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Town of North Haven
Sewer Use Ordinance

ORDINANCE FOR REGULATING THE USE OF PUBLIC AND PRIVATE SEWERS AND DRAINS, PRIVATE WASTEWATER DISPOSAL, THE INSTALLATION AND CONNECTION OF BUILDING SEWERS, AND THE DISCHARGE OF WATERS AND WASTES INTO THE PUBLIC SEWER SYSTEM; AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF: IN THE TOWN OF NORTH HAVEN.

Be it enacted by the voters of the Town of North Haven as follows:

ARTICLE I

Definitions

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

- Section 1. "Biochemical Oxygen Demand (BOD)" shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20°C, expressed in milligrams per liter.
- Section 2. "Board of Selectmen" shall mean the duly elected Selectmen of the Town of North Haven, or their authorized representative.
- Section 3. "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.
- Section 4. "Building Drain" shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer. The building drain extends eight (8) feet (2.44 meters) outside the inner face of the building wall.
- Section 5. "Building Sewer" shall mean the extension from the building drain to the public sewer or other place of disposal, also called house connection.
- Section 6. "Combined Sewer" shall mean a sewer intended to receive both wastewater and storm or surface water.
- Section 7. "Contractor" shall mean any entity engaged in construction of building sewer, storm drains, or sewer extensions within the area governed by the Town.

- Section 8. "Easement" shall mean an acquired legal right for the specific use of land owned by others.
- Section 9. "Engineer" shall mean the Professional Engineer retained by the Town of North Haven. In the event the Town has not retained an Engineer, the term "Engineer" as used herein will be construed to mean the Superintendent of the Town of North Haven.
- Section 10. "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 pretreatment 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.
- Section 11. "Garbage" shall mean the animal and vegetable waste resulting from the handling, preparation, cooking, and serving of food.
- Section 12. "Industrial Wastes" shall mean the wastewater from industrial processes, trade or business as distinct from domestic or sanitary wastes.
- Section 13. "Living Unit" means one or more rooms arranged for the use of one or more individuals living together as a single housekeeping unit, with cooking, living, sanitary and sleeping facilities.
- Section 14. "Motel Unit" means a room or rooms which are directly accessible from an outdoor parking area.
- Section 15. "Natural Outlet" shall mean any outlet, including storm sewers and combined sewer overflows, into a watercourse, pond, ditch, lake or other body of surface or groundwater.
- Section 16. "Person" shall mean any individual, firm, company association, society, corporation, municipal or quasi-municipal agency, state agency, federal agency or other legal entity.
- Section 17. "pH" shall mean the logarithm of the reciprocal of the hydrogen-ion concentration. The concentration is the weight of hydrogen ions, in grams, per liter of solution. Neutral water, for example, has a pH value of 7 and a hydrogen-ion concentration of 10^{-7} .
- Section 18. "Pollutant" shall include but is not limited to dredged spoil, solid waste, junk, sewage sludge, munitions, chemicals, biological or radiological materials, oil, petroleum products or by-products, heat, wrecked or discarded equipment, rock, sand, dirt, and industrial, municipal, domestic, commercial, or agricultural wastes of any kind.

- Section 19. "Properly Shredded Garbage" shall mean the wastes from the handling, preparation, cooking, and serving 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 (1/2) inch (1.27 centimeters) in any dimension.
- Section 20. "Property Line" shall mean the edge of the street right-of-way if the building sewer is to connect with the public sewer in a public street. "Property Line" shall mean the edge of a sewer easement in those instances where the building sewer connects to the public sewer in a sewer easement.
- Section 21. "Public Sewer" shall mean a common sewer owned, operated, and maintained by public authority, or governmental agency.
- Section 22. "Sanitary Sewer" shall mean a sewer that carries liquid and water-carried wastes from residences, commercial buildings, industrial plants and institutions together with minor quantities of ground, storm, and surface waters that are not admitted intentionally.
- Section 23. "Sewer" shall mean a pipe or conduit that carries wastewater or drainage water.
- Section 24. "Shall" is mandatory; "May" is permissive.
- Section 25. "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 affects the collection system and/or performance of the wastewater treatment works.
- Section 26. "Storm Drain" (sometimes termed "Storm Sewer") shall mean a drain or sewer for conveying water, groundwater, subsurface water, or unpolluted water from any source.
- Section 27. "Superintendent" shall mean the Superintendent of wastewater facilities of the Town of North Haven or his authorized deputy, agent, or representative.
- Section 28. "Suspended Solids" shall mean total suspended matter that either floats on the surface of, or is in suspension in, water, wastewater or other liquids, and that is removable by laboratory filtering as prescribed in "Standard Methods for the Examination of Water and Wastewater" published by the American Public Health Association and referred to as nonfilterable residue.

