

SEWER USE ORDINANCE

FOR

TOWN OF BLUE HILL, MAINE

AUGUST, 2003

ENACTED:

Sept 24, 2003

CERTIFIED BY:

date

name

name

name

title

A TRUE COPY OF THE "BLUE HILL SEWER USE ORDINANCE"
VOTED ON SEPTEMBER 24, 2003

ATTEST:

Etta E. Perkins

ETTA E. PERKINS
CLERK OF BLUE HILL

SEWER USE ORDINANCE
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AUGUST, 2003

DRAFT

The purpose of this Ordinance is to promote the health and general welfare of the citizens of the Town of Blue Hill by regulating and restricting the construction and use of sewerage systems and the accumulation, transportation, treatment and disposal of sewage in such a manner that the creation of any sewerage system, whether public, private, or commercial, shall not result in pollution, health hazard, or other nuisance. Hereafter, any person owning any building or structure within the Town of Blue Hill which is the source of sewage and/or commercial wastes, or who proposes to erect such building or structure, shall conform to the requirements of this Ordinance.

ARTICLE I - DEFINITIONS

Unless the context specifically indicates otherwise; the meaning of the terms used in this ordinance will be as follows:

- (1) "A.S.T.M." shall mean American Society for Testing and Materials.
- (2) "Builder" shall mean any person, persons, or corporation who undertakes to construct, either under contract or for resale, any habitable building.
- (3) "BOD" (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter in five (5) day at 20 degrees C, expressed in milligrams per liter, as determined by test methods defined in Standard Methods.
- (4) "Building Drain" shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning eight (8) feet outside the inner face of the building wall.
- (5) "Building Sewer" shall mean the extension from the building drain to the public sewer or other place of disposal.
- (6) "Categorical User" shall mean any user of the Town's wastewater treatment system whose discharges are regulated under 40 CFR Part 403 and 40 CFR Parts 405-471, or who is otherwise subject to U.S. EPA pretreatment requirements.

- (7) "Chlorine Demand" shall mean the amount of chlorine required to destroy all pathogenic organisms present, and oxidize all organic, inorganic, and ammonia-based compounds in, a sewage stream.
- (8) "Combined Sewer" shall mean a sewer receiving both surface runoff and sewage.
- (9) "DEP" shall mean the Maine Department of Environmental Protection.
- (10) "Developer" shall mean any person or persons who undertake to construct simultaneously, or in planned sequence, more than one housing unit on a given tract or land subdivision or any other commercial project involving municipal sewer.
- (11) "Engineer" shall mean a Professional Engineer retained as Town Engineer or Consulting Engineer by the Board of Selectmen.
- (12) "EPA" shall mean the United States Environmental Protection Agency.
- (13) "Excessive" shall mean masses or concentrations of a constituent in a sanitary or commercial wastewater which, in the judgment of the Town:
(a) will cause damage to any facility, (b) will be harmful to any wastewater treatment process, (c) cannot be properly removed in the Town's treatment facilities, (d) may inhibit the final disposal or reuse of the treatment plant's sludge residuals, (e) can otherwise endanger life or property, or (f) can constitute a nuisance.
- (14) "Garbage" shall mean solid wastes from the domestic and commercial preparation, cooking, and dispensing of food, and from the handling, storage, and sale of produce.
- (15) "Health Officer" shall mean the person appointed as Local Health Officer pursuant to the provisions of Title 22 M.R.S.A., §451.
- (16) "Industrial or Commercial Wastes" shall mean the liquid or solid wastes from industrial or commercial processes, trades, or businesses as distinct from sanitary wastewater. Industrial or commercial wastes may or may not be discharged separately from sanitary wastewaters. For a combined

discharge, the Town shall determine if the discharge meets the definition of "industrial or commercial wastes".

- (17) "Natural Outlet" shall mean any outlet into a watercourse, pond, ditch, lake, or other body of surface or groundwater.
- (18) "Owner" shall mean both the person who is the vested holder of title for any real estate and all tenants, lessees, or others in control or use of the property in question. Excluded from this definition is a mortgagor of the property in question unless the mortgagee exercises his mortgage rights and becomes an owner.
- (19) "Person" shall mean any individual, firm, company, association, society, corporation, or group.
- (20) "pH" shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution and is a term used to express the relative acidity or alkalinity of a substance or solution.
- (21) "Plumbing Inspector" shall mean the person or persons appointed Local Plumbing Inspector under the provisions of the State Plumbing Code.
- (22) "State Plumbing Code" shall mean the State of Maine Plumbing Code, as it may be amended from time to time.
- (23) "Private Sewer Systems" shall mean any sewer that collects wastewater from one or more building sewers, owned separately, and discharging to a public sanitary sewer. Private sewer systems are not permitted except by specific agreement with the Town.
- (24) "Properly Shredded Garbage" shall mean the wastes from the preparation, cooking, and dispensing of food that has been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half (1/2) inch in any dimension.
- (25) "Property Line" shall mean the edge of a road right-of-way in those instances where the building sewers connect to the public sewer in a right-of-way.

- (26) "Public Sewer" shall mean a sewer in which all owners of abutting properties have equal rights, and is controlled by the Town.
- (27) "Sanitary Sewer" shall mean a sewer which carries sanitary wastewater sewage and to which storm, surface, and groundwaters are not intentionally admitted.
- (28) "Septage" shall mean the mixture of liquids and solid matters removed from septic tanks during normal cleaning.
- (29) "Sanitary Wastewater" shall mean the liquid waste discharged from a building's or structure's sanitary fixtures, such as toilets, washrooms, urinals, sinks, showers, small laundries, and from kitchens and cafeterias essentially free of industrial wastes or toxic materials. Sanitary wastewater may or may not be discharged separately from industrial or commercial wastewater. For a combined discharge, the Town shall determine if a wastewater discharge meets the definition "sanitary wastewater".
- (30) "Selectmen" shall mean the Board of Selectmen of Blue Hill or authorized deputy, agent, or representative.
- (31) "Sewage" (sometimes termed "Wastewater" or "waste") shall mean a combination of the water-carried wastes from residences, business buildings, institutions and industrial establishments, together with such ground, surface, and storm water as may be present.
- (32) "Sewage Treatment Plant or Water Pollution Control Facility" shall mean any arrangement of devices and structures used for treating sewage.
- (33) "Sewage Works" shall mean all facilities for collecting, pumping, treating and disposing of sewage.
- (34) "Sewer" shall mean a pipe or conduit for carrying sewage.
- (35) "Shall" is mandatory; "May" is permissive.
- (36) "Significant Industrial User" shall mean a user subject to categorical pretreatment standards; or a user that (a) discharges an average of 10,000

gpd or more of process wastewater to the sewage works, excluding sanitary, noncontact cooling, and boiler blowdown wastewater; or (b) contributing a process wastestream which makes up two percent (2%) or more of the average dry weather hydraulic or organic capacity of the sewage works; or (c) is designated as such by the Town on the basis that it has a reasonable potential for adversely affecting the sewage work's operation or for violating any pretreatment or effluent standard or requirement.

- (37) "Slug" shall mean any discharge of water or wastewater in which the rate of discharge, or the mass or concentration of any given constituent exceeds, in the opinion of the Town, the ability of the sewage works to function efficiently or properly.
- (38) "Standard Methods" shall mean Standard Methods for the Examination of Water and Wastewater, latest edition.
- (39) "Storm Drain" (sometimes termed "storm sewer") shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than non-contaminated cooling water.
- (40) "Superintendent" shall mean the person retained or designated by the Selectmen to supervise and oversee the operation and maintenance of the municipal sewer system and sewage treatment plant.
- (41) "Suspended Solids" (also called "Total Suspended Solids") shall mean solids that either float on the surface of, or are in suspension in, water, sewage, or other liquids, and which are determined in accordance with Standard Methods.
- (42) "Town" shall mean the Town of Blue Hill, Maine.
- (43) "Watercourse" shall mean a channel in which flow of water occurs, either continuously or intermittently.

