TUESDAY • THURSDAY • SATURDAY
3 DAYS PER WEEK

The Cullman Tribune

SERVING CULLMAN – IN THE HEART OF DIXIE – SINCE 1874

VOL. 145 • 50¢ PER COPY | SEPTEMBER 25, 2018 | USPS 139-700 • NO. 115

'LOVE LETTERS IN A BOX'

Book looks inside long-distance romance in 1900s-Cullman



E.W. BOENING

This collection of old letters chronicles the communication between Francis Resch and Emma Schwaiger.

W.C. Mann
craig@cullmantribune.com

CULLMAN – In 2011, during a Memorial Day weekend visit to friends in Cullman, E.W. Boening was shown a box containing a few photographs and a remarkable collection of love letters written by a young man named Francis X. Resch to his sweetheart Miss Emma Marie Schwaiger, who was the friend's grandmother. The letters had been preserved in a box in the family's possession for more than 100 years.

Resch, the letters' author, was born around 1880 in Sioux Falls, South Dakota and somehow landed in Cullman in 1899 to attend college at Saint Bernard. In 1903, he established The Southern Tribune newspaper in Oneonta. It is not known how long he lived in Oneonta, but by 1906 he was in Kansas working as a teacher.

Schwaiger, the recipient of the letters, was the daughter of Joseph and Annie (Bauer) Schwaiger. She was born in 1887 in Sioux Falls, South Dakota and later moved with her family to Cullman, where her father was employed as a stone mason.

The families had been well-acquainted in South Dakota, and their friendship continued after their move south. Although Resch originally had an interest in Emma's sister Anna, by 1906 he had decided to pursue Emma, and a romance through letters had blossomed.

Boening took an immediate interest in both the correspondence and the people named in the letters, so she borrowed the box to take home for further study. After reading and transcribing the entire collection, she was informed that another box of letters existed, carrying the relationship to 1912.

Those letters were just as beautiful and romantic as the previous ones, and she quickly set about transcribing the new batch, after which she approached the owners with the idea of a book.



E.W. BOENING

Miss Emma Schwaiger

"Thankfully, they thought it would be alright," Boening told The Tribune in 2015, as she was beginning the publication process.

"And before long (the friend) began to tell me all kinds of things about the family's past, after the letters, and oh, how I wished I had a tape recorder at the time!"

Boening's efforts to understand the relationship between Resch and Schwaiger, and to preserve their correspondence, has finally paid off with the recent publication of her book "Love Letters in a Box" through Dorrence Publishing.

This week, Boening talked to The Tribune about the process of getting her book published:

"It took a year, took over a year. It was agonizing! The first time they edited it, they wanted me to correct all the proper English and stuff, and they didn't understand that it was word-for-word that I had typed. So, that was aggravating. 'But that's spelled wrong.' 'No, it isn't!'"

The book will officially be released on Oct. 18, and will be available through Amazon and other retailers, both in print and as an e-book. Release event plans have not yet been announced.

"I'm excited about it," said Boening. "I'm real excited, and it's kind of neat. Now I have an obituary: stay-at-home mom and a published author!"

From Dorrence Publishing:

For author E. W. Boening, a simple gathering one day at a friend's house ended up turning into something much more than simple.

While talking and enjoying each other's company, her host jumped up, left the room, and, when she returned, she brought a box of letters to Boening. These letters took Boening's breath away, as they were filled with such beautiful words of love, which she felt had to be shared with the world.

"Love Letters in a Box" gives us a peek into American history from 1902-1912 and the lost art of love letter writing.

About the author

E. W. Boening was born in Buffalo, New York, and raised on Grand Island, New York, until her family relocated to the Birmingham area. She lives in northern Alabama with her husband of 23 years. All together they have six children and 13 grandchildren. Boening has been a stay-at-home mom, with some outside jobs, such as a limousine owner/operator, deli owner and upholstery shop owner.



ALABAMA DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Image of a black bear

Bear sightings reported in NE Cullman Co.; residents reminded black bears are protected species in Alabama

Christy Perry
christy@cullmantribune.com

CULLMAN COUNTY – Cullman County Animal Control confirmed that "several" people reported seeing a black bear in northeast Cullman County on Sunday.

Sgt. Chris Westmoreland said no one from animal control or the Cullman County Sheriff's Office has actually seen the bear (or bears), but there have been several reports made.

Westmoreland said bears in Cullman County are not that uncommon, saying the bear(s) is most likely just passing through headed to the mountains in Tennessee. He also stressed that black bears are a protected species.

Back in January, the Alabama Department of Conservation and National Resource's David Rainer, in a weekly column, wrote that black bear sightings would likely increase this year and in the future. Read more here: http://www.cullmantribune.com/articles/2018/01/05/ever-seen-black-bear-alabama-you-might-soon.

For more about black bears in Alabama, visit www.outdooralabama.com/black-bear/alabama-black-bears.

Learn more about black bears at https://bearwise.org/



CULLMAN COUNTY SHERIFF'S OFFICE

Joshua Dewayne Finley

CRIME

Hanceville man charged with attempted murder in Garden City shooting

Wendy Sack
wendy@cullmantribune.com

CULLMAN – A Hanceville man is facing an attempted murder charge following a shooting in Garden City Friday. Joshua Dewayne Finley, 31, is also charged with first-degree assault and third-degree burglary.

Finley was the target of a nearly four-hour manhunt Friday, Sept. 21 after he allegedly shot someone at a residence in Garden City at approximately 6:30 a.m. that morning.

The victim, who was airlifted to a Birmingham hospital, has not been identified.

Finley, who also had an active burglary warrant, fled the scene of the shooting. His vehicle was located off County Road 594, and the search concentrated in the area between Cross Creek Golf Course and Crosshaven Church.

He was tracked down in the woods by the Cullman County Sheriff's Office (CCSO) K-9 tracking team, led by K-9 Deputy Clara Bell, CCSO deputies and Cullman Police officers.

Finley remains in the Cullman County Detention Center on a $150,000 cash bond.

‘Nightmare on Old 69’ to depict real-life horrors of drug addiction

W.C. Mann
craig@cullmantribune.com

GOOD HOPE – Many groups put on horror houses in the days and weeks leading up to Halloween, but Church 212 has decided this year to get really frightening by depicting the real-life horror of drug addiction based on the experiences of actual victims of addiction from the Cullman area. The event will be called “Nightmare on Old 69” (The church is located at 4690 County Road 437, still known to many locals as “Old Highway 69.”), and will take place at the church on the Friday, Saturday and Sunday evenings before Halloween.

Pastor Chris Harrison told The Tribune, “It’s kind of an updated version of the old ‘judgment houses’ that they used to have around the county around Halloween.

″And it kind of has a dual purpose, so it’s not just about knowing God, and heaven and hell. But it’s about one of the greatest epidemics that we’ve ever seen in our day, as far as the opiate epidemic: drugs- heroin and meth, and that kind of thing.

“The storyline is going to actually follow an ex-drug addict and a current drug addict, and actually it’s going to be based on, part of the story’s going to be based on, some real people, some things that actually happened with real people that we know, that have given us permission to use their story, but not their names.”

Included among the stories will be one from a local family who lost a child to a drug overdose.

Said Harrison, “This will be sobering and will have some jump scare moments. We expect some 1,500 people to go through.

″This is not a 212-only thing. It’s hosted there, but several Baptist churches will be joining together to make this a massive success. We need actors, counselors, volunteers.”

Volunteers will have information available for people or families dealing with both drug abuse and mental health issues like depression or suicidal thoughts.

The church has partnered with Preventive Action of Cullman, and also plans to bring licensed addiction and mental health counselors to the event to be available for visitors.

“The whole goal is to- as a church, of course, for us, the most important thing is to present the Gospel in a very clear way, that people will come to have a personal relationship with Jesus Christ,” said Harrison.

“And, as a secondary goal, we want people to be aware that, in our community, drug addiction doesn’t look like somebody on a street with a needle in their arm.

″It looks like regular people that go to school and go to church with you and are leaders. It looks like normal, everyday people. It doesn’t always look like the ugly thing that we think it is.

“People can be struggling with addiction and with suicide- both of those issues will be talked about during the flow of the story line, and we want them to know it can be anybody, it can look like anybody.

″The ultimate goal is to get people set free from addiction, suicidal thoughts, and ultimately pointed to Jesus Christ as the answer, because for us, we believe ultimately that’s the answer.”

Harrison warned that “Nightmare on Old 69” will be an intense “PG-13” event featuring frightening images and scenarios.

Church 212 is seeking volunteers to help out: actors and set builders, as well as people to be encouragers and prayer partners to supplement the work of professional counselors for visitors who may express a need for help.

If you or your church/ organization are interested in helping, visit http://church212al.com/ or www.facebook.com/212cullman/ or call 256-841-5735.

Admission to Nightmare on Old 69 is free. Church 212 is located at 4690 County Road 437.

EARL’S BODY SHOP
2251 Decatur Ave., N.W.
734-2406

THE BARN
Portable Storage Buildings
Hanceville, AL
352-2737


A-1 Battery Supply
AUTO – TRUCK – TRACTOR
Quality Batteries For Every Need
Since 1979
2172 Co. Rd. 1169 • Cullman, AL 35055
Phone: (Office): 256-734-9438

AUTO INSURANCE
Senior Driver Discounts Age 60 & Above
Virgil B. Fowler Insurance Agency
“Quality Since 1935”
256-734-3821
www.vbfowlerinsurance.com

Obituary Announcements: Sep. 25 - 30

Funeral service for Mancel Eugene (Cat) Sinyard, age 90 of Cullman, will be at Cullman Heritage Funeral Home on Tuesday, September 25, 2018, at 2 p.m. with Bobby Crawford and Dalton Robertson II officiating. Interment will be in Duck River Cemetery. Cullman Heritage Funeral Home is in charge of arrangements. He passed away on September 23, 2018, at Cullman Regional Medical Center. He was born November 23, 1927. He was preceded in death by daughter Janet Lynn Sinyard; parents, Matthew and Tressie Sinyard; sisters, Wynell Day, Marjorie Bice, and Mavis Nuss. Survivors include his wife of 63 years, Edith Sinyard; son, Bill (Donna) Sinyard; grandchildren, Sarah (Andy) Hinson, Rachel McPhillips, and Kala (Eugene) Stancil; great-grandchildren, Joseph (Madison) Hinson, James Hinson, Emily Margaret Hinson, Addison McPhillips, Claire McPhillips, Hayden Stancil, Landon Stancil, Carson Stancil; great-great-grandchild, Everett Hinson; sister, Willene Franklin; brothers, Milton Sinyard and Milford (Mona Jean) Sinyard, and a host of nieces, nephews, family, and friends. Pallbearers are Andy Hinson, Joseph Hinson, James Hinson, Wes Buzbee, Eugene Stancil, and Darryl Cook. Honorary pallbearers are Hayden Stancil, Landon Stancil, Carson Stancil, and Everett Hinson.

Mr. Joseph Barnett, 67, passed away on Sunday, September 23, 2018. He was born December 12, 1950, to William Jack Barnett, and Theresa Clara Arndt. Visitation will be Wednesday at 2 p.m. The service will begin at 3 p.m., in the Chapel, with interment following in the Cullman City cemetery. Mr. Barnett was preceded in death by his parents. Survivors include, siblings; Deborah Roth, of Cullman, Janet Barnett, of Cullman, Jack (Sherry) Barnett, of North Jackson, Al., Patricia (Lee) Wright, of Sebastian, FL., Stephen Barnett, of Cullman, Sue Barnett, of Boardman, OH, and a host of nieces and nephews.

Sister Mary Ruth Coffman, O.S.B., a Benedictine Sister of Sacred Heart Monastery in Cullman, AL, died on Saturday, September 22, 2018, at the age of 88. Sister Tonette Sperando, Prioress, led the prayers at her bedside, with Sisters gathered around her. The body will be received on Tuesday, September 25, at 4:45 p.m. in Sacred Heart Monastery Chapel in Cullman, with Vespers of the Dead at 5:00 PM. Visitation will follow. The Mass of Christian Burial will be held at 3 p.m. on Wednesday, September 26, with interment to follow in the monastery cemetery. Born in 1929 and christened Doris, Sister Mary Ruth’s early years were spent in Tennessee where she attended local schools and was raised in the Protestant faith. As a teenager, she was adopted by Judge Runa D. and Genevieve Coffman of Birmingham, AL. Sister excelled academically at Birmingham’s Ensley High School from which she graduated in 1947. Following high school, Sister attended Birmingham Southern College for one year before transferring to the University of Alabama. After completing her B.A. in Education with a major in English, Sister Mary Ruth took a position with the Birmingham News. An encounter with a Catholic co-worker led to Sister Mary Ruth’s conversion to Catholicism. The same co-worker later brought Sister to Cullman to hear the monastic community pray Vespers. As Sister Mary Ruth later recounted, “I loved it; I knew that was what I wanted to do.” Sister was accepted for admittance into the community at Sacred Heart Monastery and in 1952 she entered as a postulant. In 1953, she entered the Novitiate and received the religious name, Sister Mary Ruth. She made temporary monastic profession in 1952 and perpetual profession in 1957. Following perpetual profession, Sister began work on her M.A. in English from Catholic University of America in Washington, D.C., to further prepare her for what would be many years in the ministry of education at both the high school and college levels. While English and journalism were her primary subject areas she enjoyed teaching other subjects, too, and especially enjoyed working with students in various extra-curricular endeavors such as the school newspaper, drama, and honor society. Most of her years in the ministry of education were spent at Sacred Heart College and Cullman College in Cullman. However, her years at John Carroll Catholic High School in Birmingham, St. Jude High School in Montgomery, and St. Bernard Preparatory School in Cullman provided her with many cherished memories and life-long friends. A talented administrator, Sister Mary Ruth served as Academic Dean and Registrar at Sacred Heart College and as Treasurer and later President of the Alabama Association of Journalism Directors. Later, when Sacred Heart College was in need of a librarian, Sister Mary Ruth was sent to study at Peabody College where she earned her M.L.S. degree. Within the monastery, Sister Mary Ruth’s influence and impact has been immeasurable. Her many roles have included serving as secretary on the Monastic Council, Novice Director, Scholastic Director, Archivist, Librarian, and Development Director. She was the inaugural editor of Benedictine Update, envisioning the publication, bringing it to life, and serving as editor for sixteen years. A key service that Sister Mary Ruth rendered to the monastic community was her research and authorship of On Good Ground, a history of the community that was published in 1993. She authored a supplemental Centennial Edition in 2002 on the occasion of the community’s 100th anniversary of their founding. An additional written work, Build Me a City, was a biography of Fr. Harold Purcell, founder of the City of St. Jude in Montgomery. Through her life experiences, Sister Mary Ruth developed an expansive, welcoming heart and a strong trust in God that never wavered. She was a woman of deep prayer, a tireless encourager and a life-long learner. Her peaceful, serene nature was balanced by a joyful spirit that delighted in the presence of friends and in the wonders of God’s creation. Sister Mary Ruth had a great love for monastic life and for her monastic community. Her Benedictine Sisters, along with many devoted friends and former students, mourn her loss. In lieu of flowers, memorial contributions may be made to the Benedictine Sisters of Cullman, AL, 916 Convent Rd., Cullman, AL, 35055.