- Section 29. "Town" shall mean the Town of North Haven.
- Section 30. "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 waste water treatment facilities provided.
- Section 31. "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 waste from residences, business buildings, institutions, and industrial establishments, together with such ground, surface and stormwaters as may be present.
- Section 32. "Wastewater Treatment Plant" shall mean an arrangement of devices and structures for treating wastewater, industrial waste, and sludge.
- Section 33. "Wastewater Facilities" shall mean the structures, equipment, and processes required to collect, carry away, and treat domestic and industrial wastes and dispose of the effluent.
- Section 34. "Water Course" shall mean a natural or artificial channel for the passage of water either continuously or intermittently.

ARTICLE II

Abbreviations

For the purpose of this ordinance the following abbreviations shall have the Meaning ascribed to them under this article. References to standards of the Following organizations shall refer to the latest edition of same.

- Section 1. ANSI shall mean American National Standards Institute.
- Section 2. ASME shall mean American Society of Mechanical Engineers
- Section 3. ASCE shall mean American Society of Civil Engineers.
- Section 4. ASTM shall mean American Society for Testing and Materials
- Section 5. AWWA shall mean American Water Works Association.
- Section 6. cm shall mean centimeter.
- Section 7. CS shall mean Commercial Standards.
- Section 8. Degrees C shall mean degrees Celsius.
- Section 9. Degrees F shall mean degrees Fahrenheit.
- Section 10. DEP shall mean State of Maine Department of Environmental Protection.
- Section 11. EPA shall mean United States Environmental Protection Agency
- Section 12. ICR shall mean Industrial Cost Recovery.
- Section 13. kg shall mean Kilograms.
- Section 14. l shall mean liters
- Section 15. M shall mean meter
- Section 16. mg/l shall mean milligrams per liter.
- Section 17. NEIWPC shall mean New England Interstate Wastewater Pollution Control Commission.
- Section 18. NPC shall mean National Plumbing Code.
- Section 19. ppm shall mean parts per million.

Section 20. sq.m. shall mean square meter.

Section 21. WPCF shall mean Water Pollution Control Federation.

ARTICLE III

Liability Insurance Required

Section 1. A contractor engaged in construction must present to the Town a Certificate of Insurance showing minimum liability coverage of \$400,000* for bodily injury and \$200,000 for property damage including collapse and underground coverage before a permit will be issued for construction of building sewers, storm drains, or sewer extensions. Higher coverage may be required by the Town when circumstances reasonably require it. The Town shall be notified prior to cancellation of the policy.

*(Maximum under Tort Claims Act)

ARTICLE IV

Use of Public Sewers Required

- Section 1. 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 territory of the Town of North Haven, any human or animal excrement, garbage, or other objectionable waste.
- Section 2. It shall be unlawful to discharge to any natural outlet within the territory of the Town of North Haven, any wastewater or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of these rules and regulations and the requirements of the State of Maine.
- Section 3. Except as here-in-after 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 wastewater.
- Section 4. The owner(s) of all buildings, or other properties used for human occupancy, employment, recreation, or other purposes, situated within the territory of the Town of North Haven 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 directly with the proper public sewer, and if feasible, with a separate connection for each house or building, in accordance with the provisions of these rules and regulations, within 90 days after date of official notice to do so, provided that said public sewer is within 200 feet of the structure to be served, unless undue hardship would result in which case the property owner should request in writing a deferral of these requirements and the owner shall be required to demonstrate the nature and degree of hardship.

