

**ORDINANCE NO. 956**

**INDUSTRIAL SEWER USER COMPLIANCE ENFORCEMENT**

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF LE MARS, IOWA, BY AMENDING CHAPTER 100, "INDUSTRIAL SEWER USER COMPLIANCE ENFORCEMENT"**

**BE IT ENACTED** by the City Council of the City of Le Mars, Iowa:

**SECTION 1. SECTION MODIFIED.** Section 100.01, Definitions, of the Code of Ordinances of the City of Le Mars, Iowa, is amended by adding the following:

9. "TKN" means Total Kjeldahl Nitrogen (Ammonia Nitrogen) as measured by the test method set forth on the latest edition of *Methods for Chemical Analysis of Water and Wastes*, EPA-600/4-79-020, March 1983 and Subsequent Revisions.

**SECTION 2. SECTION MODIFIED.** Section 100.03 (2), Publication of Users in Noncompliance, of the Code of Ordinances of the City of Le Mars, Iowa, is repealed and the following adopted in lieu thereof:

2. Technical review criteria (TRC) violations, defined herein as those in which 33 percent or more of wastewater measurements obtained from representative samples collected at the permitted discharge point, in accordance with accepted sampling protocols, for each pollutant parameter during a six-month period equals or exceeds the product of the daily maximum limit multiplied by the applicable criteria (1.4 for CBOD, TSS, FOG, TKN, and 1.2 for all other pollutants other than pH);

**SECTION 3. SECTION MODIFIED.** Section 100.04 (7), Administrative Enforcement Remedies, of the Code of Ordinances of the City of Le Mars, Iowa, is repealed and the following adopted in lieu thereof:

7. Administrative Penalty Charges. An industrial user contributing wastewater to the POTW in excess of the limitations contained within its wastewater discharge agreement may be assessed a penalty charge, based on the schedule below, which shall be in addition to the rates and charges ordinarily billed to such users for sewer use:

- A. \$1.00 per 1,000 gallons for flow in excess of a 30-day average discharge limit;
- B. \$1.00 per 1,000 gallons for flow in excess of a daily maximum discharge limit;
- C. \$0.20 per pound of CBOD in excess of a 30-day average discharge limit;

This Ordinance shall be in full force and effect from and after its passage, approval and publication as required by law.

PASSED AND APPROVED this 7<sup>th</sup> day of January 2020.

ATTEST:

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Dick Kirchoff, Mayor

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Beverly Langel, City Clerk

CLERK'S CERTIFICATE

STATE OF IOWA            )  
                                  \* ss:  
PLYMOUTH COUNTY        )

I, Beverly Langel, City Clerk of the City of Le Mars, Iowa certify that the foregoing Ordinance was passed by a duly constituted quorum of the City Council of the City of Le Mars, Iowa, meeting in regular session on the 7<sup>th</sup> day of January 2020 and that said Ordinance was published in the official City newspaper, the Le Mars Daily Sentinel, in its issue date this 10<sup>th</sup> day of January 2020.

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Beverly Langel, City Clerk

SEAL

First Reading: 12/17/2019  
Second Reading: 01/07/2020  
Third Reading: Waived