Graveside services with military honors for Mr. Kip Allan Holloway, 60, of Hanceville are 2 p.m. Wednesday, September 26, 2018 at Nesmith Cemetery, Johnny Harper officiating. Visitation on Tuesday from 6 p.m. to 8 p.m. at Cullman Funeral Home. Cullman Funeral Home is in charge of arrangements. Mr. Holloway passed away on Saturday, September 22, 2018. He was preceded in death by his father, Jesse C. Holloway and mother, Patricia Baker Hesch. He is survived by his wife, Deana Holloway; children, Kip A. Holloway II, Justin (Leslie) Holloway, Jacqueline McClellan and Krystal Clark; sister, Carolyn Sue (Jay) Stroud; brother, Ronald Mark Holloway; grandchildren, Bradley McClellan, Zoe McClellan, Jordan Holloway and Amber Clark; niece, Heather Shofner Lloyd; great nieces, Rayna Lloyd and Kacy Lloyd and a host of other family and friends.

Funeral Service for James Earl Smith, age 90 of Cullman, will be at Cullman Heritage Funeral Home on Wednesday, September 26, 2018, at 1 p.m. with Ray Latham officiating. Interment will be in Simcoe Methodist Cemetery. Cullman Heritage Funeral Home is in charge of arrangements. He passed away on Monday, September 24, 2018 at Summerford Nursing Home. He was born on January 26, 1928. He was a 32nd degree Mason in Scottish Rite and was a Mason of 50+ years with the Simcoe Masonic Blue Lodge 854. He was preceded in death by wife, Dorothy Mae Walker Smith; his parents, Joseph and Annie Smith; brothers, Elmus, Floyd, and Aubrey Smith; and sisters, Maybell Fortner and Ruby Jo Crumbley. Survivors include daughters, Robin (Gary) Seymore and Kay (Doug) Whaley; grandchildren, Amber (Keith) Humphries, Garrett (Kara) Seymore, Justin (Jessica) Whaley, and Beth (Josh) Welch; great-grandchildren, Kendall and Kayden Whaley, Harper, Oliver, and Evie Welch; brothers, John and Paul Smith; and a host of nieces and nephews. Visitation will be from 6 p.m. until 8 p.m. on Tuesday, September 25, at Cullman Heritage Funeral Home.

A memorial service for Mr. Charles Galin, 87, will be held on Saturday, September 29, 2018 at 3 p.m. at Fellowship Cemetery in the Spring Hill community, Rev. Steve Rodgers officiating. Cullman Funeral Home is in charge of arrangements. He passed away on May 29, 2018 in Oregon. Charles was born and raised in Cullman. He graduated from Cullman High School. He married Wynell Gilbreath in 1949 and they had three children, Diane Galin, Pam (Jim) Bellar and Mary (Mike) Bordner. In 1961 he married Phyllis McLaughlin and they had two children, Teresa (Matthew) Galin and John Galin. Charles worked in his younger years as a gardener and lithographer for Fiberboard Paper Products. In the mid 60′s Charles and Phyllis purchased St. Johns Flower Shop in Portland, Oregon and ran it until they sold the shop in the late 70′s. In 1973 Charles and Phyllis purchased Steele′s Pansy Gardens in Canby, Oregon. In the late 80′s the farm transitioned to a blueberry farm. Charles retired from farming in 2008 and he remained in Canby as he enjoyed the small community feel of the area. He spent his days gardening with Phyllis. Their yard was always full of beautiful flowers, which were enjoyed by everyone, especially passersby who were always full of compliments. Charles is survived by his wife, Phyllis; five children; four grandchildren and several great and great-great grandchildren. He was preceded in death by his parents, Beatrice Ann “Willie” Galin and Fritz Galin and a granddaughter, Kelsie Bordner.

Violet Hannah Marie Hood, 28 of Haleyville, entered into rest on Friday, September 14, 2018 at Lakeland Community Hospital. She was born on March 29, 1990 in Cadillac, Michigan. Visitation will be held on Sunday, September 30, 2018 from 12 noon until 2 p.m. at Nichols Funeral Home in Haleyville, where services will be at 2 p.m. Brother Kirk Cagle will officiate.

Free Obituary Listings
HAVE YOUR FUNERAL HOME CONTACT US
Email: robin@cullmansense.com • Fax: 256-739-4422
Complete obituaries may be found free of charge at CullmanTribune.com/obituaries.

THE TOMBSTONE COMPANY
Custom Granite Headstones and Monuments
Date of Death Engraving in Cemeteries
Locally Made and Locally Owned
Low Cost, High Quality
30-Day Delivery, Guaranteed
We Use Only American Granite
2117 US Hwy 278 West
Cullman, AL 35057
(2 miles West of I-65)
256-734-2005
Saturdays by Appointment
www.thetombstonecompany.com

CORRECTION

Regarding the story “County commission previews proposed FY 2019 budget,” published on Saturday, Sept. 22, 2018:

Editor’s Note: A correction has been made to this story. Where the story originally said, based on paperwork provided to The Tribune by the Cullman County Commission: "The largest line item increases go to the Cullman Area Chamber of Commerce, CCSO and County Detention Center," the story now reads: "The largest line item increases go to the CCSO and Cullman County Detention Center." The paperwork originally provided to The Tribune contained a line item which the commission informed us Saturday had already been changed and should not have been in the documents provided.

IN THE PROBATE COURT OF CULLMAN COUNTY, ALABAMA

IN RE: THE ADOPTION OF *
J.R.H.R, * **CASE NO.: AD2018-093**
A Minor Child, DOB 02/02/2017. *

NOTICE OF PETITION FOR ADOPTION

TO: **BRITANY RIGGS WHOSE WHEREABOUTS ARE UNKNOWN. TO ANY KNOWN, UNKNOWN, OR UNDISCLOSED PERSONS, WHO MIGHT BE THE FATHER:**

A PETITION FOR ADOPTION WAS FILED IN THE PROBATE COURT OF CULLMAN COUNTY, ALABAMA BY DANIEL MOSLEY AND ASHLEY MOSLEY, PETITIONERS. IF YOU SHOULD CONTEST THIS ADOPTION, YOU MUST FILE A WRITTEN RESPONSE WITHIN THIRTY (30) DAYS FROM THE DATE OF THE LAST PUBLICATION. YOUR RESPONSE MUST BE FILED WITH COUNSEL FOR SAID PETITIONER, WHOSE NAME AND ADDRESS ARE SHOWN BELOW, AND WITH THE CLERKOF THE PORBATE COURT OF CULLMAN COUNTY, ALABAMA, 500 2ND AVENUE SW, CULLMAN, ALABAMA 35055.

DONE THIS THE 21st DAY OF September, 2018.

DANIEL MOSLEY & ASHLEY MOSLEY
PETITIONERS

HEATH MEHERG
GRIFFITH, LOWRY, & MEHERG
ATTORNEY FOR PETITIONERS
409 1ST Avenue SW
Cullman, AL 35056
(256) 734-0458

To the Publisher of **The Cullman Tribune**:

Please publish the above notice once a week for four (4) successive weeks and send an Affidavit of Publication to the Judge of Probate.

Tammy Brown
TAMMY BROWN, JUDGE OF PROBATE
CULLMAN COUNTY, ALABAMA

IN THE PROBATE COURT OF CULLMAN COUNTY, ALABAMA

IN THE MATTER OF THE)
)
PETITION OF KELLY WILLIAM) CASE NO.: AD2018-090
CRAWFORD AND CHAVONNE)
RENEE SCHULTZ CRAWFORD)

FOR THE ADOPTION OF
K.A.W., MINOR.

NOTICE OF PETITION FOR ADOPTION

TO: JOHN CODY WILLIAMS, KNOWN OR UNKNOWN FATHER OF K.A.W., A MINOR CHILD, BORN TO MIKAYLA ABNER

A Petition for Adoption was filed in the Probate Court of Cullman County, Alabama by Petitioners Kelly William Crawford and Chavonne Renee Schultz Crawford. If you should contest this adoption, you must file a written response within Thirty (30) days from the date of the last notice of publication. Your response must be filed with Counsel for said petitioners, whose name and address is shown below, and with the Clerk of Probate Court of Cullman County, Alabama, Post Office Box 970, Cullman, Alabama 35056.

DONE THIS 21st day of September, 2018.

Tammy Brown
TAMMY BROWN, JUDGE OF PROBATE
CULLMAN COUNTY, ALABAMA

Attorney for the Petitioners:
Barnes F. Lovelace, Jr.
Post Office Box 2688
Decatur, Alabama 35602-2688
(256)340-8043

The Cullman Tribune
Cullman County's Oldest Business, Serving the area since 1874
Publication Number USPS-139-700
Telephone: 256-739-1351 Fax: 1-256-739-4422

Humble Roots, LLC
Published Tuesday, Thursday and Saturday at 219 2nd Avenue SE, Cullman, Alabama 35055 Entered as periodical material at the Cullman Post Office Periodical postage paid at Cullman, Alabama 35055

POSTMASTER: SEND ADDRESS CHANGE TO:
The Cullman Tribune
219 Second Avenue SE
Cullman, Alabama 35055
Email Address: robin@cullmansense.com

ANNUALLY BASED RATES

Cullman.....$75.00
Outside Cullman.....$85.00

NoahGalilee–Publisher
DustinIsom–Editor
Wendy Sack – Newsroom Editor
LorettaGillespie-Lifestyle/Religion
Christy Perry - General Reporter
Maggie Darnell– General Reporter
W.C. Mann- General Reporter
Sammy Confer-Youth/JVSportsEditor
Nick Griffin - Varsity Sports Editor
Joe McElroy - Photographer
Bill Piper - Photojournalist
Howard Cole - Photojournalist
RobinWinton-NewsroomManager

ORDINANCE NO. 2018 – 40
AMENDING ORDINANCE NO. 2004-03 AND THE ZONING MAP OF THE CITY OF CULLMAN, ALABAMA, TO RE-ZONE CERTAIN PARCELS OF PROPERTY AS SET FORTH HEREIN

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CULLMAN, ALABAMA, AS FOLLOWS:
1. Under the authority of Chapter 52, Articles 1 through 4, Section 11-52-1 through Section 11-52-84, Code of Alabama 1975, as amended, and specifically Sections 11-52-77 and at the request of property owner, Rusken Packaging, Inc., the following describe the tract or parcel of land, to-wit:
LEGAL DESCRIPTION: The North 11 feet of Lot 25, Lots 26-31 of Max Schmitt Estate as recorded in Map Book 1, Page 56 in the Office of the Judge of Probate, Cullman County, Alabama, containing 2.11 acres of land, more or less. Situated within the city limits of Cullman, Alabama, and lying and being in Cullman County, State of Alabama, designated as B-2 Business District on the Zoning Map of the City of Cullman, Alabama, under Ordinances No. 2004-03 and as may be reflected in any comprehensive master plan for the City of Cullman, Alabama, be, and is hereby changed from B-2 Business District to M-1 Manufacturing District.
2. That this ordinance be published at least once a week for two consecutive weeks in advance of its final passage in a newspaper with general circulation within the City of Cullman, Alabama, the first publication of said notice and ordinance being verbatim and the second publication either verbatim or synopsized, with the last publication being at least 15 days prior to the date set for public hearing and passage of said ordinance.
3. That a public hearing be held relative to the passage of this ordinance on the 10th day of September, 2018 at 7:00 o'clock p.m., at which time interested parties and citizens shall have the opportunity to be heard concerning said ordinance and any changes relating thereto.
4. That all notices as required by law be given by the City Clerk concerning said public hearing, and in addition thereto, a certified letter be sent by the Clerk to all contiguous property owners at their last known addresses as shown by the tax records for the City of Cullman, Alabama.
5. That upon final passage of this ordinance, all zoning maps, master comprehensive plans or any other documents of the City of Cullman, Alabama, in conflict with this ordinance be and are hereby changed and amended to reflect the changes and amendments herein.
6. Should any part or portion of this ordinance be held invalid, unenforceable or unconstitutional, for whatever reason, by a court of competent jurisdiction, such ruling shall not affect any other part or portion of this ordinance.
7. This ordinance shall take effect and be in force from and after its passage or adoption as required by law, including notice, publication and public hearing, all in accordance with Section 11-52-1, et seq., Code of Alabama 1975, as amended.
ADOPTED BY THE CITY COUNCIL this the 10th day of September, 2018. /s/Jenny G. Folsom - President of the City Council
ATTEST: /s/ Wesley M. Moore - City Clerk
APPROVED BY THE MAYOR, this the 10th day of September, 2018. /s/ Woody Jacobs – Mayor

ORDINANCE NO. 2018 – 41
AMENDING ORDINANCE NO. 2004-03 AND THE ZONING MAP OF THE CITY OF CULLMAN, ALABAMA, TO RE-ZONE CERTAIN PARCELS OF PROPERTY AS SET FORTH HEREIN

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CULLMAN, ALABAMA, AS FOLLOWS:
1. Under the authority of Chapter 52, Articles 1 through 4, Section 11-52-1 through Section 11-52-84, Code of Alabama 1975, as amended, and specifically Sections 11-52-77 and at the request of property owner, Industrial Development Board of the City of Cullman, the following describe the tract or parcel of land, to-wit:
LEGAL DESCRIPTION: Lot 1 of the preliminary plat, City of Cullman, Industrial Park No. 5 as recorded in Map Book 2006, Page 35 in the Office of the Judge of Probate, Cullman County, Alabama, containing 10.98 acres of land, more or less. Situated within the city limits of Cullman, Alabama, and lying and being in Cullman County, State of Alabama, designated as B-2 Business District on the Zoning Map of the City of Cullman, Alabama, under Ordinances No. 2004-03 and as may be reflected in any comprehensive master plan for the City of Cullman, Alabama, be, and is hereby changed from B-2 Business District to M-1 Manufacturing District.
2. That this ordinance be published at least once a week for two consecutive weeks in advance of its final passage in a newspaper with general circulation within the City of Cullman, Alabama, the first publication of said notice and ordinance being verbatim and the second publication either verbatim or synopsized, with the last publication being at least 15 days prior to the date set for public hearing and passage of said ordinance.
3. That a public hearing be held relative to the passage of this ordinance on the 10th day of September, 2018 at 7:00 o'clock p.m., at which time interested parties and citizens shall have the opportunity to be heard concerning said ordinance and any changes relating thereto.
4. That all notices as required by law be given by the City Clerk concerning said public hearing, and in addition thereto, a certified letter be sent by the Clerk to all contiguous property owners at their last known addresses as shown by the tax records for the City of Cullman, Alabama.
5. That upon final passage of this ordinance, all zoning maps, master comprehensive plans or any other documents of the City of Cullman, Alabama, in conflict with this ordinance be and are hereby changed and amended to reflect the changes and amendments herein.
6. Should any part or portion of this ordinance be held invalid, unenforceable or unconstitutional, for whatever reason, by a court of competent jurisdiction, such ruling shall not affect any other part or portion of this ordinance.
7. This ordinance shall take effect and be in force from and after its passage or adoption as required by law, including notice, publication and public hearing, all in accordance with Section 11-52-1, et seq., Code of Alabama 1975, as amended.
ADOPTED BY THE CITY COUNCIL this the 10th day of September, 2018. /s/Jenny G. Folsom - President of the City Council
ATTEST: /s/ Wesley M. Moore - City Clerk
APPROVED BY THE MAYOR, this the 10th day of September, 2018. /s/ Woody Jacobs – Mayor

ORDINANCE NO. 2018 – 42
AMENDING ORDINANCE NO. 2004-03 AND THE ZONING MAP OF THE CITY OF CULLMAN, ALABAMA, TO RE-ZONE CERTAIN PARCELS OF PROPERTY AS SET FORTH HEREIN