ARTICLE V

Private Wastewater Disposal

- Section 1. Where a public sanitary sewer is not available under the provisions of Article IV, Section 4, the building sewer shall be connected to a private wastewater disposal system complying with the provisions of this article and the State of Maine Plumbing code, Part II Subsurface Wastewater Disposal Rules, Chap. 241.
- Section 2. Before commencement of construction of a private wastewater disposal system the owner shall first obtain a written permit signed by the licensed plumbing inspector for the Town of North Haven. Approval of Private Wastewater disposal systems is a function of the licensed plumbing inspector for the Town of North Haven.
- Section 3. The type, capacities, location, and layout of a private wastewater 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 Titles 12 Chapter 423-A). No private wastewater disposal system shall be permitted to discharge to any natural outlet.
- Section 4. The owner shall operate and maintain the private wastewater disposal facilities in a sanitary manner at all times, at no expense to the Town.

ARTICLE VI

Building Sewers and connections

Section 1. 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 the volume or character of pollutants that are being discharge into the system shall notify the Superintendent at least forty-five (45) days prior to the proposed change or connection, and shall comply with Maine Revised Statutes Annotated, Title 38, Chapter 3, subchapter I, Section 361.

Section 2. There shall be two (2) classes of building sewer permits: (a) for residential and commercial service, and (b) for service to establishment 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 judgments of the Engineer. A permit and inspection fee of \$15.00 for a single residential sewer permit, plus \$2.00 for each additional living unit incorporated in the same residential structure, shall be paid to the town at the time an application is filed; provided, however, that not more than four (4) living units may be connected to a single tap. The Board of Selectmen shall fix a permit and inspection fee for each commercial, industrial, or other non-residential building, after recommendation of the Engineer, based on the size and nature of the operation proposed as compared to the demands of a single residential structure.

Section 3. All costs and expenses incident to the installation and connection of the building sewer shall be borne by the owner except for those sewers servicing existing structures and shown in the final design prior to bid (dated 9/12/86). The owner shall indemnify the Town from any loss or damage which may directly or indirectly be occasioned by the installation of the building sewer and all building sewers shall be the property of the landowner.

Section 4. A separate and independent building sewer shall be provided 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, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer. Where building sewers are to serve multiple dwelling structures,

there shall be provided at least (1) separate building sewer for each group of four (4) living units.

- Section 5. Old building sewers may be used only when they are found, on examination and testing by the Superintendent, to meet all requirements of these rules and regulations.
- Section 6. The building sewer shall be extra heavy cast iron soil pipe and fittings conforming to ASTM A74 or polyvinyl chloride (PVC) pipe conforming to ASTM D2665 or D3034.
- Section 7. The size and slope 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, nor shall the slope of the pipe be less than one-eighth (1/8) inch per foot.
- Section 8. Whenever possible the building sewer shall be brought to the building at an elevation below the basement floor. The depth shall be sufficient to afford protection from frost, but in no event shall be less than four (4) feet. Insulation may be used to decrease depth if approved by the Superintendent. The building sewer shall be laid at uniform grade and in straight alignment insofar as possible. Changes in direction shall be made only with properly curved 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. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sewage or industrial waste carried by such drain shall be lifted by approved mechanical means and discharged to the building sewer.
- Section 9. No person(s) shall make connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain, which in turn is connected directly or indirectly to the public sanitary sewers. All drainage water connections, currently connected to the public sanitary sewer, shall be removed from all house connections in all areas of Town.
(Amended Special Town Meeting June 26, 2007)
- Section 10. All excavations required for the installation 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 ASTM C12 except that no backfill shall be placed until the work has been inspected by the Superintendent; and that trench width measured at the top of the installed pipe shall not exceed twenty-four (24) inches.
- Section 11. All joints and connections shall be made gas tight and watertight.

Section 12. The connection of the building sewer into an existing public sewer shall be made at the property line. The connection of the building sewer from the property line to the sewer main will be by the Town of North Haven. The cost of maintenance of the building sewer from the building drain to the sewer main will be by the building owner.

Section 13. The applicant for the building sewer permit shall notify the Superintendent when the building sewer is ready for inspection and connection to the public sewer. The connection and testing shall be made under the supervision of the Superintendent or his representative.

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

Section 14. 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 Town.

Section 15. When any building sewer is to serve a school, hospital, or similar institution or public building, or is to serve a complex of industrial or commercial 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. The Superintendent shall determine if and where this type of connection to the public sewer is required. Connections to existing manholes shall be made as directed by the Superintendent. If required, a new manhole shall be installed in the public sewer pursuant to article VIII, Section 4 and the building sewer connection made thereto as directed by the Superintendent.

