Anson Maine Sewer Ordinance

Regulation Of Sewer Use For The Town of Anson, Maine

Enacted at Annual Town Meeting
On March 7, 1998

INDEX

ANSON, MAINE SEWER ORDINANCE

SECTION 1 - PURPOSE

An Ordinance to promote the general welfare, to prevent disease and to promote health, and to provide for the public safety by regulating the use of public and private sewers and drains, private sewage disposal, the installation and connection of building sewers, and the discharge of waters and wastes into the public sewer systems, and providing penalties for violations thereof in the Town of Anson, County of Somerset, State of Maine.

SECTION 2 - DEFINITIONS

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

2.1 AASHTO shall mean American Association of State Highway and Transportation Officials.

2.2 ANSI shall mean American National Standards Institute.

2.3 ASTM shall mean American Society for Testing and Materials.

2.4 B.O.D. (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures in five (5) days at twenty (20) degrees Centigrade, expressed in parts per million by weight.

2.5 Building shall mean a structure built, erected and framed of component structural parts designed for the housing, shelter, enclosure, or support of persons, animals, or property of any kind.

2.6 Building Contractor shall mean any person, persons, or corporation who undertakes to construct, either under contract or for resale, any habitable building.

2.7 Building Drain shall mean the 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 five (5) feet outside the inner face of the building wall.

2.8 Building Sewer shall mean the extension from the building drain to the public sewer or other place of disposal, also called house connection.

2.9 Combined Sewer shall mean a sewer receiving both surface runoff and sewage.

2.10 Contractor shall mean any person, firm, or corporation approved by the Governing Body to do work in the Town.

2.11 Cooling Water The water discharged from any use such as air conditioning, cooling or refrigeration, or to which the only pollutant added is heat.

2.12 DEP shall mean Maine Department of Environmental Protection.

2.13 Developer shall mean any person, persons, or corporation who undertakes to construct simultaneously more than one housing unit on a given tract or land subdivision.

2.14 Easement shall mean an acquired legal right for the specific use of land owned by others.

2.15 Engineer shall mean the Professional Engineer retained by the Town. In the event the Town has not retained an Engineer, the term "Engineer" as used herein will be construed to mean the Board of Selectmen of the Town of Anson.

2.16 Equivalent User shall be based on design flows and concentrations for a 3 bedroom house as in the State Plumbing Code (Subsurface Wastewater Disposal Rules).

2.17 Floatable Oil is oil, fat, or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pre-treatment facility. A wastewater shall be considered free of floatable oil if it is properly pretreated and the wastewater does not interfere with the collection system.

2.18 Garbage shall mean the animal and vegetable waste resulting from the handling, preparation, cooking, and serving of food.

2.19 Governing Body shall mean the duly elected Board of Selectmen, of the Town of Anson or their authorized deputy or representative.

2.20 Industrial Wastes shall mean the liquid wastes from industrial manufacturing processes, trade, or business as distinct from sanitary sewage. An industry is considered to be a major contributing industry when it:

(1) has a flow of 15,000 gallons or more per average work day;
(2) has a flow greater than 5% of the estimated total sanitary flow carried by the public sewers;
(3) discharges wastes exceeding typical domestic waste strengths of 340 mg/l BOD5 or 400 mg total suspended solids;
(4) has in its wastes a toxic or incompatible pollutant as defined by Federal or State laws or regulations; or
(5) has a significant impact, either singly or in combination with other contributing industries, to the public sewers, treatment plant, or on the quality effluent or sludge from the treatment works.

2.21 Manager shall mean the individual designated by the Board of Selectmen to perform this function, or the authorized deputy, agent, or representative of this individual.

2.22 Natural Outlet shall mean any outlet into a watercourse, ditch, pond, lake, or other body of surface or ground water.

2.23 Owner shall mean any individual, firm, company, association, society, or group having title to real property.

2.24 Person shall mean any individual, firm, company, association, society, or

group.

2.25 pH shall mean the logarithm of the reciprocal of the concentration of the hydrogen ions in grams ionic weight per liter of solution, and is a term used to express the relative acidity or alkalinity of a substance or solution.

2.26 Plumbing Inspector Individual duly appointed by the Board of Selectmen who is responsible to perform duties as outlined in Title 30, Section 3222 of the Maine Revised Statues.

2.27 Pollutant shall mean to include but is not limited to dredged spoil, solid waste, junk, sewage sludge, munitions, chemicals, biological, or radiological materials, oil, petroleum products or byproducts, heat, wrecked, or discarded equipment, rock, sand, dirt, and industrial, municipal, domestic, commercial, or agricultural wastes of any kind.

2.28 Properly Shredded Garbage shall mean the wastes from the preparation, cooking, and dispensing of food or produce 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 ½ inch in any dimension.

2.29 Property Line shall mean the property boundary line if the sewer is to connect with the public sewer in a public street. "Property Line" shall mean the edge of a sewer right-of-way in those instances where the building sewers connect to the public sewer in a right-of-way.

2.30 Public Sewer shall mean a common sewer owned, operated, and maintained by public authority, or governmental agency.

2.31 Sanitary Sewer shall mean a sewer which carries sewage and to which storm, surface, and ground waters are not intentionally admitted.

2.32 Sewage 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 that may be present.

2.33 Sewage Treatment Plant shall mean any arrangement of devices and structures used for treating sewage and industrial wastes.

2.34 Sewage Works shall mean all Municipal facilities for collecting, conveying, pumping, treating, and disposing of sewage and industrial wastes.

2.35 Sewer shall mean a pipe or conduit for carrying sewage.

2.36 Shall is mandatory; May is permissive.

2.37 Slug shall mean any discharge of water, or wastewater which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes, more than five (5) times

the average twenty-four (24) hour concentration or flows during normal operation and adversely effects the collection system and/or performance of the wastewater treatment work.