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CULLMAN, ALABAMA, AS FOLLOWS:
1. Under the authority of Chapter 52, Articles 1 through 4, Section 11-52-1 through Section 11-52-84, Code of Alabama 1975, as amended, and specifically Sections 11-52-77 and at the request of property owner, Industrial Development Board of the City of Cullman, the following describe the tract or parcel of land, to-wit: Legal Description: A tract or parcel of land containing 4.36 acres of land, more or less and being a part of lots 15-25 of the Max Schmitt Estate and being more particularly described as follows: Commence at a found capped corner (CONN-17831) marking the southwest corner of Lot 1 of Rusken Packaging Incorporated, addition to the City of Cullman, Alabama, as recorded in Map Book 2018, Page 3 in the Office of the Judge of Probate, Cullman County, Alabama, same being on the east right-of-way line of Brantley Avenue and having an Alabama State Plane, west zone, NAD 83 coordinate value of N.1526728.94', E.2163872.15', same being the northwest corner of that certain tract as conveyed to the City of Cullman by deed book 435, page 193 in the Office of the Judge of Probate, Cullman County, Alabama and run thence north 70 degrees 00 minutes 03 seconds east (bearing based on AL State Plane, west zone, NAD 83, grid), a distance of 234.47 feet to a set rebar marking the point of beginning; thence north 70 degrees 00 minutes 03 seconds east, a distance of 64.52 feet to a found capped corner (CONN-17831); thence north 85 degrees 20 minutes 33 seconds east, a distance of 484.01 feet to a found concrete monument marking the west right-of-way line of L and N Railroad right-of-way; thence south 14 degrees 29 minutes 10 seconds west and run along said west right-of-way line, a distance of 440.33 feet to a set rebar; thence south 81 degrees 59 minutes 45 seconds west, a distance o f343.92 feet to a found capped corner (CONN-17831); thence north 09 degrees06 minutes 40 seconds west, a distance of 174.42 feet to a found capped corner (CONN-17831); thence north 82 degrees 01 minutes 20 seconds west, a distance of 26.45 feet to a set rebar (CONN-17831); thence north 09 degrees 13minutes 55 seconds west, a distance of 240.08 feet to the point of beginning, subject to any rights-of-way and/or easements of record. Situated within the city limits of Cullman, Alabama, and lying and being in Cullman County, State of Alabama, designated as B-2 Business District on the Zoning Map of the City of Cullman, Alabama, under Ordinances No. 2004-03 and as may be reflected in any comprehensive master plan for the City of Cullman, Alabama, be, and is hereby changed from B-2 Business District to M-1 Manufacturing District.
2. That this ordinance be published at least once a week for two consecutive weeks in advance of its final passage in a newspaper with general circulation within the City of Cullman, Alabama, the first publication of said notice and ordinance being verbatim and the second publication either verbatim or synopsized, with the last publication being at least 15 days prior to the date set for public hearing and passage of said ordinance.
3. That a public hearing be held relative to the passage of this ordinance on the 10th day of September, 2018 at 7:00 o'clock p.m., at which time interested parties and citizens shall have the opportunity to be heard concerning said ordinance and any changes relating thereto.
4. That all notices as required by law be given by the City Clerk concerning said public hearing, and in addition thereto, a certified letter be sent by the Clerk to all contiguous property owners at their last known addresses as shown by the tax records for the City of Cullman, Alabama.
5. That upon final passage of this ordinance, all zoning maps, master comprehensive plans or any other documents of the City of Cullman, Alabama, in conflict with this ordinance be and are hereby changed and amended to reflect the changes and amendments herein.
6. Should any part or portion of this ordinance be held invalid, unenforceable or unconstitutional, for whatever reason, by a court of competent jurisdiction, such ruling shall not affect any other part or portion of this ordinance.
7. This ordinance shall take effect and be in force from and after its passage or adoption as required by law, including notice, publication and public hearing, all in accordance with Section 11-52-1, et seq., Code of Alabama 1975, as amended.
ADOPTED BY THE CITY COUNCIL this the 10th day of September, 2018. /s/Jenny G. Folsom - President of the City Council
ATTEST: /s/ Wesley M. Moore - City Clerk
APPROVED BY THE MAYOR, this the 10th day of September, 2018. /s/ Woody Jacobs – Mayor

ORDINANCE NO. 2018 – 43

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CULLMAN, IN THE STATE OF ALABAMA, as follows:
Section 1. That existing sections of ordinances of the City of Cullman, Alabama, which are in conflict of this ordinance are repeal including as they appear therein (other than reserved sections), Code of the City of Cullman, Alabama, are hereby repealed and the following is adopted in lieu thereof:
ARTICLE III. WASTEWATER
DIVISION I. GENERALLY
SECTION I
1.1 Purpose: This "Wastewater Ordinance" establishes requirements applicable to any discharge to the wastewater collection and treatment system owned by the City of Cullman ("Wastewater Collection and Treatment System") and operated by the City of Cullman; sets forth uniform requirements for the protection of the health, safety and welfare of the citizens of Cullman and the environment; enables the City of Cullman to ensure compliance with all applicable State and Federal laws required by the Clean Water Act of 1972, 33 U.S.C. §§ 1251 et seq., including General Pretreatment Regulations (40 CFR, Parts 401 et seq., including amendments) and the laws of the State of Alabama; and authorizes the City of Cullman to take such action and establish such requirements, including restrictions, limitations, fees, charges, assessment of fines and issuance of permits, authorizations, and directives, enter into contracts or other agreements, to implement the provisions of the Wastewater Ordinance.
1.2 Policy: The "Wastewater Ordinance" shall apply to all persons or entities which discharge, contribute, or may discharge or contribute, to the Wastewater Collection and Treatment System, both within and outside the city limits of the City of Cullman. Any person or entity that discharges or contributes wastewater, pollutants, or any materials into the City of Cullman wastewater system, shall comply with all requirements of the Wastewater Ordinance, as well as any permits, authorizations, contracts, directives or orders or other conditions of the City of Cullman issued hereunder, and shall comply with all applicable federal and state law. Except as otherwise provided herein, the City of Cullman or their designees shall administer, implement, and enforce the provisions of the "Wastewater Ordinance". Any powers granted to or duties imposed upon the City of Cullman may be delegated by the City of Cullman personnel.
Persons or entities who discharge wastewater comprised solely of human excrement and/or household gray water to the Wastewater Collection and Treatment System are subject to this Wastewater Ordinance, but are not subject to the provisions of Section _____. Non-domestic Users of the Wastewater Collection and Treatment System are subject to this Wastewater Ordinance and provisions of Section _____.
1.3 Objectives.
1. Provide safe, reliable, and effective wastewater collection and treatment services for the citizens of Cullman and such other persons or entities as the City of Cullman authorizes to discharge to the Wastewater Collection and Treatment System.

2. Protect environmental and community resources, and water quality.
3. Prevent the introduction of pollutants into the City of Cullman wastewater system that will interfere with the operation of the system or negatively affect the quality of the resulting sludge or its marketability.
4. Prevent the introduction of pollutants into the City of Cullman wastewater system which will pass through the system, inadequately treated, into receiving waters or the atmosphere or otherwise be incompatible with the system.
5. Provide for the equitable distribution of the cost of the City of Cullman wastewater collection and treatment relating to Industrial Users of the system amongst those Industrial Users.
6. Protect, in addition to the general public, the City of Cullman personnel who may come into contact with sewage, sludge and effluent in the course of their employment.
7. Ensure the City of Cullman's compliance with its NPDES permit conditions, sludge use and disposal requirements and any other Federal or State laws to which the City of Cullman wastewater system may be subject.
8. Improve the opportunity to recycle and reclaim wastewater and sludges from the system.
9. Protect health, safety, and welfare of the citizens of Cullman and the public investment in the sewer collection and treatment system.

1.4 Definitions. Unless the context specifically indicates otherwise, the following terms and phrases, as used in this ordinance, shall have the meaning hereinafter designated:

1. Act or "The Act" - The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251, et seq.
2. Approval Authority - The Director of the Alabama Department of Environmental Management.
3. Authorized Representative of Industrial User. An authorized representative of an Industrial user may be:

(a) A principal executive officer of at least the level of vice-president, or higher level of responsibility and delegation, if the Industrial User is a corporation;
(b) A general partner or proprietor if the Industrial User is a partnership or proprietorship, respectively;
(c) A duly authorized representative of the individual designated above if such representative is responsible for the overall operation of the facilities from which the indirect discharge originates.

4. Batch Process: Batch process means a non-continuous operation in the production, manufacturing, treatment or other non-domestic User operation involving intermittent or discontinuous feed into equipment, and, in general, involves the emptying of the equipment after the batch operation ceases and prior to beginning a new operation. Addition of raw material and withdrawal of product do not occur simultaneously in a batch operation. Examples include processes in which a tank or reactor is filled, the wastewater (or solution) is treated or a chemical solution is prepared, and the tank is emptied. The tank may then be filled and the process repeated. Batch processes are also used to cleanse, stabilize or condition chemical solutions for use in the industrial manufacturing and treatment processes.
5. Biochemical Oxygen Demand - Shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20 centigrade, expressed in parts per million by weight.
6. Building Sewer - Shall mean the extension from the building drain to the sewer lateral at the property line or other lawful place of disposal.
7. Categorical Standards or Categorical Pretreatment Standards - Federal Categorical Pretreatment Standards promulgated at 40 CFR, Parts 403 through 699, including subsequent amendments.
8. City - The City of Cullman, a municipal corporation in Cullman County, Alabama, and specifically the City of Cullman Wastewater Department, which Wastewater Department shall have all administrative powers and responsibilities under all of the provisions of this ordinance.; City Council of the City of Cullman.
9. City Council – City Council of the City of Cullman
10. Consistent Removal – A reductions in the amount of a pollutant or alteration of the nature of the pollutant by the wastewater treatment system to a less toxic or harmless state in the effluent which is achieved by the system when 95 percent of the samples taken when measured according to the procedures set forth in Section 403.7(c)2 of (Title 40 of the Code of Federal Regulations, Part 403) as amended "General Pretreatment Regulations for Existing and New Sources of Pollution" promulgated pursuant to the Act.
11. Chemical Oxygen Demand - Shall mean the quantity of dissolved oxygen required for the chemical oxidation of decomposable matter under aerobic conditions.
12. Composite Sample - Shall be time-composite sample collected using automatic sampling equipment or a minimum of eight (8) equal volume grab samples collected over equal time intervals for the total period of discharge not to exceed 24 hours taken by methods prescribed pursuant to 40 C.F.R. Part 136 and contemporary certified laboratory protocols as amended.
13. Contractual Arrangement - Shall mean a contract between a User, Discharger or Contributor and the City of Cullman. A permit issued by the City of Cullman to a User, Discharger, or Contributor is also referred to as a contractual arrangement.
14. Cooling Water - The water discharged from any use such as air conditioning, cooling or refrigeration, or to which the only pollutant added is heat.
15. Constituents - Shall mean the individual or combination of particles, chemicals or conditions, including physical conditions which exist in the waste or wastewater.
16. Direct Discharge - The discharge of treated or untreated wastewater directly to the waters of the State of Alabama.
17. Discharge - The introduction of any substance, material, or pollutant into the City of Cullman's Wastewater Collection and Treatment System by any means whatsoever.
18. Domestic Wastes – Liquid wastes a) from the non-commercial preparation, cooking and handling of food, or b) containing human excrement and similar matter from the sanitary conveniences of dwellings, commercial building, industrial facilities, and institutions.
19. Domestic User – Any user not covered under the definition of "Industrial User".
20. Effluent - Shall mean the discharge from a reservoir, basin, treatment process or treatment facility, or other facility, and includes all wastewater discharged to or from the City of Cullman's Wastewater Collection and Treatment System.
21. Effluent Limits - Pollutant limitations developed by a POTW for each industrial plant discharging to the POTW system. At a minimum, all industrial facilities are required to comply with the provisions of this Wastewater Ordinance and any applicable state or federal laws or discharge standards. The industries covered by Categorical Pretreatment Standards must also comply with all discharge limitations, prohibitions, conditions and provisions of this Wastewater Ordinance, including the provisions of _____ Non-Domestic Sewer Use Ordinance which may be more stringent than and in addition to the Act, National Pretreatment Regulations, Categorical Pretreatment Standards, or the Alabama Water Pollution Control Act. The City of Cullman or City Council of the City of Cullman may also establish Local Limits more stringent than or in addition to any federal, state, or other standards for some or all of its industrial Users.
22. Environmental Protection Agency - A regulatory agency established by the U. S. Congress to administer the nation's environmental laws; the U. S. Environmental Protection Agency, or where appropriate the term may also be used as designation for the Administrator or other duly authorized official of said agency.
23. Garbage – The solid wastes from the domestic and commercial preparation, cooking and dispensing of food, and from the handling, storage and sale of produce.
24. Grab Sample - A sample that is taken from a waste stream on a one-time basis with no regard to the flow in the waste stream and without consideration of time and taken by methods prescribed pursuant to 40 C.F.R. Part 136 and contemporary certified laboratory protocols.
25. Holding Tank Waste - Any waste from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks, and vacuum-pump tank trucks.
26. Indirect Discharge - The discharge or the introduction of non-domestic pollutants from any source regulated under Section 307(b) or (c) of the Act, (33 U.S.C. 1317), into the City of Cullman's Wastewater Collection and Treatment System (including holding tank waste discharged into the system).
27. Industrial Plant - Shall mean any plant producing liquid waste, with or without bearing suspended solids, required to be discharged either with or without pretreatment, into the City of Cullman's wastewater system.
28. Industrial Plant Site - Shall mean a parcel of land occupied by a facility that discharges industrial waste.
29. Industrial User – Source of Indirect Discharge which does not constitute a "Discharge of Pollutants" under regulations issued pursuant to Section 402, of the Act. (33 U.S.C. 1342).
30. Industrial Wastewater - Non-domestic wastewater originating from a non-residential source
31. Inorganic – Compounds that do not have the structure or organization that is characteristic of living bodies and do not contain hydrocarbons or their derivatives.
32. Interference or Interfere – A discharge which, alone or in conjunction with a discharge or discharges from other sources, inhibits or disrupts the City of Cullman's treatment processes or operations or its sludge processes, use or disposal, or may contribute to a violation of any requirement of the City of Cullman's Permit or causes damage to any part of the collection, treatment, and disposal system; and includes prevention of sewage sludge use or disposal. The term includes prevention of sewage sludge use or disposal by the City of Cullman in accordance with 405 of the Act, (33 U.S.C. 1345) or any Solid Waste Disposal Act (SWDA), the Clean Air Act, the Toxic Substances Control Act, applicable to the method of disposal or use employed by the City of Cullman.
33. Lateral Sewer – A sewer that discharges into a collecting sewer or other sewers and has no other common sewer tributary to it.
34. Local Limit - Shall have the same meaning as set forth in the National Pretreatment Regulations
35. National Prohibitive Discharge Standard or Prohibitive Discharge Standard – Any regulation developed under the authority of 307 (b) of the Act and 40 CFR, Section 403.5.
36. National Pollution Discharge Elimination System or NPDES Permit – A permit issued pursuant to Section 402 of the Act (33 U.S.C. 1342).
37. National Pretreatment Regulations - Shall mean the regulations promulgated at 40 CFR, Part401 through 699. Federal Categorical Pretreatment Standards are included in the National Pretreatment Regulations.
38. New Source – Any source, the construction of which is commenced after the publication of proposed regulations prescribing a Section 307(c)(33 U.S.C. 1342) Categorical Pretreatment Standard which will be applicable to such source, if such standard is thereafter promulgated within 120 days of such proposal in the Federal Register. Where the standard is promulgated later that 120 days after proposal, a new source means any source, the construction of which is commenced after the date of promulgation of the standard.
39. Normal Operations - Shall mean the operational characteristics as described in any permit or authorization issued by the City of Cullman and specifically includes but is not limited to flow, volume, management practices or limitations. In the absence of a permit or authorization, operational characteristics as submitted by the User in any application, industrial waste survey, or other documentation provided to the City of Cullman.
40. Odor – The discharge of any substances from wastewater which results in complaints from surrounding residents or creates a public nuisance.
41. Organic – Pertaining to or derived from living plants or animals, contains carbon and is characterized by a systematic arrangement of parts.
42. Pass Through - a discharge which exits the wastewater collection and treatment system 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 City of Cullman's NPDES Permit, including an increase in the magnitude or duration of a violation.
43. Person or Owner – Shall mean any individual, partnership, co-partnership, firm, company, corporation, association, joint-stock company, trust, estate, governmental entity, or any other legal entity, or their legal representative agents or assigns. This definition shall include all Federal, State and local governmental entities. The masculine gender shall include the feminine, the singular shall include the plural where indicated by the context.
44. pH – Shall mean the reciprocal of the weight of hydrogen ions in grams per liter of solution.
45. Pollution – The man-made or man-induced alteration of the chemical, physical, biological, and radiological integrity of water.

