

ORDINANCE
REGULATING THE USE
OF
PUBLIC SANITARY SEWERAGE SYSTEMS

TOWN OF PAWLET

VERMONT

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ORDINANCE
REGULATING THE USE OF
PUBLIC SEWERAGE SYSTEM
Pawlet, Vermont

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ORDINANCE
REGULATING THE USE OF PUBLIC
SANITARY SEWERAGE SYSTEMS

Pursuant to Title 24 Section 3617 of the Vermont Statutes Annotated, it is hereby ordained by the Board of Selectmen of the Town of Pawlet, Vermont that the protection of the health and safety of the Town of Pawlet and of the general public requires the establishment of minimum standards governing the design, construction, installation and operation of public sanitary sewerage systems.

ARTICLE I - GENERAL PROVISIONS

SECTION 101 - All rules and regulations contained herein, together with such additions and amendments as may be hereafter adopted, are hereby designated as the "Ordinance Regulating the Use of Public Sanitary Sewerage Systems" hereinafter sometimes referred to as the ORDINANCE.

SECTION 102 - The Town Clerk of the Town of Pawlet shall file certified copies of this ORDINANCE, as well as certified copies of any additions and amendments to this ORDINANCE as may be hereafter adopted, with the Board of Selectmen, Sewer Commissioners and the Health Officer.

SECTION 103 - The principal objective of sewerage facilities is to collect sewage and industrial wastes and to provide the required or justified degree of treatment under the most favorable and economical conditions possible. Therefore, the discharge of wastewaters into the public sanitary sewers which do not require nor justify treatment or which will cause damage to or stoppage of the sewerage system or interfere with sewer treatment processes must be rigorously controlled.

SECTION 104 - The provisions of this ORDINANCE shall be reviewed at intervals not exceeding five (5) years by the Board of Selectmen with the objectives of assessing the continued applicability of these provisions; to consider any recommendations proposed for their improvement; and to determine if and what changes are advisable due to advances in the technical methods or processes of waste treatment and sewage collection available to the Town of Pawlet.

SECTION 105 - In the case of any other applicable regulations, bylaw, ordinance or statute which differs from the rules and regulations of this ORDINANCE, the more strict shall apply.

SECTION 106 - This ORDINANCE may be amended at any time by the Board, as provided by law and after due notice and public hearing.

SECTION 107 - It shall be the function of the Board to vary or modify the application of any of the provisions of this ORDINANCE when strict enforcement would result in practical difficulties or unnecessary hardship, and when not inconsistent with State and Federal requirements.

ARTICLE II - DEFINITIONS

For the purpose of this ORDINANCE, the following terms and phrases shall have the meanings ascribed to them under this ARTICLE:

SECTION 201 - Town shall mean the Town of Pawlet, Vermont.

SECTION 202 - Selectmen shall mean members of the Board of Selectmen of the Town of Pawlet, Vermont.

SECTION 203 - Health Officer shall mean the legally designated Health Officer or Deputy Health Officer of the Town of Pawlet, Vermont.

SECTION 204 - Board of Sewer Commissioners (Commissioners) or (Board) shall mean members of the Board of Selectmen and/or the group of individuals who shall be designated from time to time by the Board of Selectmen to have that title, or their authorized deputy, agent or representative.

SECTION 205 - Superintendent shall mean that employee of the Town who shall be designated from time to time by the Board of Selectmen to operate and maintain the Public Sewerage Facilities.

SECTION 206 - Person shall mean any individual, firm, company, association, society, corporation, institution, partnership, group or other entity.

SECTION 207 - Owner shall mean any person, vested with ownership, legal or equitable, sole or partial, or possession of any property.

SECTION 208 - Public Sewerage System or Facilities shall mean all facilities for collecting, pumping, treating and disposing of sewage and is controlled and operated by the Town of Pawlet, Vermont.

SECTION 209 - Private Sewerage System or Facilities shall mean all facilities for collection, pumping, treating and disposing of sewage, and is not under the control of nor operated by the Town of Pawlet, Vermont.

SECTION 210 - Sewage shall mean a combination of the water-carried wastes from residences, institutions and commercial and industrial establishments together with such ground waters as may be present.