Section 16. The Town will consider any special situation, where it would be more feasible to connect a maximum of five (5) seasonal cottages, cabins, etc. into a single building sewer. The owner of the seasonal property shall request a review of any special situations in writing, to the superintendent. The Superintendent's approval or disapproval shall be in writing.

- Section 17. "Sewer Department will pay for the maintenance of all lift pumps. The property owners will continue to be responsible for all electrical charges."
(Amended by vote of Board of Selectmen 9/25/2001)
- Section 18. Manholes and cleanouts shall be backfilled with "Screened Gravel" as specified in the Sewer User Ordinance, Article VIII, Section 4, Paragraph h. Gravel backfill shall extend to a minimum of one foot outside of the structures. Cleanouts shall be constructed as directed by the Superintendent.

ARTICLE VII

Use of Public Sewers

- Section 1. No person shall discharge or cause to be discharged any unpolluted waters such as storm water, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer.
- Section 2. Stormwater and all other unpolluted drainage shall be discharged to storm sewers, or to a natural outlet as approved by the Superintendent. Unpolluted industrial cooling water or process waters may be discharged, on approval of the Superintendent, to a storm sewer or natural outlet and the discharge shall comply with Maine Revised Statutes Annotated, Title 38, Chapter 3, Section 413.
(Updated to comply with 6/26/2007 amendment to Art.VI sec 9)
- Section 3. 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 explosive liquid, solid, or gas which will create a fire or explosive hazard in the wastewater facilities.
 - b. Any waters or pollutants 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 waste treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the wastewater treatment plant.
 - c. Any waters or pollutants 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 wastewater works; unless the works are specifically designed to accommodate such discharges.
 - 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 wastewater facilities such as, but not limited to, ashes, bones, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, underground garbage, whole blood, paunch manure, hair and fleshing, entrails, paper dishes, cups, milk containers, etc. either whole or ground by garbage grinders.

- e. Any waters or pollutants including oxygen demanding pollutants (BOD, etc.), which released in quantities of flow or concentrations or both, constitute a “slug” as defined herein.
- f. Any heated waters or pollutants in amounts which will inhibit or interfere with biological activity in the wastewater treatment works but in no case heated waters or pollutants in such quantities that the temperature at the wastewater treatment works influent exceeds 104° Fahrenheit (40° Celsius).

Section 4. The following described substances, materials, waters, or pollutants shall be limited in discharges to municipal systems to concentrations or quantities which will not harm either the sewers, wastewater treatment process or equipment, will not have an adverse effect on the receiving stream, or will not otherwise endanger lives, limb, public property, or constitute a nuisance. The Superintendent may set limitations lower than the limitations established in the regulations below if in his opinion more severe limitations are necessary to meet the above objectives. In forming his opinion as to the acceptability, the Superintendent will give consideration to such factors as the quantity of subject wastes in relation to flows and velocities in the sewers, the wastewater treatment process employed, capacity of the wastewater treatment process employed, capacity of the wastewater treatment plant, degree of treatability of the waste in the wastewater treatment plant, and other pertinent factors. The limitations or restrictions of waste or wastewaters discharged to the sanitary sewer, which shall not be violated without approval of the superintendent are as follows:

- a. Wastewater having a temperature higher than one hundred fifty (150) °F (65° Celsius).
- b. Wastewater containing more than 25 milligrams per liter of petroleum oil, non-biodegradable cutting oils, or product of mineral oil origin.
- c. Wastewater from industrial plants containing floatable oils, fat, or grease.
- d. Any garbage that has not been properly shredded. (See Article 1, Section 19) Garbage grinders may be connected to sanitary sewers from homes, hotels, institutions, restaurants, hospitals, catering establishments, or similar places where garbage originates from the preparation of food in kitchens for the purpose of consumption on the premises or when served by caterers.