46. Pollutant – Shall mean any dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical constituent or waste, biological materials, radioactive material, heat, wrecked or discharged equipment, rock, sand, cellar dirt and industrial, municipal, and agricultural waste discharged into water, and includes certain characteristics of wastewater (e.g. pH, temperature, TSS, turbidity, color, GOD, COD, toxicity, odor).
47. Pollution Discharge Elimination System Permit - A permit issued pursuant to Section 402 of the Act (33 U.S.C. § 1342).
48. Non-domestic Pollutant or Non-Domestic Wastewater - Any substance other than human excrement or household gray water.
49. Ordinance - when used means "Wastewater Ordinance" of the City of Cullman.
50. Pretreatment or Treatment – Shall mean the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into the City of Cullman's wastewater treatment facilities. Pretreatment shall also mean that biological, physical or chemical treatment given to waste are those processes utilized for this purpose before discharge into the sanitary sewer system by any means except as prohibited by 40 C.F.R. Section 403.6(d), which includes a prohibition on dilution. Appropriate pretreatment technology includes control equipment for protection against surges or slug loadings that might interfere with or otherwise be incompatible with the POTW. However, where wastewater from a regulated process is mixed in an equalization facility with unregulated wastewater or with wastewater from another regulated process, the effluent from the equalization facility must meet an adjusted pretreatment limit calculated in accordance with 40 C.F.R. Section 403.6(e).
51. Pretreatment Coordinator – City of Cullman personnel who conduct inspections of industrial pretreatment facilities and food service facilities to ensure protection of the environment and compliance with this Ordinance and all pretreatment regulations.
52. Property Owner – One or more persons, _____, partnership or corporation or organization as listed by the Revenue Department as assessing owner of the real estate.
53. Publicly Owned Treatment Works (POTW) - means a treatment works as defined by Section 212 of the Act, which is owned by a State or municipality (as defined by Section 502(4) of the Act). This definition includes any devices and systems used in the storage, treatment, recycling and reclamation of municipal sewage or industrial wastes of a liquid nature. It also includes sewers, pipes and other conveyances only if they convey wastewater to a POTW Treatment Plant. The term also means the municipality as defined in Section 502(4) of the Act, which has jurisdiction over the Indirect Discharges to and the discharges from such a treatment works. The City's wastewater collection and treatment system is a POTW and when the term POTW is used it shall refer to the City of Cullman's POTW, which is a part of the City's Wastewater Collection and Treatment System.
54. Sewer or Sanitary Sewer – Shall mean the system of point sources, pipes, conduits, manholes, sewers, and similar structures which transmit wastewater, pollutants, or other materials to the City's POTW. Sewers are a part of the City of Cullman's Wastewater Collection System.
55. POTW Treatment Plant – That portion of the POTW designed to provide treatment to wastewater.
56. Qualified Professional – An Engineer registered to practice engineering in the State of Alabama.
57. Receiving Waters – A natural water course or body of water into which treated or untreated sewage is discharged.
58. Shall is mandatory. May is permissive.
59. Significant User – Any User of the City's POTW who (a) has a discharge flow of 25,000 gallons or more per average work day, or (b) has a flow or organic load greater than 5% of the flow or organic load in the City's POTW, or (c) contributes toxic pollutants as defined pursuant to Section 307 of the Act of Alabama Statutes and Rules, or (d) is found by the City Approval Authority, Alabama Department of Environmental Management, or the United States Environmental Protection Agency to have significant impact either singly or in combination with other contributing industries, on the Wastewater Treatment System, the quality of sludge, the system's effluent quality or air emissions generated by the POTW.
60. Slug Load – Any pollutant (including BOD) released in a discharge at a flow or concentration that will cause a violation of any discharge standard, limitation, or condition of this Ordinance or create any difficulty or cause the use of additional treatment, equipment, or resources at the POTW for treatment.
61. Suspended Solids - Shall mean solids that either float on the surface of, or that are in suspension in water, sewage or other liquids and which are removable by laboratory filtering.
62. Standard Industrial Classification (SIC) – A classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, Office of Management and Budget, 1972.
63. Standard Methods – "Standard Methods for the Examination of Water and Wastewater" prepared and published jointly by the American Public Health Association, American Water Works, Association and the Water Pollution Control Federation latest edition.
64. State – State of Alabama.
65. Storm Water – Any flow occurring during or following any form of natural precipitation and resulting therefrom.
66. Surcharge - Shall mean an additional service charge assessed to persons or entities discharging to the City of Cullman's Wastewater Collection and Treatment System whose waste characteristics exceed levels specified in _____, Non-Domestic Sewer Use Ordinance.
67. Toxic Pollutant - Any pollutant or combination of pollutants listed as toxic in regulations promulgated by the Administrator of the Environmental Protection Agency under the provision of CWA 307(a) or other Acts.
68. User – Any person who contributes, causes or permits the contribution or discharge of non-domestic wastewater in the City's Wastewater Collection and Treatment System.
69. Treatment Plant – Any device or system used in collection, storage, treatment, recycling and/or reclamation of wastewater.
70. Wastewater or Wastes - Shall mean the used water and water-carried solids or associated physical and chemical conditions of water that flow into the City's Wastewater Collection and Treatment System, and includes but is not limited to all liquid and water-carried industrial wastes and sewage from residential dwellings, commercial buildings, industrial and manufacturing facilities, businesses, pretreatment facilities, and institutions whether treated or untreated and which are contributed to the City's wastewater collection and treatment system. Hazardous wastes under the Resource Conservation and Recovery Act (RCRA) or state law are prohibited from discharge to the City's wastewater collection and treatment system and are not wastewater or waste under this ordinance.
71. Wastewater Collection and Treatment System - Shall mean the system of point sources, pipes, conduits, manholes, sewers, and similar structures which transmit wastewater, pollutants, or other materials to the City's POTW, and includes the POTW and any facilities and equipment used in the City's operation of the POTW and collection system.
72. Watercourse – A channel in which a flow of water occurs, either continuously or intermittently.
73. Water Closet - Shall have the meaning set forth in Section 7-86 of the Code of the City of Cullman.
74. Waters of the State - All streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoir, aquifers, irrigation systems, drainage systems and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the State or any portion thereof.
75. Wastewater Ordinance - Shall mean the provisions of this ordinance (Paragraph Number ___) of the Cullman Code of Ordinance.
76. Wastewater Discharge Permit – As set forth in section four of this ordinance.

Section 23-59. Abbreviations.

The following abbreviations shall have the designated meanings

1. ADEM	Alabama Department of Environmental Management
2. ASTM	American Society for Testing and Materials
3. BOD	Biochemical Oxygen Demand
4. CFR	Code of Federal Regulations
5. COD	Chemical Oxygen Demand
6. CERCLA	Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. §§ 9601 et seq.
7. EPA	Environmental Protection Agency
8. l	Liter
9. Mg	Milligrams
10. MGD	Million gallons per day
11. mg/l	Milligrams per liter, also known as parts per liter
12. NPDES	National Pollutant Discharge Elimination System
13. O/G	Oil and grease
14. POTW	Publicly Owned Treatment Works
15. PPM	Parts per million
16. RCRA	Resource Conservation and Recovery Act, 42 U.S.C. §§ 6901 et seq
17. SIC	Standard Industrial Classification
18. SID	State Indirect Discharge Permit
19. SWDA	Solid Waste Disposal Act, 42 U.S.C. 6901, et seq.
20. TSS	Total Suspended Solids
21. TTO	Total Toxic Organics
22. USC	United States Code
23. WPCF	Water Pollution Control Federation
24. ˚F	Degrees Fahrenheit
25. ˚C	Degrees Celsius

[Note: Sections 23-60--23-67 Reserved]

SECTION II – ALTERNATIVE CONNECTION PROCEDURE

2.1 Connection Required By Council Resolution _____ of Sewer By Property Owner—When Permitted – Whenever in the judgment of the City Council it shall be deemed necessary or expedient for the protection of the public health to require the owner of any property in the city located within four hundred (400) feet of a sanitary sewer to install and connect water closets with the sewerage system of the City, the City Council may in addition to the present regulations and in lieu thereof adopt a resolution declaring that in the opinion of the City Council it is necessary or expedient that the work be done, which resolution shall give the name of the owner of the lot, the lot and block number, or the survey in which the same is situated, and shall describe the location at which the water closet shall be installed and shall describe the character of the work and the quality of the closet, including necessary water pipe lines to be installed and shall set forth the estimated cost of providing and installing same. The resolution shall also fix a day for the hearing of the property owner, which day shall be not less than twenty (20) days after the adoption of the resolution. (Code 1956, § 12 – 26) Property owner shall pay for meter. Property owner shall be responsible for all materials and labor required to hook property to sewer including that portion between existing sewer line and property line. Should the connection require pump, property owner shall pay for the pump station and pump.

2.2 Same—Notice and service – Upon the adoption of the resolution authorized by the preceding section the city clerk shall issue a notice to the property owner named in the said resolution, which notice shall set forth the resolution so adopted, and shall notify the property owner to appear, either in person or by counsel, before the city council on the day named in said resolution to show cause, if any there be, why he should not peremptorily be required to forthwith construct a water closet at the place mentioned in the resolution at his own expense, which notice shall be served upon the property owner by the chief of police or any police officer by leaving a copy of the notice with said property owner, and it shall be the duty of the police officer making the service to make return in writing upon the notice of the city clerk, which notice shall be served at least ten (10) days before the day fixed in the resolution for hearing the same. (Code 1956, § 12-27)

2.3 Same—Hearing of objections – Upon the day fixed in the resolution authorized by section 2.1 of this division for hearing the property owner's objections, the city council shall proceed to hear any objections or defenses which the property owner may make in writing and hear all evidence which the property owner may offer in support of any protest or objection so made; provided, that if the property owner shall fail to protest in writing, which protest shall be filed with the city clerk or the council, then on the hearing of the resolution, he shall be held to have consented to the making of the connections in the manner provided in this division. Upon hearing the objections and resolution, the city council shall have the power to peremptorily order by resolution the property owner to make such connections within ten (10) days thereafter. (Code 1956, § 12 -28)

2.4 Failure to comply; authority of City – In case of a failure to install or connect the water closet with the sewer system of the City within ten (10) days after the peremptory resolution ordering the same shall have been adopted, it shall be the duty of the building department director to install on the premises of the property owner a proper water closet, with the necessary water supply line and connect the same with the sewage system of the city at the expense of the property owner, the closet thereof to be a lien upon the property in favor of the City to be collected as other debts are collected or liens enforced; provided, that the closet and water pipe lines installed shall be of the kind designated in the original resolution provided for in Chapter 7, Article IV of this Code, and the costs of such installation shall not exceed the sum estimated in the original resolution; provided further, that the amount of such costs shall bear interest at the rate of eight (8) percent from the day of completion and installation as certified by the mayor, as provided in this division. (Code 1956, § 12-28:1)

2.5 Statement of Costs – Upon the completion of the installation and connection of the water closet and water pipe line, the mayor shall prepare, or cause to be prepared, a statement in writing setting forth the name of the owner of the property and a description of the property on which such improvement has been made, together with the cost of the such sanitary connection and installation of such closet and water pipe line, which statement shall be signed by the mayor in his official capacity and shall be filed with the probate judge of the county for record in the mortgage records of the county, and the filing of such statement shall operate as notice of the existence of the lien from the date of its filing. Code 1956, § 12-29)

2.6 Assessment for sewer connection—Payment - Any person whose property shall have been assessed under the provisions of this division shall have the right to pay the assessment in cash at any time within thirty (30) days after the amount of such assessment shall haven ascertained by resolution adopted by the City Council, notice of which shall be given to the property owner by registered mail at his last known address; provided, that the property owner shall also have the right in lieu of paying the assessment in cash, as provided in this section, to pay the same in monthly installments, each installment to equal one-twentieth of the principal amount of the assessment, and at the time of paying such monthly installment the property owner shall also pay the interest on the unpaid balance form the date of the last preceding payment to the date upon which the monthly installment is paid; provided further, that if such property owner shall fail to pay the principal in cash within thirty (30) days after such notice that the assessment has been ascertained and fixed or shall fail to pay any monthly installments when due and the same shall remain in default for thirty (30) days, then at the option of the city the entire amount shall become due and payable, and it shall be the duty of the city clerk to proceed to collect the same and enforce the payment in any court having jurisdiction or by sale, as proved by law, for foreclosing street improvement assessment liens. (Code 1956, § 12-30)

2.7 Same—Protest of property owner – The notice of lien provided for in section 23-82 of this division shall be filed for record in the office of the probate judge of the county until the property owner shall have been given notice by registered mail, addressed to his last known address, of the fact of the completion of such installation and the amount of the assessment as provided in section 23-83 of this division. At any time within five (5) days after such notice shall have been deposited in the post office of the city, in accordance with the provisions of this section, such property owner shall have the right to file in writing with the city clerk any protest or objections against the material used, the manner in which the work is constructed or the cost of such assessment, and it shall be the duty of the city council at its next regular meeting ,after the filing of such protest, to hear the protest and any evidence which the property owner may offer, and the council may either confirm, modify or repeal the resolution fixing the assessment. If such property owner fails to protest within the time and manner stated in this section, he shall be held to have consented to such assessment, and the statement in writing provided for in section 23-82 of this division shall thereupon immediately be filed in the office of the probate judge. (Code 1956, § 12-31)

2.8 Same—Appeal from action of council – Any property owner feeling himself aggrieved by the action of the council in overruling any protest filed under the preceding section, either in whole or in part, may, within two (2) days after such assessment shall have been finally fixed, appeal to the circuit court of the county or such other inferior court as may hereafter be created, upon giving bond in twice the amount of the assessment with two (2) good and sufficient sureties, conditioned to prosecute such appeal and to pay to the city such judgment as the court may render upon the hearing of such appeal. Upon the appeal being taken it shall be the duty of the city clerk to forthwith send to the court to which the appeal is taken a transcript of the proceedings, including the protest and bond, and the cause shall be set for immediate hearing on the merits by the court which shall render judgment accordingly. (Code 1956, § 12-32)

2.9 Connection by City; request by owner – The wastewater department is authorized to make sewer connections to the sewer system of the city for owners when requested to do so where connection thereto is required by the provisions of this division, and in such instance, to make a reasonable charge for such service and to require a deposit sufficient to cover the cost thereof prior to the performance of the work within the city limits only. Should the owner request a flow meter said meter shall only be calibrated by the City or a certified third party for calibration.