SECTION 211 - Sewer shall mean a pipe or conduit for carrying sewage.

SECTION 212 - Public Sewer shall mean a sewer in which all owners of abutting properties have equal rights and is controlled by public authority.

SECTION 213 - Sanitary Sewer shall mean a sewer which carries sewage and industrial waste and to which storm, surface and ground waters are not intentionally admitted.

SECTION 214 - Combined Sewer shall mean a sewer receiving both surface runoff and sewage.

SECTION 215 - Main Sewer shall mean the sewers laid longitudinally along the centerline or other part of the streets or other rights of way and which all owners or abutting properties have equal rights and which is controlled by public authority.

SECTION 216 - Storm Sewer or Storm Drain shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes other than unpolluted cooling water.

SECTION 217 - Sewage Treatment Plant or Wastewater Treatment Plant shall mean any arrangement of devices and structures used for treating sewage and/or industrial wastes.

SECTION 218 - Subsurface Sewage Disposal System shall mean any sewage treatment system whereby the tank or plant effluent is leached into the ground by subsurface disposal.

SECTION 219 - Industrial Wastes shall mean the liquid wastes from industrial manufacturing processes, trade or business as distinct from sanitary sewage.

SECTION 220 - Garbage shall mean solid wastes from the preparation, cooking and dispensing of food and from the handling, storage and sale of produce.

SECTION 221 - Property Shredded Garbage shall mean the wastes from preparation, cooking and dispensing of food that has been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half (1/2) inch (1.27 centimeters) in any dimension.

SECTION 222 - House Plumbing System shall mean all the plumbing work within the building and to a point five (5) feet (1.5 meters) outside of the building which conveys sewage from within the building to the building sewer outside the building.

SECTION 223 - Building Drain shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five (5) feet (1.5 meters) outside the inner face of the building wall.

SECTION 224 - House Connection shall mean that part of the Sewerage System that runs from the Main Sewer to the edge of the Town right of way and includes all necessary fittings.

SECTION 225 - Building Sewer shall mean that part of the Sewerage System which receives the sewage from the House Plumbing System and conveys it to the nearest end of the House Connection, unless a House Connection is not available, in which case the Building Sewer shall be extended to the nearest available "Y" branch on the Main Sewer.

SECTION 226 - 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.

SECTION 227 - Natural Outlet shall mean any outlet into a watercourse, pond, ditch, lake or other body of surface or groundwater.

SECTION 228 - Watercourse shall mean a channel in which a flow of water occurs, either continuously or intermittently.

SECTION 229 - Shall is mandatory; May is permissive.

SECTION 230 - Slug shall mean any discharge of water, sewage or industrial waste which is 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 231 - Clerk shall mean the Town Clerk of the Town of Pawlet, Vermont.

SECTION 232 - Subdivision shall mean a tract of land, owned or controlled by a person, which has been partitioned or divided for the purpose of resale into two (2) or more lots.

SECTION 233 - Scavenger Waste shall mean suitably conditioned human excrement in a fluid state collected from septic tanks, cesspools and approved chemical toilets.

ARTICLE III - ABBREVIATIONS

For the purpose of this ORDINANCE, the following abbreviations shall have the meanings ascribed to them under this ARTICLE. References to standards of the following organizations shall refer to the latest editions of the same.

- SECTION 301 - ANSI shall mean American National Standards Institute.
- SECTION 302 - ASME shall mean American Society of Mechanical Engineers.
- SECTION 303 - ASTM shall mean American Society for Testing and Materials.
- SECTION 304 - AWWA shall mean American Water Works Association.
- SECTION 305 - NPC shall mean National Plumbing Code.
- SECTION 306 - CS shall mean Commercial Standard.
- SECTION 307 - ppm shall mean parts per million.
- SECTION 308 - mg./l shall mean milligrams per liter.
- SECTION 309 - Degrees F shall mean degrees Fahrenheit.
- SECTION 310 - Degrees C shall mean degrees Centigrade.
- SECTION 311 - B.O.D. (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 20 degrees C, expressed in milligrams per liter.
- SECTION 312 - pH shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.
- SECTION 313 - cm. shall mean centimeter.
- SECTION 314 - m. shall mean meter.
- SECTION 315 - sq. m. shall mean square meters.
- SECTION 316 - l. shall mean liters.
- SECTION 317 - Kg. shall mean kilograms.
- SECTION 318 - hp shall mean horsepower.