2.38 Standard Methods shall mean the latest edition of the publication Standard Methods for the Examination of Water and Wastewater, published by APHA, AWWA, and WPCF.

2.39 State Plumbing Code shall mean the State of Maine Plumbing Code, as amended from time to time.

2.40 Storm Sewer or Storm Ditch shall mean a pipe or conduit which carries storm and surface waters and drainage but excludes sewage and industrial wastes.

2.41 Superintendent shall mean the individual retained or designated by the Board of Selectmen to supervise and oversee the operation and maintenance of the Municipal sewer system and pumping facilities in the Town of Anson, or his authorized deputy, agent, or representative.

2.42 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 removable by laboratory filtering in accordance with "Standard Methods".

2.43 Town shall mean the Town of Anson.

2.44 Unpolluted Water is water of quality equal to or better than the effluent criteria in effect or water that would not cause violation of receiving water quality standards and would not be benefited by discharge to the sanitary sewers and wastewater treatment facilities provided.

2.45 User shall mean an owner of real estate which is connected to the Town's sewer or drain system.

2.46 Wastewater shall mean the spent water of a community. From the standpoint of source, it may be a combination of the liquid and water-carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground, surface, and storm waters as may be present. Also termed "sewage".

2.47 Watercourse shall mean a channel in which a flow of water occurs, either continuously or intermittently.

2.48 WPCF shall mean Water Pollution Control Federation.

SECTION 3 - USE OF PUBLIC SEWERS REQUIRED

3.1 Unlawful Dumping - It shall be unlawful for any person to place, deposit, or permit to be placed or deposited in any unsanitary manner on public or private property within the Town of Anson or in any area under the jurisdiction of said Town any human or animal excrement, garbage, or other objectionable waste.

3.2 Unlawful Discharge - It shall be unlawful to discharge to any watercourse, either directly or through any storm sewer, within the Town or to any area under the jurisdiction of the Town, any sewage, industrial wastes, or other polluted water, except where suitable treatment has been provided in accordance with federal, state and local laws.

3.3 Unlawful Sanitary Facilities - Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, leaching pit or other facility intended or used for the disposal of sewage.

3.4 Sewer Connection Required - The owner of any house, building, or property used for human occupancy, employment, recreation, or other purpose, situated within the Town and abutting on any street, alley, or right-of-way, in which there is now located, or may in the future be located, a public sanitary sewer of the Town is hereby required, at the owner(s) expense to install suitable toilet facilities therein, and to connect such facilities to the proper public sewer, in accordance with the provisions of this local law, within ninety (90) days after the date of official notice to do so, provided that said public sewer is within 100 feet (30.5 meters) of the structure to be served. Provided, however, that where excavation of the public highway is otherwise prohibited by State law or regulation, or where unusual hardship exists due to the presence of ledge, incompatible elevations, or other causes, the Governing Body may grant exceptions upon specific application of the owner or lessee of such properties, with such conditions as the said Governing Body may impose.

SECTION 4 - PRIVATE WASTEWATER DISPOSAL

4.1 On-Site System Required - Where a public sanitary sewer is not available under the provisions of SECTION 3.4, the building sewer shall be connected to a private sewage disposal system complying with the provisions of the Article and the State of Maine Plumbing Code Part II - Subsurface Wastewater Disposal Regulations.

4.2 Notification to Town - Construction of private sewage disposal systems shall comply in all respects with requirements of the State of Maine Plumbing Code. In addition, a written notice shall be filed with the Local Plumbing Inspector, giving notice and details of said installation.

4.3 On-Site System Standards - The type, capacities, location, and layout of a private sewage disposal system shall comply with The State of Maine's Plumbing Code, Part II - Subsurface Wastewater Disposal Regulations and the Minimum Lot Size Law (Maine Revised Statutes Annotated, Title 12 Chapter 423-H). No private wastewater disposal system shall be permitted to discharge into any natural outlet.

4.4 Holding Tank Rights and Privileges granted - The Selectmen are authorized and empowered to undertake, within the municipality, the control of the methods of disposal of holding tank wastewater and the collection and transportation thereof. All such rules and regulations adopted by the Selectmen shall be in conformity with the provisions herein, all other ordinances of the Town, all applicable laws, and applicable rules and regulations of the administrative agencies of the State of Maine.

A. Holding tanks can not be used for seasonal conversion or new construction within the Shoreland zone of a major watercourse.

B. The Selectmen have the right and power to fix, alter, charge, and collect rates, assessments, and other charges in the area served by its facilities at reasonable and uniform rates as authorized by applicable law.

C. The collection and transportation of all wastewater from any property utilizing a holding tank shall be done solely under the direction and control of a facility that holds an appropriate Maine State license and

disposed at such site as are approved by the Maine Department of Environmental Protection.

4.5 Duties of Property Owners - The owner of property that utilizes a holding tank shall:

A. Maintain the holding tank in conformance with this or any other Ordinance of the Town, the provisions of any applicable law, the rules and regulations of the Town, and any administrative agency of the State of Maine; and

B. Comply with all the provisions of Chapter 22 of the Maine Subsurface Waste Water Disposal Rules 144A CMR 241.

4.6 Alternative Disposal - An alternative means of waste water disposal shall meet first time system criteria. Replacement system criteria shall not be considered.

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

4.8 Connection Required - At such time as a public sewer becomes available to a property served by a private sewage system, as provided in SECTION 3.4, connection shall be made to the public sewer in compliance with this Ordinance at any time when the existing systems fails and any septic tanks, cesspools, or other private sewage disposal facilities shall be abandoned and filled with suitable material, or completely removed.

4.9 Plumbing Inspector Authority - No statement contained in this Article shall be construed to interfere with any additional requirements that may be made by the Plumbing Inspector.

