIT: A permit as set forth in this chapter.

WATERS OF THE STATE: All streams, lakes, ponds, marshes, water- courses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the state or any portion thereof.

Section 8-4-2. New Sewers and Connections.

- A. **Connection; Compliance With Building Code:** The connection of the building sewer into the public sewer shall conform to the requirements of the building code adopted by, and the other applicable rules and regulations of, the city.
- B. **Design And Construction; Compliance With State Regulations:** All new sanitary sewage

works shall be designed and constructed in accordance with the requirements of the Oklahoma state department of health regulations.

Section 8-4-3. Cost Recovery; Types of Fees Imposed.

- A. **Cost Recovery:** It is the purpose of this section to provide for the recovery of costs from users of the city wastewater disposal system for the implementation of the program established herein. The applicable charges or fees shall be set forth in the city schedule of charges and fees.
- B. **Types Of Fees City May Adopt:** The city may adopt charges and fees which may include:
 - 1. Fees for reimbursement of the costs of setting up and operating the city pretreatment program;
 - 2. Fees for monitoring, inspections and surveillance procedures;
 - 3. Fees for reviewing accidental discharge procedures and construction;
 - 4. Fees for permit applications;
 - 5. Fees for filing appeals;
 - 6. Fees for consistent removal (by the city) of pollutants otherwise subject to federal pretreatment standards;
 - 7. Such other fees as the city may deem necessary to carry out the requirements contained herein.
- C. **Fees Separate From Other Charges:** These fees relate solely to the matters covered by this chapter and are separate from all other fees chargeable by the city.

Section 8-4-4. Method for Review and Recalculation of Industrial Sewer Utility Rates.

The method for annual review and recalculation of industrial sewer service rates, fees and charges shall be the same procedure as is set out in section 8-1-16 of this title for the establishment of utility rates, fees and charges.

Section 8-4-5. Review and Revision of Charges; Periodic Notification.

- A. **Review And Revision:** The user charge provisions of this chapter shall be reviewed not less often than every year regarding the wastewater contribution of users and user classes, the total costs of the operation and maintenance of the treatment works, and its approved user charge system. The charges for users or user classes shall be revised to accomplish the following:
 - 1. Maintain the proportionate distribution of operation and maintenance costs among users and user classes;
 - 2. Generate sufficient revenue to pay the total operation and maintenance costs necessary

- to the proper operation (including replacement) of the treatment works; and
3. Apply excess revenues collected from a class of users to the costs of operation and maintenance attributable to that class for the next year, and the rates shall be adjusted accordingly.

- B. Notification Of Charges: Each user shall be notified at least annually, in conjunction with the regular bill, of the sewer use rate and the portion of the user charges which are attributable to wastewater treatment services. Costs shall be broken down to show the operation and maintenance costs attributable to that user.

Section 8-4-6. Record Keeping System.

A record keeping system shall be established and maintained by the city clerk to document compliance with federal regulations pertaining to the user charge provisions of this chapter.

Section 8-4-7. Billing Procedure.

- A. Time And Manner Of Billing: Users will be billed on a monthly basis with payment due fifteen (15) days after the date of billing. Users on metered water service will be billed on the same notice as water charges and will be designated as a separate entry. Users of the wastewater system not on metered water service will be billed monthly on an individual notice for wastewater service at the rate established by the city clerk.
- B. Notice Regarding Delinquent Accounts: Users with delinquent accounts of thirty (30) days will be notified in writing by the city clerk that water and/or wastewater services will be terminated unless the account is paid in full.
- C. Assistance From Law Enforcement Agency: The city clerk will utilize the law enforcement agency to assist as required in the control and management of the user charge system.

Section 8-4-8. General Discharge Prohibitions.

- A. Prohibited Discharges: No person may discharge to public sewers any waste which by itself or by interaction with other wastes:
1. Injures or interferes with wastewater treatment processes or facilities;
 2. Constitutes a hazard to humans or animals;
 3. Creates a hazard in receiving waters of the wastewater treatment plant effluent; or
 4. Allows BOD or SS concentration to exceed four hundred (400) mg/l.
- B. Inflow Sources: Any new connections from inflow sources into the sanitary sewer portions of the sewer shall be prohibited.

- C. Endangering Public Safety: It is the intention of the city to regulate present and future industrial wastewater which might be discharged by a user of the facilities. Wastewater introduced into the facilities shall contain no toxins or other pollutants in amount or concentration that endanger public safety or the physical integrity of the treatment works, or cause violation of effluent or water quality limitations, or preclude the use of the most cost-effective wastewater treatment and sludge disposal system.

Section 8-4-9. Prohibited Substances Enumerated.

- A. Prohibited Substances: No user shall contribute or cause to be contributed, directly or indirectly, any pollutant or wastewater which will interfere with the operation or performance of the POTW. These general prohibitions apply to all such users of a POTW whether or not the user is subject to national categorical pretreatment standards or any other national, state or local pretreatment standards or requirements. A user may not contribute the following substances to any POTW:
1. Any liquids, solids or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any other way to the POTW or to the operation of the POTW. At no time, shall two (2) successive readings on an explosion hazard meter, at the point of discharge into the system (or at any point in the system), be more than five percent (5%) nor any single reading over ten percent (10%) of the lower explosive limit (LEL) of the meter. Prohibited materials include, but are not limited to: gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides and sulfides and any other substances which the city, the state or EPA has notified the user is a fire hazard or a hazard to the system.
 2. Solid or viscous substances which may cause obstruction to the flow in a sewer or other interference with the operation of the wastewater treatment facilities such as, but not limited to: grease, garbage with particles greater than one-half inch (1/2") in any dimension, animal guts or tissues, paunch, manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastics, gas, tar, asphalt residues, residues from refining, or processing of fuel or lubricating oil, mud or glass grinding or polishing wastes.
 3. Any wastewater having a pH less than 5.0, unless the POTW is specifically designed to accommodate such wastewater, or wastewater having any other corrosive property capable of causing damage or

hazard to structures, equipment and/or personnel of the POTW.

4. Any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction with other pollutants, to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, create a toxic effect in the receiving waters of the POTW, or to exceed the limitation set forth in a categorical pretreatment standard. A toxic pollutant shall include, but not be limited to, any pollutant identified pursuant to section 307(a) of the act.
5. Any noxious or malodorous liquids, gases or solids which, either singly or by interaction with other wastes, are sufficient to create a public nuisance or hazard to life or are sufficient to prevent entry into the sewers for maintenance and repair.
6. Any substance which may cause the POTW's effluent or any other product of the POTW such as residues, sludges or scums, to be unsuitable for reclamation and re-use or to interfere with the reclamation process. In no case shall a substance discharged to the POTW cause the POTW to be in noncompliance with sludge use or disposal criteria, guidelines or regulations developed under section 405 of the act, any criteria, guidelines, or regulations affecting sludge use or disposal developed pursuant to the solid waste disposal act, the clean air act, the toxic substances control act, or state criteria applicable to the sludge management method being used.
7. Any substance which will cause the POTW to violate its NPDES and/or state disposal system permit or the receiving water quality standards.
8. Any wastewater with objectionable color not removed in the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions.
9. Any wastewater having a temperature which will inhibit biological activity in the POTW treatment plant resulting in interference, but in no case wastewater with a temperature at the introduction into the POTW which exceeds forty degrees centigrade (40°C) (104°F), unless the POTW treatment plant is designed to accommodate such temperature.
10. Any pollutants, including oxygen demanding pollutants (BOD, etc.) released at a flow rate and/or pollutant concentration which a user knows or has reason to know will cause interference to the POTW. In no case shall a slug load have a flow rate or contain concentration or quantities of pollutants that exceed, for any time period longer than fifteen (15) minutes, more than five (5) times the average twenty four (24) hour

concentration, quantities or flow during normal operation;

11. Any wastewater containing 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.

B. Hazardous Conditions; Nuisance: When the superintendent determines that a user is contributing to the POTW any of the substances enumerated in subsection A of this section in such amounts as to interfere with the operation of the POTW, the superintendent shall:

1. Advise the user of the impact of the contribution on the POTW; and
2. Develop effluent limitation(s) for such user to correct the interference with the POTW.

Section 8-4-10. Federal Categorical Pretreatment Standards.

- A. Federal Standards Supersede Local Regulations: Upon the promulgation of the federal categorical pretreatment standards for a particular industrial subcategory, the federal standard, if more stringent than limitations imposed under this chapter for sources in that subcategory, shall immediately supersede the limitations imposed under this chapter. The superintendent shall notify all affected users of the applicable reporting requirements under 40 CFR, section 403.12.
- B. Modification Of Standards: Where the city wastewater treatment system achieves consistent removal of pollutants limited by federal pretreatment standards, the city may apply to the approval authority for modification of specific limits in the federal pretreatment standards. "Consistent removal" shall mean reduction in the amount of a pollutant or alteration of the nature of the pollutant by the wastewater treatment system to a less toxic or harmless state in the effluent which is achieved by ninety five percent (95%) of the samples taken when measured according to the procedures set forth in section 403.7(c) (2) of title 40 of the code of federal regulations, part 403, "General Pretreatment Regulations for Existing and New Sources of Pollution" promulgated pursuant to the act. The city may then modify pollutant discharge limits in the federal pretreatment standards if the requirements contained in 40 CFR part 403, section 403.7, are fulfilled and prior approval from the approval authority is obtained.