ARTICLE II - USE OF PUBLIC SEWERS REQUIRED

Section 2.01

It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the Town of Blue Hill, or in any area under jurisdiction of said Town, any human or animal excrement, garbage, grey water or other objectionable waste. The term "Unsanitary manner" shall not include reasonable spreading of animal excrement or other fertilizer in farming or animal husbandry operations.

Section 2.02

It shall be unlawful to discharge to any watercourse within the Town of Blue Hill, or in any area under the jurisdiction of said Town, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this Ordinance and the requirements of State, Federal, and all other local laws.

Section 2.03

Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage, except where no sewage facilities are available and subject to the State of Maine Subsurface Disposal Rules.

Section 2.04

The owner of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes requiring the disposal of sewage situated within the Town and abutting on any street, alley, or right-of-way in which there is located a public sanitary sewer of the Town is hereby required at his expense to install suitable toilet facilities therein, and to connect such facilities directly to the proper public sewer in accordance with the provisions of this Ordinance, within ninety (90) days after date of official notice by Selectmen to do so, provided that said public sewer is within two hundred (200) feet of the property line as measured

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along any public way, provided, however, that the Owner of any house, building or property, existing and connected to a private sewage disposal system prior to the effective date of this Ordinance may remain connected to such private sewage disposal system, when no hazard, nuisance or unsanitary condition is evident and when written permission has been obtained from a committee consisting of the Selectmen, the Local Health Officer, and the Local Plumbing Inspector. This written permission may be withdrawn by this committee at any time in the sole discretion of said committee.

ARTICLE III - PRIVATE SEWAGE DISPOSAL

Section 3.01

Where a public sanitary sewer is not available under the provisions of Article II, the building sewer shall be connected to a private disposal system complying with the requirements of the State of Maine Plumbing Code, Subsurface Wastewater Disposal Rules and/or Town Ordinances as from time to time amended.

Section 3.02

Before commencement of construction of a private sewage disposal system, the owner shall first obtain a written permit signed by the Local Plumbing Inspector. The application for such permit shall be made on a form furnished by the Town, which the applicant shall supplement by any plans, specifications, and other information as are deemed necessary by the Local Plumbing Inspector. A permit and inspection fee shall be paid in advance. The amount of this fee shall be established by the Board of Selectmen.

Section 3.03

A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the Local Plumbing Inspector. He shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the Local Plumbing Inspector when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within twenty-four (24) business hours of the receipt of notice by the Local Plumbing Inspector.

Section 3.04

The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the Town.

Section 3.05

No statement contained in this Article shall be construed to interfere with any additional requirements that may be imposed by the Town.

Section 3.06

When a public sewer becomes available, the building sewer shall be connected to said sewer within ninety (90) days after date of official notice and private septic tank or cesspool shall be cleaned of sludge and filled with clean bank run gravel or dirt.

ARTICLE IV - BUILDING SEWERS AND CONNECTIONS

Section 4.01

No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Town. All work related to the installation of building sewers and the connection to the public sewer shall be performed by persons qualified and approved by the Town of Blue Hill's Selectmen.

Section 4.02

There shall be two (2) classes of building sewer permits: (a) for residential service, and (b) for service to establishments producing commercial, industrial, or other non-residential wastes. In either case, the owner or his agent shall make application on a special form furnished by the Town. This permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Superintendent. A permit and inspection fee for a residential or commercial building sewer permit and for an industrial building sewer permit shall be paid to the Town at the time the application is filed. The permit and inspection fee shall include the cost of constructing the building connection from the public sewer to the property line. The amount of said fee shall be set by the Board of Selectmen. One copy of the permit shall be available for inspection at all times at the site of the work.

In the case of multiple building units or connections, connections involving sewer extensions, or industrial discharge or pretreatment applications, the Town may require a monetary deposit sufficient to cover the cost of review of the application, including any expert advice deemed necessary by the Town. The amount of deposit shall be estimated by the Town and upon payment by the applicant, kept in a non-interest bearing account. Upon completion of the review process, the unused portion, if any, will be refunded. If the initial deposit is not sufficient to pay for the costs incurred by the Town, a second deposit shall be made and handled in the same manner as the first.

Section 4.03

All costs and expenses incidental to the installation and testing and connections of the building sewer shall be borne and paid in advance by the owner. The owner shall indemnify the Town from any loss and damage that may directly or indirectly be occasioned by the installation of the building sewer.

Section 4.04

Sewer lines which are constructed within subdivisions, condominiums and other developments, and which eventually discharge or connect into the public sewer system shall not be accepted by the Town of Blue Hill for ownership and maintenance; but remain privately owned and privately maintained unless within a public right-of-way. The engineering design for the construction of sewer lines within subdivisions, condominiums and other developments shall comply with this Ordinance and shall be submitted to the Selectmen and Superintendent for written approval. The Selectmen and Superintendent may require that the engineering design plans be submitted to the Town's Consulting Engineer for their evaluation and approval prior to final approval by the Selectmen and Superintendent. Cost of the Town's Consulting Engineers to review, comment, recommend and approve the engineering design plans and the cost of on-site inspection during construction shall be borne by the applicant, subdivider, developer or builder who shall agree in writing when the sewer plans are submitted to the Selectmen that he/she will pay for all review, approval and inspection costs. Private individual connections into private sewer lines shall conform to this Ordinance.

Section 4.05

A separate and independent sewer shall be provided for every building, except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard or driveway, the building sewer from the front building may be extended to the rear building if approved in writing by the Selectmen. Both buildings shall be considered as one building sewer except for the purposes of impact fees and sewer service charges established under Article XII herein.

Section 4.06

Old building sewers may be used in connection with new buildings only when they are found, upon examination and testing by the Town, to meet all requirements of this Ordinance.

Section 4.07

Building sewer cleanouts shall be installed at intervals not to exceed 100 feet in straight lines and at all bends greater than 22 ½ degrees. The cleanouts shall consist of wyes and 45 degree elbows. Cleanouts shall be installed vertically to within 6 inches of the surface. A stainless steel strap shall be installed around the top of cleanouts constructed of nonmetallic pipe.

Section 4.08

Whenever practical, the building sewer pipe shall be brought to the building drain at an elevation below the basement floor. In buildings in which any building drain is too low to permit gravity flow to the public sewer, wastewater carried by such building drain shall be lifted by an approved means and discharged to the building sewer or service lateral. Plans and details of the proposed lifting method shall be submitted to the Selectmen for review.

A clean septic tank in good condition as determined by the Selectmen may be used for a pump tank. The outlet to the disposal field shall be disconnected and plugged. If required by the Selectmen, the tank shall be tested for water tightness.

Section 4.09

The construction used and manner of connecting a building sewer to an existing public sewer shall conform to the requirements of the Town of Blue Hill Guidelines for Design and Construction of Sewers (Appendix A of this Ordinance), and procedures set forth in appropriate sections of the Water Pollution Control Federation Manual of Practice No. 9. All such connections shall be made gastight and water tight. For sewer extensions,

the connection shall be made in accordance with approved drawings. Any deviation from the prescribed procedures and materials must be approved in writing by the Selectmen before installation. Where a building sewer is to be connected directly into an existing manhole (because no service connection is available) the hole in the manhole wall shall be cut in with a coring machine.

Section 4.10

The applicant for the building sewer permit shall notify the Town at least forty-eight (48) hours prior to beginning work and also when the building sewer is ready for inspection, testing, and connection to the public sewer. The testing and connection shall be made under the supervision of the Superintendent, or his representative.

When trenches are opened for the laying of building sewer pipes, such trenches shall be inspected by the Superintendent before the trenches are filled, and the person performing such work shall notify the Superintendent when the installation of the building sewer is completed. If the trench is filled before inspection, the Superintendent may require it to be reexcavated for inspection.

Section 4.11

Upon completion of the connection of the building sewer of a property formerly served by a private disposal system to the public sewer, all contents of the old septic tank or other structures shall be pumped out, two or more holes punched in the bottom, and the tank filled with sand or gravel, or the tank(s) removed.