SECTION 5 - BUILDING SEWERS AND CONNECTIONS TO PUBLIC SEWERS

5.1 Coordination with State Plumbing Code - The provisions of this Article shall be deemed to supplement provisions of the State Plumbing Code with respect to Building Sewers and connections thereof to Public Sewers. In event of conflicts between this Article and the State Plumbing Code, the provisions of this Article shall be deemed to apply. Permits and Fees stipulated hereunder are additional to any permits or fees, or both, required under the State Plumbing Code.

5.2 Building Sewer Permit Required - No person shall uncover, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written building sewer permit as provided in SECTION 5.3 approved by the Superintendent and Local Plumbing Inspector. The building sewer permit application form shall be available at the Town Office. Any person proposing a new or additional discharge into the system or a change in the volume or character of pollutants that are being discharged into the system shall be required to obtain a permit from the Superintendent and Local Plumbing Inspector. All proposed changes, additions, and connections shall comply with Maine Revised Statutes Annotated, Title 38, Chapter 3, Subchapter I, Sect. 361.

5.3 Types of Permits and Fee Requirements - There shall be two (2) classes of building sewer permits - (1) for residential and commercial service, and (2) for industrial, and other non-residential service. In either case, the owner or his agent shall make application on a special form furnished by the Town. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgement of the Superintendent and Local Plumbing Inspector.

A permit application fee for each single residential sewer and for each additional living unit incorporated in the same residential structure shall be paid to the Town Treasurer at the time an application is filed as indicated on the permit application form. Also, an inspection fee for each service connection plus a connection fee for each equivalent user shall be paid to the Town as indicated on the permit application form.

The Board of Selectmen shall fix a permit, inspection and connection fee for each commercial, industrial, or other non-residential building, after recommendation of the Local Plumbing Inspector and Superintendent based on the size and nature of the operation proposed in such commercial, industrial, or other non-residential building as compared to the demands of a residential structure.

Any proposed change or additional discharge shall be subject to a supplementary fee based upon the predicted maximum gallon per day increase due to the additional volume being discharged into the system as illustrated in the State of Maine Wastewater Disposal Rules, "Design Flows for Facilities", Tables 7.1 and 7.2

5.4 Individual Building Sewers Required - A separate and independent building sewer shall be required for every building requiring a sewer connection 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, in which case the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.

5.5 Use of Existing Building Sewers - Existing building sewers may be used only when they are determined by the Town to meet all requirements of this ordinance. When existing buildings which are connected to the public sewer are abandoned or destroyed, the building sewer shall be capped at the edge of public way or easement containing the public sewer, in the presence of a representative of the Town.

5.6 Building Sewer Material - The building sewer shall be service weight cast iron soil pipe and fittings; cast iron NO-HUB, bitumastic coated; PVC sewer pipe meeting the requirements of ASTM D 3034 SDR 35; or other material approved by the Town.

5.7 Building Sewer Diameter - The size and slope of the building sewer shall be subject to the approval of the Town, but in no event shall the diameter be less than four (4) inches, nor shall the slope of the pipe be less than one-eighth (1/8) inch per foot.

5.8 Building Sewer Testing - Pneumatic testing of the building sewer installation shall be done at no cost to the Town, in the presence of the Superintendent.

5.9 Building Sewer Depth - Whenever possible, the building sewer shall be brought to the building at an elevation sufficient to afford protection from frost, but in no event shall be less than three (3) feet. The building sewer shall be laid at uniform grade and in straight alignment insofar as possible. Changes in direction shall be only with approved pipe and fittings. 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.

5.10 Private Lift Station Required - In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage or industrial wastes carried by such drain shall be lifted by approved artificial means and discharged to the building sewer at the expense of the owner.

5.11 Building Sewer Excavation - All excavations required for the installations of a building sewer shall be open trench work unless otherwise approved by the Superintendent. Pipe laying and backfill shall be performed in accordance with Section 3 through 6 of ASTM specification C12 except that no backfill shall be placed until the work has been inspected and except that trench width measured at the top of the installed pipe shall not exceed thirty-six (36) inches.

5.12 Prohibited Connections to Building Sewer - No person shall make connection of roof down spouts, sump pumps, exterior foundation drains, areaway drains, cellar drains or other sources of surface runoff or ground water to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer, unless such connection is approved by the Town for purposes of disposal of polluted drainage water.

5.13 Building Sewer Joints - All joints and connections shall be made gas tight and watertight. Joints for cast iron hub and spigot pipe shall be lead; joints for NO-HUB pipe shall be made with a neoprene gasket and a stainless steel clamp and shield assembly; joints for PVC pipe shall be "O-ring" type. No mortar joints will be allowed.

5.14 Building Sewer General Requirements - The connection of the building sewer into the public sewer shall conform to the requirements of SECTION 6 of these Rules and Regulations, and the procedures set forth in WPCF Manual of Practice No. 9. All such connections shall be made gas tight and watertight and verified by pneumatic testing. Any deviation from the prescribed procedures and materials must be approved by the Town before installation.

5.15 Building Sewer Inspection Notification - The applicant for the building sewer permit shall notify the Superintendent and Local Plumbing Inspector when the building sewer is ready for inspection and connection to the public sewer. No public sewer shall be disturbed except under the supervision of the Superintendent and Local Plumbing Inspector. The Superintendent and Local Plumbing Inspector shall be available to supervise and inspect the connection, during normal business hours, within forty-eight (48) hours of notification of readiness. Failure to notify the Superintendent and Local Plumbing Inspector will result in a fine as indicated in SECTION 10.

5.16 Building Sewer Excavation Safety - All excavations for building sewer installations shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other property disturbed in the course of the work shall be restored in a manner satisfactory to the Town or the Department of Transportation.

5.17 Manhole Required - Any building sewer serving a school, hospital, or similar institution or public building, or serving a complex of commercial or industrial buildings, or which in the opinion of the Superintendent will receive sewage or industrial wastes of such 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. If required, a new manhole shall be installed in the public sewer and the location of this manhole and the building sewer connection to it or to an existing manhole shall be as specified by the Superintendent.