- e. Any waters or pollutants containing iron, chromium, copper, zinc, and similar objectionable or toxic substances in such quantities or concentrations that any such material received in the composite wastewater at the wastewater treatment works exceeds limits established by the Superintendent for such materials.
- f. Any waters or pollutants containing odor-producing substances exceeding limits that may be established by the superintendent.
- g. Any radioactive wastes or isotopes of such half-life or concentrations as may exceed limits established by the Superintendent in compliance with applicable State or Federal regulations.
- h. Quantities of flow, concentrations, or both which constitute a “slug” as defined herein.
- i. Waters or pollutants containing substances which are not amenable to treatment or reduction by the wastewater treatment processes employed, or are amenable to treatment only to such degree that the wastewater treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.
- j. Any water or pollutants which, by interaction with other water or pollutants in the public sewer system, release obnoxious gases, form suspended solids which interfere with the collection system, or create a condition deleterious to structures and treatment processes.
- k. Any waters or pollutants having a pH in excess of 9.5 or lower than 5.5.

Section 5. If any waters or pollutants 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 wastewater facilities, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Superintendent may:

- a. Reject the waters or pollutants,
- b. Require pretreatment to an acceptable condition for discharge to the public sewers, and/or

- 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.

When considering the above alternatives, the Superintendent shall give consideration to the economic impact of each alternative on the discharger.

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

- Section 6. 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 floatable grease in excessive amounts as specified in Section 4 (c), 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. In the maintaining of these interceptors the owners 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 Superintendent. Any removal and hauling of the collected materials not performed by owner's personnel must be performed by currently licensed waste disposal firms. Emulsifiers shall not be used to clean out grease or oil interceptors.
- Section 7. Where pretreatment or flow-equalizing facilities are provided or required for any waters or pollutants, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.
- Section 8. When required by the Superintendent, the owner of any property serviced by a building sewer carrying industrial pollutants shall install a suitable structure, together with such necessary meters and other appurtenances, in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such structures when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the Superintendent. The structure 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 9. The Superintendent may require a user of sewer services to provide information needed to determine compliance with this Sewer Use Ordinance. These requirements may include:

- a. Wastewater discharge peak rate and volume over a specified time period.
- b. Chemical analyses of wastewaters.
- c. Information on raw materials, processes, and products affecting 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 plan of sewers on 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.

All industries discharging into a public sewer shall perform such monitoring of their discharges as the Superintendent and/or other duly authorized employees of the Town 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.

Section 10. All measurements, tests, and analyses of the characteristics of waters and pollutants to which reference is made in the Sewer Use Ordinance 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 structure as required in Article VII, Section 8, or upon suitable samples taken at said structure. In the event that no special structure has been required, suitable samples shall be taken at 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 wastewater facilities 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 twenty-four (24) hour composites of all outfalls whereas pH is determined from periodic grab samples.)

Section 11. No statement contained in this article 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, by the industrial concern provided that such agreements do not contravene any requirements of existing Federal or State laws and/or regulations promulgated hereunder, and are compatible with any User Charge and Industrial Cost Recovery System in effect.

ARTICLE VIII

Sewer Extensions

- Section 1. All extensions to the sanitary sewer system owned and maintained by the Town shall be properly designed in accordance with the Design and Construction of Sanitary and Storm Sewers, ASCE Manuals and Reports on Engineering Practice – No. 37 (WPCF Manual of Practice No. 9). Plans and specifications for sewer extensions shall be submitted to and approval obtained from the engineer before construction may proceed. The design of sewers must anticipate and allow for flows from all possible future extensions or developments within the immediate drainage area.
- Section 2. Sewer extensions, including individual building sewers from the sewer to the property line, may be constructed by the Town under public contract, if, in the opinion of the Selectmen, the number of properties to be served by such extension warrants its cost or if the installation is included as part of the installation of the public sewer on Upper Main Street. Under this arrangement the property owner shall pay for the installation of the building sewer from the property line to his residence or place of business in accordance with the requirement of Article VI except for those buildings on Upper Main Street. Property owners may propose sewer extensions within the Town by drafting a written petition, signed by a majority of the benefiting property owners, and filing it with the town. The cost of such extensions may be assessed to the benefited property owners in any manner determined by the Town.
- Section 3. If the town does not elect to construct a sewer extension under public contract, the property owner, building contractor, or developer may construct the necessary sewer extension, if such extension is approved by the Selectmen in accordance with the requirements of Article VIII, Section 1. He or they must pay for the entire installation, including all expenses incidental thereto. Each building sewer installed must be installed and inspected as previously required and the inspection fees shall be paid. Design of sewers shall be as specified in Article VIII, Section 4. The installation of the sewer extension must be subject to periodic inspection by the Engineer and the expenses for this inspection shall be paid for by the owner, building contractor, or developer. The Engineer's decisions shall be final in matters of quality and methods of construction. The sewer, as constructed, must pass the leakage test required in Article VIII, Section 5 before it is to be used. The cost of sewer extension thus made shall be absorbed by the developers or the property owners, including all building sewers and the discharge shall comply with MRSA, Chapter 3, Section 413.