Section 4.12

All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to, and in conformance with, the standards of the Town.

Section 4.13

No connection of any kind shall be made directly from any private property to a Town pressurized force main sewer.

Section 4.14

The connection of the building sewer into an existing public sewer shall be made at the existing public sewer. All costs and expense incidental to the installation and connection of the entire length of building sewer shall be borne by the owner. The owner shall indemnify the Town from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer. The method of connection of the building sewer to the public sewer will be dependent upon the type of pipe material used and in all cases shall be approved by the Town. The connection of the building sewer into the public sewer shall be made with a wye or tee branch. If none is available, a connection may be made by tapping the existing sewer with a saddle by a method approved by the Town.

Section 4.15

When any building sewer is to serve a school, hospital, or similar institution, or is to serve a complex of industrial or commercial buildings, or which, in the opinion of the Town, will receive sewage or industrial wastes of such rate, volume, or character that frequent maintenance of said building sewer is anticipated, then such building sewer shall be connected to the public sewer through a manhole. The Town shall determine if and where this type of connection to the public sewer is required. Connections to existing manholes shall be made as directed by the Town or its representative. If required, a new manhole shall be installed in the public sewer pursuant to Appendix A, and the building sewer connection made thereto as directed by the Town or its representatives.

Section 4.16

All parts of new building drains and sewers shall withstand, under test without observable leakage, a ten foot head of water for a minimum period of fifteen minutes at a temperature above the freezing point of water.

Section 4.17

No persons shall make connections of roof drains, downspouts, foundation drains, areaway drains, basement drains, sump pumps, or other sources of surface runoff or groundwater, to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.

Section 4.18

The covers of all building drain and building sewer manholes, inspection chambers, cleanouts, and the like shall be watertight and shall be capable of withstanding, without damage or displacement, any traffic loads to which they may be subjected.

Section 4.19

The building drain system shall be so vented that under no circumstances will the seal of any appliance be subjected to a pressure differential in excess of one inch of water. All appliances connected directly or indirectly to the building drain shall have traps with a liquid seal not less than two inches in depth.

Section 4.20

Sewer design including building services, sewer collectors and interceptors shall conform to the State Plumbing Code and to the specifications set forth in the Guidelines for Design and Construction of Sewers which is found in Appendix A. Any deviation from the prescribed procedures and materials must be approved by the Town Engineer as being equivalent of, or superior to, those specified before installation.

ARTICLE V - SEWER EXTENSIONS

Section 5.01

Sewer extensions, including individual building sewers from the sewer to the property line, may be constructed by the Town under public contract if, in the opinion of the Selectmen, the number of properties to be served by such extension warrants its cost and if the treatment plant has the capacity to handle said extension. Under this arrangement, the property owner shall pay for and install the building sewer from the public sewer to his residence or place of business in accordance with the requirements of Article IV. Property owners may propose sewer extensions within the incorporated Town by drafting a written petition, signed by a majority of the benefiting property owners, and filing it with the Selectmen. The cost of such extensions may be assessed to the benefited property owners in any manner determined by the Selectmen.

Section 5.02

If the Town does not elect to construct a sewer extension under public contract, the property owner, builder or developer may construct the necessary sewer extension, if such extension is approved by the Town Selectmen in accordance with the requirements of this Article. He or they must pay for the entire extension, including all expenses incidental thereto. Each building sewer must be installed and inspected as previously required and the inspection fee shall be paid. Design of sewers shall be as specified in this Article and the specifications set forth in the Guidelines for Design and Construction of Sewers which is found in Appendix A. The installation of the sewer extension must be subject to periodic inspection by the Town or Town's Engineer and the expenses for this inspection shall be paid for by the owner, builder or developer. The Town's decisions shall be final in matters of quality and methods of construction. The sewer, as constructed, must pass the leakage test required in Appendix A before it is to be used. The cost of sewer extensions thus made shall be absorbed by the developers or the property owners, including the costs of all building sewers.

Section 5.03

All extensions to the sanitary sewer system shall be designed by a Professional Engineer registered in the State of Maine. Plans and specifications for sewer extensions shall be submitted to the Town forty-five (45) days before the regularly scheduled Selectmen's meeting at which Town approval of the extension will be evaluated. The expenses incurred by the Town in reviewing the plans and specifications shall be paid from a deposit made by the owner, builder, or developer at the time of application. The design of sewers and pump stations to be deeded to the Town shall anticipate and allow for flows from possible future system extensions or developments within the future drainage areas.

Section 5.04

All testing of sewers shall be conducted in the presence of the Superintendent. If the installation fails any test, the source of leakage shall be found and repaired and all defective materials shall be replaced.

Section 5.05

All sewer extensions constructed at the property owner's, builder's or developer's expense in which installation follows the specifications set forth in this Ordinance, after formal written final approval and acceptance by the Selectmen, shall become the property of the Town and shall thereafter be maintained by the Town. Said sewers, after their acceptance by the Town, shall be guaranteed by the owner, builder, or developer against defects in materials or workmanship for twelve (12) months. The guarantee shall be in the form of a maintenance guarantee bond in an amount not less than 100% of the Engineer's estimate of the cost of the extension.

Section 5.06

No builder or developer shall be issued a building permit for a new dwelling or structure requiring sanitary facilities within the Town, unless a suitable and approved method of sewage disposal is proposed.

Section 5.07

Connection of the sewer extension to the Town's facilities shall not be permitted until, 1) the completed sewer has been tested and passed to the satisfaction of the Superintendent, 2) all fees have been paid to the Town for the approved lots to be connected, 3) reproducible, mylar record drawings of the completed sewer have been furnished to the Town, 4) the one year maintenance guarantee bond in a form acceptable to the Town has been delivered, and 5) an offer is made from the owner(s), builder(s), or developer(s), in a form acceptable to the Town, to transfer ownership and maintenance responsibilities and property and easement rights to the Town.

ARTICLE VI - USE OF PUBLIC SEWERS

Section 6.01

No person shall discharge, or cause to be discharged, any stormwater, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer. No direct connection shall be made from a public or private water supply to a building drain discharging to any sanitary sewer.

Section 6.02

Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers, or to a natural outlet approved by the Selectmen. Industrial cooling water or unpolluted process waters may be discharged, on approval of the Selectmen, to a storm sewer, or natural outlet, if in accordance with permitting regulations of the Department of Environmental Protection.

Section 6.03

Except as hereinafter provided, no person shall discharge or cause to be discharged, any of the following described waters or wastes to any public sewer:

- a. Any liquid or vapor having a temperature higher than 150 degrees Fahrenheit (65 degrees Celsius).
- b. Any water or wastes containing fats, grease or oil, or other substances in excess of 100 mg/l, whether emulsified or not, that will solidify or become viscous at temperatures between 32 and 150 degrees Fahrenheit or that, in the opinion of the Superintendent may overload or inhibit the Pollution Control Facility's processes.
- c. Any water or wastes containing residuals of free or combined chlorine compounds which will result in a measurable chlorine residual at the headworks of the Town's wastewater treatment facilities.

- d. Any gasoline, benzene, naphtha, fuel oil, mineral oil, or other flammable or explosive liquid, solid or gas.
- e. Any noxious or malodorous gas such as hydrogen sulfide, sulfur dioxide or nitrous oxide or other substance, which either singly or by interaction with other wastes, are capable of creating a public nuisance or hazard to life or of preventing entry into sewers for their maintenance and repair.
- f. Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of 3/4 horsepower or greater shall be subject to the review and approval of the Superintendent.
- g. Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastic, cardboard, wood, paunch manure, hair and fleshings, entrails, lime slurry, lime residues, beer or distillery slops, whey, chemical residues, paint residues, cannery waste, bulk solids, or any other solid or viscous substance capable of causing obstruction to the flow of the sewers, or other interference with proper operation of the sewage works.
- h. Any waters or wastes, acid or alkaline in reaction, having corrosive properties capable of causing damage or hazard to structures, equipment and personnel of the sewage works. Free acids and alkalis must be neutralized at all times, within a permissible pH range of 6.0 to 9.0.
- i. Radioactive wastes or isotopes of half-life or concentrations as may exceed limits established by the Town in compliance with applicable State or Federal regulations.
- j. Quantities of flow, or concentrations of any wastewater constituent, or both, which would constitute a "slug" as defined in Article I.
- k. Any stormwater, roof drains, spring water, cistern or tank overflow, footing drains, discharge from any vehicle wash rack or water motor, or the contents of any privy vault, septic tank or cesspool, or

the discharge of effluent from any air conditioning machine or refrigeration unit.