Section 8-4-11. Specific Pollutant Limitations.

- A. Limitations Established: No user shall discharge wastewater into the city wastewater treatment system such that the influent to the treatment system exceeds the following:

0.05 mg/l arsenic

0.02	mg/l cadmium
0.20	mg/l copper
0.05	mg/l cyanide 0.10 mg/l lead
0.005	mg/l mercury
1.0	mg/l nickel
0.1	mg/l silver
0.50	mg/l total chromium
2.0	mg/l zinc
1.0	mg/l phenol

- B. Assigning Of Limits: Users discharging wastewaters in excess of the above limits may be assigned specific limits by the superintendent to ensure that the treatment system influent limits are not exceeded.

Section 8-4-12. State Requirements; City Right of Revision.

- A. Cases Where State Requirements Apply: State requirements and limitations on discharges shall apply in any case where they are more stringent than federal requirements and limitations or those in this chapter.
- B. City Right Of Revision: The city reserves the right to establish by ordinance more stringent limitations or requirements on discharges to the wastewater disposal system if deemed necessary to comply with the objectives presented in section 8-4-8 of this chapter.

Section 8-4-13. Excessive Discharge.

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 the limitations contained in the federal categorical pretreatment standards, or in any other pollutant specific limitation developed by the city or state. (Dilution may be an acceptable means of complying with some of the prohibitions set forth in this chapter; e.g., the pH prohibition.)

Section 8-4-14. Accidental Discharges.

- A. Protection By User Required:

1. Each industrial user shall provide protection from accidental discharge of prohibited materials or other substances regulated by this chapter. Facilities to prevent accidental discharge or prohibited materials shall be provided and maintained at the owner's or industrial user's own cost and expense.
2. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the city for review, when required; and shall be approved by the city before construction of the facility.

All existing industrial users shall complete such a plan when required by the permit compliance schedule.

3. No industrial user who commences contribution to the POTW after the effective date of this chapter shall be permitted to introduce pollutants into the system until accidental discharge procedures have been approved by the city. Review and approval of such plans and operating procedures shall not relieve the industrial user from the responsibility to modify the user's facility as necessary to meet the requirements of this chapter.
4. In the case of an accidental discharge, it is the responsibility of the industrial user to immediately telephone and notify the POTW of the incident. The notification shall include location of discharge, type of waste, concentration and volume, and corrective actions.

- B. Notify City Of Accidental Discharge: Within five (5) days following an accidental discharge, the user shall submit to the superintendent a detailed written report describing the cause of the discharge and the measures to be taken by the industrial user to prevent similar future occurrences. Such notification shall not relieve the industrial user of any expense, loss, damage or other liability which may be incurred as a result of damage to the POTW, fish kills, or any other damage to person or property; nor shall such notification relieve the industrial user of any fines, civil penalties or other liability which may be imposed by this chapter or other applicable law.
- C. Employees To Be Advised Of Procedure: A notice shall be permanently posted on the industrial user's bulletin board or other prominent place advising employees whom to call in the event of a dangerous discharge. Employers shall ensure that all employees who may cause or suffer such a dangerous discharge are advised of the emergency notification procedure.

Section 8-4-15. Wastewater Discharges.

It shall be unlawful to discharge without a city permit to any natural outlet within the city, or in any area under the jurisdiction of the city, and/or to the POTW, any wastewater except as authorized by the superintendent in accordance with the provisions of this chapter.

Section 8-4-16. Wastewater Contribution Permits.

- A. Permit Required: All significant users proposing to connect to, or to contribute to, the POTW shall obtain a wastewater discharge permit before connecting to, or contributing to, the POTW. All existing significant users connected to, or contributing to, the POTW shall obtain a wastewater contribution permit within one hundred eighty (180) days after the effective date of this chapter.
- B. Application; Required Information: Users required to obtain a wastewater contribution permit shall

complete and file with the city an application in the form prescribed by the city; and accompanied by a fee as established by resolution of the city council. Existing users shall apply for a wastewater contribution permit within thirty (30) days after the effective date of this chapter, and proposed new users shall apply at least ninety (90) days prior to connecting to, or contributing to, the POTW. In support of the application, the user shall submit, in units and terms appropriate for evaluation, the following information:

1. Name, address and location (if different from the address).
2. SIC number according to the standard industrial classification manual, bureau of the budget, 1972, as amended.
3. Wastewater constituents and characteristics, including, but not limited to, those mentioned in this chapter, as determined by a reliable analytical laboratory. Sampling and analysis shall be performed in accordance with procedures established by the EPA pursuant to section 304(g) of the act and contained in 40 CFR, part 136, as amended.
4. Time and duration of contribution.
5. Average daily and three (3) minute peak wastewater flow rates, including daily, monthly and seasonal variations, if any.
6. Site plans, floor plans, mechanical and plumbing plans and details to show all sewers, sewer connections and appurtenances by the size, location and elevation.
7. Description of activities, facilities and plant processes on the premises, including all materials which are or could be discharged.
8. Where known, the nature and concentration of any pollutants in the discharge which are limited by any city, state or federal pretreatment standards, and a statement regarding whether or not the 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 for the user to meet applicable pretreatment standards.
9. 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. The completion date in this schedule shall not be later than the compliance date established for the applicable pretreatment standard.
10. Each product produced by type, amount, process or processes and rate of production.
11. Type and amount of raw materials processed (average and maximum per day).

12. Number and type of employees, and hours of operation of plant and proposed or actual hours of operation of pretreatment system.

13. Any other information as may be deemed by the city to be necessary to evaluate the permit application.

C. Schedule; Increments Of Progress: The following conditions shall apply to this schedule:

1. The schedule shall contain increments of progress 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 (e.g., hiring an engineer, completing preliminary plans, completing final plans, executing contract for major components, commencing construction, completing construction, etc.).
2. No increment referred to in subsection C1 of this section shall exceed nine (9) months.
3. Not later than fourteen (14) days following each date in the schedule and the final date for compliance, the user shall submit a progress report to the superintendent including, as a minimum, whether or not it complied with the increment of progress to be met on such date, and if not, the date on which it expects to comply with this increment of progress, the reason for delay, and the steps being taken by the user to return the construction to the schedule established. In no event shall more than nine (9) months elapse between such progress reports to the superintendent.

D. Evaluate Data: The city will evaluate the data furnished by the user and may require additional information. After evaluation and acceptance of the data furnished, the city may issue a wastewater contribution permit subject to terms and conditions provided herein.

E. Permit Modifications: Within nine (9) months of the promulgation of a national categorical pretreatment standard, the wastewater contribution permit shall be revised to require compliance with such standard within the time frame prescribed by such standard. Where a user subject to a national categorical pretreatment standard has not previously submitted an application for a wastewater contribution permit as required herein, the user shall apply for a wastewater contribution permit within one hundred eighty (180) days after the promulgation of the applicable national categorical pretreatment standard. In addition, the user with an existing wastewater contribution permit shall submit to the superintendent within one hundred eighty (180) days after the promulgation of an applicable federal categorical pretreatment standard the information required herein.

F. Permit Conditions: Wastewater discharge permits shall be expressly subject to all provisions of this chapter and all other applicable regulations, user charges and fees established by the city. Permits may contain the following:

1. The unit charge or schedule of user charges and fees for the wastewater to be discharged to a community sewer;
2. Limits on the average and maximum wastewater constituents and characteristics;
3. Limits on average and maximum rate and time of discharge or requirements for flow regulations and equalization;
4. Requirements for installation and maintenance of inspection and sampling facilities;
5. Specifications for monitoring programs which may include sampling locations, frequency of sampling, number, types and standards for tests and reporting schedule;
6. Compliance schedules;
7. Requirements for submission of technical reports or discharge reports;
8. Requirements for maintaining and retaining plant records relating to wastewater discharge as specified by the city, and affording city access thereto;
9. Requirements for notification of the city of any new introduction of wastewater constituents or any substantial change in the volume or character of the wastewater constituents being introduced into the wastewater treatment system;
10. Requirements for notification of slug discharges;
11. Other conditions as deemed appropriate by the city to ensure compliance with this chapter.

G. Permit Duration; Permit Transfer:

1. Permits shall be issued for a specified time period, not to exceed five (5) years. A permit may be issued for a period less than a year or may be stated to expire on a specific date. The user shall apply for permit reissuance a minimum of one hundred eighty (180) days prior to the expiration of the user's existing permit. The terms and conditions of the permit may be subject to modification by the city during the term of the permit as limitations or requirements identified herein are modified or other just cause exists. The user shall be informed of any proposed changes in his permit at least thirty (30) days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

2. Wastewater discharge permits are issued to a specific user for a specific operation. A wastewater discharge permit shall not be reassigned or transferred or sold to a new owner, new user, different premises, or a new or changed operation without the approval of the city. Any succeeding owner or user shall also comply with the terms and conditions of the existing permit.

Section 8-4-17. Reporting Requirements.