2.10 Sewer connections deemed accessible – The provisions of this division with reference to sewer connections shall be deemed to apply only where connection with a public sewer is or becomes reasonably accessible and connection shall be deemed to be reasonably accessible when such public sewers are within a distance of four hundred (400) feet of any outside line of the lot upon which such dwelling or other building is located; provided, such sewer may be reached without crossing the property of another; provided further, that when such property or premises is not subdivided into lots and so designated on available surveys or maps or record, then the distance specified above shall be deemed to apply to the nearest portion of such dwellings or other buildings. (Code 1956, § 12-22)

SECTION III – RATES, FEES, AND CHARGES

The Council or its Designee are authorized to establish rates, using the procedures set forth below, and may establish fees, and other charges for utilization of the Council or its Designee Wastewater Collection and Treatment System, including sewer hookup, or any other service authorized by the Wastewater Ordinance, and its implementation, including the implementation and maintenance of the Pretreatment Program from Users of the Council's or its Designee Wastewater Collection and Treatment System.

3.1 Charges for Sanitary Sewer and other Wastewater Collection and Treatment

a) Until modified pursuant to the provisions set forth in Section 23-92, below, for sanitary sewer services the following base charge and basic rate shall apply to all customers whether domestic or non-domestic: A base charge of four dollars ($4.00) per month plus a charge of one dollar and ninety-four cents ($1.94) for each one thousand (1,000) gallons of water consumed by such customer.

b) In addition to the base charge and rates authorized by Section 23-89 (a), by a "Base Fee Schedule" which the Council may include in its Rules and Regulations, a fee may be collected by the Council, as a tapping or hookup fee and for any other service authorized by the Wastewater Ordinance and its implementation, including any Pretreatment or Treatment Programs, which such charges shall be designed to defray or help defray the costs of providing any such services, and which such Base Fee Schedule may be amended from time to time by the Council.

c) If any person or entity so desires, he or it may cause to be installed, at his sole expense and subject to the approval of the installation by the City Council or its Designee, as appropriate, either:

1) A separate meter to measure the discharge of wastewater, in which event the charge for sanitary sewer service to such customer shall be based on the amount of wastewater discharged rather than on the amount of water consumed; or

2) In the case of any customer any portion of the water consumed by who is not customarily discharged or disposed of through sanitary sewer lines of the city, a separate meter measuring that portion of his water consumption that is customarily discharged or disposed of through sanitary sewer lines of the city, in which event the charge for sanitary sewer service to such customer shall be based on the amount of that portion of his water consumption that is customarily discharged or disposed of through sanitary sewer lines of the city, as shown by such separate water meter. Said evaporation meter shall only be calibrated by a certified third party.

d) In the case of any customer or entity all or any significant portion of the water consumed by whom is obtained from a source or sources other than the water department, such customer shall cause to be installed, at is sole expense and subject to the approval of the installation by the water department, a meter to measure that mount of water consumed by him from a source or sources other than the water department, in which event the charge for sanitary sewer service to such customer shall be based on that amount of water consumed by him that is furnished by such source or sources (as shown by such meter), as well as on the amount on any water consumed by him that is furnished by the water department. In the event the current monthly bill is not paid within fifteen (15) days from the date of the bill, the gross rate shall apply.

e) For residential accounts only, where a separate meter is not installed to measure water not customarily discharged or disposed of through sanitary sewer lines of the city, the maximum charge for sanitary sewer service to such accounts, during billing cycles occurring April through October each year, shall be based upon the average sanitary sewer service charge during the immediate preceding five (5) months, times a percentage to be set from time to time by the City of Cullman's Council or its Designee, but not to exceed the rates above specified based on actual consumption of water. As to residential accounts without five (5) months prior history the system residential account average shall be used, or actual consumption, whichever is less.

3.2 Rates, Fees, Charges, and Surcharges for Non-Domestic Sewer Use

1) In addition to the base rate and charges authorized by Section 23-89(a), a Surcharge, based on discharge and pollutant concentrations, shall be charged for all non-domestic wastewater customers in accord with a "Non-Domestic Sewer Use Surcharge Schedule". Until modified pursuant to the provisions set forth in Section 23-92, below, the "Non-Domestic Sewer Use Surcharge Schedule" shall be as follows:

Parameter	Base Allowance	Surcharge Step 1		Surcharge Step 2		Surcharge Step 3	
		Conc.	Rate	Conc.	Rate	Conc.	Rate
pH	5.0-10.5	-	-	-	-	-	-
BOD_5	250 mg/l	250-1,000 mg/l	$0.03/lb	1,001-3,000 mg/l	$0.06/lb	>3,000 mg/l	$0.15lb
COD	500 mg/l	500-2,000 mg/l	$0.03/lb	2,001-6,000 mg/l	$0.06/lb	>6,000 mg/l	$0.15lb
TSS	250 mg/l	250-700 mg/l	$0.08/lb	701-3,000 mg/l	$0.16/lb	>3,000 mg/l	$0.25lb
Oil & Grease	100 mg/l	>100 mg/l	$0.20/lb	-	-	-	-
TKN	60 mg/l	-	-	-	-	-	-
Ammonia	50 mg/l	50-100 mg/l	$0.05/lb	101-200 mg/l	$0.10/lb	201-400 mg/l	$0.25lb
Phosphorus	20 mg/l	>20 mg/l	$0.25/lb	-	-	-	-
Sulfates	250 mg/l	250-500 mg/l	$0.05/lb	501-800 mg/l	$0.10/lb	>800 mg/l	$0.25lb
Chlorides	1000 mg/l	1,000-2,000 mg/l	$0.01/lb	2,001-5,000 mg/l	$0.02/lb	>5,000 mg/l	$0.05lb
Chlorine Demand	15 mg/l	>15.0mg/l	$0.05/lb	-	-	-	-
Molybdenum	1 mg/l	>1.0 mg/l	$1.00/lb	-	-	-	-
Total Toxic Organics	5 mg/l	-	-	-	-	-	-

Notes:

- Surcharge step shall be determined by average monthly sample concentration. Surcharge amount shall be based on the rate at the single appropriate step.
- Pounds of containment for surcharge calculation shall be based on the average monthly sample concentration less the base allowance concentration.
- Surcharge amount charge for BOD and COD shall be greater of the two; surcharge is not cumulative for these parameters.
- For maximum Allowable Concentrations, see Section 23-135.

(2) In addition the Council or its Designee is authorized to establish charges and fees for on-Domestic Sewer Use pursuant to Article III-A that may include:

(a) fees for reimbursement of costs of setting up and operating the Council's Pretreatment Program;

(b) fees for monitoring, inspections and surveillance procedures;

(c) fees for reviewing accidental discharge procedures and construction;

(d) fees for filing appeals;

(e) other fees as the Council or its Designee may deem necessary to carry out the requirements contained herein;

(f) fees for violation of pretreatment requirements.

The charges and fees in this section apply solely to the matters arising from the implementation of Article III-A, the Non-Domestic Sewer Use Ordinance, and are separate from and in addition to any and all other fees chargeable by the City.

3) Notwithstanding any other effective date or dates established for any portion of this ordinance, the rates outlined above in Surcharge Step 3 shall take effect on _____, 2017.

3.3 Payment of Rates, Fees and Charges; Termination of Service for Non-Payment

Except as otherwise provided in this Wastewater Ordinance, rates, fees and charges as provided for in the Wastewater Ordinance will be included on the regular water and sewer bill or on a separate wastewater rate, fee, surcharge, or other bill and is due and payable under the terms set forth in the bill. Any person, entity, or User who fails or refuses to remit fees assessed by the City of Cullman shall have its service or authorization to discharge immediately suspended and is subject to termination, revocation, suspension or other action.

3.4 Procedures for Establishment of Rates and Charges

Rates and Charges, including surcharges, for the utilization of the Wastewater Collection and Treatment System are to be established by the City of Cullman under the following procedure. The City shall establish by resolution and may, from time to time, amend, any rate, charge, or surcharge authorized under the Wastewater Ordinance. Such rate, charge, or surcharge shall be set forth by an ordinance or schedule and all shall become effective ninety (90) days following establishment thereof by the City. Following the establishment of any rate, charge, or surcharge by the City, the City shall submit such rate, charge, or surcharge schedule to the City of Cullman. Prior to the effective date of any rate, charge, or surcharge schedule, the City shall cause to be published a notice of availability of such rate, charge, or surcharge schedule in a local newspaper of general circulation in the City of Cullman once a week for three consecutive weeks commencing with the next week following the week any such rate, charge or surcharge schedule is established by the Council; or, as an alternative to such publication, the Council may mail by regular United States mail, a copy of any such a rate, charge, or surcharge schedule to the most recent address provided by Users subject to the rate, charge, or surcharge schedule within three (3) weeks after such is established by the City. If the City of Cullman takes no action modifying or otherwise rejecting such rate, charge, or surcharge schedule, the same shall make effect on the ninety-first day following its establishment by the City and it shall be set forth in the Rules and Regulations governing utility service from the City. The City of Cullman may, prior to the expiration of the ninetieth day following establishment by the City of any the rate, charge, or surcharge schedule, revise, modify, or take such other action with respect thereto as the City of Cullman deems appropriate. Any prior rate, charge, or surcharge schedule shall be superseded on the day upon which a subsequent rate, charge, or surcharge schedule becomes effective under these provisions, provided, however, that any rate, charge or surcharge schedule in effect as of the date of the enactment of this Wastewater Ordinance, including all such rate, charge or surcharge schedules in effect upon the effective date of this Ordinance, have by enactment of this Wastewater Ordinance been determined to be authorized by the City of Cullman pursuant to law and shall remain in effect until amended or superseded by the process set forth herein.

SECTION IV – SEWER MAINTENANCE

4.1 Inflow and infiltration; defined

For the purposes of this Division, the following definitions, terms and their application shall be used and applied:

1. Infiltration – shall mean the water entering sewers and building sewer connections from the soil through defective joints, broken or cracked pipe, improper connections, manhole walls or any other appurtenances. Infiltration does not include and is distinguished from inflow.

2. Inflow- shall mean the water discharged into the sewer lines from such sources as roof leaders, cellar and yard area drains, foundation drains, commercial, and industrial discharges of unpolluted wastewater as defined herein below, drains from springs and swampy areas, or any other such sources. Inflow does not include and is distinguished from infiltration.

(Ord. No. _____)

4.2 Permit requirements for building sewers

Any building sewer required to make connection to the POTW as stipulated in Section _____ of this chapter, shall first make application to the City on forms provided therefor. All building sewer connections shall be subject to inspection and certification to determine compliance with adopted rules, regulations and/or policies governing such connection by the City for the purpose of preventing inflow and infiltration which may arise from the installation and connection of said building sewer to the POTW.

(Ord. No. _____)

4.3 Maintenance of Building Sewers

a. It shall be the responsibility and duty of each property owner and/or user who is presently connected to the POTW system or may become connected to the POTW system hereafter to properly maintain all lines, pipes, and equipment connected to or interacting, in any way with the POTW system so as to prevent infiltration and/or inflow into said POTW system.

b. The building director or his designated agent shall be permitted to enter upon the property of any use of the POTW system for the purpose of inspecting the user's building sewer and any pipes, lines, and/or equipment connected thereto.

c. In the instance that it is determined that a property owner connected to the POTW system has failed to maintain his/her building sewer or any pipes, lines, and/or equipment connected thereto so as to prevent infiltration and/or inflow, written notice shall be given by the posting of such notice on the front door or main entrance of the structure being served and by mailing a certified letter containing the notice to the property owner's address as may be on file in the office of the tax assessor or Cullman County.

d. The property owner so notified shall have thirty (30) days from the date the notice is placed in the mail to correct any defects in the building sewer or any pipes. Lines, and/or equipment connected to the POTW system. For the purpose of this section, failure of the property owner to correct such defects shall be deemed prima facia evidence of the property owner's intentional violation of the section and any other related sections of this chapter and shall bar an defenses by the property owner which related to awareness of this section or any other related sections of this chapter or the intention to violate this section. Failure to act shall be deemed an admission for the City to come upon the line to correct, if necessary, any defects at owners sole cost.

e. The Council shall provide in conjunction with local financial institutions a repayment program to qualified property owners whereby the costs of correcting defects in building sewers and any pipes, lines, and/or equipment connected to the POTW system can be repaid to the local financial institution associated with the repayment program on their monthly Cullman Utilities billing statement. Qualified property owners may choose but are not required to participate in such available repayment program offered by City of Cullman Utilities in order to correct the aforementioned defects.

f. In the event the defects are not corrected by the property owner within thirty (30) days from the date the notice was mailed and the city deems it necessary to correct such defects, the total expense of such corrections, including but not limited to legal, accounting, engineering, and construction expenses, shall be charged to the property owner and will constitute a lien against the property owner to be collected as provided by law.

g. The City, in lieu of correcting a property owner's defects, many, after notice provided hereinabove, suspend all service to the property owner at the address where the defects have been identified.

h. The correction of such defects by a party other than the property owner shall not prevent the conviction of the property owner for violations of this section and any other related sections of this chapter which have occurred prior to making such corrections and the payment of expenses for correcting defects shall be in addition to and not in lieu of any other criminal penalties imposed by law.

SECTION V - NON-DOMESTIC (INDUSTRIAL, COMMERCIAL, INSTITUTIONAL) USE OF PUBLIC WASTEWATER FACILITIES

5.1 Purpose and Policy

The "Non-Domestic Sewer Use Ordinance" sets forth uniform requirements for the protection of the health, safety and welfare of the citizens of Cullman. This Non-Domestic Sewer Use Ordinance regulates all direct and indirect contributors of Non-Domestic Wastewater into the wastewater collection and treatment system owned by the City of Cullman and operated by the City Council and/or its designee, of the City of Cullman; enables the City to ensure compliance with all applicable, State and Federal laws required by the Clean Water Act of 1977 and the General Pretreatment Regulations (40 CR, Parts 401 et seq., including amendments) and includes pursuant to those authorities and the laws of the State of Alabama the establishment of local limits and controls to address impacts to the wastewater collection and treatment system, provide for its safe and effective operation, and prevent pass through of pollutants or interference with the treatment system which could potentially impact human health, safety, welfare, and the environment. The "Non-Domestic Sewer Use Ordinance" authorizes the City to regulate persons or owners who are direct and indirect contributors of Non-Domestic Wastewater to the City's wastewater system, referred to as "Contributors" or "Users" of the wastewater collection and treatment system. Regulation is provided through the written authorization of certain non-domestic Users through permits, contracts, or other appropriate mechanisms, and through enforcement of and compliance with general and specific requirements for Users, authorizes monitoring and enforcement activities, requires User reporting, sampling and analysis, establishes administrative review procedures, assumes that existing customer's lawful capacity will not be preempted except as provided in the Non-Domestic Sewer Use Ordinance, provides for maximum strength and load of contributions, and provides for the setting of fees for the equitable distribution of costs resulting from the program established herein. The "Non-Domestic Sewer Use Ordinance" shall apply to all Users both within and outside the city limits of the City of Cullman who discharge or contribute to the City's wastewater collection and treatment system. Any User that discharges wastewater in to the City's wastewater system, shall comply with the terms and conditions established in the "Non-Domestic Sewer Use Ordinance", as well as any permits, orders, or other conditions issued hereunder. Except as otherwise provided herein, the Council or his designees shall administer, implement, and enforce the provisions of the "Non-Domestic Sewer Use Ordinance". Any powers granted to or duties imposed upon the Council may be delegated by the Council to other City personnel. Except as specifically provided in this Non-Domestic Sewer Use Ordinance, this Non-Domestic Sewer Use Ordinance is not applicable to discharges of wastewater comprised solely of human excrement and/or household gray water.

5.2 Objectives

1. The Objectives of Section IV are incorporated by reference.

2. To provide wastewater collection and treatment services to many industrial users within the City of Cullman and outside City limits to the extent that such services can be provided while also meeting increasingly stringent environmental and treatment requirements, providing for future residential and economic growth.

3. To provide for a mechanism for regulating, controlling, and enforcing wastewater discharge limitations and conditions for the protection of the POTW, health, safety and the environment.