1. No person shall discharge or cause to be discharged any waters or wastes containing a toxic or poisonous substance, a high chlorine or oxygen demand, or suspended solids in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, or create any hazard or violation in the receiving waters or effluent of the Town's sewage treatment plant, or contaminate or restrict the final end use of the treatment plant's sludge residuals. Such toxic substances shall be limited to the average concentrations listed hereinafter in the sewage as it leaves the building sewer and at no time shall the hourly concentration at the sewage treatment plant exceed three times the average concentration. If concentrations listed are exceeded, individual establishments will be subject to control by the Superintendent in volume and concentration of wastes discharged.

Limits of Toxic Substances in Sewage

Iron, as Fe.....	5.0 ppm
Chromium, as Cr (hexavalent).....	1.0 ppm
Copper, as Cu.....	1.0 ppm
Chlorine Residual	0.05 ppm
Phenol	0.5 ppm
Cadmium, as Cd.....	0.5 ppm
Zinc, as Zn	0.5 ppm
Nickel.....	1.0 ppm

The Town may periodically modify the above list of regulated toxic substances and allowable concentrations in accordance with EPA/DEP protocol for the development of technically based local limits. The Town will provide advance written notice of new local limits or control limits to users prior to initiating enforcement actions.

- m. Waters or wastes containing strong acid iron pickling wastes, or concentrated plating solutions, whether neutralized or not.

- n. Waters or wastes containing phenols, or other taste or odor producing substances, in such concentrations exceeding limits which may be established by the Town as necessary, after treatment of the composite sewage, to meet the requirements of the State, Federal, or other public agencies of jurisdiction for such discharge to the receiving waters.
- o. Waters or wastes containing substances which are not amenable to treatment or reduction by the waste treatment processes employed, which may inhibit treatment plant processes or sludge quality or disposal, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over the discharge to the receiving waters.
- p. Any heated waters or pollutants in amounts which will inhibit or interfere with biological activity in the Town's wastewater treatment facilities, but in no case heated waters or pollutants in such quantities that the temperature at the Pollution Control Facility's influent exceeds 104 degrees Fahrenheit (40 degrees Celsius).
- q. Any waters or wastes containing color, dissolved solids, or dye which would cause a visible discoloration of the treatment's plant's effluent or receiving water.
- r. Any waters or wastes containing suspended solids, whether inert or organic, which would cause visible turbidity of the treatment plant's effluent or receiving water.
- s. Any waters, wastes or substance which would cause the treatment plant's effluent to exceed whole effluent toxicity testing limits and priority pollutant limits as may be required by applicable State or Federal law.
- t. Any septage or septic process discharges.

Section 6.04

Any discharge of waters or wastes having a) a five (5) day Biochemical Oxygen Demand (BOD) greater than 300 parts per million; or b) containing more than 350 parts per million of suspended solids, or c) containing more than 15 parts per million of chlorine demand, or d) containing any quantity of substances having the characteristics described in this Article or e) having an average daily flow or pollutant mass greater than two (2) percent of the average daily sewage flow of the Town, shall be subject to the review and approval of the Town. Where necessary, in the opinion of the Town, the owner shall provide, at his expense, such pretreatment as may be necessary to, 1) reduce the Biochemical Oxygen Demand to 300 parts per million and the suspended solids to 350 parts per million by weight, or 2) reduce the chlorine demand to 15 parts per million, or 3) reduce objectionable characteristics or constituents to within the maximum limits provided for in this Article, or 4) control the quantities and rates of discharge of such waters or wastes. Plans, specifications, and any other pertinent information relating to proposed pretreatment facilities shall be submitted for the approval of the Town, and no construction of such facilities shall be commenced until said approvals are obtained in writing. Failure to comply with one or more of the remedial procedures as required by the Town shall constitute a violation of this Ordinance.

Section 6.05

All measurements, tests, and analysis of the characteristics of waters and wastes to which reference is made in this Article shall be determined in accordance with "Standard Methods for the Examination of Water and Wastewater", upon suitable samples taken at a control manhole or other combined discharge location provided for in Article VII. In the event that no specific sample location has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer from the point at which the building sewer is connected.

Section 6.06

No statement contained in this Article shall be construed as preventing any special agreement or arrangement between the Town and any commercial or industrial concern whereby an commercial or industrial waste of unusual strength or character may be accepted by the Town for treatment, subject to payment thereof by the commercial or industrial concern.

Section 6.07

All of the preceding standards are to apply at the point where the commercial or industrial wastes are discharged into the public sanitary sewerage system and any pretreatment required must be accomplished to practical completion before the wastes reach that point. The laboratory methods used in the examination of all industrial wastes shall be those set forth in the latest edition of "Standard Methods for the Examination of Wastewater". However, alternate methods for the analysis of commercial or industrial wastes may be used subject to mutual agreement between the Town and the producer of such wastes. The frequency and duration of the sampling of any waste shall depend on the type of discharge and will be designated at the discretion of the Superintendent.

Section 6.08

If any waters or wastes are discharged, or are proposed to be discharged, to the public sewers, which waters contain the substances or possess the characteristics enumerated in this Article and which, in the judgment of the Superintendent, may have a deleterious effect upon the sewage works, processes, equipment or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Superintendent may:

- a. Reject the wastes and require separate treatment,
- b. Require pretreatment to an acceptable condition before discharge to the public sewers,
- c. Require control over the quantities and rates of discharge and/or,
- d. Require payment under the provisions of this Ordinance to cover the added cost of handling and treating of such wastes.

If the Superintendent permits the pretreatment or equalization of waste flows, the design, specifications, plans and installation of plants and equipment shall be subject to the review and approval of the Town, and subject to the requirements of all applicable codes, Ordinances and laws, including State DEP and Federal EPA pretreatment standards.

ARTICLE VII - PRETREATMENT AND PERMITTING OF INDUSTRIAL
OR COMMERCIAL AND UNUSUAL WASTES

Section 7.01

The Town, at its discretion, may elect to allow an industrial or commercial or unusual waste producer to utilize the sewage works provided that it can be demonstrated that acceptance of the waste will result in:

- a. No violation of applicable Federal or State regulations, including DEP/EPA pretreatment requirements.
- b. No inhibition of, or damage to, the treatment plant's processes or equipment and no upsets of the plant's processes which lead to nuisance conditions, operational problems, or discharge license non-compliance.
- c. No pass through of any waste material not treatable in the Town's treatment plant to the receiving waters.
- d. No contamination of the Town's sewage sludge with toxic or undesirable waste constituents and no impairment of the Town's ability to dispose of the treatment plant's sludge residuals.
- e. No creation of hazardous or unsafe conditions in the sewer system or treatment plant which might jeopardize the health and welfare of the general public or the Town's staff.
- f. Equitable allocation of sewer user fees such that the true cost of treating the industrial or unusual waste is fully borne by the sewer user that generated the wastes.

Prior to accepting the waste, the Town may require that appropriate industrial or unusual wastes undergo pretreatment or flow equalization prior to its discharge into the Town's sewer system.

Section 7.02

Where pretreatment or flow equalizing facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner, at his expense.

Section 7.03

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

Section 7.04

No discharger or user shall increase the use of potable or process water, in any way, for the purpose of diluting a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the standards set forth in this Ordinance. Pollutants, substances or wastewater prohibited by this Ordinance shall not be processed or stored in a manner that would allow them to be discharged to the treatment plant.

