

**AMENDMENT NO. 1 TO ORDINANCE NO. 2003-2
WYTHE COUNTY
PRETREATMENT ORDINANCE**

A public hearing was held on the 19th of December, 2005 at 7:05 p.m. in the Board Room of the Wythe County Administration Building, 340 South Sixth Street, Wytheville, Virginia to consider amending Ordinance #2003-2 entitled, "Wythe County Pretreatment Ordinance".

Amend Section 15 – Miscellaneous Provisions to read as follows:

15.1 Pretreatment Charges and Fees

The County may adopt reasonable fees for reimbursement of costs of setting up and operating the County's Pretreatment Program which may include:

- A. Fees for wastewater discharge permit applications including the costs of processing such applications;
- B. Fees for monitoring, inspection, and surveillance procedures including the cost of collection and analyzing a user's discharge, and reviewing monitoring reports submitted by users;
- C. Fees for reviewing and responding to accidental discharge procedures and construction;
- D. Fees for filing appeals;
- E. Fees for filing applications;
- F. Fees for high biochemical oxygen demands, high suspended solids, high chemical oxygen demand, high ammonia nitrogen and high total oil and grease levels;
- G. Fees for reimbursement of cost of setting up and operating the County's pretreatment program; and
- H. Other fees as the County may deem necessary to carry out the requirements contained herein. These fees relate solely to the matters covered by this ordinance and are separate from all other fees, fines and penalties chargeable by the County.

15.2 Added Costs

If a proposed discharge of waste is responsible for exceeding the existing capacity of the wastewater treatment facilities and the wastewater treatment plant must be upgraded, expanded, or enlarged in order to treat the wastewater, the County shall require that the discharger pay in full all added costs which shall include capital costs the County may incur due to the acceptance of the wastewater.

15.3 Payment of Costs of Work Required by Prohibited Deposits

In any case, where a sewer main or pipe connection is stopped, damaged or choked by any materials or rubbish being deposited therein contrary to the provisions of this chapter, by any tenant or property owner, upon due ascertainment by the Administrator, he shall cause the main pipe connection or manhole to be opened, cleaned, replaced or repaired, and shall cause the cost for doing such work to be collected from the property owner. The payment of such cost shall not relieve any person from prosecution for a violation of this chapter.

15.4 Severability

If any provision of this ordinance is invalidated by any court of competent jurisdiction, the remaining provisions shall not be effected and shall continue in full force and effect.

15.5 Conflicts

All other ordinances and parts of other ordinances inconsistent or conflicting with any part of this ordinance, are hereby repealed to the extent of the inconsistency or conflict.

Supervisor McDaniel made a motion to approve this amendment. The motion was seconded by Supervisor Dix and the roll call vote is as follows:

| <u>NAME</u> | <u>FOR</u> | <u>AGAINST</u> | <u>ABSENT</u> |
|------------------------|------------|----------------|---------------|
| Wythe B. Sharitz | X | | |
| James E. Hagee | X | | |
| Charles S. Dix | X | | |
| Danny C. McDaniel | X | | |
| Susan R. Crigger | X | | |
| Lisa R. Eaton | X | | |
| Anne B. Crockett-Stark | | | X |

This amendment shall be effective on and after 12:01 a.m. on the 20th day of December, 2005.

I certify that this is a true and correct copy taken from the December 19, 2005 minutes of the Wythe County Board of Supervisors meeting.


R. Cellel Dalton, Clerk