

**DRAFT #1 FOR 09/08/2020 Ordinance Committee Meeting**

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## CHAPTER 9. SEWER USE

### ARTICLE 1. DEFINITIONS

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

Section 101.

BOD (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20E C, expressed in milligrams per liter.

Section 102.

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 buildings and conveys it to the building sewer, beginning five (5) feet outside the inner face of the building wall.

Section 103.

Building Sewer shall mean the extension from the building drain to the public sewer or other place of disposal.

Section 104.

Code shall refer to the Maine State Plumbing Code.

Section 105.

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

Section 106.

Department shall refer to the ~~Department of Public Works~~ **Water Pollution Control of the Town, also known as the Sewer Department or Enterprise Fund.**

Section 107.

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.

Section 108.

Industrial Wastes shall mean the liquid wastes from industrial manufacturing processes, trade or business as distinct from sanitary sewage.

Section 109.

LPI shall refer shall refer to Local Plumbing Inspector.

Section 110.

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

Section 111.

Person shall mean any individual, firm, company, association, society, corporation or group.

Section 112.

pll shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

Section 113.

Public Shredded Garbage shall mean the wastes from the preparation, cooking, and dispensing of food that have 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 (2) inch in any dimension.

Section 114.

Public Sewer shall mean a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.

Section 115.

Sanitary Sewers shall mean a sewer which carries sewage and to which storm surface and groundwaters are not intentionally admitted.

Section 116.

Sewage shall mean a combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground, surface, and stormwaters as may be present.

Section 117.

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

Section 118.

Sewage Works shall mean all facilities for collecting, pumping, treating, and disposing of sewage.

Section 119.

Sewer shall mean a pipe or conduit for carrying sewage.

Section 120.

Shall is mandatory: May is permissive.

Section 121.

Slug shall mean any discharge of water, sewage, or industrial waste 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.

Section 122.

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 unpolluted cooling water.

Section 123.

Superintendent shall mean the Superintendent of Water Pollution Control of the Town or ~~the~~ **Town's** authorized deputy, **employee**, agent, or representative

Section 124.

Suspended Solids shall mean solids that either float on the surface or are in suspension in water, sewage, or other liquids, and which are removable by laboratory filtering.

Section 125.

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

## **ARTICLE 2. PRIVATE SEWAGE DISPOSAL**

### Section 201.

Where a public sanitary or combined sewer is not available under the provisions of Article 3, the building sewer shall be connected to a private sewage disposal complying with the provisions of this article- **and the requirements of the State of Maine Subsurface Wastewater Disposal Rules adopted pursuant to Title 22 M.R.S.A., Section 42.**

### Section 202.

Before commencement of construction of a building, addition to a building, or a private sewage disposal system the owner shall first obtain a written permit signed by the Local Plumbing Inspector in accordance with the terms of the latest revision of the Maine State Plumbing Code. 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 Superintendent. A permit and inspection fee of ~~\$5.00~~ shall be paid to the Town at the time the application is filed. **The fee will be based on the current fee schedule as adopted by the Town Council by Order.**

A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the Superintendent. He shall be allowed to inspect the work at any of construction and, in any event, the applicant for the permit shall notify the Superintendent when the work is ready for final inspection, and before any underground portions are covered.

### Section 203.

The type, capacities, location, and layout of a private sewage disposal system shall comply with all requirements of the Department of Human Services, Division of Health Engineering of the State of Maine. No permit shall be issued for any new construction employing subsurface soil absorption facilities where the area of the lot is less than 40,000 square feet. No septic tank or cesspool shall be permitted to discharge to any watercourse except as provided by the Maine Department of Environmental Protection.

### Section 204.

The owner shall operate and maintain private sewage disposal facilities in accordance with the code, at no expense to the Town.

Section 205.

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

**At such time as a public sewer becomes available to a property served by a private sewage disposal system, connection shall be made to the public sewer in compliance with this Ordinance, and any septic tanks, cesspools, or similar private sewage disposal facilities shall be abandoned and filled with suitable material.**

### **ARTICLE 3. USE OF PUBLIC SEWERS REQUIRED**

Section 301.

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

Section 302.

It shall be unlawful to discharge to any natural outlet within the Town, any sewage or other polluted waters except where suitable treatment has been provided in accordance with subsequent provisions of this ordinance.

Section 303.

Except as provided in Article 2, 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.

Section 304.

