

CITY OF NEW CASTLE INDIANA
SEWER USE ORDINANCE

An Ordinance regulating the connection to and use of public and private sewers and drains, the installation and connection of building sewers, and the discharge of waters and wastes into the public sewer system of the City of New Castle, Indiana, and providing penalties for violations thereof.

WHEREAS the City Council of the City of New Castle, Indiana operates and maintains a sewage works and is responsible for operating, maintaining, regulating, and controlling that sewage works in accordance with the requirements of law:

WHEREAS the City Council of the City of New Castle, Indiana desires to revise and update its Ordinance regulating the connection to and use of public and private sewers and drains, the installation and connection of building sewers, and the discharge of waters and wastes into the public sewer system of the City of New Castle, Indiana, and providing penalties for violations thereof;

WHEREAS the City Council of the City of New Castle, Indiana desires to modify and update prior Ordinance No. 2896 effective January 22, 2022 and to amend the same by this Ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEW CASTLE, INDIANA:

Section 1. This Ordinance may be referred to as the "City of New Castle, Indiana Sewer Use Ordinance."

Section 2. Except as provided herein, the definitions contained in 40 CFR Section 401.11 and 40 CFR Section 403.0, as amended, shall be applicable in this Ordinance and are hereby incorporated by reference. For purposes of this Ordinance, the terms below shall be defined as follows:

- (a) "Board" shall mean the Board of Public Works and Safety of the City of New Castle, Indiana, or any duly authorized officials at representatives acting in its behalf.
- (b) "Building Drain" shall mean the lowest horizontal piping of a building drainage system which receives the discharge of sewage from drainage pipes inside the walls of the building and conveys it to a point approximately five (5) feet outside the foundation wall of the building.
- (c) "Building Sewer" shall mean the extension from the building drain to the public sanitary sewer, private sewage disposal system, or others place of disposal.
- (d) "Council" shall mean the City Council of the City of New Castle, Indiana.

- (e) "Garbage" shall mean any solid wastes from the preparation, cooking or dispensing of food and from the handling, storage or sale of produce.
- (f) "IDEM" shall mean the Indiana Department of Environmental Management.
- (g) "Inspector" shall mean the person or persons duly authorized by the City of New Castle, Indiana through its Board of Public Works to inspect and approve the installation of building sewers and their connection to the public sanitary sewer system
- (h) "Interference" shall mean a discharge into the public sanitary sewer system which, alone or in conjunction with a discharge or discharges from other sources, both:
 - (1) Inhibits or disrupts the sewage works, its treatment processes or operations, or its sludge processes, use or disposal: and
 - (2) Therefore is a cause of a violation of any requirement of the sewage works' NPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued thereunder (or more stringent State or local regulations):
Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (including Title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA), and including State regulations contained in any State sludge management plan prepared pursuant to Subtitle D of the SWDA), the Clean Air Act, the Toxic Substances Control Act, and the Marine Protection, Research and Sanctuaries Act.
- (i) "NPDES Permit" shall mean a National Pollutant Discharge Elimination System Permit setting forth conditions and limitations for the discharge of any pollutant or combination of pollutants to the navigable waters of the United States pursuant to the Federal Water Pollution Control Act
- (j) "Natural Outlet" shall mean any outlet into a watercourse, pond, ditch, lake, or other body of surface or ground water.
- (k) "Pass Through" shall mean a discharge into the public sanitary sewer which exits the sewage works into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the sewage works' NPDES Permit (including an increase in the magnitude or duration of a violation).
- (l) "Person" shall mean any and all persons, natural or artificial, including any individual, firm, company, municipal or private corporation, partnership, co-

Sherman Boles

Sherman Boles, Presiding
Officer, Common Council, City
of New Castle, Indiana

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<i>Andrea K. York</i>	_____
<i>[Signature]</i>	_____
<i>Max L. Latheland</i>	_____
<i>Louise Pierce</i>	_____
<i>Tom Dipp</i>	_____
<i>Richard Hahn</i>	_____

ATTEST:

Janice Lavarney
Janice Lavarney,
Clerk-Treasurer

APPROVED BY ME THIS 22nd DAY OF JANUARY, 2002

Sherman Boles

Sherman Boles, Mayor of the City
Of New Castle, Indiana