Within ninety (90) days following the date for final compliance with applicable pretreatment standards or, in the case of a new source, following commencement of the introduction of wastewater into the POTW, any user subject to pretreatment standards and requirements shall submit to the superintendent a report indicating the nature and concentration of all pollutants in the discharge from the regulated process which are limited by pretreatment standards and requirements and the average and maximum daily flow for these process units in the user facility. The report shall state whether the applicable pretreatment standards or requirements are being met on a consistent basis and, if not, what additional O&M and/or pretreatment is necessary to bring the user into compliance with the applicable pretreatment standards or requirements. This statement shall be signed by an authorized representative of the industrial user, and certified to by a qualified professional.

Section 8-4-18. Compliance Reports.

- A. Periodic Submission Of Reports: Any user subject to a pretreatment standard, after the compliance date of such pretreatment standard, or, in the case of a new source, after commencement of the discharge into the POTW, shall submit to the superintendent during the months of June and December, unless required more frequently in the pretreatment standard or by the superintendent, a report indicating the nature and concentration of pollutants in the effluent which are limited by the pretreatment standards. In addition, this report shall include a record of all daily flows which, during the reporting period, exceeded the average daily flow reported. At the discretion of the superintendent and in consideration of such factors as local high or low flow rates, holidays, budget cycles, etc., the superintendent may agree to alter the months during which the above reports are to be submitted.
- B. Imposition Of Limitations; Sampling And Analyses: The superintendent may impose mass limitations on users which are using dilution to meet applicable pretreatment standards or requirements, or in other cases where the imposition of mass limitations are appropriate. In such cases, the report required shall indicate the mass of pollutants regulated by pretreatment standards in the effluent of the user. These reports shall contain the results of sampling and analysis of the discharge, including the flow and the nature and concentration, or production and mass where requested by the superintendent, of pollutants contained therein which are limited by the applicable pretreatment standards. The frequency of monitoring shall be prescribed in the

applicable pretreatment standard. All analyses shall be performed in accordance with procedures established by the administrator pursuant to section 304(g) of the act and contained in 40 CFR, part 136, and amendments thereto or with any other test procedures approved by the administrator. Sampling shall be performed in accordance with the techniques approved by the administrator.

Section 8-4-19. Monitoring Facilities.

- A. Facilities Required: The city shall require to be provided and operated at the user's own expense monitoring facilities to allow inspection, sampling, and flow measurement of the building sewer and/or internal drainage systems. The monitoring facility should normally be situated on the user's premises, but the city may, when such a location would be impractical or cause undue hardship on the user, allow the facility to be constructed in the public street or sidewalk area and located so that it will not be obstructed by landscaping or parked vehicles.
- B. Sampling Equipment Maintained: There shall be ample room in or near such sampling manhole or facility to allow accurate sampling and preparation of samples for analysis. The facility, sampling, and measuring equipment shall be maintained at all times in a safe and proper operating condition at the expense of the user.
- C. Construction Standards: Whether constructed on public or private property, the sampling and monitoring facilities shall be provided in accordance with the city requirements and all applicable local construction standards and specifications. Construction shall be completed within ninety (90) days following written notification by the city.

Section 8-4-20. Inspection and Sampling.

The city shall inspect the facilities of any user to ascertain whether the purpose of this chapter is being met and all requirements are being complied with. Persons or occupants of premises where wastewater is created or discharged shall allow the city or their representative ready access at all reasonable times to all parts of the premises for the purposes of inspection, sampling, records examination or in the performance of any of their duties. The city, approval authority and (where the NPDES state is the approval authority) the EPA shall have the right to set up on the user's property such devices as are necessary to conduct sampling inspection, compliance monitoring and/or metering operations. Where a user has security measures in force which would require proper identification and clearance before entry into their premises, the user shall make necessary arrangements with their security guards so that, upon presentation of suitable identification, personnel from the city, approval authority and EPA will be permitted to enter, without delay, for the purposes of performing their specific responsibilities.

Section 8-4-21. Pretreatment Requirements.

- A. Compliance With Local, State And Federal Regulations: Users shall provide necessary

wastewater treatment as required to comply with this chapter and shall achieve compliance with all federal categorical pretreatment standards within the time limitations as specified by the federal pretreatment regulations. Any facilities required to pretreat wastewater to a level acceptable to the city 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 city for review, and shall be acceptable to the city before construction of the facility. The review on such plans and operating procedures will in no way relieve the user from the responsibility of modifying the facility as necessary to produce an effluent acceptable to the city under the provisions of this chapter. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be acceptable to the city prior to the user's initiation of the changes.

- B. Publish List Of Users In Noncompliance: The city shall annually publish in a newspaper published and having a general circulation in Caddo County, Oklahoma, a list of the users which were not in compliance with any pretreatment requirements or standards at least once during the twelve (12) previous months. The notification shall also summarize any enforcement actions taken against the user(s) during the same twelve (12) months.
- C. Records Open To Inspection: All records relating to compliance with pretreatment standards shall be made available to officials of the EPA or approval authority upon request.

Section 8-4-22. Confidential Information.

- A. Request Of User: Information and data on a user obtained from reports, questionnaires, permit applications, permits and monitoring programs and from inspections shall be available to the public or other governmental agency 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 of the user.
- B. Limited Availability: When requested by the person furnishing a report, 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 upon written request to governmental agencies for uses related to this city code, the national pollutant discharge elimination system. (NPDES) permit, state disposal system permit and/or the pretreatment programs; provided, however, that such portions of a report shall be available for use by the state or any state agency in judicial review or enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics will not be recognized as confidential information.
- C. Prior Notification: Information accepted by the city as confidential shall not be transmitted to any governmental agency or to the general public by

the city until and unless a ten (10) day notification is given to the user.

Section 8-4-23. Harmful Contributions.

- A. City Authority To Suspend Service, Permit: The city may suspend the wastewater treatment service and/or a wastewater contribution permit when such suspension is necessary, in the opinion of the city, in order to stop an actual or threatened discharge which presents or may present an imminent or substantial endangerment to the health or welfare of persons, to the environment, causes interference to the POTW or causes the city to violate any condition of its NPDES permit.
- B. Remedial Action By User: Any person notified of a suspension of the wastewater treatment service and/or the wastewater contribution permit shall immediately stop or eliminate the contribution. In the event of a failure of the person to comply voluntarily with the suspension order, the city shall take such steps as deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the POTW system or endangerment to any individuals. The city shall reinstate the wastewater contribution permit and/or the wastewater treatment service upon proof of the elimination of the noncomplying discharge. A detailed written statement submitted by the user describing the causes of the harmful contribution and the measures taken to prevent any future occurrence shall be submitted to the city within fifteen (15) days of the date of occurrence.

Section 8-4-24. Revocation of Permit; Notification of Violation.

- A. Conditions For Revocation: Any user who violates the following conditions of this chapter, or applicable state and federal regulations, is subject to having his permit revoked in accordance with the procedures of this section:
 - 1. Failure of a user to factually report the wastewater constituents and characteristics of his discharge;
 - 2. Failure of the user to report significant changes in operations, or wastewater constituents and characteristics;
 - 3. Refusal of reasonable access to the user's premises for the purpose of inspection or monitoring; or
 - 4. Violation of conditions of the permit.
- B. Notice Of Violation: Whenever the city finds that any user has violated or is violating this chapter, wastewater contribution permit, or any prohibition or limitation of requirements contained herein, the city may serve upon such person a written notice stating the nature of the violation. Within thirty (30) days of the date of the notice, a plan for the satisfactory correction thereof shall be submitted to the city by the user.

Section 8-4-25. Show Cause Hearing; Legal Action.

- A. Notice Of Hearing: The city may order any user who causes or allows an unauthorized discharge to enter the POTW to show cause before the city council why the proposed enforcement action should not be taken. A notice shall be served on the user specifying the time and place of a hearing to be held by the city council regarding the violation, the reasons why the action is to be taken. The notice of the hearing shall be served personally or by registered or certified mail (return receipt requested) at least ten (10) days before the hearing. Service may be made on any agent or officer of a corporation.
- B. Council Action: The city council may itself conduct the hearing and take the evidence, or may designate any of its members or any officer or employee of the city to:
 - 1. Issue, in the name of the city council, notices of hearings requesting the attendance and testimony of witnesses and the production of evidence relevant to any manner involved in such hearings;
 - 2. Take the evidence; or
 - 3. Transmit a report of the evidence and hearing including transcripts and other evidence, together with recommendations to the city council for action thereon.
- C. Taking Testimony: At any hearing held pursuant to this chapter, testimony taken must be under oath and recorded stenographically. The transcript, so recorded, will be made available to any member of the public or any party to the hearing upon payment of the usual charges thereof.
- D. Directives Of Council: After the city council has reviewed the evidence, it may issue an order to the user responsible for the discharge directing that, following a specified time period, the sewer service be discontinued unless adequate treatment facilities, devices or other related appurtenances shall have been installed on existing treatment facilities, devices or other related appurtenances and are properly operated. Further orders and directives as are necessary and appropriate may be issued.
- E. Action For Relief: If any person discharges sewage, industrial wastes or other wastes into the city wastewater disposal system contrary to the provisions of this chapter, federal, or state pretreatment requirements, or any directive of the city, the city attorney may commence an action for appropriate legal and/or equitable relief.

Section 8-4-26. Penalty.

See section 8-1-17 of this title for penalty provisions applicable to this chapter.

Chapter 5. Electrical System

Section 8-5-1. Control of Electrical System.

