

said approvals are obtained in writing.

2.71. Maintenance of Preliminary Facilities. Where preliminary treatment facilities are provided for any wastes or wastes, they shall be maintained in satisfactory and effective operation, by the owner at his expense.

2.72. Control Manholes. When required by the City Council or the SWRC, the owner of any property served by a building sewer carrying industrial wastes shall install a suitable control manhole in the building sewer to facilitate observation, sampling and measurement of wastes. Such manhole, when required, shall be accessible and safely located, and shall be constructed in accordance with plans approved by the City Council. The manhole shall be installed by the owner at his expense and shall be maintained by him so as to be safe and accessible at all times.

2.73. Measurements and Tests. All measurements, tests, and analyses of the characteristics of water and wastes to which reference is made in section 2.67 and 2.70 shall be determined in accordance with "Standard Methods for the Examination of Water and Sewage" and shall be determined at the control manhole provided for in section 2.72 or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected.

2.74. Agreements. No statement contained in this Chapter shall be construed as preventing any special agreement or arrangement between the City of Bessemer and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the said City for treatment, subject to the payment by the industrial concern of the estimated cost of such treatment.

2.75. Protection from Damage. No unauthorized person shall maliciously, wilfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the municipal sewage system or treatment plant. Any person violating this section shall be punished as provided in Chapter 1 of this

Code.

### ENFORCEMENT - PENALTIES

2.78. Inspectors. The City Council duly authorized officials or employees of the City and agents of the SWRC bearing proper credentials and identification shall be permitted to enter upon all properties for the purpose of inspection, observation, measurement, sampling, and testing, in accordance with the provisions of this Chapter at any time during reasonable or usual business hours. Any person guilty of refusing or obstructing such entry shall be guilty of a violation of this Code.

2.79. Notice to Cease Violation. Any person found to be violating any provisions of this Chapter except sections 2.75 and 2.78 shall be served by the Superintendent or his representative with written notice stating the nature of such violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, take such corrective action as may be necessary.

2.80. Continued Violation. Any person who shall continue any violation beyond the time limit provided for in section 2.79 shall upon conviction thereof, be punished by a fine of not less than twenty-five (\$25.00) dollars nor more than one hundred (\$100.00) dollars, or by imprisonment for not more than ninety (90) days, or by both such fine and imprisonment in the discretion of the Court. Each day or fraction of a day in which such violation shall continue shall be deemed a separate offense. Any officer, agent, or employee guilty of aiding or abetting such violation, or, who being responsible therefor, refuses or neglects to take corrective action, shall be guilty as a principal.

2.81. Civil Liability. Any person violating any of the provisions of this Chapter shall be liable to the City for any expense, loss, or damage occasioned to the City by reason of such violation, and recovery therefor may be had in an appropriate action in any court of competent jurisdiction.