5.18 Building Sewer Costs and Indemnification - All costs and expense incident to the installation, connection, and maintenance of the building sewer shall be borne by the owner. These costs include, but are not limited to,

materials, excavation, permits, inspection fees and connection fees. 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.

SECTION 6 - SEWER EXTENSIONS

6.1 Town Constructed Sewer Extension - Public sewer extensions may be constructed by the Town under public contract if, in the opinion of the Board of Selectmen, the number of properties to be served by such extension warrants its cost. Under this arrangement the property owner shall pay for the installation of the building sewer from the public sewer to the residence or place of business in accordance with the requirements of this Ordinance.

a. When abutting property owners wish to have public sewer facilities extended beyond the existing service area, a majority of the property owners must petition the Board of Selectmen by written petition.
b. The signed petition must be presented to the Board of Selectmen at a regular or special meeting of the Board for their consideration.
c. Upon receipt of the petition, the Board of Selectmen shall request recommendation on the proposed project from the Department of Public Works and Local Plumbing Inspector.
d. The Department of Public Works and Local Plumbing Inspector will prepare a report concerning the feasibility as well as an estimated cost of the construction which shall be submitted to the Board of Selectmen.
e. The Board of Selectmen shall, if they deem the project feasible both from a construction and a financial standpoint, request the Administrative Assistant to submit a recommendation for financing.
f. The Board of Selectmen, when in agreement with the proposed financing, shall request the Town Assessor in conjunction with the Department of Public Works to prepare a list of the abutters to be benefitted, and to submit this list to the Town for mailing of the estimated assessment. The estimated assessment will be based upon 100% of the estimated construction costs.
g. The Board of Selectmen shall set the annual simple interest rate to be charged on those assessments which are paid on a term basis.

h. The Town shall send notices of the estimated assessments and the interest rate to be charged on the assessments paid over an extended period of time to all abutting property owners to be benefitted by the proposed project. Benefitted property owners may choose to pay their assessment in a lump sum or over an extended period of time not to exceed five (5) years, or some other period of time that is agreeable to the Board of Selectmen. The assessment plus interest shall be payable in four equal payments per year at the rate previously set by the Board of Selectmen. The Town shall require all benefitted property owners who choose to pay their assessment over an extended period of time to execute an agreement which shall be filed at the Somerset County Registry of Deeds and at the office of the Anson Town Clerk.

i. The Board of Selectmen will authorize the construction of the project when 75% of the estimated assessments have been signed and returned by the benefitted property owners.

j. The Department of Public Works will have final plans and specifications prepared and will determine if the project can be done by Town forces or by contract. (If by contract, the usual bidding procedure will be followed as required by Maine Municipal Law).

k. Once the project is complete, the Department of Public Works will determine the actual construction cost.

l. The Town Assessor will determine the name of the owners of the property to be assessed.

m. The Department of Public Works will prepare an assessment list containing the benefitted property owners and the gallons per day of effluent generated by each benefitted property owner. (Gallons per day of effluent generated by each benefitted property owner shall be determined in accordance with the State of Maine Wastewater Disposal Rules, "Design Flows for Facilities", Tables 7.1 and 7.2 and the Maine Plumbing Code.)

n. The Town will prepare and mail the actual amount of the assessments to be made to each benefitted property owner. The assessment shall be based upon 100% of the actual project cost. The benefitted property owner assessment (PA) shall be calculated using the following formula:

C divided by TE = CG CG multiplied by GD = PA

where

C = actual cost of sewer extension project
TE = total gallons of effluent generated by all benefitted property owners (see m. above)
CG = cost per gallon of effluent
GD = gallons per day generated by each benefitted property owner (see m. above)
PA = benefitted property owner assessment

o. A Public Hearing will be held by the Board of Selectmen at which time the actual assessment will be considered legally established and any benefitted property owner's grievances will be heard.

p. Upon completion of the project, the Department of Public Works shall notify the Board of Selectmen, in writing, that the sewer extension is complete and usable.

q. Benefitted property owners shall make their applications for sewer connection at the Town Office. Upon application, the benefitted property owner shall pay to the Town the sewer connection fee in addition to the sewer assessment fee. All benefitted property owners shall have connected to said sewer within two (2) years after the sewer extension was deemed usable.

r. The Town will make sewer extension assessment refunds without interest if additional benefitted property owners are connected to the requested extension. The sewer extension assessment refunds will be made to the benefitted property owners of record at the time of the refund.

s. The new benefitted property owner assessment (NPA) and the original benefitted property owner refunds shall be calculated using the following formula:

C divided by NTE = NCG NCG multiplied by GD = NPA
PA less NPA = REFUND

where

C = cost of sewer extension project
NTE = total gallons of effluent generated by original plus new benefitted property owners (see m. above)
NCG = new cost per gallon of effluent
GD = gallons per day generated by each benefitted property owner (see m. above)

NPA = new benefitted property owner assessment
PA = original benefitted property owner assessment

t. No benefitted property owner refunds will be made after a period of ten (10) years from the date the Board of Selectmen deem the sewer extension complete and usable.