The owner of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, 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 or combined sewer of the Town, is hereby required at his expense to install suitable toilet facilities therein, and to connect such facilities directly, with the proper public sewer in accordance with the provisions of this ordinance within ninety (90) days after date of official notice to do so, provided that said public sewer is within one hundred (100) feet of the property line.

**However, where excavation of the public highway is otherwise prohibited by State law or regulation, or where the building or property is to be served has public road frontage and is more than one hundred (100) feet from the sewer, the Town Council may grant an exception upon a specific application of the owner or lessee of such properties, with such conditions as the said Town Council may impose.**

The owner of any subdivision property situated within the Town and abutting on any street right-of-way, in which there is now located, or may be in the future 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 located within five hundred (500) feet of any subdivision to be served by said sewer. However, where excavation of the public highway is otherwise prohibited by state law or regulation, or where the structure to be served has public road frontage and is more than five hundred (500) feet from the sewer, the Town Council may grant exceptions upon specific application of the owner or lessee of such properties, with such conditions as the said Town Council may impose.

#### ARTICLE 4. PAYMENT FOR USE OF PUBLIC SEWERS

Section 401.

Usage rates and fees to be charged for the use of the public sewers shall be adopted by Order of the Town Council.

Section 402.

All fees shall be due when billed and the owner of the premises served shall be held responsible for payment of usage fees. An interest charge on overdue accounts shall be established and to be computed at the prevailing level established for nonpayment of real and personal property taxes, said interest to commence on the thirty-first (31st) day following the mailing of bills.

The Town Council may assign a Special Sewer Service Charge to any user whose waste varies significantly in strength or otherwise from that of normal domestic sewage. In general, a Special Sewer Charge will be based on equitable prorating of costs for conveying and treating such waste, taking into account, but not necessarily limited to, the effect of volume, B.O.D., suspended solids, settleable solids, chlorine demand, toxicity, and pH. Pretreatment by the industry may also be a requirement if necessary to make the waste compatible with flow in the sewer system.

If just cause can be shown the Town Manager may abate any portion of a billed sewer charge if said quarterly sewer charge exceeds one hundred percent (100%) of the average quarterly billing for the preceding three quarters, adjusted for any rate changes.

## ARTICLE 5. BUILDING SEWERS AND CONNECTIONS

### Section 501.

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 Superintendent. Any person proposing a new discharge into the system or a substantial change in volume or character of pollutants that are being discharged into the system shall notify the department at least 45 days prior to the proposed change or connection.

### Section 502.

There shall be two (2) classes of building sewer permits: (a) for residential and commercial domestic service, and (b) for service to establishments producing industrial wastes. 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 judgment of the Superintendent. A permit and inspection fee of ~~fifty dollars (\$50.00) for a residential sewer permit or one hundred dollars (\$100.00) for a commercial building sewer permit and two hundred and fifty dollars for an industrial building sewer permit~~ shall be paid to the Town at the time the application is filed. The fee shall be based on the current fee schedule as adopted by the Town Council by Order.

**If a residential service is changed to commercial, industrial, or other non-residential service, the Town shall require a new application for the new class of use.**

**For gravity sewer extensions requested by individual homeowners, the Town will not participate in the financing of the sewer extensions.**

**For those sewer extensions which are to serve Subdivisions on new streets the Town will not participate in the financing of the sewer extensions.**

### Section 503.

All costs and expense incident to the installation and connection of the 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.

### Section 504.

A separate and independent sewer may be provided for each lot of single ownership, occupied by several buildings; 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 of the building through an adjoining alley, court, yard, or driveway, the building sewer from the front building may be

extended to the rear building and the whole considered as one building sewer. **For commercial or industrial connections, the Town may require the installation of a sewer manhole to access the service for wastewater monitoring purposes, or the Town may require the commercial/industrial user to connect directly to a manhole in the sewer main.**

Section 505.

Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Superintendent to meet all requirements of this Ordinance. **All costs for inspection and testing shall be paid by the Owner.**

Section 506.

The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling the trench, shall all conform to the requirements of the Code or other applicable rules and regulations of the Town. The size of the building sewer shall be subject to the approval of the Superintendent, but in no event shall the diameter be less than four (4) inches. **The slope of such 4-inch pipe shall not be less than one-eighth (1/8) inch per foot. The building sewer shall be laid at uniform grade and in straight alignment insofar as possible. Changes in direction shall be made only with manholes or pipefittings, as approved by the Superintendent. A clean out shall be located a minimum of four (4) inches above the basement floor. Also, clean-cuts shall be provided at bends greater than 45 degrees or at 100-foot maximum intervals.**

**The building sewer shall be schedule 35 or higher plastic pipe, or other suitable material approved by the Superintendent. The quality and weight of materials shall conform to the specifications of the State Plumbing Code. Where the building sewer is exposed to damage by tree roots or is installed in filled or unstable ground the Superintendent shall have the authority to stipulate such special pipe materials or installation provisions as deemed necessary for the circumstances.**

Section 507.