Section 4. Sewer design must be approved by the Maine Department of Environmental Protection and shall be in accordance with the following provisions:

- a. Pipe material and joints shall be polyvinyl chloride (PVC) conforming to ASTM D3034 or D3033 and the strength requirements of S.D.R. 35 or Class 52 ductile iron meeting AWWA C150 with joints meeting AWWA C104 and fittings meeting AWWA C110.
- b. Minimum internal pipe diameter shall be eight (8) inches.
- c. All joints shall be prepared and installed in accordance with the manufacturer's recommendations.
- d. Wye branch fittings or saddles with stainless steel straps set in mastic between saddle and pipe shall be used and a watertight connection shall be provided.
- e. The minimum slope of sewer pipe and maximum width of the trench at a point six (6) inches above the top of the sewer pipe shall be as follows:

<u>Pipe Diameter</u>	<u>Trench Width</u>	<u>Minimum Slope In Feet Per 100 Feet</u>
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. If the trench widths are found to exceed the limits of the above table, the sewer pipe shall be encased in a minimum of six (6) inches of concrete.
- g. All pipes shall be laid on six (6) inches of screened gravel, and the screened gravel shall be shaped to a height of ¼ of the pipe diameter so as to give uniform circumferential support to the pipe.
- h. The Screened gravel shall cover the pipe to a point twelve (12) inches above the top of the pipe.

- i. Screened gravel shall have the following gradation:

<u>Sieve Size</u>	<u>% By Weight Passing</u>
1 inch	100
¾ inch	90-100
3/8 inch	20-55
#4 mesh	0-10
#8 mesh	0-5

- j. 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.

- k. Manholes shall be constructed at all changes in slope or alignment or at intervals not exceeding 350 linear feet and shall be precast.
1. Precast manhole sections shall be manufactured in accordance with ASTM Designation C475-68T. The minimum compressive strength of the concrete for all sections shall be 4000 psi and shall be Type II. The circumferential steel reinforcement for 4-foot diameter riser sections, cone sections, and base walls shall be 0.20 square inches per linear foot. Reinforcing in the bottoms of precast bases shall be of the same design. Reinforcing shall extend into the tongue and groove of each manhole wall section.
 2. The tongue and groove of manhole sections, including the precast base, shall be formed of concrete so as to receive the Butyl rubber sealant. Sections shall be set so as to be vertical and in true alignment and sealed with two (2) 1" Butyl rubber seals.
 3. Manhole steps shall be aluminum drop-front type or Polypropylene reinforced with steel rod, minimum width of 16". All steps shall be cast into walls of the precast sections so as to form a continuous ladder with a distance of twelve (12) inches between steps.

4. Precast base sections shall be monolithically pressure cast. Holes for pipes shall be cast in the base section so that there is a clear distance of four (4) inches minimum between the inside bottom of the base section and the pipe invert.
5. Pipe to manhole connections shall be made with flexible manhole sleeves and stainless steel bands.
6. The top of the precast reinforced concrete unit shall be set at a grade that will allow a minimum of two courses and maximum of five courses of brick and mortar before setting the cast iron frame and cover. Mortar for brick masonry shall be Portland cement mixed in the proportion of one part cement to two parts sand, worked to the proper consistency.
7. The outside of the masonry work of all manholes shall be plastered with a 1:2 Portland cement mortar. The thickness of the mortar shall be one-half ($\frac{1}{2}$) inch and the mortar shall be carefully spread and thoroughly troweled, leaving a smooth, substantially waterproof surface. The mortar shall be extended to completely cover the outside surfaces of all masonry work. The inside brickwork shall be pointed.
8. The concrete manholes shall have a brick channel passing through the bottom which corresponds in shape with the lower half 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 brick shelf shall slope to drain towards the flowing through channel.
9. Manhole frames and covers shall meet the standards of the Town. Manhole frames shall be 8" high and shall be approximately 32" in diameter with a 22" opening. Frames shall weigh approximately 310 pounds. Manhole covers shall be 24" in diameter and shall weigh approximately 175 pounds.
10. Manholes shall be back filled with gravel to a point a minimum of two 2 feet from the outside of the manhole.