Section 7.05

Grease, oil, and sand interceptors shall be provided when the Ordinance limits for those substances are exceeded or when, in the opinion of the Town, they are necessary for the proper handling of wastes containing grease in excessive amounts, or any flammable wastes, sand, or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Town, and shall be located as to be readily and easily accessible for cleaning and inspection.

Grease and oil interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperatures. They shall be of substantial construction, watertight, and equipped with easily removable covers which, when bolted in-place, shall be gastight and watertight.

Where installed, all grease, oil and sand interceptors shall be maintained by the Owner, at his expense, in continuously efficient operation at all times and shall be readily accessible and open to inspection by the Superintendent at any time.

Section 7.06

The categorical pretreatment standards found at 40 CFR Chapter I, Subchapter N, Parts 405-471 are incorporated herein by reference. These standards must be adhered to by dischargers to, or users of, the Town's sewage works.

Section 7.07

Local limits for certain pollutants may be established by the Town to protect against pass through, interference, process inhibition and damage, safety concerns, and sludge residual contamination. No person shall discharge wastewater containing in excess of the instantaneous maximum allowable discharge limits as identified in this Ordinance or on the user's wastewater discharge permit.

Section 7.08

When requested by the Town or Superintendent, users must complete a wastewater survey form, on a form supplied by the Town, which contains information on the nature and characteristics of their wastes. This form must be submitted to the Town prior to the discharge of the user's wastewater into the Town's sewage works. The Superintendent is authorized to prepare a form for this purpose and may periodically require users to update the survey. Failure to complete this wastewater survey form shall be reasonable grounds for terminating service to the user and shall be considered a violation of this Ordinance. Existing industrial dischargers or any other commercial establishment shall file wastewater survey forms within thirty (30) days after being notified by the Town, and proposed new dischargers shall file such forms at least ninety (90) days prior to connecting to the sewage works. The form shall include, but not be limited to, the following information:

- a. The name, address, and location of the user and the number of employees.
- b. The Standard Industrial Classification (SIC) Code of the user if applicable.
- c. The known, or suspected to be present, wastewater constituents and characteristics, including, but not limited to, those listed in this Ordinance. Any sampling and analysis that is required by the Town shall be performed in accordance with Standard Methods. The costs of all such sampling, analysis, and reporting shall be fully borne by the user.
- d. The time and duration of discharges.
- e. The average daily and instantaneous peak wastewater flow rates, in gallons per day, including daily, monthly and seasonal variations, if any. All flows shall be as actually measured unless other verifiable measurement techniques are approved by the Town.
- f. The site plans, floor plans, mechanical and plumbing plans and details to show all sewers, sewer connections, inspection manholes,

sampling chambers and appurtenances by size, location, and elevation adjacent to, or at, the user's premises.

g. The activities, facilities, and plant processes on the premises, including all materials which are, or may be, discharged to the sewage works.

h. The nature and concentration of any known or suspected pollutants or materials prohibited by this Ordinance from being included in the discharge, together with a statement regarding whether or not compliance is being, or will be, achieved with this Ordinance on a consistent basis and if not, whether additional operations and maintenance activities and/or additional pretreatment is required for the user to comply with this Ordinance.

i. The identification of each product produced by the user by type, amount, process or processes, and rate of production.

j. The type and amount of raw materials utilized, average and maximum per day, by the user.

Section 7.09

All disclosure forms and any periodic reports submitted by a user shall be signed by the principal executive officer of the user and shall contain the following certification: "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations".

Section 7.10

The Town will evaluate the completed wastewater survey forms and material safety data furnished by the user and may require the user to furnish additional information within fifteen (15) days after receiving notification from the Town that additional information is required. After full evaluation and acceptance of all submitted data, the Superintendent shall make the determination as to whether the user is subject to pretreatment requirements. If the Superintendent determines that the user is subject to pretreatment requirements, the Town shall require the user to apply for a Wastewater Discharge Permit as required by this Article. The user shall make application for a Wastewater Discharge Permit, on a form provided by the Town, within thirty (30) days after having received notification from the Town to do so. The user shall provide with the permit application, at the user's own expense, the results of all sampling and analysis of the user's wastewater effluent as the Town may require to accompany the permit application. If so requested by the Town, the user shall collect all required samples in the presence of the Superintendent.

Section 7.11

Every new or existing user of the Town's sewage works who is determined to be a categorical user or significant industrial user as defined in Article I of this Ordinance is required to obtain a wastewater discharge permit from the Superintendent.

Section 7.12

Wastewater discharge permits shall include such conditions as are reasonably deemed necessary by the Superintendent to prevent waste pass-through or interference, protect the quality of the water body receiving the treatment plant's effluent, protect worker health and safety, facilitate sludge management and disposal, and protect against damage to the sewage works. Wastewater discharge permits may impose effluent restrictions or limits on the user if the Superintendent determines that such limits are necessary to protect the quality of the treatment plant influent, effluent, or sludge, or to maintain compliance with any applicable Federal or State law, including requirements under the Town's DEP or NPDES permit and national categorical

pretreatment standards for new and existing sources set forth in 40 CFR Chapter I, Subchapter N Parts 401-471.

Section 7.13

Wastewater discharge permits shall be issued for a specified time period not to exceed five (5) years. A wastewater discharge permit may be issued for a period of less than five (5) years. Each wastewater discharge permit shall indicate a specific date upon which it will expire.

Section 7.14

Wastewater discharge permits shall be issued to a specific operation. A wastewater discharge permit shall not be reassigned or transferred or sold to a new owner or a new user, different premises, or a new or changed operation. To facilitate the issuance of new, separate permits, the Superintendent may allow new owners or individuals to operate under an existing wastewater discharge permit for a period not to exceed ninety (90) days.

Section 7.15

Wastewater discharge permits may contain requirements and compliance schedules for the installation of pretreatment technology, pollution control, or construction of appropriate containment devices, any of which would be designed to reduce, eliminate, or prevent the introduction of pollutants into the Town's sewerage works.

Section 7.16

Wastewater discharge permits may contain requirements for the development and implementation of spill control plans or other special conditions including management practices necessary to adequately prevent accidental, unanticipated, or routine discharges to the Town's sewerage works.

Section 7.17

Wastewater discharge permits may contain requirements for the installation and maintenance of inspection and sampling facilities and equipment and for the reporting of all results to the Town.

Section 7.18

The Superintendent may modify, at any time, the wastewater discharge permit with good cause.

Section 7.19

Any user who violates any condition of its permit, or of this Ordinance, or of applicable State and Federal statutes and regulations, may have its permit revoked by the Superintendent.

Section 7.20

The Superintendent may require any user to develop and implement an accidental discharge/slug control plan. At least once every two (2) years, the Superintendent shall evaluate whether each significant industrial user needs such a plan. Any user required to develop and implement an accidental discharge/slug control plan shall submit a plan which addresses, at a minimum, the following:

- a. Description of discharge practices, including nonroutine batch discharges;
- b. Description of stored chemicals;
- c. Procedures for immediately notifying the Town of any accidental or slug discharge. Such notification must also be given for any discharge which would violate any of the prohibited discharges in this Ordinance; and
- d. Procedures to prevent adverse sewage works impacts from any accidental or slug discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of

plant site runoff, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants (including solvents), and/or measures and equipment for emergency response.

Section 7.21

Where additional pretreatment and/or operations or maintenance activities will be required to comply with this Ordinance, the user shall provide a declaration of the shortest schedule by which the user will provide such additional pretreatment and/or implementation of additional operations and maintenance activities. The Town reserves the right to determine the reasonableness of the proposed schedule, to modify the proposed schedule, or to reject the schedule. The schedule shall contain milestone dates for the commencement and completion of major events leading to the construction and operation of additional treatment required for the user to comply with the requirements of this Ordinance, including, but not limited to, dates relating to hiring an engineer, completing preliminary plans, completing final plans, executing contracts for major components, commencing construction, completing construction, and all other acts necessary to achieve compliance with this Ordinance. No later than fourteen (14) days following each milestone date in the schedule and the final date for compliance, the user shall submit a progress report to the Town including, at a minimum, a statement as to whether or not it complied with the increment of progress represented by that milestone date and, if not, the date on which it expects to comply with this increment of progress, the reason for delay, and the steps being taken by the user to return to the approved schedule.