6.2 PRIVATE SEWER EXTENSIONS CONSTRUCTED WITHIN PUBLIC WAYS - If the Town does not elect to construct a sewer extension under Public Contract, the Developer (property owner, building contractor, etc.) may construct the necessary extension, if such extension is approved by the Board of Selectmen in accordance with the requirements. Said developer must pay for the entire installation, including all expenses incidental thereto. The design of the sewer extension shall be as specified in SECTION 7, GUIDELINES FOR MATERIALS and CONSTRUCTION OF SEWER MAINS. The installation of the sewer extension shall be subject to periodic inspection by the Department of Public Works or its designated agent. The decision of the Department of Public Works shall be final in matters of quality and methods of construction. The cost of sewer extensions thus made shall be totally absorbed by the developer.

a. The developer shall prepare a detailed report with substantiating data included concerning the estimated cost of the proposed sewer extension construction and the estimated cost of the installation of a complete non-engineered subsurface wastewater disposal system designed and installed in conformance with the State of Maine Plumbing Code that would serve a typical three (3) bedroom dwelling with a design flow that meets or exceeds the requirements of the Maine Plumbing Code.

b. The assessor in conjunction with the Department of Public Works shall prepare a list of abutters to be benefitted by the proposed private sewer extension.

c. Upon receipt of the report from the developer, the Board of Selectmen shall schedule a Public Hearing on the proposed sewer extension. The Town shall send notices of the Public Hearing by registered mail stating the reason, date, time and location for the Hearing.

d. The Board of Selectmen, when in agreement with the proposed private sewer extension construction, the proposed construction

specifications, the proposed construction costs and installation costs of the subsurface wastewater disposal system, will authorize the construction of the project.

e. The developer shall notify the Town when the private sewer extension project is complete. The Department of Public Works shall make final inspection of the construction project and prepare a report to the Board of Selectmen stating the status of the project and whether the sewer extension has been installed and constructed in conformity with the specification.

f. The developer shall prepare and execute all necessary documents to the Board of Selectmen's satisfaction for the dedication of the private constructed sewer to the Town.

g. Upon receipt of the executed dedication documents and satisfactory report from the Department of Public Works regarding its final inspection, the Board of Selectmen shall accept said sewer extension and deem the sewer extension usable.

h. Benefitted property owners requesting connection to the sewer extension shall make application for connection to the sewer at the Town Office. Benefitted property owners shall pay upon application the sewer connection fee and a sewer extension assessment fee. The sewer extension assessment fee will not be charged after a period of ten (10) years from the date the Board accepted the sewer from the developer.

i. The sewer extension assessment fee (SCF) shall be calculated as follows:

CS divided by DFT = CG CG multiplied by DFB = SCF

where

CS = cost of a typical 3 bedroom dwelling subsurface wastewater disposal system (see a. above)
DFT = design flow of typical 3 bedroom dwelling
CG = design flow cost/gallon/day
DFB = design flow of benefitted property owner in gallons/day/connection (see m. in paragraph 6.1)
SCF = sewer extension assessment fee

j. The Town shall make sewer extension assessment fee refunds to the developer, as calculated in Paragraph 6.1.S. if and when benefitted property owners are connected to the sewer extension.

k. No sewer extension assessment fee refund will be made after a period of ten (10) years from the date the Board of Selectmen accepted the dedication of said sewer extension from the developer.

6.3 Privately Constructed Sewer Extension - If the Town does not elect to construct a sewer extension under public contract, the developer (property owner, building contractor, etc.) may construct the necessary sewer extension, if such extension is approved by the Board of Selectmen in accordance with the requirements of this Ordinance. The cost of sewer extensions thus made, including all building sewers, shall be absorbed by the developer. Each building sewer must be installed and inspected as previously required and the inspection fees shall be paid by the developer. Design of sewers shall be as specified in this Ordinance. The installation of the sewer extension shall be subject to periodic inspection by the Department of Public Works and the expenses for this inspection shall be paid for by the developer. The Director of Public Works' decisions shall be final in matters of quality and methods of construction. Before it may be used, the sewer as-constructed must pass the leakage test required in this Ordinance.

6.4 Sewer Extension Ownership - All sewer extensions constructed at the property owner's, builder's or developer's expense shall continue to be the responsibility and property of the property owner unless otherwise accepted by the town by vote of the Selectmen. If accepted by the town the property owner shall guarantee against defects in materials or workmanship for eighteen (18) months. The guarantee shall be in the form of a maintenance guarantee bond in an amount not less than ten percent (10%) of the Engineer's estimate of the cost of the extension. The Selectmen are under no obligation to accept any extension. The Selectmen are to act in the best interest of the Town.

6.5 Building Permit Requirement - 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 waste disposal is proposed.

SECTION 7 - GUIDELINES FOR MATERIALS AND CONSTRUCTION OF SEWER MAINS

7.1 Materials and Design of Sewer Extensions - Sewer design shall be in accordance with the following provisions:

a. Pipe material shall be PVC made from virgin plastic conforming to ASTM D 1784, Type 1, Grade 1, and manufactured in accordance with ASTM 3034, SDR 35; ductile iron conforming to ANSI Specification A 21.51, with iron Grade 60-42-10, and cement lining meeting ANSI Specification A21.4, but twice the thickness specified; reinforced concrete conforming to ASTM C 76, with a maximum absorption of 5.5% of the dry weight; or other material approved by the Selectmen.

b. All joints shall be prepared and installed in accordance with the manufacturer's recommendations, and shall be gas tight and watertight. Joint materials shall be as follows:
   (1) PVC - ASTM D 1869
   (2) Ductile Iron - ANSI Specification A 21.11.
   (3) Reinforced Concrete - ASTM C 443

c. Minimum internal pipe diameter shall be eight (8) inches.

d. Wye branch fittings for house service shall be PVC of ductile iron saddles with stainless steel straps and "O-ring" seal set in mastic to affect a watertight connection.

e. Minimum width of the trench at a point six (6) inches above the top of the sewer pipe and minimum slope of sewer pipe shall be as given in the following table:

Pipe Diameter	Minimum Trench Width	Minimum Slope in Feet Per 100 Feet
8"	2' - 8"	0.40
10"	2' - 10"	0.28
12"	3' - 0"	0.22
14"	3' - 2"	0.17
15"	3' - 3"	0.15
16"	3' - 4"	0.14

f. PVC and reinforced concrete pipe shall be laid on six (6) inches of screened gravel bedding material, and the screened gravel shall be shaped to a height of 1/4 of the pipe diameter so as to give uniform

circumferential support to the pipe. Unless bedding material is required for ductile iron pipe due to unsuitable conditions, the existing excavated bottom shall be shaped to a height of 1/8 of the pipe diameter so as to give uniform circumferential support to the pipe.

g. Screened gravel shall have the following gradation:

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

h. The screened gravel shall be brought to the pipe mid-diameter.

i. Trench sand shall be placed over PVC and reinforced concrete pipe to a height one (1) foot over the top of the pipe. Trench sand shall be hard, durable particles of granular material with 100% passing the ½" sieve and 0-15% passing the #200 sieve. (Percentages are by weight.)

j. Backfill material shall then 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) Material that does not contain rocks larger than 6 inches in any dimension.