A. City Manager:

1. The electric power and distribution plant of the Anadarko public works authority shall be under the control of the city manager, who shall be governed by the rules and regulations set forth herein, and he shall have authority to approve and disapprove all accounts for expenditures in this department. No accounts or claims shall be paid until approved by the city manager and allowed by the mayor and city council. The city manager, with the approval of the council, shall provide regulations for and fix all rates to be charged customers, which shall include fees for extra services relating to nonpayment of bills, disconnect and reconnect service, request for abnormal services, returned checks, and any other nonroutine services.
2. Meters shall be read by the city manager or persons designated by him, and all readings shall be turned over to the city clerk.

B. Lines And Meters Property Of Public Works Authority: Electric lines used for distribution of electricity and the meters attached thereto are the property of the Anadarko public works authority and shall be controlled by it.

Section 8-5-2. Interruption of Service.

- A. **Changes In Service Lines:** No additions, changes or alterations in the service lines shall be made by the patrons, except that the same may be done with the approval of the city manager, and it shall be the contract between the city and each and every consumer that no claim shall be made or allowed against the authority for damages caused by, or because of, the breaking of service lines.
- B. **Right To Cut Off Service:** The authority reserves the right to cut off current anywhere, or the entire system, for repairs, or in case of emergency, storm, fire, etc.

Section 8-5-3. Resumption of Electricity Authorized.

No person, from whose premises current has been cut off for any reason, shall turn the current on, or cause the same to be turned on, without authority from the city manager. Each violation of this section shall be deemed a separate offense.

Section 8-5-4. Meddling with Water and Electric Meters.

No person, except those persons authorized by the city manager, shall turn on any electric meter or water meter after that meter has been turned off by the Anadarko public works authority, nor shall any person, except those authorized to do so by the city manager, alter, interfere or meddle with, wire around, or use jumpers on any electric

or water meter belonging to the Anadarko public works authority, except in cases of emergency. Any such emergency action must be reported to the city manager no later than ten o'clock (10:00) A.M. on the first working day following the emergency action. A violation of this section shall be an offense punishable by a fine not to exceed two hundred dollars (\$200.00). Alteration of any meter shall be deemed a separate offense, and each day such violation continues shall be a separate offense.

Section 8-5-5. Unauthorized Service; Fee.

For the first offense, a fee of one hundred dollars (\$100.00) will be added to the customer's account if the meter has been tampered with in any manner, so as to reduce or avoid proper registration of utility consumption. For the second offense of meter tampering, a fee of two hundred dollars (\$200.00) will be added to the customer's account; for the third offense of meter tampering, a fee of three hundred dollars (\$300.00) will be added to the customer's account; and each offense after the third will increase in fifty dollar (\$50.00) increments. A cut seal charge of fifty dollars (\$50.00) will be added to the customer's account per offense. In addition to these charges the customer's deposit will increase by fifty dollars (\$50.00) per offense. These fees will also apply to any customer who has had his service discontinued for delinquency or insufficient checks, and illegally restores his own service. If the problem continues and the customer persists in meter tampering, legal action should be considered to correct the problem. In addition to charges made, the customer is to be billed for any meter that is missing or has damaged seals, boots, locks, etc., or any property damaged which belongs to the Anadarko public works authority.

Section 8-5-6. Meter Calibration Charge.

If the customer requests a meter calibration to test the accuracy of the meter registration, and the certification returned on the calibration test registers within two percent (2%) accurate, then the customer will be assessed the cost for electric meter tests or the cost of testing a water meter.

Section 8-5-7. Discontinuance of Service for Tampering.

The city manager, or his authorized representative, is hereby directed to discontinue service to any person, firm or corporation found guilty of violation (examples: meter jumped or bypassed, or meter upside down in meter's base). Service may be disconnected when the police department has completed their initial investigation. Service shall not be resumed until the estimated cost of the service that was used and diverted shall have been paid in full.

Section 8-5-8. Large Industrial Users; Contracts.

- A. **Basis For Establishing:** There is hereby established the following rate for large industrial users of electric power, as defined herein- below:

1. A rate computed by multiplying total kilowatt hours (kWhs) by the authority's average monthly cost of wholesale power, plus five (5) mills and the authority's purchased power cost adjustment as established by the authority;

2. Said computation shall use the authority's previous month's power bill from the supplier in arriving at the monthly average cost per kWh.
- B. Availability: This rate is available to any retail customer whose consumption exceeds ten million (10,000,000) kWhs annually.
- C. Contract: A written contract will be required by the authority which will specifically cover terms of payment, meter readings and adjustments, delivery points and other matters incidental to said contract to provide electric power.

Section 8-5-9. Deposits.

A. Residential:

1. Homeowner \$200.00
2. Renter 300.00
3. Water only 75.00
4. Solid waste only 75.00
5. If a customer has been disconnected for nonpayment or dis- connected (skip final) without proper notification, an additional deposit may be required by the city clerk.
6. All outstanding balances owed to the city of Anadarko or Anadarko public works authority must be paid in full prior to services being connected, unless written approval of a payment agreement is authorized by the city clerk.

B. Business:

1. Minimum deposit, two hundred fifty dollars (\$250.00).
2. A business deposit is to be based upon the city clerk's determination of load requirements, the customer's payment history, the building consumption history for that specific business building, and the consumption history of other similar businesses.
3. If a customer has been disconnected for nonpayment or dis- connected (skip final) without proper notification, an additional deposit may be required by the city clerk.
4. All outstanding balances owed to the city of Anadarko or Anadarko public works authority must be paid in full prior to services being connected, unless written approval of a payment agreement is authorized by the city clerk.

Section 8-5-10. Limited Usage Residential Service 120-L.

(Rep. by Ord. 1220, 7-14-2012)

Section 8-5-11. Limited Usage Residential Service 130-1.

A. Availability:

1. This tariff is available in all service areas for individually metered primary residence use. This tariff is not available for resale, standby, breakdown, auxiliary, supplemental, business or manufacturing use. A written contract may be required at the option of the city of Anadarko when unusual service conditions exist.
2. Service will be supplied at one location for the entire electrical requirements of the customer and shall be at a nominal secondary voltage of 120/240 volts single phase unless specifically agreed to by the city of Anadarko.
3. Service will be furnished in accordance with the city's rules, regulations, and conditions of service.

B. Special Conditions Of Services:

1. Existing customers will be eligible for the limited usage residential service R-2 rate only if during the past twelve (12) months their monthly usage for each month has been five hundred (500) kilowatt- hours or less. Customers who have been connected for less than twelve (12) months will have their eligibility based on their historical usage.
2. New customers will have their eligibility determined by requesting verification that their monthly usage will be five hundred (500) kilowatt-hours or less. If the customer does not make the request, the city of Anadarko will bill under the normally applicable residential schedule.
3. The customer will be allowed to remain on the limited usage residential service R-2 rate as long as his monthly usage is less than five hundred (500) kWh or, in the case when his bill is for more than thirty (30) days, the daily usage must be 16.67 kWh per day or less.
4. During any consecutive twelve (12) month period, a customer receiving service on the limited usage residential service R-2 schedule will be allowed:
 - i. One month of usage in excess of five hundred (500) kWh per month (16.67 kWh per day) but not more than twenty (20.00) kWh per day (600 kWh per 30 days); or
 - ii. An existing customer is eligible for this only if the customer has an average on peak monthly usage of five hundred (500) kWh or less. At the end of the on peak season, the average daily kWh usage cannot exceed 16.67 kWh.

If the customer exceeds either of these limits, the customer will automatically be billed on

the normally applicable residential schedule for the current month and the next twelve (12) consecutive months before being eligible again for the limited usage residential service R-2 schedule.

C. Prices:

1. Customer charge: Seven dollars (\$7.00) per month.
2. Energy charge: 5.5 cents per kilowatt-hour (kWh) used per month.

D. Determination Of On Peak Season: The 110n peak season" shall be the city of Anadarko's billing months of July through October, inclusive.

E. Determination Of Off Peak Season: The 110 ft. peak season¹¹ shall be the city of Anadarko's billing months of November through June, inclusive. (Ord. 1170, 4-29-2005)

F. Determination Of Minimum Monthly Bill: The minimum monthly bill shall be seven dollars (\$7.00) per month. The minimum monthly bill will be adjusted according to adjustments to billing. If the customer's load is highly fluctuating to the extent that it causes interference with standard quality service to other loads, the minimum monthly bill will be increased fifty five cents (\$0.55) per kVA of transformer capacity necessary to correct such interference. If individual motors of more than five (5) horsepower are connected, the minimum monthly bill shall not be less than fifty five cents (\$0.55) per connected horse- power of such motors.

G. Terms Of Payment: A late payment charge, pursuant to the city of Anadarko's late charge policy, will be assessed on all delinquent bills.

H. Adjustments To Billing:

1. Power Cost Adjustment: The amount calculated at the above prices is subject to increase or decrease under the provisions of the city's power cost adjustment rider.
2. Tax Adjustment: The amount calculated at the above prices is subject to adjustment under the provisions of the city of Anadarko's tax adjustment rider
3. Fuel Over/Under Recovery Adjustment: The amount calculated at the above prices is subject to adjustment under the provisions of the city of Anadarko's fuel over/under recovery adjustment rider.

Section 8-5-12. Residential Service.