Section 7.22

All significant industrial user(s) shall, at a frequency stated in their wastewater permit or as determined by the Superintendent, but in no case less than once per year, submit a report to the Town indicating the nature and concentration of pollutants in the discharge which are limited by pretreatment permit criteria or Ordinance standards and the measured or estimated average and maximum daily flows and loadings for the reporting period. All periodic compliance reports must be signed and certified in accordance with this Ordinance. All

wastewater samples collected must be representative of the user's discharge. Wastewater monitoring and flow measurement facilities shall be properly operated, kept clean, and maintained in good working order at all times. The failure of a user to keep its monitoring facility in good working order shall not be grounds for the user to claim that sample results are unrepresentative of its discharge. If a user subject to the reporting requirement in this Ordinance or its permit monitors any pollutant more frequently than required, the results of this additional monitoring shall be included in the report.

Section 7.23

Each user must notify the Superintendent in writing of any planned significant changes to its operations or process systems which might alter the nature, quality or volume of its wastewater at least sixty (60) days before the change. No user shall implement the planned changed condition(s) until and unless the Superintendent has responded in writing to the user's notice. Significant changes include, but are not limited to, flow or pollutant load increases of ten percent (10%) or greater, and the discharge of any previously unreported pollutants.

Section 7.24

If sampling performed by a user indicates a violation of their permit or this Ordinance, the user must notify the Superintendent within twenty-four (24) hours of becoming aware of the violation. The user shall also repeat the sampling and analysis and submit the results of the repeat analysis to the Superintendent within thirty (30) days after becoming aware of the violation. In the case of any discharge, including, but not limited to, hazardous waste discharges, accidental discharges, discharges of a nonroutine or episodic nature, a noncustomary batch discharge, or a slug load that may cause potential problems for the sewage works, the user shall immediately telephone and notify the Superintendent of the incident. This notification shall include the location of the discharge, type of waste, concentration and volume, if known, and corrective actions taken by the user. Within five (5) days following such a discharge, the user shall submit a detailed written report describing the cause(s) of the discharge and the measures to be taken by the user to prevent similar future occurrences. Such notification shall not relieve the user of any expense, loss,

damage, or other liability which may be incurred as a result of damage to the sewage works, natural resources or other damage to person or property; nor shall such notification relieve the user of any fines, penalties or other liability which may be imposed pursuant to this Ordinance. A notice shall be permanently posted on the user's bulletin board or other prominent place advising employees whom to call in the event of a discharge described above. Employers shall ensure that all employees, who may cause such a discharge to occur, are advised of the emergency notification procedure.

ARTICLE VIII - ORDINANCE COMPLIANCE MONITORING

Section 8.01

The Superintendent, the Engineer, and other duly authorized employees of the Town bearing proper credentials and identifications shall be permitted to enter upon all properties for the purpose of inspection, observation, measurement, sampling and testing, in accordance with the provisions of this Ordinance.

Section 8.02

The Superintendent and other duly authorized employees of the Town bearing proper credentials and identification shall be permitted to enter all private properties through which the Town holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair and maintenance of any portion of the sewage works lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

Section 8.03

The Superintendent shall have the authority to set up, on the user's property, or require installation of, such devices as are necessary to conduct sampling and/or metering of the user's waste discharges. The user shall bear the costs of such setup or installation.

Section 8.04

The Superintendent shall require the user to install monitoring equipment as the Superintendent deems necessary. The user's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the user at its own expense. All devices used to measure wastewater flow and quality shall be calibrated at least annually to ensure their accuracy.

Section 8.05

Users subject to the reporting requirements of this Ordinance shall retain, and make available for inspection and copying, all records or information obtained pursuant to any monitoring activities required by this Ordinance and any additional records or information obtained pursuant to monitoring activities undertaken by the user independent of such requirements. Records shall include, but not be limited to, the date, exact place, method, and time of sampling and the name of the person(s) taking the samples; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses. These records shall be retained by the user for a period of at least three (3) years. This period shall be automatically extended for the duration of any litigation concerning the user or the Town, or where the user has been specifically notified of a longer retention period by the Superintendent.

Section 8.06

Information and data on a user obtained from reports, surveys, wastewater discharge permits and monitoring programs, and from the Town's inspection and sampling activities, shall be available to the public without restriction, unless the user specifically requests, and is able to demonstrate to the satisfaction of the Town, that the release of such information would divulge information, processes or methods of production entitled to protection as trade secrets or proprietary information on the user under applicable State law. When requested and demonstrated by the user furnishing a report that such information should be held confidential, the portions of a report which might disclose such confidential information shall not be made available for inspection by the public, but shall be made available immediately, upon request, to State and Federal governmental agencies for uses related to the MEPDES program or pretreatment program, and in enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics and other "effluent data" as defined by 40 CFR Part 2.302 will not be recognized as confidential information and will be available to the public without restriction.

ARTICLE IX - PROTECTION FROM DAMAGE

Section 9.01

No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenances or equipment which is a part of the sewage works. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

Section 9.02

A contractor must present a certificate of insurance showing minimum liability coverage of \$1,000,000/\$2,000,000 for bodily injury and a \$100,000 limit for property damage including collapse and underground coverage before a permit will be issued for construction of building sewers or sewer extensions. Sewer extensions may require higher coverage if so recommended by the Engineer.

ARTICLE X - POWER AND AUTHORITY OF INSPECTORS

Section 10.01

The Superintendent and other duly authorized employees of the Town bearing proper credentials and identifications shall be permitted to enter upon all properties for the purposes of inspection, observation, and measurement sampling and testing in accordance with the provisions of this ordinance.

Section 10.02

If the Superintendent or any other authorized employee has been refused access to any building, structure or property, or any part thereof, for the purpose of inspecting, sampling or otherwise monitoring compliance with this Ordinance, the Town shall seek to secure an Administrative Inspection Warrant pursuant to M.R.Civ.P. 80E. The warrant, if issued by the District Court, shall be executed pursuant to M.R.Civ.P. 80E.

ARTICLE XI - PENALTY

Section 11.01

Any person found to be violating any provision of this Ordinance shall be served by the Town with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

Section 11.02

Any person, individual, firm, corporation or partnership who fails to comply with the provisions of this Ordinance, other than those provisions pertaining to the payment of charges for services established herein, shall be guilty of disorderly conduct and shall be subject to a fine not exceeding one hundred dollars (\$100.00) for each offense. The continued violation of any provision of any section of this Ordinance, other than those pertaining to the payment of charges for services established herein, shall constitute a separate offense for each and every day in which such violation of any provision hereof shall continue.

Section 11.03

The proper authorities of the Town, in addition to other remedies, may institute any appropriate action or proceedings including an injunction to prevent such unlawful use, and to correct or abate such violation and to prevent the occupancy of any building structure or land where said violations of this Ordinance are found.

Section 11.04

Any person violating any of the provisions of this Ordinance shall become liable to the Town for any expense, loss, or damage occasioned the Town by reason of such violation. In addition, the Town of Blue Hill shall be entitled to all relief, including its costs and legal fees as allowed by law. Notwithstanding any provision to the contrary, including the provision of 30 M.R.S.A. Section 4452, as now existing or amended in the future, the Town of Blue Hill shall be

entitled to judgment against any violator for its costs, expert witness fees, code enforcement expenses and attorney's fees incurred in enforcing this Ordinance.

ARTICLE XII - SEWER SERVICE CHARGES

Section 12.01

The source of a portion of the revenues for retiring debt services, for capital expenditures, operations, and maintenance of the public sewage works shall be a Sewer Service Charge assigned to owners of property within limits of the Town whose residence or place of business is connected to the public sewer system. A Sewer Service Charge shall also be made to owners of property in Town on a "readiness to serve" basis, calculated in accordance with the same rate structure established under Section 12.02 of this ordinance.