4. To provide for a mechanism to find wastewater collection and treatment services, to ensure resources are available to adequately treat Non-Domestic wastewater, and provide incentives for reduction of discharge of high-strength wastewaters.

SECTION VI

6.1 General Discharge Prohibitions - Domestic and Non-Domestic

1. No User shall contribute or cause to be contributed, directly or indirectly, any pollutant or wastewater which will pass through or interfere with the operation or performance of the City's wastewater collection and/or treatment facilities. These general prohibitions apply to all such Users of the City's wastewater facilities whether or not the Use is subject Categorical Pretreatment Standards or any other National, State, or local Pretreatment Standards or Requirements.

2. A User may not discharge to the City's wastewater collection and treatment facilities any of the following:

a. Any liquids, solids, or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any other way to the City's wastewater facilities or to the operation of the City's wastewater treatment facilities. At no time, shall two successive readings on an explosion hazard meter, at the point of discharge into the system (or at any point in the system) be more than five percent (5%) nor any single reading over ten percent (10%) of the lower explosive limit (LEL) of the meter. Prohibited material include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides, and sulfides and any other substances which the City, the State or EPA has notified the User is a fire hazard or a hazard to the system.

b. Solid or viscous substances which may cause obstruction to the flow in a sewer or other interference with the operation of the wastewater treatment facilities such as, but not limited to: garbage with particles greater than one-half inch (1/2") in any dimension, grease, animal guts or tissues, paunch manure, bones, hair, hides, or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, sheets, pillowcase, eggshells, spent grains, spent hops, waste paper, wood, plastics, gas, tar, asphalt residues from refining, or processing of fuel or lubricating oil, mud, glass grinding or polishing wastes.

c. Any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction with the other pollutants, to injure or interfere with any wastewater treatment process, constitutes a hazard to humans or animals, health, safety or the environment, create a toxic effect in the City's wastewater treatment facilities or receiving water, or to exceed the limitations set forth in a Categorical Pretreatment Standard or requirement of this Non-Domestic Sewer Use Ordinance, the Alabama Water Pollution Control Act, or the Federal Pretreatment Regulations.

d. Toxic pollutants including pollutants identified pursuant to Section 307(a) of the Act, hazardous constituents or wastes under RCRA, hazardous substances under CERCLA, except as specifically authorized under this Non-Domestic Sewer Use Ordinance, permit or other authorization issued by the City.
e. Any noxious or malodorous liquids, gases, or solids which either singly or by interaction with other wastes are sufficient to create public nuisance or hazard to life or are sufficient to prevent entry into the sewers for maintenance and repair.
f. Any substances which may cause the City's wastewater treatment facilities' effluent or any other product of the City's wastewater treatment facilities such as residues, sludge, or scum, to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case, shall a substance discharged to the City's wastewater treatment facilities cause the City's wastewater treatment facilities to be in non-compliance with sludge use or disposal criteria, guidelines or regulations developed under Section 405 of the Act; any criteria, guidelines, or regulations affecting sludge used or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or State Criteria applicable to the sludge management method being used.
g. Any substance which will cause or has the reasonable potential to cause or contribute to an exceedance of any effluent limitation, exceedance or excursion of any water quality criteria or standard, or non-compliance with any condition set forth in the City's NPDES and/or State Disposal System Permit, receiving water quality standards, or any applicable Federal, state, or local law.
h. Any pollutants released at a flow rate and/or pollutant concentration which alone or in conjunction with other discharges causes interference to the City's wastewater treatment facilities.
i. Any wastewater containing any radioactive wastes or isotopes except in compliance with applicable Federal, State, and local law and regulations and as specifically authorized by the City.
j. Any wastewater which causes a hazard to human life or creates a public nuisance.
k. Storm water, surface water, ground water, artesian well water, roof runoff, subsurface drainage, condensate, deionized water, cooling water and unpolluted industrial wastewater, unless specifically authorized by the City.
l. Medical wastes or wastewater, except as specifically authorized by the City.
m. Wastewater causing, alone or in conjunction with other sources, the POTW's effluent to fail a toxicity text.
n. Wastes prohibited by this section shall be processed or stored in such a manner that these wastes could not be discharged to the City's wastewater system. All floor drains located in process or materials storage areas must discharge to the User's pretreatment facility before connecting with the City's wastewater system.
o. Any wastewater with objectionable color not removed in the treatment process, such as, but not limited to, dye or ink wastes, and vegetable tanning solutions.
p. Any wastewater having a temperature which will inhibit biological in the City's wastewater treatment plant resulting in interference, but in no case wastewater with a temperature and /or in such quantities that the temperature at the POTW exceeds 40˚C (104˚F).
q. Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas.
r. Any wastewater or wastes containing a toxic or poisonous substance(s) or any other material in sufficient quantity to injure or interfere with any sewage treatment process, or constitute a hazard to humans or animals, or crate any hazard in the receiving waters of the sewage treatment plant, and without proper pretreatment and written approval of the Council.
s. Any noxious or malodorous liquids, gases, or solids which either singly or by interaction with other wastes are sufficient to create public nuisance or hazard to life or are sufficient to prevent entry into the sewer for maintenance and repair.
t. Any wastewater or wastes having an objectionable color which is not removable in the existing sewage treatment plant process.
u. Any long half-life (over 100 days) of toxic radioactive isotopes, without special permit.
3. In no case shall a slug load have a flow rate or contain concentration or qualities of pollutants that exceed for any time period longer than fifteen (15) minutes in each twenty-four (24) hour period more than five (5) times the average twenty-four (24) hour concentration, quantities, or flow during normal operation, or exceed the maximum concentration or qualities of pollutants established in this Ordinance or any permit or authorization issued by the City or Council. Normal operation is defined as the operational characteristics as described in any permit or authorization issued by the City or Council, or in the absence of a permit or authorization, operational characteristics as submitted by the User in any application, industrial waste survey, or other documentation provided to the City or Council, and/or ADEM.
4. When the Council determines that a User(s) is contributing to the City's wastewater treatment facilities, any of the above enumerated substances in such amounts as to interfere with the operation of the City's wastewater treatment facilities, the Council may:
▲ Advise the User(s) of the impact of the contribution on the City's wastewater treatment facilities
▲Develop effluent limitation(s) for such User(s) to correct the interference with the City's wastewater treatment facilities

SECTION VII

All discharges must comply with applicable Federal Pretreatment Regulations, which are incorporated as limitations and prohibitions in this Ordinance as if fully set forth herein. Upon the promulgation of new, revised, or modified Categorical Pretreatment Standards for a particular industrial sub-category, the Federal Standard, if more stringent than limitations imposed under this Non-Domestic Sewer Use Ordinance or sources in that sub-category for a particular pollutant, shall be deemed the applicable limitation or prohibition under this ordinance upon the effective date of such Federal Categorical Pretreatment Standard. Nothing in this Section shall affect the authority of the City and Council to establish more stringent limits for any User, or reject wastewater from any User, as otherwise provided in this Ordinance.

7.1 Modification of Federal Pretreatment Regulations

1. Where the City's wastewater treatment system achieves consistent removal of pollutants limited by Federal Pretreatment Standards, the City may apply to the Approval Authority for modification of specific limits in the Federal Pretreatment Standards. "Consistent Removal" shall mean reduction in the amount of a pollutant or alteration of the nature of the pollutant by the wastewater treatment system to a less toxic or harmless state in the effluent which is achieved by the system in 95 percent of samples taken when measured according to the procedures set forth in Section 403.7(b)(2) of (Title 40 of the Code of Federal Regulations, Part 403) – "General Pretreatment Regulations for Existing and New Sources of Pollution" promulgated pursuant to the Act. The City may then modify pollutant discharge limits from those established in the Federal Pretreatment Standards if the requirements contained in 40 CFR, Part 403, Section 403.7, are fulfilled and prior approval from the Approval Authority is obtained.
2. The City or Council may establish local limits in accordance with 40 C.F.R., Part 403.

7.2 Pretreatment Facilities

Users shall provide necessary wastewater treatment as required to comply with this "Non-Domestic Sewer Use Ordinance," and shall achieve compliance with all Federal Pretreatment Regulations, Categorical Pretreatment Standards, Local Limits, and any other applicable requirements within the time limitations specified by the City. Any facilities required to pretreat wastewater in accordance with this "Non-Domestic Sewer Use Ordinance," Federal Pretreatment Regulations, Categorical Pretreatment Standards, Local Limits, and any other applicable requirement shall be provided, operated, and maintained at the User's expense. Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to the City for review upon request. Grease, oil, and sand interceptors shall be provided when, in the opinion of the City, they are necessary for the proper handling of wastewater containing amounts of grease, flammable substance, sand, or other harmful substances. Such interceptors shall be inspected, cleaned, and repaired regularly, as needed by the owner or User and/or Health Department or City Inspector at its expense.

7.3 Specific Pollutant Limits

Except as herein otherwise provided, no person shall discharge or cause to be discharged any of the following waters or wastes into any sanitary sewer system of the Council or its Designee of the City of Cullman:
1. Any liquid or vapor in such quantities that will inhibit biological activity in the City's wastewater treatment plant resulting in interference, or any wastewater in such quantities such that the temperature at the POTW exceeds 40˚C(104˚F).
2. Any wastewater or waste which may contain more than 100 parts per million by weight of fat, oil or grease or other substance that will solidify or become viscous at temperatures between 32˚F and 90˚F, except as specifically authorized by the City. Such authorization may be provided only upon (1) receipt of adequate proof of financial ability to satisfy all fees as set forth in Division III and established by the City; (2) agreement to reimburse the City for any and all additional costs of treatment incurred by the City for treating such wastewaters; and (3) upon the establishment of limitations and conditions by the Council, including but not limited to flow rate, concentration, timing, and duration of discharge.
3. Any wastewater or wastes that contain more than ten parts per million by weight of hydrogen sulfide, sulfur dioxide, and/or nitrous oxide.
4. Any garbage that has not been property shredded.
5. Any ashes, cinders, sand, mud, straw, shaving, metal, glass, rags, feather, tar, plastics, wood, paunch manure or other solid or viscous substance capable of causing obstruction to the flow in sewers and other interference with the proper operation of the sewer works.
6. Any wastewater or wastes having a pH lower than 5.0 or higher that 10.5 or having any other corrosive property capable of causing damage or hazard to the City's structures, equipment and personnel.
7. Any wastewater or wastes containing suspended solids in concentration greater than 250 mg/l and are of such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant, except as specifically authorized by the Council. Such authorization may be provided only upon (1) receipt of adequate proof of financial ability to satisfy all fees as set forth in Section ____; (2) agreement to reimburse the City for any and all additional costs of treatment incurred by the City for treating such wastewaters; and (3) upon the establishment of limitations and conditions by the Council, including but not limited to flow, rate, concentration, timing, and duration of discharge.
8. Any wastewater or wastes containing BOD in concentration greater than 250 mg/l except as specifically authorized by the Council by permit, authorization, or contract. Such authorization may be provided only upon (1) receipt of adequate proof of financial ability to satisfy all fees as set forth in Section ____; (2) agreement to reimburse the City for any and all additional costs of treatment incurred by the City for treating such wastewaters; and (3) upon the establishment of limitations and conditions by the Council, including but not limited to flow, rate, concentration, timing and duration of discharge. Any authorization allowing the User to discharge BOD in concentrations greater than 250 mg/l shall include a maximum BLD loading value in pounds per day not to be exceeded by the User. No User shall discharge BOD in amounts which alone or in conjunction with other discharges exceeds the headworks capacity of the City's wastewater treatment system.
9. Any wastewater or waste containing phenols in such concentrations alone or in conjunction with other discharges so as to adversely affect the operation of the City's wastewater treatment plant, or cause or contribute to interference, pass through, or upset. Quantities of such substances will be determined by the Council on a case by case basis.
10. Any wastewater subject to a Categorical Pretreatment Standard which is in excess of State or Federal effluent guidelines.
11. Any fats or greases including but not limited to petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin, in amounts that will cause interference or pass through.
12. Any material identified as hazardous waste or a hazardous constituent according to regulations promulgated pursuant to RCRA, including 40 CFR Part 261 et seq. or meeting hazardous waste characteristics, except as may be specifically authorized by the City of Council.
13. All pollutants listed under Section _____ - General Discharge Prohibitions are included in their entirety as part of this section.
14. Any wastewater or waste which does not comply with all requirements set forth in 40 CFR, Parts 400 through 479.
15. Any wastewater or waste which does not comply with the provisions of the Alabama Water Pollution Control Act, the Clean Water Act, or any permit issued pursuant to such authority.
16. Pollutants which result in the presence of toxic gases, vapors, or fumes within the City's wastewater collection and treatment system in a quantity that may cause acute worker health and safety problems.
17. Any trucked or hauled pollutants, except at discharge points designated by the City or Council.

18. Any waters or wastes containing in excess of the limits established below:

	30 Day Average Concentration, mg/l	Daily Maximum Concentration mg/l
Aluminum	25.0	50.0
Arsenic	0.1	0.5
Cadmium	0.1	0.2
Cobalt	0.8	1.6
Copper	1.0	2.0
Chromium (hexavalent)	0.1	0.2
Chromium (total)	2.5	5.0
Cyanide	0.5	1.0
Iron	10.0	20.0
Lead	0.1	0.2
Mercury	0.01	0.1
Molybdenum		1.0
Nickel	0.5	1.0
Silver	0.25	0.5
Tin	5.0	10.0
Zinc	1.8	3.6
Total metals (except Aluminum and iron)	5.0	10.5
Selenium	0.02	0.04
Color	----------	1000 ADMI

The limits fixed herein may be used as a guide in design and plant control, but may be altered by the Council as necessary to meet the purposes set forth in Section ___, or as otherwise required or authorized by State or Federal law, or in the event of a cumulative overload on a particular drainage basin or wastewater treatment plant. The Council may also establish limits for other pollutants as necessary to meet the purposes set forth in Section _____, or as otherwise required or authorized by State or Federal law, or in the event of a cumulative overload on a particular drainage basin or wastewater treatment plant.

7.4 State Requirements

State requirements and limitations on discharges shall apply in any case where they are more stringent than Federal Requirements and limitations or those in the Non-Domestic Sewer Use Ordinance.

7.5 City's Right of Revision

The City is granted authority to establish by resolution more stringent limitations or requirements on discharges to the wastewater disposal system if deemed necessary to comply with the objective presented in Section _____ of the Non-Domestic Sewer Use Ordinance.

7.6 Excessive Discharge

No User shall ever increase the use of process water or, in any way, attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in the Categorical Pretreatment Standards, SID Permit, permit or authorization issued by the City or Council, the Non-Domestic Sewer Use Ordinance, or in any other pollutant-specific limitation developed by the City or State.

7.7 Accidental Discharges

Each User shall provide protection from accidental discharge of prohibited materials or other substances regulated by the Non-Domestic Sewer Use Ordinance. An accidental discharge is any discharge of wastewater containing pollutants to the City's wastewater collection and treatment system which is not explicitly authorized by permit, contract, or other written authorization. An accidental discharge constitutes a violation of this Ordinance. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the owner's or User's own cost and expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the City for review, and shall be approved by the City before construction of the facility. Review and approval of such plans and operating procedures shall not relieve the User from the responsibility to modify the User's facility as necessary to meet the requirements of the Non-Domestic Sewer Use Ordinance. In the case of an accidental discharge, it is the responsibility of the User to:

1. Immediate Notice – User should immediately telephone and notify the City of the incident. The notification shall include location of discharge, type of waste, concentration and volume, and corrective actions. User shall notify ADEM of discharge required by EPA or ADEM regulations.
2. Written Notice – Within five (5) days following an accidental discharge; the User shall submit to the Council a detailed written report describing the cause of the discharge and the measures to be taken by the User to prevent similar future occurrences. Such notifications shall not relieve the User of any expense, loss, damage, or other liability which may be incurred as a result of damage to the City's wastewater treatment facilities, fish kills, or any other damage to person or property; nor shall such notification relieve the User of any fines, civil penalties, or other liability which may be imposed by this article or other applicable law.
3. Notice to Employees – A notice shall be permanently posted at all times on the User's bulletin board or other prominent place advising employees whom to call in the event of a dangerous discharge. Employers shall insure that all employees who may cause or suffer such a dangerous discharge to occur are advised of the emergency notification procedure.