ARTICLE IV - MANDATORY USE OF PUBLIC SEWERS

SECTION 401 - It shall be unlawful under this Ordinance for any person to place, deposit, or permit to be placed or deposited any human excrement, garbage, or other objectionable waste on any lot upon which a structure stands which is required to be served by the Public Sewer System.

SECTION 402 - It shall be unlawful to discharge to any natural outlet within the Town of Pawlet, or in any area under the jurisdiction of said Town any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this ORDINANCE and the Laws of the State of Vermont.

SECTION 403 - Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank cesspool or other facility intended or used for the disposal of sewage.

SECTION 404 - The owner of any house, building, 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 sewer is within one hundred fifty (150) feet (45.75 meters) of the structure to be served, unless undue hardship would result, in which case the property owner should request in writing a deferral of this requirement.

ARTICLE V - BUILDING SEWERS AND CONNECTION TO PUBLIC SEWER

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.

SECTION 502 - Any person proposing a new discharge into the system or a substantial change in the volume or character of pollutants that are being discharged into the system shall notify the Superintendent at least forty-five (45) days prior to the proposed change or connection.

SECTION 503 - There shall be two (2) classes of Public Sewer Connection permits: (1) for residential and commercial service and (2) for service to establishments producing industrial wastes. In either case, the Owner, or his agent, shall make application on a special form provided by the Commissioners. The permit application shall be supplemented by any plans, of the Commissioners. The permit and inspection fees shall be as determined by the Commissioners and will be posted in the office of the Town Clerk. Fees, payable to the Town of Pawlet shall be paid to the Town Treasurer at the time the application is filed. All permits shall become void if not used within one (1) year from date of issuance.

SECTION 504 - Prior to issuance of a sewer connection permit for work requiring excavation in a street or highway, there shall be obtained a Road Opening Permit. For streets or highways under jurisdiction of governmental agencies other than the Town of Pawlet written permission for excavation shall be obtained from the agency in question and same shall be presented to the Commissioners and meet their approval prior to issuance of the sewer connection permit.

SECTION 505 - All costs and expenses incident to the installation and connection 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 sewer connection.

SECTION 506 - A separate and independent sewer connection shall be provided for each and every building except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway in which case the building sewer from the front building may be extended to the rear building and the whole considered as one sewer connection.

SECTION 507 - A portion of the existing outside piping of the house plumbing system may be used in connection with the sewer connection only when it is found, on examination and test by the Commissioners, to meet all requirements of this ORDINANCE.

SECTION 508 - The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the Town or the procedures set forth in appropriate specifications of the ASTM and the WPCF Manual of Practice No. 9. All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the Superintendent before installation.

SECTION 509 - Prior to any connection to the house connection, "Y" or to the main sewer, the Commissioners shall be given forty-eight (48) hours notice in order that they may supervise such work. If the Commissioners have not been properly notified, they may require the completed work to be uncovered for examination, at the owner's own expense.

SECTION 510 - Clean-outs shall be installed where the distance from the building to the main sewer is greater than one hundred (100) feet or where bends greater than forty-five (45) degrees are used in the building sewer. Clean-outs shall be made by installing a "Y" and one-eighth (1/8) bends of the same diameter as the building sewer. The clean-outs shall ordinarily be installed at the point of connection between the building sewer and the outside part of the house plumbing system, at curves on the building sewer and on the straight part of the house sewer to the main sewer. The clean-out shall be brought up from the building sewer to four (4) inches (10.2 cm.) below ground level and be properly capped. Locations of all clean-outs shall be recorded and turned over to the Commissioners. Where the distance from the building to the point of connection at the main sewer is less than fifty (50) feet (15.2 cm.), and there are no curves in this distance, the clean-out in the house will be sufficient if it is at least six (6) inches (15.2 cm.) above the basement floor. Where the distance exceeds fifty (50) feet (15.2 cm.), at least one (1) clean-out twenty (20) feet (6.1m.) from the house shall be provided. Clean-outs shall be of the same diameter as the building sewer.