A. Availability:

1. This tariff is available in all service areas for residential use. Each block of this tariff shall be multiplied by the number of separate living quarters served through the meter. This tariff is not available for resale, standby, breakdown, auxiliary, supplemental, business

or manufacturing use. Once a tariff is selected, service will continue to be supplied under that tariff for twelve (12) consecutive months unless a material and permanent change in the customer's load occurs. A written contract may be required at the option of the city when unusual service conditions exist.

2. Service will be supplied at one location for the entire electrical requirements of the customer and shall be at nominal secondary voltage of 120/240 volts single phase unless specifically agreed to by the city.

3. Service will be furnished in accordance with the city's rules, regulations, and conditions of service.

B. Prices:

1. Customer charge: Ten dollars (\$10.00) per month.

2. Energy charge:

i. On peak season:

7.21 cents per kilowatt-hour (kWh) for the first 400 kWh or less used per month.

7.76 cents per kilowatt-hour (kWh) for the next 400 kWh used per month.

8.69 cents per kilowatt-hour (kWh) for all additional kWh used per month.

ii. Off peak season:

5.97 cents per kilowatt-hour (kWh) for the first 400 kWh or less used per month.

4.32 cents per kilowatt-hour (kWh) for the next 400 kWh used per month.

4.18 cents per kilowatt-hour (kWh) for all additional kWh used per month. (Ord. 1220, 7-14-2012)

C. Determination Of On Peak Season: The 110n peak season" shall be the city's billing months May through September, inclusive.

D. Determination Of Off Peak Season: The 11off peak season" shall be the city's billing months October through April, inclusive.

E. Determination Of Minimum Monthly Bill: The minimum monthly bill shall be ten dollars (\$10.00) per month per residential unit. The minimum bill shall be adjusted according to subsection G, "Adjustments To Billing", of this section. If the customer's load is highly fluctuating to the extent that it causes interference with standard service to other loads, the minimum monthly bill will be increased fifty five cents (\$0.55) per kVA of transformer capacity necessary to correct such interference. If individual motors of more than

five (5) horse- power are connected, the minimum monthly bill shall not be less than fifty five cents (\$0.55) per connected horsepower of such motors.

F. Terms Of Payment: A late payment charge, pursuant to the city's late charge policy, will be assessed on all delinquent bills.

G. Adjustments To Billing:

1. Power Cost Adjustment: The amount calculated at the above prices is subject to increase or decrease under the provisions of the city's purchase power cost adjustment rider.
2. Tax Adjustment: The amount calculated at the above prices is subject to adjustment under the provisions of the city's tax adjustment rider.
3. Fuel Over/Under Recovery Adjustment: The amount calculated at the above prices is subject to adjustment under the provisions of the city's fuel over/under recovery adjustment rider.

Section 8-5-13. Large Power 1.

A. Availability:

1. This tariff is available on an annual basis to any retail customer who takes service from a primary distribution line (34 kV or lower) with only one transformation provided by the city from the trans- mission system (69 kV or higher). This tariff is not available for resale, standby, breakdown, auxiliary or supplemental service. It is the customer's option whether service will be supplied under this tariff or any other tariff for which he is eligible. Once a tariff is selected, service will continue to be supplied under that tariff for twelve (12) consecutive months unless a material and permanent change in the customer's load occurs. A written contract may be required at the city's option.
2. Service will be supplied at one delivery point and shall be at one standard voltage.
3. Service will be furnished in accordance with the city's rules, regulations, and conditions of service.

B. Prices:

1. Customer charge: Two hundred twenty dollars (\$220.00).
2. Energy charge:

3.66 cents per kilowatt-hour (kWh) for the first 200 hours used per billing kilowatt (kW) per month.

3.25 cents per kilowatt-hour (kWh) for the next 200 hours used per billing kilowatt (kW) per month.

3.10 cents per kilowatt-hour (kWh) for all additional kWh used per month.

3. Capacity charge:

\$5.28 per kilowatt (kW) of billing demand per month.

\$0.22 per month for each kilovolt-ampere reactive (kVAR) required above 30 percent of the monthly maximum demand (kW).

4. Transformation charge:

\$2.15 per kilowatt (kW) of billing demand per month.

C. Determination Of On Peak Season: The "On peak season" shall be the city's billing months of July through October, inclusive.

D. Determination Of Off Peak Season: The "off peak season" shall be the city's billing months of November through June, inclusive.

E. Determination Of Monthly Billing Demand:

1. For the on peak season, the monthly billing demand shall be the greater of: a) the current month's maximum demand; or b) ninety percent (90%) of the highest demand occurring in any previous applicable on peak month during the preceding eleven (11) months.
2. For the off peak season, the monthly billing demand shall be the greater of: a) ninety percent (90%) of the highest demand occurring in any previous applicable on peak month during the preceding eleven (11) months; or b) fifty percent (50%) of the highest demand occurring in any previous applicable off peak month during the preceding eleven (11) months; or c) fifty percent (50%) of the current month's maximum demand.
3. The monthly maximum kilowatt (kW) and the monthly maximum kilovolt-ampere reactive (kVAR) requirements are based on thirty (30) minute integration periods as measured by appropriate demand indicating or recording meters.

F. Determination Of Minimum Monthly Bill: The minimum monthly bill shall be the customer charge, plus the capacity and transformation charges based on the current billing demand. The minimum monthly bill shall be adjusted according to subsection H, 11Adjustments To Billing°, of this section, and kVAR charges. If the customer's load is highly fluctuating to the extent that it causes Interference with standard quality service to other loads, the minimum monthly bill will be increased by fifty five cents (\$0.55) per kVA of transformer capacity necessary to correct such interference.

G. Terms Of Payment: A late payment charge, pursuant to the city's late charge policy, will be assessed on all delinquent bills.

H. Adjustments To Billing:

1. Power Cost Adjustment: The amount calculated at the above prices is subject to increase or decrease under the provisions of the city's power cost adjustment rider.
2. Tax Adjustment: The amount calculated at the above prices is subject to adjustment under the provisions of the city's tax adjustment rider.
3. Fuel Over/Under Recovery Adjustment: The amount calculated at the above prices is subject to adjustment under the provisions of the city's fuel over/under recovery adjustment rider.

Section 8-5-14. Large Commercial.

A. Availability:

1. This tariff is available on an annual basis to any retail customer who takes service from:
a) distribution secondary lines or transformers; or b) dedicated line transformers with or without a specific primary line tap; or c) a primary distribution line (34 kV or lower) with a transformation provided by the city. This tariff is not available for resale, standby, breakdown, auxiliary or supplemental service. It is the customer's option whether service will be supplied under this tariff or any other tariff for which he is eligible. Once a tariff is selected, service will continue to be supplied under that tariff for twelve (12) consecutive months unless a material and permanent change in the customer's load occurs. A written contract may be required at the city's option.
2. Service will be supplied at one delivery point and shall be at one standard voltage.
3. Service will be furnished in accordance with the city's rules, regulations, and conditions of service.

B. Prices:

1. Customer charge: One hundred dollars (\$100.00).
2. Energy charge:

3.97 cents per kilowatt-hour (kWh) for the first 200 hours used per billing kilowatt (kW) per month.

3.32 cents per kilowatt-hour (kWh) for the next 200 hours used per billing kilowatt (kW) per month.

3.21 cents per kilowatt-hour (kWh) for all additional kWh used per month.

3. Capacity charge:

\$5.28 per kilowatt (kW) of billing demand per month.

\$0.22 per month for each kilovolt-ampere reactive (kVAR) required above 30 percent of the monthly maximum demand (kW).

4. Transformation charge: Two dollars fifteen cents (\$2.15) per kilowatt (kW) of billing demand per month.

C. Determination Of On Peak Season: The "on peak season" shall be the city's billing months of July through October, inclusive.

D. Determination Of Off Peak Season: The "off peak season" shall be the city's billing months of November through June, inclusive.

E. Determination Of Monthly Billing Demand:

1. For the on peak season, the monthly billing demand shall be the greater of: a) the current month's maximum demand; or b) ninety percent (90%) of the highest demand occurring in any previous applicable on peak month during the preceding eleven (11) months.
2. For the off peak season, the monthly billing demand shall be the greater of: a) ninety percent (90%) of the highest demand occurring in any previous applicable on peak month during the preceding eleven (11) months; or b) fifty percent (50%) of the highest demand occurring in any previous applicable off peak month during the preceding eleven (11) months; or c) fifty percent (50%) of the current month's maximum demand. (Ord. 1002, 1-18-1990)
3. The monthly maximum kilowatt (kW) and the monthly maximum kilovolt-ampere reactive (kVAR) requirements are based on thirty (30) minute integration periods as measured by appropriate demand indicating or recording meters.

F. Determination Of Minimum Monthly Bill: The minimum monthly bill shall be the customer charge, plus the capacity and transformation charges based on the current billing demand. The minimum monthly bill shall be according to subsection H, u Adjustments To Billing", of this section, and kVAR charges. If the customer's load is highly fluctuating to the extent that it causes interference with standard quality service to other loads, the minimum monthly bill will be increased by fifty five cents (\$0.55) per kVA or transformer capacity necessary to correct such interference.

G. Terms Of Payment: A late payment charge, pursuant to the city's late charge policy, will be assessed on all delinquent bills.