Section 12.02

Sewer Service Charge rates shall be determined by the Selectmen on a year-to-year basis, and in general, such charges will be determined on a rate structure established by the Selectmen as may be amended from time to time. The Sewer Service Charge will be computed and billed at regular intervals throughout each calendar year, as established by the Selectmen.

Section 12.03

A special service charge shall be established for any industrial or commercial entity or organization who, by virtue of the volume, strength or unusual characteristic of their waste alone, would overload or upset the capacity or efficiency of the sewerage works or any part thereof if such waste entered the public sewer. The Selectmen, after appropriate study and advice from the Engineer, shall establish a Special Sewer Service Charge to the industrial firm by separate agreement with said firm.

Section 12.04

The Selectmen reserves the right, from time to time, to change sewer service charges originally or previously assigned to any property owner.

Section 12.05

The Selectmen may charge interest on delinquent accounts at a rate not to exceed the highest lawful rate.

Section 12.06

There shall be a lien placed on real estate served or benefited by a municipal sewer to secure the payment of sewer service charges duly established hereunder which shall take precedence over all other claims on such real estate excepting only claims for taxes. The Town shall have the same authority and power to collect such sewer service charges as are granted in M.R.S.A. Title 38, Chapter 11, Subchapter III, Section 120B. In addition to the lien established hereby, the Town may bring a civil action against the party so charged for the amount of said sewer service charges in any court competent to try the same, and in such action may recover the amount of such charges with legal interest on the same from the date of said charge plus costs.

ARTICLE XIII - VALIDITY

Section 13.01

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Section 13.02

The invalidity of any section, clause, sentence, or provision of this Ordinance shall not affect the validity of any other part of this Ordinance which can be given effect without such invalid part or parts.

ARTICLE XIV - EFFECTIVE

This Ordinance received its final reading on _____ and was passed by unanimous vote at that time and shall be in full force and effect upon being published in full within ten days after its final passage.

Attest: _____
James Schatz, Selectman

Attest: _____
John Bannister, Selectman

Attest: _____
William Grindle, Selectman

APPENDIX A

TOWN OF BLUE HILL GUIDELINES FOR DESIGN AND CONSTRUCTION OF SEWERS

1. Sewer design including sewer collectors, interceptors, and building services shall be in accordance with the following minimum guidelines:
 - a. Pipe material shall be PVC and manufactured in accordance with ASTM Specification D 3034, or cement lined ductile iron conforming to ASTM Specification A 746; or other material approved by the Town.
 - b. All joints shall be prepared and installed in accordance with the manufacturer's recommendations, and shall be gastight and watertight. Joint materials shall be as follows:
 - (1) PVC - ASTM D 3212
 - (2) Ductile Iron - AWWA C 111
 - c. Minimum internal pipe diameter for gravity collectors and interceptors shall be eight (8) inches and shall be four (4) inches for building sewers that serve a single residence or housing unit. Pipe sizes for building sewers that serve multiple housing units, residences or industrial or commercial concerns shall be determined by Engineer based upon connected fixture unit or design flow analysis as defined under Maine State Plumbing Code or other applicable standards.
 - d. Branch fittings for house services shall be PVC wyes or tees, or PVC or ductile iron saddles, as appropriate, with stainless steel straps and "O-ring" seal set in mastic to affect a watertight connection. Fittings shall be of a style and material designed specifically for connection to sewer material that exists in public way. If, in the opinion of the Town, an appropriate fitting is not available to properly connect the building sewer material to the public sewer material, the Town may require an approved section of suitable sewer material to be spliced into the public sewer. Appropriate splicing connections, Fernco or equal, shall be used to connect the new fitting to either end of the existing public sewer which shall first be cut evenly and smoothly prior to installation of the spliced

section. In no case will connection by hole cutting, pipe protrusion, and mortaring be allowed.

- e. Minimum slope of sewer pipe shall be as in the following table:

<u>Pipe Diameter</u>		<u>Minimum Slope in Feet Per 100 Feet</u>
Building services	4"	2.08 (1/4" per foot)
	6"	1.04 (1/8" per foot)
Sewer lines	8"	0.40
	10"	0.28
	12"	0.22
	14"	0.17
	15"	0.15
	16"	0.14

- f. Sewer pipe shall be laid on a minimum 6" of screened gravel or crushed stone bedding material.

- g. Screened gravel shall have the following gradation:

<u>Sieve Size</u>	<u>% By Weight Passing</u>
1 inch	100
3/4 inch	90 - 100
3/8 inch	20 - 55
#4 mesh	0 - 10
#8 mesh	0 - 5

- h. 3/4" Crushed Stone: Durable, clean angular rock fragments obtained by breaking and crushing rock material. Sieve analysis by weight:

<u>Sieve Size</u>	<u>% Passing by Weight</u>
1"	100
3/4"	95 - 100
1/2"	35 - 70
3/8"	0 - 25
No. 200	0 - 2

- i. The screened gravel bedding shall be brought to at least twelve (12) inches over the top of the pipe.
- j. Backfill material shall be placed and compacted. Suitable backfill material shall be the following or a combination of the following:
 - (1) Excavated material that will compact to the compaction requirements.
 - (2) Native material that does not contain rocks larger than 3" in any dimension.
 - (3) Dry clay backfill free from lumps.
 - (4) Wet clay that alone would pump, but when mixed with sand and/or gravel will be stable and will compact.
- k. Compaction densities specified herein shall be the percentage of the maximum density obtainable at optimum moisture content as determined and controlled in accordance with ASTM D 698, depending on the material size. Field density tests shall be made in accordance with ASTM D 1556 (Sand-Cone Method), ASTM D 2167 (Rubber Balloon Method), or ASTM D 2922 (Nuclear Method). Each layer of backfill shall be moistened or dried as required, and shall be compacted to the following densities:

(1) Pipe bedding material and trench sand	92%
(2) Suitable backfill under paved or shoulder areas	95%
(3) Gravel base:	
(a) Under paved areas	95%
(b) In shoulder areas	95%
(4) Unpaved areas	90%
(5) Beside structures: foundation walls, retaining walls, and tank walls	95%
- l. A minimum pipe wall thickness of SDR 35 shall be used for all sewer lines and services. Minimum pipe thickness for deep burial or special

applications shall be determined by methods outlined in ASCE Manuals and Reports on Engineering Practice - No. 60/WPCF Manual of Practice - No. FD-5 "Gravity Sanitary Sewer Design and Construction", latest edition.

- m. All excavations required for the installation of sewers shall be open trench work unless approved otherwise by the Town. No backfill shall be placed until the work has been inspected by the Town or authorized representative.
- n. The depth of new sewer collectors, interceptors and building services sewers shall be sufficient as determined by the Town to afford protection from frost, but in no event shall be less than five (5) feet to the crown of the pipe. The building sewer shall be laid at uniform grade and in straight alignment insofar as possible. Changes in direction shall be made only at a manhole in the public way or with pipe and fittings with a vertical cleanout to grade on private building sewers. The ends of building sewers, which are not connected to the building drain of the structure for any reason, shall be sealed against infiltration by a suitable stopper, plug, or other approved means.
- o. Manholes shall be constructed at all changes in slope or alignment or at intervals not exceeding 400 linear feet, unless acceptable to the Superintendent, and shall be precast concrete.
 - (1) Precast manhole sections shall conform to ASTM C 478; cement shall be Type II with a minimum compressive strength of 4,000 psi.
 - (2) Precast base and barrel sections shall have tongue and groove joints, with two strips of 1" diameter butyl rubber base joint sealant that permits installation in temperatures from -20°F to 120°F, as manufactured by Kent Seal or equivalent.
 - (3) Each section of the precast manhole shall have two (2) holes for the purpose of handling and setting. These holes shall be tapered and shall be plugged with nonshrink mortar or grout in combination with concrete plugs after installation.