SECTION 511 - Before any portion of the existing plumbing system outside of the building is connected to the building sewer, the owner shall prove to the satisfaction of the Commissioners, that it is clean and conforms in every respect to this ORDINANCE and that all joints are watertight.

SECTION 512 - Where pipe is installed for building sewers, such work shall be performed by a plumber approved by the Commissioners.

SECTION 513 - The Commissioners shall apply appropriate tests to the pipes, and the plumber and contractor, at their own expense, shall furnish all necessary tools, labor, materials, and assistance for such tests and shall remove or repair any defective materials when so ordered by the Commissioners.

SECTION 514 - All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Commissioners or other authorities having jurisdiction.

SECTION 515 - The contractor shall not block any driveway, street, road or railroad at any time without permission of the Commissioners and other controlling agencies. Every effort shall be made to permit the movement of vehicular traffic at all times. Whenever it becomes necessary to cross or interfere with roads, walks, or drives, whether public or private, the Contractor shall maintain, at his own expense, and subject to the approval of the Commissioners, safe bridges or other means of egress.

SECTION 516 - In all buildings in which the house plumbing is too low to permit gravity flow to the public sewer, sanitary sewage carried by such sewer shall be lifted by approved artificial means and discharged to the building sewer.

SECTION 517 - The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing the pipes, jointing, testing and backfilling the trench, shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the Town. In the absence of code provisions or in amplification thereof the materials and procedures set forth in appropriate specifications of the ASTM and WPCF Manual of Practice No.9 shall apply.

SECTION 518 - No person may make connection of roof downspouts, exterior foundation drain, area way drains, cellar drains, basement sumps. or other sources of subsurface runoff or ground water to a building sewer or building drain which is in turn connected directly or indirectly to a public sanitary sewer.

SECTION 519 - Before any portion of an existing building sewer or the house plumbing system outside of the building is connected to the sewer, the Owner shall prove, to the satisfaction of the Commissioners, that it is clean and conforms in every respect to this ORDINANCE and all joints are watertight.

SECTION 520 - The connection of the building sewer to the main sewer shall be made at the house connection at the Town right of way or, if no house connection exists, connection shall be made at the nearest available "Y" connection on the main sewer. The Commissioners will designate the position of the end of the house connection at the property line or at the "Y" connection on the main sewer, whichever is appropriate. If it becomes necessary to cut into the main sewer because no other source of connection is available, then such connection shall be made as directed by and under the supervision of the Commissioners. The deadends of all pipes not immediately connected with the house plumbing system must be securely closed by a watertight cover of imperishable material and properly marked and located.

SECTION 521 - Each plumber, contractor or other person performing work on public property for the purpose of installing a building sewer shall file with the Commissioners evidence of adequate insurance coverage for liability and property damage. Minimum amounts of coverage will be established by the Commissioners and posted in the Clerk's office.

SECTION 522 - Connections to and use of the Town's public sewerage facilities shall be at the sole discretion of the Commissioners who shall consider, among other things, the following:

1. Capacity of existing facilities.
2. Location of the development and future potential impact on the Town as the result of a contemplated sewer extension.
3. Cost to the Town of Pawlet.

Note: The cost to the Town of Pawlet (local share) for all future public sewerage system extensions and expansions shall be borne by the developer or property owners to be effected by the extension or expansion, unless the voters of the Town shall vote at a duly warned or special Town meeting to assume the costs involved in a proposed sewer extension or expansion.

ARTICLE VI - USE OF THE PUBLIC SEWER

SECTION 601 - No person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoffs, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer.

SECTION 602 - Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers, or to a natural outlet approved by the Superintendent. Industrial cooling waters or unpolluted process waters may be discharged, on approval of the Superintendent, to a storm sewer, combined sewer, 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.
- c) Any waters or wastes having a pH lower than 5.0* 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, 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 in the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment and other pertinent factors. The substances prohibited are:

*This may be reviewed on a case by case basis and a more restrictive limit may be established.