- Section 5. All sewers shall satisfy requirements of a leakage test before they are accepted by the Town. The leakage test shall be as follows:
- a. For each size of pipeline, an initial leakage test shall be made on the first section of the pipeline complete between two adjacent manholes. Thereafter, the leakage tests shall be made on sections of approved lengths of completed pipeline, which in no case shall exceed 1,000 feet.
 - b. Each Section shall be tested upon its completion.
 - c. The pipeline will be subject to testing for infiltration or exfiltration.
 - d. The pipeline shall satisfactorily pass the leakage test with no material except the gasket in the joint spaces. Caulking of joints shall not be permitted.
 - e. Tests shall be made under the supervision of the Superintendent. The allowable infiltration or exfiltration shall be 200 gallons per inch of diameter per day per mile of sewer.
 - f. Test sewer using low pressure air as follows:
 1. Plug ends of section to be tested.
 2. Supply air slowly to the pipe to be tested until the air pressure inside the pipe is 4.0 psi greater than the average back pressure of any groundwater submerging the pipe.
 3. Disconnect air supply and also allow a minimum of 4 minutes for stabilization of pressure.
 4. Following stabilization period measure drop in pressure over a six minute period.
 5. Acceptable drop: Not more than 1 psi.

- Section 6. All manholes shall satisfy the requirements of a leakage test before they are accepted by the Town. The leakage test shall be as follows:
- a. Tests must be observed and certified by the Superintendent. Manholes must be complete except for shelf and invert brickwork. Plug all pipes and other openings in the manhole prior to test.

- b. Infiltration test manholes with groundwater table above highest joint. Manhole passes infiltration if there is no visible leakage into manhole.
- c. For exfiltration test of manholes:
 - 1. Plug pipes into and out of MH and secure plugs.
 - 2. Lower groundwater table (GWT) to below HM. Maintain GWT at this level throughout test. Provide means of determining FWT level at any time throughout test.
 - 3. Fill MH with water to top of cone.
 - 4. Allow a period of time for absorption (determined by Contractor).
 - 5. Refill top of cone.
 - 6. Determine volume of leakage in an 8 hour (min) test period and calculate rate.
 - 7. Acceptable leakage rate: Not more than 1 gallon per vertical foot per 24 hours.

Section 7. All sewer extensions constructed at the property owner's or developer's expense, after final approval and acceptance by the Engineer, shall become the property of the Town and shall thereafter be maintained by the Town. Said sewers, after their acceptance by the Town, shall be guaranteed against defects in materials or workmanship for twelve (12) months. The guarantee shall be in a form provided for by the Town. At the sole discretion of the Town, a maintenance bond or certified check may be demanded as part of the guarantee.

ARTICLE IX

Protection from damage

Section 1. 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 wastewater facilities. Any person violating this provision may be subject to arrest under the charge of criminal mischief as set forth in Maine Revised Statutes Annotated, Title 17-A, Chapter 33, Section 806.

ARTICLE X

Powers and Authority of Inspectors

- Section 1. The Superintendent and other duly authorized employees or agents 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 pertinent to discharge to the community system in accordance with the provisions of this Sewer Use Ordinance.
- Section 2. The Superintendent or other duly authorized employees are authorized to obtain information concerning industrial processes which have a direct bearing on the kind and source of discharge to the wastewater facilities. The industry may request that such information be kept confidential. The industry must establish that the revelation to the public of the information in question might result in an advantage to competitors.
- Section 3. While performing the necessary work on private properties referred to in Article X, Section 1, 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 his 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 as required in Article VII, Section 8.
- Section 4. The Superintendent and other duly authorized employees or agents of the Town bearing proper credentials and identification shall be permitted to enter all private properties through which the Town holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewage works lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

ARTICLE XI

Penalties

- Section 1. Any person found to be violating any provision of this Sewer Use Ordinance except Article VIII, 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 2. Any person who shall continue any violation beyond the time limit provided for in Article XI, Section 1, 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.
- Section 3. Any person violating any of the provisions of this Sewer Use Ordinance shall become liable to the Town for any expense, loss, or damage occasioned the Town by reason of such offense.
- Section 4. Notwithstanding any of the foregoing provisions, the Superintendent may institute any appropriate action including injunction or other proceedings to prevent, restrain, or abate violations hereof.

