



ORDINANCE NO. 26-0721-F8

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF ENNIS, TEXAS, AMENDING THE WASTEWATER PRETREATMENT ORDINANCE NO. 26-0217-F4, CHAPTER 18, ARTICLE VI - WASTEWATER PRETREATMENT, DIVISION 2, GENERAL SEWER REQUIREMENTS, SECTION 18-175, SPECIFIC POLLUTANT LIMITATIONS, TO MODIFY LIMITS OF OIL AND GREASE, ADD BOD, TSS, AND COD, AND ADD A COMPLIANCE RESOLUTION PERIOD FOR EXISTING INDUSTRIAL USERS; AND DIVISION 15, SURCHARGE COSTS, SECTION 18-312, COMPUTATION OF SURCHARGE, TO ADD "NOTICE OF VIOLATION"; AND CHANGING "UTILITIES DIRECTOR" AND "UTILITIES DIRECTOR OR DESIGNEE" TO "PUBLIC WORKS DIRECTOR" OR "PUBLIC WORKS DIRECTOR OR DESIGNEE" THROUGHOUT; PROVIDING SEVERABILITY, REPEALING AND SAVINGS CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, it has become necessary to amend the City of Ennis, Texas "Wastewater Pretreatment" Ordinance to comply with all State and Federal laws, to include the Environmental Protection Agency and the Texas Commission on Environmental Quality; and

WHEREAS, the City Commission, in compliance with the laws of the State of Texas and the ordinances of the City, has held a public meeting to discuss the changes provided herein and the changes are within the legislative discretion of the City Commission and compliant with the laws of the State of Texas.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF ENNIS, TX:

SECTION 1: The City Commission finds the recitals in the preamble of this Ordinance are true and correct and incorporates them as findings of fact.

SECTION 2: Amendment to Chapter 18, Article VI – Wastewater Pretreatment, Division 2, General Sewer Requirements, Section 18-175, Specific Pollutant Limitations, to be and read:

Sec. 18-175. Specific Pollutant Limitations

No person shall discharge wastewater containing in excess of the following limitations, stated in milligrams per liter, or as required by State or Federal Authority to meet the set POTW Treatment Plant *effluent* limitations. All pollutants are subject to City of Ennis, Texas permit control.

pH	Lower limit 5.0
pH	Upper limit 11.0
BOD	<250 mg/l
TSS	<200 mg/l
COD	<750 mg/l

Oil and Grease (from) (animal and vegetable sources)	100 mg/l
Oil and Grease (from) (petroleum based oil and grease)	10 mg/l
Arsenic	0.428 mg/l
Cadmium	0.55 mg/l
Chromium	4.95 mg/l

Copper	1.17 mg/l
Cyanide	0.20 mg/l

Lead	1.6 mg/l
Mercury	0.010 mg/l
Nickel	4.20 mg/l
Silver	0.08 mg/l
Zinc	1.74 mg/l
Selenium	0.11 mg/l

Concentrations apply at the point where the industrial waste is discharged to the POTW. All concentrations for metallic substances are for "total metal" unless indicated otherwise. At his discretion, the Public Works Director or Designee may impose mass limitations in addition to or in place of the concentration-based limitations above. Upon promulgation of the Federal Pretreatment Standards for a particular industrial subcategory, the Pretreatment Standards, if more stringent than limitations imposed by this ordinance, shall become applicable. The Control Authority shall notify affected users of the applicable Pretreatment Standards and any applicable reporting requirements. The City of Ennis, Texas uses a city sewer use ordinance program to adopt all new limits. Notice of changes and opportunity for public comment on local limits development will be made available through City Council agendas and meetings.

Compliance Resolution Period: Any industrial user identified as being out of compliance on the effective date of Ordinance No. **26-0721-F8**, amending Ordinance No. 26-0217-F4, as previously amended, and said noncompliance results from the addition of BOD, COD, and TSS to this Sec. 18-175, shall be granted a one hundred and eighty (180) day compliance resolution period to achieve compliance with the new requirements. The Industrial User shall submit a detailed corrective action plan outlining the improvements necessary to achieve compliance, including an implementation schedule with measurable milestones to the Public Works Director, and provide monthly progress reports to the Public Works Director Designee to demonstrate and document efforts and continued progress toward compliance.

Additionally, any proposed treatment equipment, facility modifications, or process changes shall be reviewed and approved by the appropriate City departments to ensure compliance with all applicable building, plumbing, and related codes and ordinances.

SECTION 3: Amendment to Chapter 18, Article VI – Wastewater Pretreatment, Division 15, Surcharge Costs, Section 18-312, Computation of Surcharge, to be and read:

Sec. 18-312. Computation of Surcharge

Abnormal industrial wastes having a BOD concentration greater than 250 mg/I, and/or a TSS concentration greater than 200 mg/I, and/or a COD concentration greater than 750 mg/I shall be assessed a surcharge and a "Notice of Violation". Computation of surcharge shall be based on the following formula:

$SBOD \ V \times 8.34 \ [A(BOD - 250)]$

$STSS \ V \times 8.34 \ [B(TSS - 200)]$

$SCOD \ V \times 8.34 \ [C(COD - 750)]$

S = surcharge, in dollars, that will appear on the customer's monthly bill;

V = Water consumption in millions of gallons during the billing period or the wastewater average in millions of gallons;

A = Unit charge in dollars per pound of excess BOD;

B = unit charge in dollars per pound in excess of TSS;

C = Unit charge in dollars per pound COD;

8.34 = pounds per million gallons of water;

BOD = concentration expressed in mg/I;

TSS = concentration expressed in mg/I;

COD = concentration expressed in mg/l.

If the concentration of BOD, TSS or COD is less than the excess concentration for that category, then there shall be no surcharge for that category nor shall there be credit given to the total surcharge if the strength or concentration of all three categories is less than the normal. Surcharges payable under this paragraph shall become due monthly after the effective date of this ordinance.

SECTION 4: Publication. The caption of this Ordinance shall be published in a newspaper of general circulation in the City of Ennis, in compliance with the provisions of Article III, Section 51, of the City Charter.

SECTION 5: Savings/Repealing Clause. This Ordinance shall be cumulative of all other Ordinances and shall not repeal any of the provisions of such Ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance. Ordinances, or parts thereof, in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance. Provided however, that any complaint, action, claim or lawsuit which has been initiated or has arisen under or pursuant to such other Ordinances on this date of adoption of this Ordinance shall continue to be governed by the provisions of such Ordinance and for that purpose the Ordinance shall remain in full force and effect.

SECTION 6: Severability. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional, illegal or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. City of Ennis hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

SECTION 7: Effective Date. This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and Charter in such cases require.

PASSED AND APPROVED by the City Commission of the City of Ennis, Texas on this 21st day of July, 2026.



LYNDA ISBELL, Mayor

ATTEST:


BETHANY PREWITT, City Secretary