- a) Any liquid or vapor having a temperature higher than one hundred fifty (150) degrees F (65 degrees 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) degrees F (0 and 65° 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 hp metric) or greater shall be subject to the review and approval of the Superintendent.
- 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, 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.
- f) 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 the State, Federal or other public agencies having jurisdiction for such discharge to the receiving waters.
- g) 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.
- h) Any waters having a pH in excess of 9.5*.
- i) 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 chloride and sodium sulfate).
 - (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, may cause the effluent limitations of the discharge permit to be exceeded.

*This may be reviewed on a case by case basis and a more restrictive limit may be established.

- (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 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 4 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

If the Commissioners permit 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 Commissioners and Health Officer, and subject to the requirements of all applicable codes, ordinances and laws and to the municipal discharge permit. Further, such pretreatment installations must be consistent with the requirements of any state pretreatment permit issued to the industry.

SECTION 606 - Grease, oil, hair, and sand interceptors shall be provided when, in the opinion of the Commissioners, they are necessary for the proper handling of liquid wastes containing grease in excessive amount, or any flammable wastes, sand and 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 Commissioners and shall be located as to be readily and easily accessible for cleaning and inspection.

SECTION 607 - Grease and oil interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, watertight and equipped with easily removable covers which, when bolted in place, shall be gastight and watertight.

SECTION 608 - Where installed, all grease, oil, hair, and sand interceptors shall be maintained by the owner, at his expense, in continuously efficient operation at all times. Materials collected shall not be reintroduced into the public sewerage system.

SECTION 609 - 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 610- 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.

All industries discharging into a public sewer shall perform such monitoring of their discharges 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 discharging to the receiving waters. Where industrial pretreatment permits are issued by the State of Vermont, monitoring records must also be submitted to the Secretary in accord with such permit. Records of any monitoring will be supplied by the Superintendent to the Secretary on request.

SECTION 611 - All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this ORDINANCE shall be determined in accord 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. (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 pH's are determined from periodic grab samples.

SECTION 612 - That any industry held in violation of the provisions of this ORDINANCE may have its disposal authorization terminated.

SECTION 613 - The discharge of scavenger wastes into the public sewerage facilities is not permitted, except upon special agreement by the Board of Sewer Commissioners.

SECTION 614 - No statement contained in this ARTICLE shall be construed to prevent any special agreement or arrangement between the Town of Pawlet and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the Town of treatment, subject to payments therefor 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 VII - PROTECTION FROM DAMAGE

SECTION 701 - No person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance, or equipment which is part of the Public Sewerage Disposal System. Any person violating this provision shall be subject to **immediate** arrest under the charge of unlawful mischief as set forth in Title 13, Section 3701 of the Vermont Statutes Annotated.

ARTICLE VIII - POWERS AND AUTHORITY OF INSPECTORS

SECTION 801 - The Superintendent and other duly authorized employees of the Town bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing in accordance with the provision 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 wastes treatment.

SECTION 802 - While performing the necessary work on private properties referred to in Article VIII, Section 801 above, the Superintendent or duly authorized employees of the Town shall observe all safety rules applicable to the premises established by the company and the company shall be held harmless for injury or death to the Town employees and the Town shall indemnify the company 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 company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions.

SECTION 803 - The Superintendent and other duly authorized employees of the Town bearing proper credentials and identification shall be permitted to enter all private properties through which the Town of Pawlet holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewage works lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

ARTICLE IX - PENALTIES

SECTION 901 - Any person found to be violating any provision of this ORDINANCE except Article VII shall be served by the Town with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

SECTION 902 - Any person who shall continue any violation beyond the time limit provided for in Article IX, Section 901, shall be guilty of a misdemeanor, and on conviction thereof shall be fined in the amount not exceeding One Hundred Dollars (\$100) for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.

SECTION 903 - Any person violating any of the provisions of this ordinance shall become liable to the Town of Pawlet for any expense, loss, or damage occasioned the Town by reason of such offense.