ARTICLE XII

Sewer Use Charges

- Section 1. The source of a portion of the revenues for retiring debt services, capital expenditures, and operation and maintenance of the wastewater treatment facilities shall be a Sewer Use Charge assigned to owners of property located within the limits of the Town whose residence or place of business is connected to the public sewer system.
- Section 2. Sewer Use Charge rates shall be determined by the Selectmen on a year to year basis. In general, charges will be calculated on a general use basis as established by the Town. The Sewer Use Charge will be computed and billed at regular intervals throughout each calendar year, as established by the Selectmen.
- Section 3. The Sewer Use Charge assigned to any property owner who contributes a significant quantity of industrial wastes to the public sewers, or who contributes a combination of sewage and industrial wastes to the public sewers, shall be determined on a special rate structure based on water consumption where possible or as set by the Town.
- The property owners to be charged in this manner will be determined by the Town on a year to year basis.
- Section 4. A special Sewer Use Charge shall be assigned to any industrial firm or organization who, by virtue of the volume, strength or unusual characteristic of their waste alone, would overload or upset the capacity or efficiency of the wastewater treatment facilities or any part thereof if such waste entered the public sewer, or whose waste disposal situation is such that it would be in the public interest to waive the requirements of Article XII. The Selectmen, after appropriate study, and advice from the Engineer, shall assign a Special Sewer Use Charge to the industrial firm by separate agreement with said firm. The applicable portions of the preceding sections, as well as the equitable rights of the public shall be the basis for such an arrangement.
- Section 5. The Town reserves the right, from time to time, to change Sewer Use Charges originally or previously assigned to any property owner.
- Section 6. All property owners who are outside the Town's limit who, by their own request, are served by sanitary sewers must pay a sewer use charge established by the Town.

Section 7. All bills are due and payable upon presentation. A late-payment charge will be made on any unpaid balance outstanding after 30 days from the billing date. Interest shall be charged on delinquent accounts at the same rate as charged by the town of North Haven for delinquent municipal taxes.

(Amended Town Meeting March 11, 2000)

Section 8. There shall be a lien to secure the payment of sewer charges and interest legally assessed on real estate within the Town, which shall take precedence over all other claims. The Treasurer of the Town shall have the authority and power to sue for and collect the sewer charges and interest.

(Amended Town Meeting March 6, 1989)

Article XII-A

For purposes of assessments and fees concerning construction of sewers and drains and extensions of sewers, the Town has adopted the provisions of Title 30-M.R.S.A.sec 3441-3445: those provisions shall be incorporated into this Ordinance and shall determine procedures for assessments and fees for the construction of sewers and drains and extensions of sewers.

(Added Special Town Meeting July 26, 2000)

ARTICLE XIII

License

- Section 1. If, in the opinion of the Town, the work performed by any contractor, property owner, or developer working within the Town violates any provisions of this sewer use ordinance, or if any work is, in the opinion of the Town or its Engineer, sub-standard, the Town may disapprove existing work or any future work in the Town.

ARTICLE XIV

Validity

- Section 1. All ordinances or parts thereof in conflict with this Sewer Use Ordinance are hereby repealed.
- Section 2. The invalidity of any section, clause, sentence, or provision of this Sewer Use Ordinance shall not affect the validity of any other part of this Sewer Use Ordinance which can be given effect without such invalid part or parts.

ARTICLE XV

Sewer Use Ordinance in Force

- Section 1. This Sewer Use Ordinance shall be in full force and effect from and after its passage, approval, recording, and publication as provided by law.
- Section 2. Passed and adopted by the voters of the Town of North Haven, State of Maine, on the 9th day of June, 1987.
- Section 3. Amended by the voters of the Town of North Haven, State of Maine, on the 6th day of March, 1989.
- Section 4. Amended by the voters of the Town of North Haven, State of Maine, on March 11, 2000.
- Section 5. Amended by the voters of the Town of North Haven, State of Maine, on July 26, 2000.
- Section 6. Amended by vote of the Board of Selectmen, Town of North Haven, Maine on September 25, 2001.
- Section 7. Amended by the voters of the Town of North Haven, State of Maine, on June 26, 2007.