7.8 Regulation of Waste Received From Other Jurisdictions

1. If another municipality, county, or other governmental entity, or an existing or new User located within the jurisdiction of another municipality, requests permission to contribute wastewater to the City's wastewater system, the City may authorize the discharge of such wastewater in its discretion after entering into an intergovernmental contract with the contributing governmental entity for such wastewater contribution. Prior to entering into an agreement required by this Section the City shall request the following information from the contributing municipality.

(a) A description of the quality and volume of wastewater to be discharged to the wastewater plant by the contributing municipality;
(b) An inventory of all Users located within the contributing municipality that are discharging to the wastewater plant; and
(c) Such other information as the Council may deem necessary,

2. An intergovernmental contract shall contain one or more of the following conditions:

(a) A requirement for the contributing municipality to adopt a sewer use Ordinance which is at least as stringent as this ordinance and local limits which are at least as stringent as those set out in appropriate sections of this ordinance. The requirement shall specify that such ordinance and limits must be revised as necessary to reflect changes made to the City's ordinance or local limits;
(b) A requirement for the contributing municipality to submit a revised User inventory on at least an annual basis or more frequently as requested;
(c) A requirement for new significant industrial Users discharging into sewers of a contributing municipality to obtain a wastewater discharge permit from the City or Council.
(d) In the event the governmental entity has in place an industrial pretreatment program in accordance with the Act and approved by ADEM, a provision specifying which pretreatment implementation activities, including wastewater discharge permit issuance, inspection and sampling, and enforcement, will be conducted by the governmental entity; which of these activities will be conducted by the City; and which of these activities will be conducted jointly by the governmental entity and the City;
(e) A requirement for the contributing municipality to provide the City with access to all information that the contributing municipality obtains as part of its pretreatment activities necessary to achieve the purposes set forth in Section _____;
(f) Limits on the nature, quality, and volume of the contributing Governmental Entity or User's wastewater at the point where it discharges to the wastewater system or treatment plant;
(g) Requirements for monitoring the Governmental Entity or User's discharge;
(h) A provision ensuring the City access to the facilities of Users located within the contributing municipality's jurisdictional boundaries for the purpose of §inspection, sampling, and any other duties deemed necessary by the City; and
(i) A provision specifying remedies available for breach of the terms of the intergovernmental contract.

3. Primary enforcement authority for violations of pretreatment permits pursuant to this Section lie with the jurisdiction having authority over the industrial User, provided, however, that should such jurisdictional entity fail to take appropriate enforcement action in a timely manner, that the City shall be authorized to take any action as appropriate to address a violation of this Ordinance, including but limited to all actions authorized in Division _____.

7.9 Sand and Oil/Grease Interceptors

1. Requirement for:

(a) All Users involved in the preparation of food for commercial purposes shall provide oil/grease interceptors or traps. Grease traps shall be designed as appropriate for the size of the facility as specified in subsection (2) below. Additionally, any User who generates a wastewater which contains greater than the quantity of oil and grease regulated under Section _____, and provided that the excess oil and grease is floatable and can be effectively removed in an oil/grease interceptor or trap, then said User will be required to install a grease/oil interceptor of approved design.
(b) All Users whose wastewater stream is associated with unusually large quantities or grit, sand or gravel shall be required to install a sand trap. All car/truck wash systems shall be required to install a sand trap. Trap design and installation shall meet the provisions of the duly adopted current Building Code of Cullman, Alabama, Article _____, Code Sections _____.
(c) The requirements of this ordinance section shall not apply to private living quarters or dwelling units.

2. Design Criteria

(a) For restaurants and other eating establishments

All sand and oil/grease interceptors used in conjunction with restaurants or other eating establishments shall meet or exceed all requirements of the Cullman Building Department and all plumbing codes established in Article _____ of this Code of Cullman, Alabama.

(b) For facilities other than eating establishments

All sand and oil/grease interceptors used in conjunction with facilities other than eating establishments shall have a capacity that will provide not less than ten (10) minutes nor more than thirty (30) minutes retention time at the peak eight (8) hour flow rate. Flow-through velocities shall not exceed one foot per second at the peak eight (8) hours flow rate.

(c) All sand and oil/grease interceptors shall be sized, located and constructed in accordance with the provision of the duly adopted Building Code of Cullman, Alabama, Article _____ Code Sections _____ where such parameters have not been otherwise set forth herein.

3. Maintenance

(a) All grease, oil and sand interceptors or traps shall be maintained by the User at their expense, in continuously efficient operation at all times.
(b) In the maintaining of these interceptors, the owner shall be responsible for the proper removal and disposal by appropriate means of the captured material, and shall maintain records of the dates, and means of disposal which are subject to review by the City. The frequency of removal shall be such as to ensure that no overflows of oil, grease or sand into the wastewater system ever results.

4. Proper Disposal of Collected Materials

Any removal and hauling of the collected materials not performed by the owner's employees must be performed by currently licensed waste disposal firms. Under no circumstances shall the collected materials ever be returned to the wastewater system.

ORDINANCE NO. _____

AN ORDINANCE TO AMEND ORDINANCE NO. _____, AS PREVISOUSLY AMENDED BY ORDINANCE NO. 2004 -_____, CONCERNING DISCHARGE INTO THE SANITARY SEWER SYSTEM OF THE CITY OF CULLMAN

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CULLMAN, ALABAMA AS FOLLOWS:

1. Section 3.3 of Ordinance No. 2004 _____ heretofore adopted by the City Council, as amended by Ordinance No. 2001-7, is further amended as follows:

A. Section 3.3 of Ordinance No. 1258 hereto adopted by the City Council, as amended by Ordinance No. 2001 – 7, is further amended as follows:

"3.3 Amounts of Charges and Fees. Charges and Fees to become effective with the effective date of this Ordinance:

3.3.1 Fees for permit applications $200.00

3.3.2 Charges for wastewater discharges to the Cullman POTW that exceed the limited discharge concentrations for BOD, TSS, oil and grease are as follows:

a) $0.04/lb BOD in excess of 250 Mg/L
b) $0.08/lb TSS in excess of 250 Mg/L
c) $0.20/lb oil and grease in excess of 100 Mg/L

3.3.3 Charges per septic tank truck discharge:

a) 900 gallons and less	$ 45.00
b) 900-2200 gallons	$105.00
c) 2200 gallons and over	$105.00 plus
Each thousand gallons over 2200 gallons	$ 52.50 per thousand
(Trucks/non tankers/18 wheelers)	$ 40.00 per 800 gallons
d) Tankers exceeding 4500 gallons must be weighed	$ 0.008 per pound
(Solids not to exceed 250 ppm)	

3.3.4 Permits issued under Section 3.3 shall be renewed annually by November 1st of each year."

2. The purpose of this ordinance is to amend Section 3.3 and in no way affects the other provisions of Ordinance No. 1258, which remain in full force and effect.

3. Any waters or wastes containing in excess of the limits established below:

	30 day Average Concentration, mg/l	Daily Maximum Concentration, mg/l
Aluminum	25.0	50.0
Arsenic	0.1	0.5
Cadmium	0.1	0.2
Cobalt	0.8	1.6
Copper	1.0	2.0
Chromium (Hexavalent)	0.1	0.2
Chromium (Total)	2.5	5.0
Cyanide	0.5	1.0
Iron	10.0	20.0
Lead	0.1	0.2
Mercury	0.01	0.1
Molybdenum		1.0
Nickel	0.5	1.0
Silver	0.25	0.5
Tin	5.0	10.0
Zinc	1.8	3.6
Total Metals (except Aluminum and Iron)	5.0	10.5

4. Any water or wastes that contain phenolic, or phenolic compounds, in excess of 0.1 parts per million by weight, wastewater from which sulfides in excess of 0.1 mg/l are discharged into the atmosphere, or other tastes or odor producing substances in such concentrations exceeding limits established by the City as defined herein.

5. Wastewaters containing unusual concentrations of BOD which are defined as concentrations exceeding 250 ppm, chlorine demand exceeding 9.0 ppm or total phosphorus concentrations exceeding 20 ppm (as P).

6. Wastewaters containing unusual concentrations of inorganic suspended solids which are defined as concentrations exceeding 250 ppm or dissolved solids such as, but not limited to, chloride in concentrations greater than 10,000 ppm or sulfate in concentrations greater than 500 ppm.

7. Wastewaters containing substances which are not amenable to treatment by the wastewater treatment processes employed, or are amenable to treatment only to such degree that the wastewater treatment plant effluent cannot meet the requirements of State, Federal or other agencies having jurisdiction over discharge into the receiving waters.

8. Any wastewater which by interaction with other waters or wastes in the POTW release odors, as defined herein, from suspended solids which interfere with the collection system, or create a condition deleterious to the POTW. In cases where the effluent characteristics of a user's discharge exceeds the limited discharge requirements described in section 2.2 hereinabove, the acceptability of such wastewater to the POTW will be left to the judgment of the City and the Approval Authority. If in the judgment of the City and the Approval Authority the admission of such wastewaters will not interfere with the proper operation of the City's POTW and does not violate state or federal requirements, a permit to discharge said wastewater may be granted. However, the City may require the User to pay costs for both capital and operating and maintenance expenses to cover the cost of treatment for wastewater which exceeds the limited discharge requirements described within Section 2.2 hereinabove.

2.3 Federal Standards Upon the promulgation of the Federal Categorical Pretreatment Standards for a particular industrial subcategory, the Federal Standard, if more stringent that limitations imposed under this Ordinance for sources in that subcategory, shall immediately supersede the limitations imposed under this Ordinance. The City and/or Approval Authority shall notify all affected uses of the applicable reporting requirements under 40 CFR, Section 403.12.

2.4 Modification of Federal Standards When the City's POTW achieves consistent removal of pollutants limited by Federal Pretreatment Standards, the City may apply to the Approval Authority for modifications of specific limits in the Federal Pretreatment Standards. The City may modify pollutant discharge limits in the Federal Pretreatment Standards if the requirements contained in 40 CR, Part 403, Section 403.7 are fulfilled and prior approval from the Approval Authority is obtained.

2.5 Accidental Discharges Each User shall provide protection from accidental discharge of prohibited materials or other substances regulated by the Ordinance. Facilities to prevent accidental discharge of prohibited material shall be provided and maintained at the Owner or User's own cost and expense. In the case of an accidental discharge, it is the responsibility of the User to immediately telephone and notify the POTW of the incident. Notification shall include location of discharge, type of waste, concentration and volume, and corrective actions.

2.6 Excessive Discharge No User shall ever increase the use of process water or, in any way, attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in the National Categorical Pretreatment Standards, or in any other pollutant specific limitation described within this Ordinance.

2.7 Discharges From Septic Tank Pump Trucks Persons owning septic tank pump trucks, or other liquid transport trucks, and desiring to discharge contents of trucks shall comply with all rules and regulations of the City in addition to the requirements of this Ordinance and be properly licensed and permitted by State and County Authorities. The City reserves the right to change and/or modify existing City regulations pertaining to septic tank pump truck discharges as deemed necessary.

2.8 Ordinance 1040, An Ordinance Establishing Regulations For The Installation of Grease Interceptors By Certain Business Establishments In the City of Cullman, applies and alternate designs must be submitted to the building department for approval before installation and must also be acceptable to wastewater department to be approved for installation. Section 7.9 section 2-A of the proposed ordinance will create sizing problems for small restaurants and prohibit the small units often used.

ADOPTED BY THE CITY COUNCIL this the 10th day of September, 2018. /s/Jenny G. Folsom - President of the City Council

ATTEST: /s/ Wesley M. Moore - City Clerk

APPROVED BY THE MAYOR, this the 10th day of September, 2018. /s/ Woody Jacobs – Mayor

ORDINANCE NO. 2018 – 44

TO ANNEX CERTAIN PROPERTIES INTO THE CITY LIMITS OF THE CITY OF CULLMAN, ALABAMA

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CULLMAN, ALABAMA, AS FOLLOWS:

SECTION 1. The City Council of the City of Cullman finds that Joshua and Sara Brown have petitioned the City under the provisions of Section 11-42-21 of the Code of Alabama, 1975, as amended, that the following described property, which property is owned by the petitioner, be annexed into the City of Cullman: PPIN: 69988. PARCEL: 17-06-24-0-001-025.003. ADDRESS: 950 County Road 702. LEGAL DESCRIPTION: A tract or parcel of land being situated in the northwest quarter of the southwest quarter of section 24, township 10 south, range 3 west, Cullman County, Alabama and being more particularly described as follows: Commence at the purported northeast corner of northwest quarter of the southwest quarter of said section 24, having an Alabama state plane, west zone, NAD 83 coordinate value of N. 1512174.28', E. 2177621.11' and run south 00 degrees 32 minutes 42 seconds west (bearing based on AL. state plane, west zone, NAD 83.grid), along the accepted east line, a distance of 651.85 feet; thence run north 89 degrees 27 minutes 18 seconds west, a distance of 470.37 feet to a found capped corner (Harris-5742) on the west right of way line of Cullman County Road Number 702; thence South 16 degrees 53 minutes 02 seconds East, along said right of way line, a distance of 134.52 feet to a set rebar marking the point of beginning; thence continue South 16 degrees 53 minutes 02 seconds East, a distance 106.52 feet to a found capped corner (Harris-5742); thence North 88 degrees 35 minutes 00 seconds West, departing said right of way line, a distance of 239.16 feet to a found capped corner (Conn-17831); thence North 01 degrees 21 minutes 21 seconds East, a distance of 74.14 feet to a set rebar; thence North 83 degrees 56 minutes 42 seconds East, a distance of 207.55 feet to the point of beginning. Description according to the survey of Joseph E. Conn, III, AL. Reg. No. 17831, dated April 12, 2016.

SECTION 2. That the Council has before it a map showing the relationship of the property proposed to be annexed to the corporate limits of the City of Cullman, and that said map is on file in the office of the City Clerk along with an acknowledgment by the property owners that they want it to be annexed into the City of Cullman.

SECTION 3. That the City of Cullman does hereby annex as a part of its corporate limits the above described tracts or parcels of land as R-2 RESIDENTIAL DISTRICT.

SECTION 4. That a copy of this ordinance after its adoption, which ordinance includes a description of the property annexed to the City of Cullman, be filed in the office of the Judge of Probate of Cullman County, Alabama, the county in which the municipality is located.

SECTION 5. That this ordinance shall take effect upon its passage and publication as required by law.

ADOPTED BY THE CITY COUNCIL this the 10th day of September, 2018. /s/Jenny G. Folsom - President of the City Council

ATTEST: /s/ Wesley M. Moore - City Clerk

APPROVED BY THE MAYOR, this the 10th day of September, 2018. /s/ Woody Jacobs – Mayor

PREP FOOTBALL WRAP-UP: week 5

Nick Griffin
nick@cullmantribune.com

CULLMAN COUNTY – With the halfway point of the 2018 season coming up, local teams are starting to find their identities with a few games under their belts. There is still a lot of football to be played in the regular season, but the potential playoff teams are beginning to separate themselves from the rest of the pack.