(3) Dry clay backfill free of clods.

(4) Wet clay that alone would be unstable 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 AASHTO T-180, Method C, depending on the material size.

Field density tests shall be made in accordance with AASHTO T-191. Each layer of backfill shall be moistened or dried as required, and shall be compacted to the following densities:

(1) Bedding material and trench sand.....95%

(2) Suitable backfill under paved or shoulder areas.....90%

(3) Gravel Base:

(a) Under paved areas.....95%
(b) In shoulder areas.....90%

(4) Loam areas.....95%

(5) All other areas.....85%

l. If the trench widths are found to exceed the limits specified, the sewer pipe shall be encased in a minimum of six (6) inches of concrete or high-strength pipe used as determined by the Superintendent.

m. Pipe classes shall be determined according to WPCF Manual of Practice No. 9. Pipe thickness shall be calculated on the following criteria:

Safety Factor	2.0
Load Factor	1.7
Weight of Soil	120 lbs./cu. ft.
Wheel Loading	16,000 lbs.

n. All excavations required for the installation of sewer extensions shall be open trench work unless approved by the Superintendent. No backfill shall be placed until the work has been inspected.

o. Manholes shall be constructed at all changes in slope of alignment or at intervals not exceeding 300 linear feet, unless approved by the Superintendent, and shall be precast concrete.

(1) Precast manhole sections shall conform to ASTM C 478 and be asphalt coated; cement shall be Type III with a minimum compressive strength of 4,000 psi.

(2) Precast base and barrel sections shall have tongue and groove joints with round rubber gaskets set in specially provided indentations conforming to ASTM C 443, or butyl base joint sealant that permits installation in temperatures from -20 degrees F.A.C.P. to 120 degrees Fahrenheit, and meet Federal Specification SS-S-00210.

(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 non-shrink mortar or grout in combination with concrete plugs after installation.

(4) Pipe to manhole joints shall be Lock-Joint flexible manhole sleeve, Kor-N-Seal joint sleeve, or equivalent.

(5) Manhole invert bricks shall conform to ASTM C 32, Grade SS, hard brick (made from clay or shale).

(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, when required, shall be of 5/8 inch diameter, aluminum safety type steps.

Rungs shall be placed twelve (12) inches on center in concrete and shall not be subjected to any loads for a minimum of seven (7) days. Copolymer polypropylene steps reinforced with 3/8" Grade 60 steel rebar throughout may be used in place of aluminum.

(8) After the excavation has been done and leveled, one (1) foot of screened gravel 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 two courses and a maximum of five courses of brick and mortar before setting the cast iron frame and cover. Mortar for brick masonry shall be Type II Portland cement mixed in the proportion of one part cement to two parts sand, worked to the proper consistency.

(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 (½) 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. 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 main channel.

(13) Manholes shall be constructed as the sections of the pipelines,

between them are completed, and unless this is done, the Engineer 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 the concrete 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. First coat to be applied by the manufacturer of the manholes. Second coat to be field applied by the Contractor. Do not apply dampproofing in freezing or wet weather.

(15) Iron castings for manhole frames and covers shall conform to ASTM A 48 and shall be Class 30.

(a) Manhole frames and covers shall be tough gray 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 so as to provide a tight, even fit.

(b) Manhole frames shall be 6" to 8" high and shall be approximately 35" in diameter with a minimum opening of 22" and a maximum opening of 44". Manhole covers shall be solid and shall have the word "SEWER" (3" high) cast on the top. The approximate total weight of frame and cover shall be 395 pounds. Covers shall have two (2) concealed pickholes.

(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.

7.2 Leakage Testing - All sewers shall satisfy requirements of a leakage test before they are accepted by the Superintendent. 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 complete between two adjacent manholes. Thereafter, the leakage tests shall be made on sections of approved lengths of completed pipeline.

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 Engineer, 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 be termed "Acceptable" if the time required in minutes for the pressure to decrease from 3.5 to 3.0 psig (greater than the average back pressure of any ground water that may be over the pipe) shall not be less than the time set forth in the following table:

Pipe Diameter in Inches	Minutes
4	2.0
6	3.0
8	4.0
10	5.0
12	5.5
15	7.5
18	8.5
21	10.0
24	11.5
30	14.5
36	17.0
42	20.0
54	25.5

(d) In areas where ground water is know to exist, the Contractor shall install a ½ inch diameter capped pipe nipple, approximately 10" long, through the manhole wall on top of one of the sewer lines entering the manhole. This shall be done at the time the sewer line is installed. Immediately prior to the performance of the leakage test, the groundwater shall be determined by removing the pipe cap, blowing air through the pipe nipple into the ground so as to clear it, and then connecting a clear plastic tube to the nipple. The plastic tube shall be held vertically and a measurement of the height in feet of water over the invert of the pipe shall be taken after the water has stopped rising in this plastic tube. The height in feet shall be divided by 2.3 to establish the pounds of pressure that will be added to all readings. (For example, if the height of water is 11 ½ feet, then the added pressure will be 5 psig. This increases the 3.5 psig to 8.5 psig, and the 3.0 psig to 8.0 psig. The allowable drop of one-half pound and the timing remain the same.)

d. Manholes shall be tested by plugging the pipes, bracing the plugs to prevent them blowing out and performing a vacuum test in the following manner:

(1) Install the testing equipment according to the manufacturer's instructions.