H. Adjustments To Billing:

1. Power Cost Adjustment: The amount calculated at the above prices is subject to increase or decrease under the provisions of the city's power cost adjustment rider.
2. Tax Adjustment: The amount calculated at the above prices is subject to adjustment under the provisions of the city's tax adjustment rider.
3. Fuel Over/Under Recovery Adjustment: The amount calculated at the above prices is subject to adjustment under the provisions of the city's fuel over/under recovery adjustment rider.

5.11 cents per kilowatt-hour (kWh) for the next 2,500 kWh used per month.

4.67 cents per kilowatt-hour (kWh) for all additional- kWh used per month.

Section 8-5-15. Commercial.

A. Availability:

1. This tariff is available on an annual basis to any retail customer who takes service from:
a) distribution secondary lines or transformers; or b) dedicated line transformers with or without a specific primary line tap; or c) a primary distribution line (34 kV or lower) with a transformation provided by the city. This tariff is not available for resale, standby, breakdown, auxiliary or supplemental service. It is the customer's option whether service will be supplied under this tariff or any other tariff for which he is eligible. Once a tariff is selected, service will continue to be supplied under that tariff for twelve (12) consecutive months unless a material and permanent change in the customer's load occurs. A written contract may be required at the city's option.
2. Service will be supplied at one delivery point and shall be at one standard voltage.
3. Service will be furnished in accordance with the city's rules, regulations, and conditions of service.

B. Prices:

1. Customer charge: Twenty dollars (\$20.00) per month.
2. Energy charge:
 - i. On peak season:

7.62 cents per kilowatt-hour (kWh) for the first 2,500 kWh used per month.

8.44 cents per kilowatt-hour (kWh) for the next 2,500 kWh used per month.

9.24 cents per kilowatt-hour (kWh) for all additional kWh used per month.
 - ii. Off peak season:

5.55 cents per kilowatt-hour (kWh) for the first 2,500 kWh used per month.

- C. Determination Of On Peak Season: The "on peak season" shall be the city's billing months of July through October, inclusive.

- D. Determination Of Off Peak Season: The 11off peak season" shall be the city's billing months of November through June, inclusive.

- E. Determination Of Minimum Monthly Bill: The minimum monthly bill shall be the greater of: 1) twenty dollars (\$20.00) per month; or 2) six dollars sixty cents (\$6.60) per kW based upon the highest kW measured during any month of the 110n peak season" occurring during the current or eleven (11) preceding billing months under this tariff or any other tariff. Where no demand meter exists, the kW may be estimated on the basis of seven hundred forty six (746) watts per horsepower or connected motor loads. The minimum monthly bill shall be adjusted according to subsection G, "Adjustments To Billing", of this section. If the customer's load is highly fluctuating to the extent that it causes interference with standard quality service to other loads, the minimum monthly bill will be increased fifty five cents (\$0.55) per kVA of transformer capacity necessary to correct such interference.

- F. Terms Of Payment: A late payment charge, pursuant to the city's late charge policy, will be assessed on all delinquent bills.

G. Adjustments To Billing:

1. Power Cost Adjustment: The amount calculated at the above prices is subject to increase or decrease under the provisions of the city's power cost adjustment rider.
2. Tax Adjustment: The amount calculated at the above prices is subject to adjustment under provisions of the city's tax adjustment rider.
3. Metering Adjustment: The amount calculated at the above prices is subject to adjustment under the provisions of the city's metering adjustment rider.
4. Fuel Over/Under Recovery Adjustment: The amount calculated at the above prices is subject to adjustment under the provisions of the city's fuel over/under recovery adjustment rider.

Section 8-5-16. Light and Power 7 Peak Management.

A. Availability:

1. This tariff is available in all service areas for any retail customer, with new commercial demonstrated loads of fifty (50) kW or greater, who takes service from distribution secondary lines or transformers, or

dedicated line transformers. with or without a specific primary line tap. Customers served on this rate schedule shall curtail their energy consumption during on peak hours or pay the high energy rate as a result. This tariff is not available for resale, standby, breakdown, auxiliary, or supplemental use. A written term contract shall be required by the city. (Ord. 1220, 7-14-2012)

2. Service will be supplied at one delivery point and shall be at one standard voltage.
3. Service will be furnished in accordance with the city's rules, regulations and conditions of service.

B. Prices:

1. Customer charge: One hundred ten dollars (\$110.00) per month.
2. Energy charge:
 - i. Time specific off peak, 5.40 cents per kilowatt-hour (kWh) for all kWh used per month outside the specific on peak hours each day of the on peak season (the city's billing months of July through October, inclusive).
 - ii. Time specific on peak, 64.00 cents per kilowatt-hour (kWh) for all kWh used per month during specific on peak hours each day of the on peak season (the city's billing months of July through October, inclusive). Unless otherwise stated by individual contract terms, that period will be designated as three o'clock (3:00) P.M. until eight o'clock (8:00) P.M. daily. The city may cancel a peak day and peak period, if the city has been notified by WFEC that the peak has been canceled for the day. This notice must be received by e-mail from WFEC and forwarded to the customer by e-mail.

- C. Determination-Of Minimum Monthly Bill: The minimum monthly bill shall be the customer charge of one hundred ten dollars (\$1-10.00). The minimum monthly bill shall be according to adjustments to billing and kVAR charges. If the customer's load is highly fluctuating to the extent that it causes interference with standard quality service to other loads, the minimum monthly bill will be increased by fifty five cents (\$0.55) per kVA of transformer capacity necessary to correct such interference.

D. Adjustments To Billing:

1. Power Cost Adjustment: The amount calculated at the above prices is subject to increase or decrease under the provisions of the city's power cost adjustment rider.
2. Tax Adjustment: The amount calculated at the above prices is subject to adjustment

under the provisions of the city's tax adjustment rider.

3. Metering Adjustment: The amount calculated at the above prices is subject to adjustment under the provisions of the city's metering adjustment rider.
4. Fuel Over/Under Recovery Adjustment: The amount calculated at the above prices is subject to adjustment under the provisions of the city's fuel over/under recovery adjustment rider.

Section 8-5-17. Method for Review and Recalculation of Electric Utility Service Rates.

The method for review and recalculation of electric utility service rates, fees and charges shall be the same procedure as is set out in section 8-1-16 of this title for the establishment of utility rates, fees and charges.

Section 8-5-18. Penalty.

See section 8-1-17 of this title for penalty provisions applicable to this chapter.

Section 8-5-19. Power Cost Adjustment Rider.

Adjustment for the cost of electric power (PCA): The foregoing rates are based upon an average cost of power up to 20.90 mills per kWh. Charges calculated according to the rates shall be increased or decreased for each kWh billed by an amount, by which the average cost of power paid to suppliers of power during the previous month, plus the cost of generation for the previous month exceeds or is less than 20.90 mills per kWh, computed monthly based on the following formula:

$$PCA = A/1-B$$

Where PCA is the power cost adjustment to be made per kWh billed and where:

A = The amount (expressed in cents or fractions thereof) by which the average cost of power per kWh paid to suppliers of power and the monthly generation cost by the authority during the last previous calendar month, preceding the end of the billing period for which kWh usage is billed, exceeds or is less than 20.90 mills per kWh.

B = The actual percentage of power losses expressed decimally and computed monthly according to the following formula:

$$B = (x-y)/x$$

Where:

x = The total kWh purchased and generated for the 12 month period ending one month prior to the sales period.

Y = The total kWh sales for the same preceding 12 month period.

Section 8-5-20. Tax Adjustment Rider.

The city shall apply a five percent (5%) city and county tax to all residential utility bills and a nine and one-half

percent (9 1/2%) city, -county and state tax to all nonresidential utility billing. The foregoing charges shall be adjusted from time to time to account for any increase or decrease in proportion to the amount of new or increased taxes and/or fees not in effect on May 21, 2012.

Section 8-5-21. Net Metering Policy.

The Anadarko Public Works Authority may by resolution establish a policy and rate structure for net metering for electrical services if it is determined to be in the best interest of the Authority and the City of Anadarko. The Authority may be allowed to establish a rate structure as a general policy or establish a contract on a per customer basis whichever is deemed to be the most appropriate. The rate structure or contract must contain the following requirements:

- A. Net metering can only occur with a customer connected to the Authority's electrical distribution system who must be in good standing and current with their account.
- B. All costs associated with the special requirements of a net metering account will be the responsibility of the customer including but not limited to the actual meter.
- C. Net metering can only be with a commercial customer who generates energy from a renewable source.
- D. The customer must be able to generate not less than 250,000 kwh per year.
- E. The credit shall be less than the wholesale price of energy from the Authority's contracted power supplier.
- F. Customer must be responsible for the fixed cost of maintaining the system plus any power cost adjustments on any purchased power.
- G. The credit can only be applied on a monthly basis. At no time shall the credit be carried forward month to month nor shall a negative balance result in a refund to the customer.
- H. The demand charge shall still apply to any customer that qualified as a demand account.
- I. The Authority shall not purchase more than 650,000 kwh per customer.

Chapter 6. Solid Waste Collection and Disposal System

Section 8-6-1. Purpose.

It is the purpose of this chapter and it is hereby declared to be the policy of the city of Anadarko, Oklahoma, and the Anadarko public works authority, pursuant to the authority of the Oklahoma solid waste management act (27A Oklahoma Statutes section 2-10- 101 et seq., inclusive, and as amended), to regulate the collection and disposal of solid wastes in a manner that will protect the public health and welfare, prevent air and water pollution, prevent the spread of disease and the creation of nuisances, conserve the natural resources, and enhance and preserve the beauty and quality of the community's environment.