(2-2) Vinemont 22 – (1-4) Hanceville 14
Former Crimson Tide great Trent Richardson was on-hand for a thriller in Vinemont last week. The Eagles (Class 3A, Region 5) scored in the final minute of regulation against the visiting Bulldogs (Class 3A, Region 5) when quarterback Jack Hill hit Hudson Wood for a 33-yard touchdown. The Vinemont defense sacked Hanceville on fourth down on the ensuing possession to secure the dramatic regional victory. After the game, Eagles Head Coach Stephen Robinson bragged on the atmosphere from the home crowd and the changing culture at Vinemont. "We are trying to change the culture of supporting each other, and that's a slow process, but it's coming along and getting better," Robinson said. "The crowd support is awesome, the student section, cheerleaders and band are doing an awesome job." The Eagles will try to stay hot when they travel to face a good Addison (Class 2A, Region 7) this week and Hanceville will look to bounce back at home against the Curry Yellow Jackets (Class 4A, Region 5).

(5-0) Good Hope 50 – (0-5) Oak Grove 0
After stomping Tanner 32-0 at home two weeks ago, the Good Hope Raiders (Class 4A, Region 5) put together another dominant performance against region foe Oak Grove (Class 4A, Region 5). The Raider defense smothered the Tigers all night, but the offense sputtered a bit in the first half. After some halftime adjustments, Good Hope put 36 points on the board in the second half to cruise to a region win and remain unbeaten. The Raiders will be off this week and plan on using that time to rest up and prepare for an important regional matchup on the road against Northside on Oct. 5.

(2-3) West Point 20 – (4-0) Russellville 53
This was a strange game for Warriors fans. West Point (Class 5A, Region 7) jumped out to an early lead in its game with Russellville (Class 5A, Region 7), but the Golden Tigers were able to score 46 unanswered points against the Warriors to pull away with a convincing regional win. Running back Hunter Persall gave West Point a 20-7 lead with an 8-yard rushing touchdown in the second quarter, but it was all Russellville from that point on. The Golden Tigers came back and took a 21-20 lead before the half and followed that up with 22 more points in the second half. The Warriors were unable to overcome the barrage of scoring in the final three quarters and ultimately fell at home, 53-20. West Point will be off this week and that'll give the Warriors an opportunity to heal up and regroup for their road trip to Jasper (Class 5A, Region 7) on Oct. 5.

(4-1) Cold Springs 6 – (3-1) Aliceville 54
It was a long, tough road trip to Aliceville (Class 2A, Region 5) for the Cold Springs Eagles (Class 2A, Region 5) last week as the Yellow Jackets handed the Eagles their first loss of the season. Aliceville scored early and often in the win, taking a 32-0 lead into the locker room at halftime. Running back Mason Harris broke off an explosive run to start the third quarter, setting up fellow running back Houston McCarn for a 2-yard touchdown run that made it 32-6. Unfortunately, that was the last time the Eagles found the end zone and the Yellow Jackets pulled away 54-6. Cold Springs will have to put this one behind them and regroup for another region game on the road this week against Appalachian.

(3-2) Cullman 21 – (2-2) Albertville 0
It was the defense and the running game that led the way for Cullman (Class 6A, Region 7) last week in its shutout win on the road over region foe Albertville. Junior running back Jayden Sullins scored all three of the 'Cats' touchdowns on the ground while the defense put together a dominant performance on the other side of the ball. If Cullman continues to play that way on the defensive end and Sullins continues to find the end zone, the Bearcats will be tough to handle as they start to get into the meat of their schedule. The second half of the season will start with another big matchup on the road, this time against the Hueytown Golden Gophers (Class 6A, Region 4).

(2-3) Fairview 35 – (0-4) Priceville 0
Aggie fans had a lot to celebrate during homecoming last week as their team trounced the Priceville Bulldogs (Class 4A, Region 7) to pick up its first regional win of the season. Homecoming king and quarterback Dayne Black was the standout in the lopsided victory, running for 127 yards and three touchdowns while also contributing to the shutout on the other side of the ball from his linebacker position. Fairview only led 7-0 at the half, but the Purple and Gold dominated the line of scrimmage in the second half, leading to 28 more points and the win. After the game, head coach George Redding said he was proud of how his team performed and how they've come together and bought in so far this season. "I'm proud of our kids, I'm proud of our coaches, I'm proud of our fans and it was a good homecoming night. This group has had its adversity and all teams have it, but we've had our fair share," Redding said. "We're low in numbers and we're very young so we've got a lot of growing to do, but the guys have hung tight and pulled together and they keep loving on each other and keep working hard every day. We're learning how to be men every day and I couldn't be prouder." Fairview will get a chance to rest up this week before traveling to North Jackson for another regional showdown on Oct. 5.

(4-1) Addison 42 – (3-2) Sheffield 7
The Bulldogs (Class 2A, Region 7) picked up a convincing region win on the road last week, running over Sheffield (Class 2A, Region 7) by a score of 42-7. After a scoreless first quarter, Addison started putting its foot on the gas and the offense began to click. The Bulldogs scored twice in the second quarter to take a 14-0 lead into the break and really started to pull away in the second half thanks to explosive plays on offense and a blocked punt. Quarterback Zayne Guthrie racked up more than 100 yards on the ground again, scoring one touchdown with his legs and another through the air to Brett Smith. The Bulldogs have now won their last three games by a combined score of 132-37 and they'll look to keep that trend going when they host Vinemont (Class 3A, Region 5) in a revenge game this Friday night. The Eagles defeated Addison 28-22 last season.

(3-2) Holly Pond 6 – (3-1) Fultondale 23
The Broncos (Class 3A, Region 5) had a tough time getting things going on offense last week as they dropped a regional matchup with the Wildcats (Class 3A, Region 5) 23-6 on the road. Fultondale got out to a 10-0 by the end of the first quarter and extended it to 16-0 going into the halftime break. The Wildcats' defense continued to give Holly Pond problems and the deficit grew to 23-0 going into the fourth quarter. The Broncos' defense kept Fultondale off the scoreboard in the final quarter and Brody Rowell found the end zone to make it 23-6, but the lead was too much for Holly Pond to come back from. The Broncos will be back home this week and will look to get back in the win column against the Danville Hawks (Class 4A, Region 7).

(1-4) Meek 15 – (1-4) Berry 33
The Tigers (Class 1A, Region 6) came up short at Berry (Class 1A, Region 6) last week in a game that Meek kept close in first half but just couldn't quite keep pace with in the final two quarters. Quarterback Payton Key gave the Tigers a 7-0 lead to start the game when he hit Bryson Hudson for a 51-yard touchdown, but the Wildcats answered with two scores of their own to take a 14-7 lead at the break. A touchdown to start off the third quarter put Berry up 21-7 and a Tigers interception on the ensuing possession allowed the Wildcats' offense to make it 27-7 at the end of the third quarter. Quarterback Stuart Waldrep hit senior wideout Caleb Aaron in the fourth quarter to cut the lead to 27-15, but it was too little too late for Meek and Berry tacked on one more score to put the game away. Meek will be back home this week with a chance to bounce back with a win against Sumiton Christian.

YOUTH FOOTBALL

Week 5: Good Hope Outlaws sweep Fairview; scoring roundup

Sammy Confer
sammy@cullmantribune.com

CULLMAN COUNTY – The Good Hope Outlaws and Fairview Aggies faced off Saturday with both teams looking to gain some momentum with the playoffs rapidly approaching.

Good Hope Outlaws 28, Fairview 0 (Fireplug)
The Good Hope Outlaws put up three touchdowns in the first half, plus another one in the second, as they rolled to the shutout victory over the Aggies.

Good Hope Outlaws 28, Fairview 20 (3OTs) (Wee-Wee)
The Wee-Wee matchup between Good Hope and Fairview was very low-scoring for almost the whole game, as the Outlaws led 6-0 late in the fourth quarter, but the Aggies tied it up with 24 seconds remaining. The game went into overtime; both teams traded touchdowns for the first two overtime periods. After Good Hope made it 28-20 in the third overtime, Fairview looked to tie it up once more, but the Aggies fumbled the ball and the Outlaws recovered as they went on to win a thriller in triple overtime.

Good Hope Outlaws 16, Fairview 8 (Pee-Wee)
It was scoreless at the half in the Pee-Wee game. The Aggies struck first in the third period, but the Raiders tied it up on a touchdown run by John Cone in the final period, then another Cone touchdown late gave the Outlaws a 16-8 lead. Then Fairview fumbled the ball and Good Hope recovered as the Outlaws went on to take the game.

OTHER GAMES

West Point 26, Hanceville 6 (Fireplug)
The Warriors' fireplug squad started the series with a win over the Hanceville Bulldogs by a comfortable margin.

West Point 28, Hanceville 12 (Wee-Wee)
West Point made it 2-0 on the day as the Warriors won the pee-wee game over Hanceville.

West Point 50, Hanceville 6 (Pee-Wee)
West Point finished off the sweep of the Bulldogs in dominating fashion.

Holly Pond 30, Cold Springs 14 (Fireplug)
Holly Pond started the series with a win in the fireplug game over Cold Springs.

Cold Springs 36, Holly Pond 0 (Wee-Wee)
The Eagles dominated the Broncos from start to finish in the Wee-Wee game.

Holly Pond 46, Cold Springs 0 (Pee-Wee)
The Broncos won in dominating fashion over the Eagles as they finished the day 2-1.

Good Hope Raiders 40, Cullman Bearcats 0 (Fireplug)
The Good Hope Raiders dominated on both sides of the ball in their shutout victory over the Bearcats.

Cullman Bearcats 6, Good Hope Raiders 0 (Wee-Wee)
Cullman put up the only touchdown of the game as they shut out Good Hope in the Wee-Wee matchup.

Cullman Bearcats 14, Good Hope Raiders 0 (Pee-Wee)
The Bearcats finished 2-1 on the day as they shut out the Raiders in the final game of the night.

Vinemont 60, Cullman Cyclones 6 (Fireplug)
Vinemont dominated in its rout of the Cyclones.

Cullman Cyclones 26, Vinemont 0 (Wee-Wee)
The Cyclones' Wee-Wee squad shut out the Eagles in the second game of the day.

Vinemont 14, Cullman Cyclones 0 (Pee-Wee)
The Eagles shut out the Cyclones in the Pee-Wee matchup, finishing 2-1 on the day.



CITIZENS
BANK & TRUST
Lock in Your Rate Today...
On these CD Specials when you open a Citizens Checking Account.
2.05% APY*
11 MONTHS
OR
2.27% APY*
22 MONTHS
Annual Percentage Yield*
$500 Minimum
Member FDIC
*Annual Percentage Yield (APY) accurate as of 2/22/18. Rates subject to change without notice at any time after the account is opened. $500 minimum balance required to earn stated APY. DDA (Demand Deposit Account) required to earn stated APY. Other rates available if no DDA. Fees or other considerations could reduce earnings on the account. Penalties could apply upon early withdrawal. Subject to terms and agreements.

Arrest reports: Sept. 20-23

Wendy Sack
wendy@cullmantribune.com

CULLMAN – Below are the arrests reported for Sept. 20-23, 2018. All persons are innocent until proven guilty.

GJ = grand jury; **FTA** = failure to appear

CULLMAN COUNTY SHERIFF'S OFFICE
THURSDAY, SEPT. 20, 2018

Burgess, Nathan Robert, 40
- first-degree criminal possession of a forged instrument
- second-degree unlawful possession of marijuana

Cruz, Xavier Sabastian, 18
- second-degree unlawful possession of marijuana

Garrett, Wesley Nathaniel, 36
- probation violation- unlawful possession of a controlled substance

Parker, Morgan Nichole, 23
- second-degree theft of property

Prescott, Ashley Nicole, 30
- contempt of court

Pruitt, Lynn Steve, 38
- possession of drug paraphernalia
- illegal possession of prescription medicine
- unlawful possession of a controlled substance

Sterling, William Michael, 61
- third-degree criminal trespassing
- third-degree domestic violence- harassment

Stiefelmeyer, Carl Albert III, 53
- second-degree criminal trespassing

Thornton, Edward Dean, 59
- establishment of residence- SORNA (2 counts)
- first-degree bail jumping- sex offender failure to register- SORNA

Young, Morgan Shelby, 21
- second-degree theft of property

FRIDAY-SUNDAY, SEPT. 21-23, 2018

Blackmon, Pamela Jean, 49
- third-degree domestic violence- harassment

Bryan, Barbara Sue, 72
- negotiating a worthless negotiable instrument (8 counts)

Burge, Shallowmist Martin, 40
- illegal possession of prescription medicine
- public intoxication
- unlawful possession of a controlled substance

Champion, Jennifer Lynn, 34
- FTA- possession of drug paraphernalia (3 counts)
- FTA- second-degree promoting prison contraband
- FTA- second-degree unlawful possession of marijuana
- FTA- unlawful possession of a controlled substance (3 counts)

Copeland, Cameron Kyle-Allen, 20
- illegal possession or use of a credit or debit card (old charge)

Curvin, Meschach John, 22
- FTA- third-degree domestic violence- menacing

Finley, Joshua Dewayne, 31
- first-degree assault
- attempted murder
- third-degree burglary

Gordon, Erica Sharee Overton, 28
- possession of drug paraphernalia

Harrison, Terry Curtis, 64
- third-degree domestic violence- harassment

Holmes, Carol Hankey, 69
- judge's order- negotiating a worthless negotiable instrument

Johns, Steven Wade, 42
- domestic violence- strangling/suffocation

Jones, Peytan Eugene, 19
- third-degree domestic violence- harassment

Knutson, Brian Aaron, 18
- third-degree domestic violence- harassment

Krieger, Henry Lawrence, 57
- probation violation- unlawful possession of a controlled substance (2 counts)

Milwood, Joshua E., 28
- FTA- attempting to elude
- FTA- harassing communications
- FTA- possession of drug paraphernalia
- FTA- unlawful possession of a controlled substance
- FTA- unauthorized use of a vehicle

Minor, Gregory Joe, 44
- FTA- violation of a domestic violence protection order

O'Leary, Chrissa Erin, 33
- negotiating a worthless negotiable instrument

Parker, Morgan Nichole, 23
- FTA- second-degree unlawful possession of marijuana

Parsons, John Patrick, 26
- FTA- possession of drug paraphernalia

Prado, Armelo Munos, 26
- probation violation- first-degree criminal mischief

Self, Jerica Lynn, 26
- possession of drug paraphernalia

Smith, Karrie Noel, 24
- FTA- possession of drug paraphernalia
- FTA- unlawful possession of a controlled substance

Smith, Kenneth Ski, 46
- FTA- driving while revoked

Smith, Richard Scott, 43
- first-degree theft of property

Speegle, Chancellor Wayne, 18
- third-degree domestic violence
- possession of drug paraphernalia

Thomas, Marissa Ann, 28
- FTA- illegal possession of prescription medicine

Thornton, Edward Dean, 59
- FTA- failure to register/ establish SORNA

Tubbs, Corey Lee, 28
- possession of drug paraphernalia

Wolfe, Ivan Alexander, 35
- public intoxication

CULLMAN POLICE DEPARTMENT
FRIDAY-SUNDAY, SEPT. 21-23, 2018

Morton, Alexander S., 19
- fourth-degree theft of property

Fitzgerald, Alan R. 38
- third-degree criminal trespassing

Williams, Brett L., 30
- disorderly conduct
- failure to identify to law enforcement

Rodgers, Joshua A., 33
- third-degree criminal trespassing

Parker, Kristin R., 29
- FTA- third-degree theft of property

Elias, Jose E., 41
- DUI

HANCEVILLE POLICE DEPARTMENT
No report provided.

Find arrest reports online Monday-Friday at www.CullmanTribune.com.