(2) A vacuum of 10 inches of Hg (mercury) shall be drawn on the manhole and the loss of 1 inch of Hg vacuum timed. The manhole shall be considered to have passed the test if the time for the loss of 1 inch of Hg vacuum is two (2) minutes or longer.

(3) If the manhole fails the initial test, the Contractor shall locate the leak(s) and make repairs. The manhole shall be tested until a satisfactory test result is obtained.

SECTION 8 - USE OF PUBLIC SEWER

8.1 Unpolluted water prohibited in Public Sanitary Sewer - No person shall discharge or cause to be discharged any unpolluted waters such as storm water, surface water, ground water, roof runoff, sump pumps, foundation drains, subsurface drainage, cooling water, or unpolluted industrial process water, to any sanitary sewer.

8.2 Storm Water Drainage - Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers, or to a natural outlet, as approved in writing by the Local Plumbing Inspector. Industrial cooling water or unpolluted process waters may be discharged, upon written approval of the Local Plumbing Inspector, to a storm sewer or natural outlet, provided, however, that such discharge shall comply with Maine Revised Statutes Annotated, Title 38, Chapter 3, Section 413.

8.3 Prohibited Discharges - No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

a. Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas which will cause a fire or explosive hazard in the wastewater facilities.

b. Any waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant. Toxic pollutants shall include, but not be limited to, pollutants identified pursuant to Section 307(a) of the Clean Water Act.

c. Any waters or wastes having a pH lower than 6.0, or having any other corrosive property capable of causing damage or hazard to structures, equipment or personnel of the sewage works.

d. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works such

as, but not limited to, ashes, bones, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, underground garbage, whole blood, manure, hair and fleshings, entrails and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders, except home garbage disposal units are acceptable.

8.4 Discharge Limits - No person shall discharge or cause to be discharged the following described substances, materials, waters, or wastes if it appears likely in the opinion of the Town that such wastes can harm either the sewers, sewage treatment process, or equipment, have an adverse effect on the receiving stream, or can otherwise endanger life, limb, public property, or constitute a nuisance. In forming their opinion as to the acceptability of these wastes, the Town will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, and other pertinent factors. The substances prohibited are:

a. Any liquid or vapor having a temperature higher than 150 degrees Fahrenheit (65 degrees Celsius), or which in combination with other wastes entering the plant will result in an influent temperature exceeding 104 degrees Fahrenheit (40 degrees Celsius).

b. Any water or waste containing fats, wax, grease, or oils, whether emulsified or not, in excess of one hundred (100) mg/l, or containing substances which may solidify or become viscous at temperatures between 32 degrees Fahrenheit and 150 degrees Fahrenheit (0 and 65 degrees Celsius).

c. Any garbage that has not been properly shredded. (See Section 2.25.)

d. Any waters or wastes containing strong acid, iron pickling wastes or concentrated plating solutions whether neutralized or not.

e. Any waters or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances in such quantities or concentrations that any such material received in the composite sewage at the sewage treatment works exceeds the

limits established by the Town for such materials.

f. Any waters or wastes containing phenols or other taste or odor producing substances, in such concentrations as to exceed limits which may be established by the Town so that after treatment of the composite sewage, the discharge meets the requirements of the State, Federal, or other public agencies of jurisdiction.

g. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Town in compliance with applicable State or Federal regulations.

h. Any waters or wastes having a pH lower than 6.0 or higher thaI 8.5.

i. Materials which exert or cause;

(1) Unusual concentration of inert suspended solids such as, but not limited to, lime slurries and lime residues, or of dissolved solids such as, but not limited to, sodium chloride and sodium sulfate.

(2) Excessive discoloration such as, but not limited to, dye wastes, and vegetable tanning solutions.

(3) Unusual BOD5, Chemical oxygen demand, or other requirements in such quantities to constitute a significant load on the sewage treatment works.

(4) Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.

j. Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent, residue, or sludges, cannot meet the requirements of other agencies.

8.5 Town's Rights to Control Discharges - 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 Articles 7.3 and 7.4 of this Section, and which, in the judgement of the Town, may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise create a hazard of life or constitute a public nuisance, the Town may:

a. Reject the wastes.
b. Require pretreatment to an acceptable condition for discharge to the public sewers.
c. Require control over the quantities and rates of discharge, and/or.
d. Require payment to cover the added costs of handling and treating the wastes, provided that the discharge of such wastes does not exceed any requirements of Federal and/or State laws.
When considering the above alternatives, the Town shall give consideration to the economic impact of each alternative on the discharger.

If the Town permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the City subject to the requirements of all applicable codes, ordinances, laws, and discharge permit.

8.6 Traps required - Grease, oil, and sand interceptors shall be provided when, in the opinion of the Town, they are necessary for the proper handling of liquid 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 units. All interceptors shall be of a type and capacity as outlined in the "State of Maine Internal Plumbing Rules, Chapter 238" and approved by the Town, and shall be located as to be readily and easily accessible for cleaning and inspection. Grease interceptors shall be installed in the waste lines leading from sinks, drains and other fixtures of equipment in the following establishments; restaurants, school kitchens, hotels, motels, hospitals, nursing homes, bars and clubs or other establishments where grease may be introduced into the sewer system in quantities that can effect line stoppage or hinder sewage treatment. In the maintenance 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 Town. Any removal and hauling of the collected materials not performed by the Owner's personnel must be performed by licensed waste disposal firms.

8.7 Pretreatment Operation and Maintenance - Where preliminary treatment of 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.