Whenever possible, the building sewer shall be brought to the building at an elevation not more than 8-inches above the basement floor. In all buildings, in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved **artificial** means and discharged to the building sewer.

Section 508.

No person shall make connection of roof downspouts, exterior foundation drains, areaway drains, cellar drains, or other sources of surface runoff or groundwater to a building sewer or building drain, unless otherwise approved by ~~Department.~~ **the Superintendent.**

Section 509.

The connection of the building sewer into the public sewer shall conform to the requirements of the Code or other applicable rules and regulations of the Town. All such connections shall be made gastight and watertight- **and verified by proper testing.** Any deviation from the prescribed procedures and materials must be approved by the Superintendent before installation.

Section 510.

The applicant for the building sewer permit shall notify the Department **at least twenty-four (24) hours before beginning the work and also** when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Superintendent- **during normal working hours.**

Section 511.

All excavations for building sewer installations shall be adequately guarded with barricades and lights so as to protect the public from hazard. **At least one-way traffic shall be maintained at all times.** Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Town.

**Construction methods shall be such that excessive size of excavation and excessive destruction of pavement will be avoided. Bituminous concrete pavements shall be cut in advance along the proposed edges of the excavation. Trenches showing a tendency to collapse shall be supported by substantially placed sheeting.**

**Special backfill of suitable material may be used in the trench, immediately around the pipe. Otherwise, all material used for backfill shall be the same as or equivalent to that removed from each layer of excavation. Where the nature of the highway base material is not readily determined, backfill shall be clean gravel. The top eighteen (18) inches of any trench through paving shall be clean gravel. (At its option, in the interest of good public relations, the contractor or owner may place a temporary cold mix bituminous pavement.)**

**Backfill material shall be uniformly distributed in layers of not more than eight (8) inches and thoroughly compacted by use of approved mechanical compactors before successive layers are placed. Water shall be added when necessary to increase the moisture content of the backfill material in order to obtain adequate compaction. Puddling or jetting of backfill will not be allowed. Backfill materials shall be free from large clods of earth, free from stones and rock fragments over 50 lbs., and free from frozen materials.**

**Surplus material shall be removed from the site and the area shall be left in a clean, presentable condition.**

**Permanent pavement shall be replaced at the owner or developer's expense.**

**The Town reserves the right, after due notice in writing to the Contractor or Owner:**

**1. To provide such supervision and inspection as it may deem necessary, at Owners or Contractor's expense.**

**2. To properly excavate and backfill areas as necessary at Owners or Contractor's expense.**

**3. To clean up areas of private property not properly cleaned by Owner or Contractor, at Owner's or Contractor's expense.**

**4. Sidewalks, parks, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Public Works Department.**

**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.**

**All costs and expense incident to the installation, connection, and maintenance of the building sewer shall be borne by the owner. The owner shall indemnify the City from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.**

**Where permitted by the plumbing codes or other appropriate laws or regulations of the State of Maine, other types of material and construction methods may be used notwithstanding any provisions of this ordinance to the contrary.**

**No person shall dismantle or move any building having a building service entrance into a public sewer without first having sealed the area of the entrance of the service into such building with a masonry plug. If upon examination by the Superintendent, the sewer service is found to be unserviceable, the owner shall remove such service and seal it at the public sewer.**

Section 512.

The applicant shall install all building sewers from the building to the property line. ~~The Town shall install the building sewer from the property line to the municipal sewer.~~

## **ARTICLE 6. USE OF THE PUBLIC SEWERS**

Section 601.

No person shall discharge or cause to be discharged any storm water, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer.

Section 602.

Storm water and all other unpolluted drainage shall be discharged to such drains as are specifically designed as combined sewers or storm drains, or to a natural outlet approved by the

Superintendent. Industrial cooling water or unpolluted process waters may be discharged, on approval of the Superintendent, to a storm drain, or natural outlet.