- (4) Pipe to manhole joints shall be Interpace CP Series, flexible utility access hole sleeve, manufactured to fit diameter and size of pipe without use of gaskets, "Link-Seal Century Line" Model CS100 by Thunderline Corporation with sleeve seal equal to "Link-Seal", or equivalent.
- (5) All manholes shall be wrapped in a minimum of 4 layers of high grade polyethylene frost wrap 6 mils thick to a minimum depth of 7 feet.
- (6) Dampproofing for concrete shall be semi-mastic type Horn "Dehydratine #4," "RIW Marine Emulsified Liquid" by Toch Bros., Inc., "Hydrocide 600" by Sonneborn, or equivalent.
- (7) Manhole rungs shall be Aluminum alloy 6061-T6, reinforced plastic rungs, or polypropylene reinforced with steel rod, with a minimum width of 14", 12" on center. Aluminum to be cast into concrete must be coated with bituminous paint.
- (8) After the excavation has been done and leveled, one (1) foot of $\frac{3}{4}$ " crushed stone bedding material shall be placed in the bottom of the excavation, leveled, and thoroughly compacted.
- (9) Precast concrete manhole sections shall be set so as to be vertical and with sections in true alignment, 1/4-inch maximum tolerance to be allowed.
- (10) The top of the precast reinforced concrete unit shall be set at a grade that will allow a minimum of one and a maximum of three precast concrete risers before setting the cast iron frame and cover.
- (11) The inside and outside of the masonry work of all manholes shall be plastered with a 1:2 Portland cement mortar. The thickness of the mortar shall be one-half ($\frac{1}{2}$) inch, and the mortar shall be carefully spread and thoroughly troweled, leaving a smooth, substantially waterproof surface. The mortar shall be extended to completely cover the outside and inside surfaces of all masonry work.

- (12) The concrete manholes shall have a channel passing through the bottom which corresponds in shape with the lower two-thirds of the pipe. Inverts shall be cast in place or precast concrete, 3000 psi minimum strength. Side inverts shall be curved and main inverts (where direction changes) shall be laid out in smooth curves of the longest possible radius. The top of the shelf shall slope to drain towards the flow through channel.
- (13) Manholes shall be constructed as the sections of the pipelines between them are completed, and, unless this is done, the Superintendent shall have the authority to stop trenching and pipe laying until manhole construction is brought up properly. All ground water shall be kept away from any newly placed concrete or freshly laid masonry work until new cement has properly set and a watertight job is obtained.
- (14) All surfaces to be dampproofed shall be clean, smooth, dry, and free from loose material. Brush the dampproofing onto the outside concrete manhole surface and fill all voids. Apply in two (2) coats and conform to the covering capacity of the material used in strict accordance with the manufacturer's recommendations and directions and applied by the manufacturer of the manholes. Contractor shall apply dampproofing to masonry. Do not apply dampproofing in freezing or wet weather.
- (15) Iron castings for manhole frames and covers shall be the same as used on the Town's existing sewer system or equivalent.
- (a) Manhole frames and covers shall be ductile iron free from cracks, holes, swells, and cold shuts. The quality shall be such that a blow from a hammer will produce an indentation on an edge of the casting without flaking the metal. Frames and covers shall be machine seated and provided with a gasket so as to provide a tight, even fit.
- (b) Covers shall be solid and shall have the word "SEWER" (3" high) cast on the top. Frames and covers shall be certified as

meeting H-20 loading and shall be compatible with existing frames and covers.

- (c) Casting shall be given one (1) coat of cold-tar pitch varnish at the factory before shipment, and said coating shall be smooth and tough and not brittle.
- (d) Frames shall be set concentric with the top of the masonry and in full bed of mortar so that the space between the top of the manhole masonry and the bottom flange of the frame shall be completely filled and made watertight. A thick ring of mortar extending to the outer edge of the masonry shall be placed all around and on top of the bottom flange. Mortar shall be smoothly finished and have a slight slope to shed water away from the frame.

2. All sewers shall satisfy requirements of a leakage test before they are accepted by the Town. The leakage test shall be as follows:

- a. For each size of pipeline, an initial leakage test shall be made on the first section of the pipeline completed between two adjacent manholes. Thereafter, the leakage tests shall be made on sections of approved lengths of completed pipeline, which in no case shall exceed 1,000 feet.
- b. Each section shall be tested upon its completion.
- c. Air checking of sewer lines shall be as follows:
 - (1) After backfilling sewer line from manhole to manhole, the Contractor shall conduct an air leakage test in the presence of the Superintendent, using low pressure air.
 - (2) The equipment used shall meet the following minimum requirements:
 - (a) Pneumatic plugs shall have a sealing length equal to or greater than the diameter of the pipe to be inspected.

- (b) Pneumatic plugs shall resist internal test pressures without requiring external bracing or blocking.
- (c) All air used shall pass through a single control panel.
- (d) Three individual hoses shall be used for the following connections:
 - (i) From control panel to pneumatic plugs for inflation.
 - (ii) From control panel to sealed line for introducing the low pressure air.
 - (iii) From sealed line to control panel for continually monitoring air pressure rise in the sealed line.

(3) Procedures:

- (a) All pneumatic plugs shall be seal tested before being used in the actual test installation. One length of pipe shall be laid on the ground and sealed at both ends with the pneumatic plugs to be checked. Air shall be introduced into the plugs to 25 psig. The sealed pipe shall be pressurized to 5 psig. The plugs must hold against this pressure without having to be braced.
- (b) After a manhole to manhole reach of pipe has been backfilled and cleaned, and the pneumatic plugs are checked by the above procedure, the plugs shall be placed in the line at each manhole and inflated to 25 psig. Low pressure air shall be introduced into this sealed line until the internal air pressure reaches 4 psig greater than the average back pressure of any ground water that may be over the pipe. At least two minutes shall be allowed for the air pressure to stabilize.
- (c) After the stabilization period (3.5 psig minimum pressure in the pipe), the air hose from the control panel to the air supply shall be disconnected. The portion of line being tested shall

- (d) If the installation fails to meet this requirement, the Contractor shall, at his/her own expense, determine the source of the leakage. He/she shall then repair or replace all defective materials and/or workmanship.
- d. Manholes shall be tested by plugging the pipes and filling the utility access holes with water for an exfiltration test, or by an air vacuum test.
 - (1) Water exfiltration test:
 - (a) Fill manholes to allow for concrete absorption, and leave overnight.
 - (b) On the following morning, fill manhole to a level no less than one (1) foot above the beginning of the utility access hole taper, and test for 8 hours.
 - (c) Water level shall be carefully marked, and at end of following 8-hour period, sufficient water shall be added to bring water level back to mark. Water added shall be supplied from a metered source and quantity so added shall be converted to gallons per day lost through manhole leakage.
 - (d) The loss of water shall be less than one (1) gallon per day per foot of depth of manhole.
 - (e) If the measured exfiltration exceeds the allowable rate, the necessary repairs shall be made by the Contractor, to reduce the leakage.
 - (f) In areas with a high groundwater table, the Superintendent may require a visual infiltration test rather than an exfiltration test. In this case, all leaks or weepings visible from the inside of the manhole shall be repaired, and the manhole made watertight.

(2) Air vacuum test:

- (a) Manholes shall be tested by a vacuum test immediately after assembly of the manholes and connecting pipes and before any backfill is placed around the manholes, and again after backfilling.
 - (b) All lift holes shall be plugged with nonshrink grout and all pipes entering the manhole shall be plugged, taking care to securely brace the plugs and pipe.
 - (c) The test shall be made using an inflatable compression band, vacuum pump and appurtenances specifically designed for vacuum testing manholes. Test procedures shall be in accordance with the equipment manufacturer's recommendations.
 - (d) After the testing equipment is in place, a vacuum of 10" of Hg shall be drawn on the manhole. The manhole will be considered to have passed the test if the vacuum does not drop more than 1" of Hg in one minute.
- (e) If the manhole fails the initial test, the Contractor shall locate the leakage and make proper repairs as directed by the Superintendent, and re-tested until a satisfactory test result is obtained.