SECTION 904 -, Notwithstanding any of the foregoing provisions, the Commissioners may institute any appropriate action including injunction or other proceeding to prevent, restrain or abate violations hereof.

ARTICLE X - SEWER RENTS

SECTION 1001 - OPERATION AND MAINTENANCE - An annual charge shall be determined by the Commissioners and is hereby imposed upon "users", that is every person whose premises have a building or structure thereon and are served by the public sewerage system of the Town and from which, either directly or indirectly, sewage is being collected from the use of the premises by the Owners or other users of real property within the Town for the payment of the costs of operating, maintaining and repairing said system.

SECTION 1002 - The Sewer Rents established in SECTION 1001 and defined hereunder shall be charged whenever the property is connected to the public sewerage system by the necessary building sewer as required upon the terms of this ORDINANCE.

SECTION 1003 - CAPITAL COSTS - The design, construction and development costs of all public sewerage system expansions and extensions which have been approved by the Board shall be borne by the developers or property owners requiring, requesting or directly benefiting from such extensions and/or expansions, unless the voters of the Town shall vote at a duly warned annual or special Town Meeting to assume all or a portion of the costs involved. When the voters of the Town vote to assume all or a portion of the costs, such costs will be paid from the collection of taxes unless the voters of the Town approve some other means of raising the required monies.

SECTION 1004 - COLLECTION - Collection of delinquent sewer rents may be enforced by the Town pursuant to 24 V.S.A. Section 3612, Charges; lien and 24 V.S.A. Sec. 3615, Rents, rates. In the event any sewer rent is not paid within thirty (30) days from the billing date, a late penalty charge will be added to the sewer rent together with interest charges. The amount of the late penalty charge and the interest rate on the overdue accounts shall be the same as those applied to the collection of taxes. If such payment is not made, such sewer rent shall be a lien upon such real estate in the same manner and to the same effect as taxes are a lien upon real estate under 32 V.S.A. Sec. 5061.

SECTION 1005 - The annual charges stipulated in Section 1001 shall be based upon the Sewer Use Rate Structure, or "User Charge System" in force at the time of connection and thereafter, currently in effect. The Sewer Use Rate System or User Charge System shall be reviewed and may be modified by the Commissioners annually pursuant to 24 V.S.A., Chapter 101 and 40 CFR §35.929-2.

ARTICLE XI - VALIDITY

SECTION 1101- All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 1102 - 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 1103 - These rules may be amended at any time by the Commissioners as provided by law.

ARTICLE XII
ORDINANCE IN FORCE

SECTION 1201

This ORDINANCE shall be in full force and effect from and after its passage, approval, recording and publication as provided by law.

SECTION 1202

Passed and adopted by the _____ of the Town
of Pawlet, State of Vermont on the _____.

Approved this _____ day of _____, 19____.

Signed: _____

Attest: _____

Signed _____ (Clerk)

RESIDENTIAL OR COMMERCIAL BUILDING SEWER APPLICATION

To the (city or town) of _____:

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

the 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:

| <u>Number</u> | <u>Fixture</u> | <u>Number</u> | <u>Fixture</u> |
|---------------|----------------|---------------|------------------|
| _____ | Kitchen sinks | _____ | Water Closets |
| _____ | Lavatories | _____ | Bath tubs |
| _____ | Laundry tubs | _____ | Showers |
| _____ | Urinals | _____ | Garbage Grinders |

Specify other fixture _____

2. Maximum number of persons who will use the above fixtures is _____.
3. The name and address of person or firm who will perform the proposed work is _____.
4. Plans and specifications for the proposed building sewer are attached hereunto as Exhibit "A".

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

1. To accept and abide by all provisions of ORDINANCE Regulating the Use of Public Sanitary Sewerage Systems in the Town of Pawlet, 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.
3. To notify the (superintendent) when the building sewer is ready for inspection and connection to the public sewer, but before any portion of the work is covered.

Date: _____

Signed _____
(Applicant)

(Address of Applicant)

\$ _____ inspection fee paid.

(Certification by Town Treasurer)

Application approved and permit issued:

Date: _____

Signed _____
(Superintendent)