#### Section 603.

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.
- (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, including but not limited to cyanides in excess of two (2) mg/l as CN in the wastes as discharged to the public sewer.
- (c) Any waters or wastes having a pH lower than 5.5, or having any other corrosive property capable of causing damage or hazard to structures, equipment and 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, **stone, gravel, concrete, paving materials, sticks, plaster, cement, mortar,** ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.

#### Section 604.

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 Superintendent that such wastes can harm either the sewers, sewage treatment process, or equipment, having an adverse effect on the receiving stream, or can otherwise endanger life, limb, public property or constitute a nuisance. In forming his opinion as to the acceptability of these wastes, the Superintendent 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 one hundred fifty (150) ~~EF (65EC)~~ Deg. F. (65 deg. C.).
- (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 thirty-two (32) and one hundred fifty (150) ~~EF (65EC)~~ Deg. F. (65 deg. C.).

(c) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths (3/4) horsepower (0.76 h.p. metric) or greater shall be subject to the review and approval of the Department.

(d) Any waters or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the Superintendent for such materials.

(e) Any waters or wastes containing phenols or other taste- or odor-producing substances, in such concentrations exceeding limits which may be established by the Superintendent as necessary, after treatment of the composite sewage, to meet the requirements of State, Federal, or other public agencies of jurisdiction for such discharge to the receiving waters.

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

(g) Any waters or wastes having a ph in excess of 9.5.

(h) Materials which exert or cause:

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

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

(3) Unusual BOD., chemical oxygen demand., or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.

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

(i) 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 cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

Section 605.

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 Section 604. of 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,
- (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 cost of handling and treating the wastes not covered by existing taxes or sewer charges.

Section 606.

Grease, oil, and sand interceptors shall be provided when, in the opinion of the Superintendent, 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 quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Superintendent, and shall be located as to be readily and easily accessible for cleaning and inspection.

**Where installed, all grease, oil, and sand interceptors or traps shall be maintained by the Owner or tenant, at their expense, in continuously efficient operations at all times. The Owner or tenant of the premises shall grant to the Town permission to conduct unannounced inspections of any such interceptor during normal business hours. Such inspections shall not unreasonably interfere with normal operations of the business.**

Section 607.

Where preliminary treatment 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 608.

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

**waters. 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 Section 604 of 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;**

(b) **Require pretreatment to an acceptable condition for discharge to the public sewers;**

(c) **Require control over the quantities, timing and rates of discharge; and/or**

(d) **Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions of Article 4.**

(e) **Take such other remedial action as may be deemed to be desirable or necessary to achieve the objectives of this Ordinance.**

**Grease, oil, and sand interceptors shall be provided when, in the opinion of the Commission, they are necessary for the proper handling of liquid wastes, sand, or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units, unless otherwise determined by the Superintendent. All interceptors shall be of a type and capacity approved by the Superintendent, and shall be located as to be readily and easily accessible for cleaning and inspection.**

**Where preliminary treatment 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 their expense.**

When required by the Superintendent, 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, when required, shall be accessibly and safely located and shall be constructed in accordance with plans approved by the Superintendent. 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 609.

All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this ordinance shall be determined in accordance with the latest edition of Standard Methods for the Examination of Water and Wastewater published by the American 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. (The particular analyses involved will determine whether a twenty-four (24) hour composite of all outfalls of a premise is appropriate or whether a grab sample or samples should be taken.) Normally, but not always, BOD and suspended solids analyses are obtained from 24-hour composites of all outfalls, whereas pHs are determined from periodic grab samples.

Section 609.A.

All industries discharging into a public sewer shall perform such monitoring of their discharge as the ~~Department of Public Works and/or other duly authorized employees of the Town~~ **Superintendent** may reasonably require, including installation, use, and maintenance of monitoring equipment, keeping records and reporting the results of such monitoring to the **Superintendent** ~~Department of Public Works~~. Such records shall be made available upon request by the **Superintendent** ~~Department of Public Works~~ to other agencies having jurisdiction over discharges to the receiving water.

Section 610.

That any industry held in violation of the provisions of this ordinance may have its disposal authorization terminated.

Section 611.

No statement contained in this article shall be construed as preventing any special agreement or arrangement between the ~~city or town~~ and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the ~~city or town~~ for treatment, subject to payment, therefore, by the industrial concern, provided that such agreements do not contravene any requirements of existing Federal laws and are compatible with any User Charge and Industrial Cost Recovery System in effect.

## **ARTICLE 7. PROTECTION FROM DAMAGE**

Section 701.