Section 8-6-2. Definitions.

As used in this chapter, the following terms shall have the meanings ascribed to them in this section:

REFUSE: Tree trimmings, junked building and roofing materials, manufacturing waste, rocks, dirt and other waste material not defined as "solid waste" or "trash".

SOLID WASTE: Shall include all putrescible and non-putrescible refuse in solid or semisolid, or liquid form, including, but not limited to: garbage, refuse, rubbish, ashes or incinerator residue, street refuse, dead animals, demolition wastes, construction wastes, solid or semisolid commercial and industrial wastes and hazardous wastes (including explosives, biomedical wastes, chemical wastes, herbicide and pesticide wastes).

SOLID WASTE MANAGEMENT SYSTEM: The entire process of storage, collection, transportation, processing and burying solid wastes at or in a site approved by the Oklahoma department of environmental quality.

TRASH: Paper, rags, containers of paper, tin cans, yard and house sweepings and all other household waste, but not tree trimmings, building and manufacturing waste, sewage and rocks, raw dirt, rainwater and other liquid refuse properly disposable through the sanitary sewers of the city.

Section 8-6-3. Collection and Disposal Declared City Function.

The collection and disposal of garbage, trash and refuse and other solid waste is hereby declared to be a municipal function of the city, as a protection of the public health. The police powers of the city shall be invoked when necessary for the enforcement of this chapter. In addition, the city may collect and dispose of refuse, as it deems necessary; provided, that such disposal shall be an approved method of incineration (not open burning) or by landfill and daily cover.

Section 8-6-4. Charges for Solid Waste Collection and Disposal.

- A. Residential Rates: There is hereby established a schedule of rates and charges for the use of the solid waste collection and disposal system of the city, as follows:
 1. Residential Units: All residential units, mobile home units, apartment units or other family dwelling units, either single, in apartment complexes, or mobile home parks in the city of Anadarko, Oklahoma, to which refuse collection is made available by the city of Anadarko, its agents, servants, employees or contractors, shall be assessed, once each month, not less than fifteen dollars and thirty cents (\$15.30) for the collection of solid waste for curbside or alley pick up.
 2. Multi-Family Units:
 - i. Multi-family apartments, complexes and mobile home parks having eight (8) or more dwelling units will receive a sanitary container system for the removal of trash and solid waste, at not less than the same rate per the rate table for bulk containers in subsection

B3i of this section. The number of containers and the frequency of pick ups will be established by the city and shall be sufficient to adequately and sanitarily service the units involved, but in no case shall there be less than two (2) pick ups per week.

- ii. Any such multi-family apartments or mobile home parks having a bulk container(s) system may by request be furnished additional container(s), if it is deemed necessary by the city. Rates for additional containers shall be at the same rate per the rate table for bulk containers in subsection B3i of this section.

B. Business, Industrial And Commercial Rates:
Refuse collection charges for business, industrial and commercial users shall be as follows:

1. **Mandatory Service:** Minimum solid waste service is mandatory for each business, industrial and commercial premises in the city. On the recommendation of the county-city health department and/or upon determination by the city that service above the minimum is required for reasons of health or sanitation or to abate violation of any other ordinance or provision of this code, additional service shall also be mandatory and shall be charged at rates hereinafter established.
2. **Monthly Base Charge:** Each business, industrial and commercial premises or unit engaged in any business shall pay a monthly base charge for availability of collection of refuse of not less than fifteen dollars and thirty cents (\$15.30) for the same services set forth for dwelling units herein; the monthly base charge is included in the rate table in subsection B3i of this section.
3. **Bulk Containers Provided By The City:** Business, industrial and commercial users may, at the option of the city council, receive sanitary container system service for the removal of trash and solid waste at the rate table for bulk containers listed by number of weekly pick ups, container size and rate as determined by the contract approved by the council and adjusted for the CPI. The rates for bulk containers shall not be less than the rates listed below:
4. The council may expand services solid waste services that may not be specifically outline by city code. If services are expanded beyond those services outlined under Chapter 8, the Council by resolution shall pass rules governing the collection of such collections and the type of services offered. These services shall include but are not limited to curbside bulky waste disposal for residential areas and recycling programs.

Rate Table For Bulk Containers:
RATES
Number of Weekly Pick Ups

	1	2	3
2 yard	\$40.00	\$73.00	\$107.00
4 yard	68.00	111.00	157.00
6 yard	96.00	146.00	196.00
8 yard	112.00	185.00	258.00

	4	5
2 yard	\$140.00	\$172.00
4 yard	202.00	245.00
6 yard	245.00	294.00
8yard	330.00	400.00

The city will furnish a bulk container(s) to be used in collection and removal of trash and solid waste. The number of containers and frequency shall be adequate to sanitarily service the locations involved, as determined by the city.

5. **Sharing Containers; Determination Of Charges:** When containers can serve two (2) or more adjacent users, they will be eligible to use same container(s) and pay a pro rata part of charges determined by the city by the proportionate quantity of space used in addition to the base rate of fifteen dollars (\$15.00) per month, per user.
 6. There shall be established a downtown trash rate to meet the needs of the business community and the services needed to dispose of waste. Downtown business shall have the option of sharing bulk waste containers or having a bulk waste container for their sole use only. The rate for individual bulk waste container shall be the same as all other commercial bulk waste container as outlined in the rate chart in subsection 3BA. Shared bulk waste containers shall not be less than thirty dollars (30.00) per customer.
 7. **Nonscheduled Pick Ups:** Nonscheduled pick ups may be performed upon request by the assigned container user(s), and will be made at not less than half the cost of the primary pick-up.
 8. **Location Of Bulk Containers:** Location of bulk container(s) shall be determined by the city, and it shall be the duty of the user(s) to provide a suitable bulk container site.
 9. **Users Located In Residential Areas:** Where commercial, industrial, or business users are located in an established residential area, the type of container(s), frequency of collection, and rates charged for services shall be determined by the city as set forth in other sections of this chapter.
- C. **Annual Adjustment Of Rates; Consumer Price Index:** Rates for residential, commercial, industrial, or business solid waste collection services, as set forth in this chapter, shall be annually adjusted during the month immediately

following receipt of notice of change in the consumer price index, with any increase or decrease corresponding with the percentage according to the U.S. department of labor, bureau of labor statistics.

- D. All rates will be based on the cost of the service provided according to the contract awarded by the city council and the cost of administration of the program by the city. The rates shall be adjusted based upon the contracted rate and the Consumer Price Index annually.

Section 8-6-5. Billing by Public Works Authority.

The rates and charges for the use of the garbage disposal system and for the collection and disposing of garbage shall be billed to each user monthly along with the bill for lights, water, sanitary sewer and other services by the Anadarko public works authority and the city of Anadarko, Oklahoma, a municipal corporation, and said Anadarko public works authority is authorized to not accept payment for any electric, water or sanitary sewer bill unless such payment is accompanied with the garbage disposal fee.

Section 8-6-6. Private Collection.

The collection and disposal of garbage shall be made over the entire city, and for reasons of public health, it shall be unlawful for any person, business or organization, except the city of Anadarko, Oklahoma, and the Anadarko public works authority, to use the streets and alleys within the city for the collection of and/or disposal of garbage without first obtaining written authority from the city council. It shall be unlawful for any person, business, or organization to use residential and/or commercial dumpsters for disposal of garbage without first obtaining written authorization from the property owner. Every such act shall constitute an offense.

Section 8-6-7. Container System of Storing Garbage; Container Placement.

- A. Compliance Required: It shall be the duty of the occupant of each dwelling and of the occupant of each business or industrial establishment to comply with these provisions of this chapter pertaining to the storage of garbage or trash.
- B. Dwellings:
1. Obstructing Access: The placement and use of trash cans in alleys where containers are located is expressly prohibited. The placement or parking of vehicles in alleys where containers are located or in the city right of way so as to deny access to said container is expressly prohibited. The city reserves the right to refuse to collect garbage and trash in containers which are not easily accessible by reason of said parked cars or other such obstructions.
 2. Prohibited Items: All trash from dwellings may be stored in such containers for the storage of garbage; provided, however, that the following items shall not be stored in the containers: furniture, appliances, bathroom fixtures, steel, dirt, masonry products, any building and construction debris such as

shingles and floor coverings, or any volume of similar materials which because of weight would preclude the city's dumping the container.

3. Littering Ground Near Containers: The placement of any items on the ground beside the container that would normally be placed in the container thereby causing litter is expressly prohibited.

C. Business And Industrial Establishments:

1. All garbage and trash from business or industrial establishments that use the container system shall be placed in the container and the opening be immediately closed and securely fastened.
2. Cardboard boxes which are placed in such containers must be broken down.
3. The same restrictions and prohibitions that apply to dwellings in subsection B of this section shall also apply to business and industrial establishments covered herein.

- D. Damaging Or Removal Of Containers: No person shall damage, destroy, or remove from the premises of a dwelling, or the premises of a business or industrial establishment, any container owned by the city, its agents, employees, or contractors. The placement of any items on or around a container that would thereby cause damage to private property or to trucks owned either by the city, its agents, employees, or contractors is expressly prohibited. Any malicious mischief such as moving or defacing a container, setting fire to container contents, or causing the container to burn by the placement of hot ashes in the container is expressly prohibited.