8.8 Monitoring Manholes Installed by Industrial Users - The Owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such manhole 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 to the Town at all times.

All industries discharging into a public sewer shall perform such monitoring of their discharges as the Town may reasonably require, including installation, use, and maintenance of monitoring equipment, keeping records, and reporting the results of such monitoring to the Town. Such records shall be made available upon request by the Town to other agencies having jurisdiction over discharges to the receiving waters.

8.9 Ordinance Compliance Requirements - The Town may require a user of sewer services to provide information needed to determine compliance with these rules and regulations. These requirements may include:

a. Average and peak rate of wastewater discharge and volume over a specified time period.
b. Chemical analyses of wastewaters.
c. Information on raw materials, processes, and products effecting wastewater volume and quality.
d. Quantity and disposition of specific liquid, sludge, oil, solvent, or other materials important to sewer use control.
e. A plot of the user's property showing sewer and pretreatment facility locations.
f. Details of wastewater pretreatment facilities.
g. Details of systems to prevent and control the losses of materials through spills to the municipal sewer.

8.10 Testing Standards - All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in these rules and regulations shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater," published by the American Public Health Association, and shall be determined at the control manhole provided, or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb, and property. Sampling and testing shall be undertaken by the Owner at his expense, as directed by the Town.

8.11 Unusual Industrial Wastewaters - No statement contained in this Section shall be construed as preventing any special agreement or arrangement between the Town and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the Town for treatment, subject to payment therefore, as detailed in Section 11, by the industrial concern, provided that such agreements do not contravene any requirements of existing Federal or State laws and/or regulations promulgated thereunder, and are compatible with any User Charge in effect.

SECTION 9 - PROTECTION FROM DAMAGE

9.1 Damage to Public Sewer Prohibited - No person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance, or equipment which is a part of the municipal sewage works. Any person violating this provision shall be subject to immediate arrest under charge of criminal mischief as set forth in Maine Revised Statutes Annotated, Title 17-A, Chapter 33, Section 806.

9.2 Evidence of Insurance by Contractor - A contractor must present a certificate of insurance showing a minimum liability coverage of $100,000/$300,000

for bodily injury and a $25,000 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 Superintendent.

SECTION 10 - POWERS AND AUTHORITY OF INSPECTORS

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 purpose of inspection, observation, and measurement sampling and testing in accordance with the provisions of this ordinance.

SECTION 11 - PENALTIES

11.1 Notice of Violation - 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 and notify the Town of corrective measures taken and when completed.

11.2 Failure to Comply - Any person 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, upon conviction, be subject to a fine not less than one hundred dollars ($100) and not exceeding one thousand dollars ($1000) 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 such violation of any provision hereof shall continue. In addition to the penalties provided herein, the Town may recover reasonable attorney's fees, court costs and other expenses of litigation by appropriate suit at law against the person found to have violated these rules and regulations.

11.3 Alternative Action(s) by the Town - As an alternative upon violation of this

ordinance, 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, construction, or maintenance of cesspools, septic tanks, sewage disposal systems, pipes or drains, other violations mentioned herein, to restrain, correct, or abate such violation, or to prevent the occupancy of any building, structure or land where said violation of this ordinance are found.

11.4 Liability to the Town - Any person violating any of the provisions of this ordinance shall become liable to the Town for any expense, loss, or damage occasioned by the Town by reason of such violation.

SECTION 12 - SEWER SERVICE CHARGE

12.1 Source of Revenues - The source of the revenues needed for retiring debt service, capital expenditures, operation and maintenance of the public sewerage works shall be a sewer service charge assigned to owners of all properties located within the public sewer works service area having or required to have sanitary facilities, whether actually connected to the public sewer system or not.

12.2 Establishment of Rates - Sewer service charge rates including readiness to serve charges shall be determined by the Town Selectmen after notice and hearing. This charge will be computed and billed on a quarterly basis throughout each calendar year.

12.3 Billing Categories and Justification - The public sewage works service area and the nature of buildings required to have sanitary facilities shall be as defined in Section 3.3 hereof. In the case of a building not connected to the public system, such charge shall be deemed a "ready to serve" charge levied to aid in defraying expense incurred in making service available to the property. In the case of a connected building not in active use or occupancy and having no discharge during a given billing period, the portion related to capital expenditures and retirement of debt service shall be regarded as a minimum charge. In the case of a connected building actively discharging to the public system for all or part of any given billing period, the charge shall

be increased to include the cost of operation and maintenance of the public sewage works.

12.4 Changes in Rates - The Town Selectmen reserve the right, from time to time, to change the rates of sewer service charges originally or previously assigned to any property owner.

12.5 Late Charge - There shall be a late charge equal to the maximum rate allowed by state law assessed to all delinquent accounts effective ninety (90) days from the date of billing. The rate shall be that which is established annually by the Town Meeting for unpaid property taxes.

12.6 Special Industrial Rates - A special sewer service charge shall be assigned to any firm or organization which discharges industrial wastes to the POTW.

The Town may adopt charges and fees which may include:

A. Fees for reimbursement of costs of setting up and operating a pretreatment program;
B. Fees for monitoring, inspections and surveillance procedures;
C. Fees for reviewing accidental discharge procedures and construction;
D. Fee for permit applications;
E. Fees for filing appeals;
F. Fees for consistent removal (by the Town) of pollutants otherwise subject to Federal Pretreatment Standards;
G. Other fees as the Town may deem necessary to carry out the requirements contained herein.

These fees relate solely to the matters covered by this Ordinance and are separate from all other fees chargeable by the Town.

SECTION 13 - VALIDITY OF ORDINANCE

13.1 Prior Ordinances Repealed - All ordinances or parts of ordinances in conflict herewith are hereby repealed.

13.2 Invalid Sections - 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.

SECTION 14 - ORDINANCE IN FORCE

This ordinance shall be in full force and effect from and after its passage, approval and recording.