No unauthorized 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 sewage works. ~~Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct.~~ **Any person violating this provision shall be prosecuted in accordance with the criminal laws of the State of Maine which concern malicious damage and trespass and protect public and private property.**

## **ARTICLE 8. POWERS AND AUTHORITY OF INSPECTORS**

### Section 801.

The LPI and other duly authorized employees of the Town bearing proper credentials and identification shall be permitted to enter all properties for the purpose of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this ordinance. The Superintendent or his representatives shall have no authority to inquire into any processes including metallurgical, chemical, oil, refining, ceramic, paper, or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment.

### Section 802.

While performing the necessary work on private properties referred to above, the LPI or duly authorized employees of the Town shall observe all safety rules applicable to the premises established by the occupant and the occupant shall be held harmless for injury or death to the Town employees and the Town employees and Town shall indemnify the occupant against loss or damage to its property by Town employees and against liability claims and demands for personal injury or property damage asserted against the occupant and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the occupant to maintain safe conditions as required in Article 6, Section 608.

### Section 803.

The LPI 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 purpose 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.

## **ARTICLE 9. PENALTIES**

### Section 901.

Any person found to be violating any provision of this ordinance except Article 7 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 the time stated in such notice, permanently cease all violations.

Section 902.

Any person who shall continue any violation beyond the time limit provided for in Article 9, Section 901, ~~shall be guilty of a misdemeanor, and on conviction thereof shall be fined in the amount not exceeding \$100.00 for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.~~ **shall be subject to penalties and enforcement action in accordance with Title 30-A M.R.S.A., Section 4452 of the Maine Revised Statutes. Any person convicted of such a violation shall be subject to civil penalties, assessed by a Court of competent jurisdiction; and the minimum penalty for such a violation is \$100.00 and the maximum penalty is \$2,500.00. Each day in which any such violation shall continue shall be deemed as a separate violation and penalties shall be assessed on a per day basis. In addition, the Town shall be entitled to an award of reasonable attorney's fees, expert witness fees and costs, and other costs of a court action concerning such a violation as set forth in Title 30-A, Section 4552 (3)(D) of the Maine Revised Statutes.**

Section 903.

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.

**Notwithstanding any of the foregoing provisions the Town may institute any appropriate action including injunction or other proceedings to prevent, restrain, or abate violations hereto.**

## **ARTICLE 10. VALIDITY**

Section 1001.

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

Section 1002.

The invalidity of any section, clause, sentence, or provisions 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.

**PRIVATE SEWAGE DISPOSAL APPLICATION**

To the (Town or District)

\_\_\_\_\_

The undersigned., being the \_\_\_\_\_ of  
the

(Owner, Owner's Agent)

property located at \_\_\_\_\_  
(Number) (Street)

does hereby request a permit to install sanitary sewage disposal facilities to serve the

\_\_\_\_\_ at said location.  
(Residence, Commercial Building, etc.)

1. The proposed facilities include:

\_\_\_\_\_ to be constructed in complete accordance with the plans and specifications attached hereunto as Exhibit A.

2. The area of the property is \_\_\_\_\_ square feet.

3. The name and address of the person or firm who will perform the work is:

\_\_\_\_\_

4. The maximum number of persons to be served by the proposed facilities is: \_\_\_\_\_

5. The locations and nature of all sources of private or public water supply within one hundred (100) feet of any boundary of said property are shown on the plan attached hereunto as Exhibit B.

In consideration of the granting of this permit, the undersigned agrees:

1. To furnish any additional information relating to the proposed work that shall be requested by the Superintendent.

2. To accept and abide by all provisions of Ordinance No. \_\_\_\_\_ of the (Town or District) of \_\_\_\_\_, and of all other pertinent ordinances or regulations that may be adopted in the future.

3. To operate and maintain the wastewater disposal facilities covered by this application in a sanitary manner at all times, in compliance with all requirements of the Health Officer or Plumbing Inspector and at no expense to the (Town or District).

4. To notify the Superintendent at least twenty-four (24) hours prior to commencement of the work proposed, and again at least twenty-four (24) hours prior to the covering of any underground portions of the installation.