- E. Polycarts; User Responsibility: Persons, businesses, commercial or industrial establishments assigned polycarts owned by the city, its agents, employees, or contractors, for use in the collection and disposal of trash and solid waste shall be responsible for reimbursement to the owners of said polycart(s) in the event of loss or damage to container(s) at the current cost of replacement. Such reimbursement may be applied to the utility billing issued by the city to the customer, and divided over a maximum period of ninety (90) days.

- F. Residential Cans Or Bags Where Dumpsters Not Provided: It shall be the responsibility of the owner or resident to place their can and/or trash bag in front of their respective residence for pick up on specified days.

- G. Additional Regulations: In addition to the regulations set forth in this section, in order to protect the public health, storage of garbage shall be in such manner as is approved by the sanitation and health departments.

Section 8-6-8. Normal and Holiday Collection Schedules.

- A. Normal Schedule: Curbside pick ups where polycarts are furnished to each residence shall mean one day per week pick up. Frequency of dumpster pick ups shall be based upon the needs of the user(s), as determined by the city, its agents, servants, employees or contractors.
- B. Holidays: The collection of solid waste shall be the same on holidays recognized by the City Council unless specifically mentioned by contract.

Section 8-6-9. Accumulation a Nuisance; Abatement.

- A. Accumulations Prohibited; Abatement:
 - 1. It shall be unlawful for any person in charge of any lot or piece of ground to allow solid waste to accumulate thereon, so as to cause an offensive odor to be emitted therefrom or to become injurious or dangerous to the health of the neighborhood or any inhabitant thereof.
 - 2. Any such condition is hereby declared a violation of this chapter and punishable as such, and in addition is declared to be a nuisance and may be abated as such.
- B. Construction Waste:
 - 1. Any person constructing any structure within the city shall, prior to construction on any premises, furnish and place on said premises a container of suitable size and design (35 gallon maximum) to contain all solid waste which might, by the winds or elements, be distributed and blown from the premises. Said container shall be used by the person concerned at all times to keep the premises from becoming unsightly with solid waste and shall always be kept covered.
 - 2. Any person who fails to keep the premises on which any structure is being built or installed free from solid waste and who allows said waste to blow or be carried from the premises to adjoining or other property or into the streets shall be deemed guilty of causing a nuisance, and shall be subject to the penalties in this code prescribed therefor.

Section 8-6-10. Burning of Solid Waste; Incinerators.

- A. Burning Prohibited; Exception: It shall be an offense for any person to start or maintain any fire or cause any fire to be started or maintained for the purpose of unlawfully burning or incinerating any solid waste, except as herein provided:
 - 1. Fires purposely set for the instruction and training of firefighting personnel when authorized by the fire chief or the assistant fire chief.
 - 2. Fires used solely for ceremonial purposes when authorized by written permit from the fire chief or his designative representative.

- 3. Fires used solely for the purpose of burning of trees, brush, grass, and other vegetative matter for the purpose of clearing or maintaining land zoned agricultural (A-1) when:
 - i. The burning is not within one hundred fifty feet (150') of an occupied residence or structure other than those located on the property where the burning is conducted;
 - ii. Care is used to minimize the amount of material being burned so that the burning is manageable by on site fire suppression devices or equipment provided by the person responsible for the burning;
 - iii. Oils, rubber, and other similar materials which produce unreasonable amounts of air contaminants and smoke are not burned;
 - iv. The burning occurs between three (3) hours after sunrise and three (3) hours before sunset;
 - v. The burning shall be conducted only when wind speeds do not exceed and are not expected to exceed fifteen (15) miles per hour in any direction at the time or during the burning;
 - vi. There is no visibility hazard created for any roadway, rail track or airfield by the burning;
 - vii. The person responsible for the burning obtains a written permit from the fire chief or his designative representative;
 - viii. There is no county or state burn ban in effect for the city of Anadarko that would prevent the burning from taking place.
- 4. Burning of brush shall be allowed within the corporate city limits by the city employees acting within their scope of employment upon the approval of the city manager in consultation with the fire chief. A designated site shall be selected that provides the least possible fire hazards and be approved by the fire chief.
- 5. The city of Anadarko will not be responsible for any damages should any person conduct a burn. Liability will rest solely on the person or persons responsible for starting and maintaining the burn.

- B. Installation Of Incinerator: It shall be an offense to construct or install, within any building in the city, an unlawful incinerator designed to burn solid wastes.

Section 8-6-11. City Inspection of Premises.

It shall be the duty of the health officer of the city, or his authorized agent, and he is hereby directed, to make all

necessary inspections and investigations of any and all premises to see that the terms of this chapter are complied with.

Section 8-6-12. Nonresident Disposal of Solid Waste.

- A. Disposal Inside City Limits Prohibited: It shall be unlawful for any nonresident of the city to dispose of garbage and solid waste inside the city limits, unless at a designated location by the city council and a fee for disposal. The City Council shall adopted a rate in the event it allows non-residents to dispose of waste and it shall be adjusted annually according to the cost of providing the service and the Consumer Price Index.
- B. Contract For Collection Or Use Of Dump Ground: The city manager is hereby authorized to negotiate contracts with owners, occupants or their agents, on premises located outside the city, for the collection of garbage and/or use of the city dump ground for the disposal of garbage and trash. Upon final approval by the city council, the city manager may execute said contract.

Section 8-6-13. Flat Bed Service.

The city of Anadarko may provide flatbed services to the citizens within the corporate city limits for a fee of twenty five dollars (\$25.00) per load. Citizens must request the service by contacting utility billing and having a work order created. Upon the completion of the work order, the twenty five dollars (\$25.00) per load will be added to the utility bill or a property owner with no utilities shall pay the fee upon request for the service. The fee shall be waived in the event of a natural disaster declared either by executive order of the president of the United States or the governor of the state of Oklahoma. The fee will only be waived on items specifically outlined by federal and state regulations.

A. Care And Placement Of Items:

- 1. Tree limbs and shrub type trimmings shall be cut in lengths of not over three feet (3') in length and one and one-half feet (1 1/2') in diameter, and shall be stacked for each pick up.
- 2. All items placed in an alley for flatbed service, whether limb trimmings, furniture, appliances or building and construction debris, shall be placed in the alley immediately adjacent to the resident's property line.
- 3. No items shall be placed against, or on top of, any container.
- 4. All building contractors, appliance and furniture dealers, and commercial landscaping contractors are prohibited from placing items on any streets, alleys or lots for city pick up.
- 5. It shall be the responsibility of each business establishment to dispose of their respective items.

- B. Certain Materials Collected By City Department: The city solid waste department shall collect certain materials:

- 1. Grass cuttings shall not be placed in garbage or trash containers, but shall be placed in separate boxes, cartons or baskets of not more than three (3) cubic feet in capacity; measurements shall also apply to brushwood. Tree and shrub trimmings which have not been bundled as described herein shall be removed by the owner or person in charge thereof, at the owner's expense.
- 2. Tire pick up will be limited to five (5) automobile tires, two (2) truck tires and one tractor tire. Amounts generated in excess of those set out herein will be the owner's responsibility and will be disposed of at the owner's expense.

Section 8-6-14. Penalty.

See section 8-1-17 of this title for penalty provisions applicable to this chapter.

Chapter 7. Public Utilities

Section 8-7-1. Public Utilities Placement and Depth.

- A. Application: All public utilities located inside the corporate city limits of Anadarko shall make application with the city manager or his representative for permission to locate any utilities in a public right of way. The application shall describe the location and type of utilities being placed in the easement. The city reserves the right to specify the exact placement of the utility and inspect the project to ensure compliance with this code.
- B. Depth Of Underground Lines: The depth of underground lines shall be as specified herein for each type of utility. Where placements at such depths are impractical or where unusual conditions exist, the department shall specify other protection as may be appropriate in lieu of the depth of bury required for the particular utility line. Any and all buried utility lines will be placed at a minimum depth of thirty six inches (36"). Any deviation from the specified depth must be requested in writing and approved by city council.
 - 1. High pressure gas and liquid petroleum lines will be constructed no less than forty eight inches (48") lower than the lowest part of the drainage or bar ditch, and the drainage is to be considered at least two feet (2') below the center of the roadway.
 - 2. Fiber optic lines will be constructed no less than forty eight inches (48") lower than the lowest part of the drainage or bar ditch, and the drainage is to be considered at least two feet (2') below the center of the roadway.
 - 3. Communications cable will be constructed no less than thirty six inches (36") lower than the lowest part of the drainage or bar ditch, and the drainage is to be considered at

least two feet (2') below the center of the roadway.

4. Water lines will be constructed no less than thirty six inches (36") lower than the lowest part of the drainage or bar ditch, and the drainage is to be considered at least two feet (2') below the center of the roadway; crossings to be encased.
5. Underground power line crossings and longitudinal shall be encased (placed in conduit) and buried a minimum of thirty six inches (36") under roadway ditches, and sixty inches (60") below the pavement surface.
6. Cable television and copper cable communication lines shall have a minimum depth of cover twenty four inches (24") under ditches or eighteen inches (18") beneath the bottom of the pavement structure, whichever is greater.