Date \_\_\_\_\_

\_\_\_\_\_  
(Applicant's Signature)

\$ \_\_\_\_\_ inspection fee paid

\_\_\_\_\_  
(Applicant's Address)

\_\_\_\_\_  
(Certification by Treasurer)

Application approved and permit issued:

Date \_\_\_\_\_

\_\_\_\_\_  
(Superintendent's Signature)

**RESIDENTIAL OR COMMERCIAL DOMESTIC WASTE BUILDING SEWER APPLICATION**

To the Town of Pittsfield \_\_\_\_\_:

The undersigned, being the \_\_\_\_\_ of the  
(Owner, Owner's Agent)

property located at \_\_\_\_\_, does  
(Number) (Street)

hereby request a permit to install and connect a building sewer to serve the \_\_\_\_\_ at said location.  
(Residence, Commercial Building, etc.)

1. The following indicated fixtures will be connected to the proposed building sewer:

Number	Fixture	Number	Fixture
_____	Kitchen Sinks	_____	Water Closets
_____	Lavatories	_____	Bath Tubs
_____	Laundry Tubs	_____	Showers
_____	Urinals	_____	Garbage Grinders

Specify other fixtures  
\_\_\_\_\_

2. Daily Average number of persons who will use the above fixtures is \_\_\_\_\_.

3. Waste Disposal: Public \_\_\_\_\_ Private \_\_\_\_\_

4. The name and address of the person or firm who will perform the proposed work is  
\_\_\_\_\_

5. Plans and specifications for the proposed building sewer are attached hereto as Exhibit A. (Form HEE 200 for Rural Locations)

In consideration of the granting of this permit, the undersigned agrees:

1. To accept and abide by all provisions of Ordinance No. \_\_\_\_\_ of the (Town or District) \_\_\_\_\_, and of all other pertinent ordinances or regulations that may be adopted in the future.

2. To maintain the building sewer at no expense to the (Town or District).

3. To notify the Department when the building sewer is ready for inspection and connection to the public sewer, but before any portion of the work is covered.

Date \_\_\_\_\_ (Applicant's Signature)

\$ \_\_\_\_\_ inspection fee paid (Applicant's Address)

Application approved and permit issued: (Certification by Treasurer)

Date \_\_\_\_\_ (LPI)

**INDUSTRIAL SEWER CONNECTION APPLICATION**

To the (Town or District) of \_\_\_\_\_

The undersigned being the \_\_\_\_\_ of the  
(Owner, Lessee, Tenant, etc.)

property located at \_\_\_\_\_

does hereby request a permit to \_\_\_\_\_ an industrial  
(Install, Use)

sewer connection serving the \_\_\_\_\_, which company

(Name of Company)  
is engaged in \_\_\_\_\_ at said location.

1. A plot of the property showing accurately all sewers and drains now existing is attached hereunto as Exhibit A.

2. Plans and specifications covering any work proposed to be performed under this permit is attached hereunto as Exhibit B.

3. A complete schedule of all process waters and industrial wastes produced or expected to be produced at said property, including a description of the character of each waste, the daily volume and maximum rates of discharge, and representative analyses, is attached hereunto as Exhibit C.

4. The name and address of the person or firm who will perform the work covered by this permit is  
\_\_\_\_\_

In consideration of the granting of this permit the undersigned agrees:

1. To furnish any additional information relating to the installation or use of the industrial sewer for which this permit is sought as may be requested by the Superintendent.

2. To accept and abide by all provisions of Ordinance No. \_\_\_\_\_ of the (Town or District) of \_\_\_\_\_, and of all other pertinent ordinances or regulations that may be adopted in the near future.

3. To operate and maintain any waste pretreatment facilities, as may be required as a condition of the acceptance into the public sewer of the industrial wastes involved, in an efficient manner at all times, and at no expense to the (Town or District).

4. To cooperate at all times with the Department and its representatives in the inspecting, sampling, and study of the industrial wastes, and any facilities provided for pretreatment.

5. To notify the Department immediately in the event of any accident, negligence, or other occurrence that occasions discharge to the public sewers of any wastes or process waters not covered by this permit.

Date \_\_\_\_\_  
\_\_\_\_\_  
(Applicant's Signature)

\$ \_\_\_\_\_ inspection fee paid  
\_\_\_\_\_  
(Applicant's Address)

Application approved and permit issued:  
\_\_\_\_\_  
(Certification by Treasurer)

Date \_\_\_\_\_  
\_\_\_\_\_  
(Superintendent's Signature)

***POLICY***  
***ABATEMENT OF SEWER CHARGES***

***TOWN OF PITTSFIELD, MAINE***

~~If just cause can be shown, the Town Manager may abate any portion of a billed sewer charge if said quarterly sewer charge exceeds one hundred percent (100%) of the average quarterly billing for the preceding three quarters, adjusted for any rate changes.~~