

Chapter 29
TOWN OF SKOWHEGAN

SEWERAGE ORDINANCE
Adopted Annual Town Meeting March 7, 1994
Amended at the Annual Town Meeting March 8, 2004

ARTICLE I

Purpose

The purpose of this Ordinance is to promote the health and general welfare of the citizens of the Town of Skowhegan by regulating and restricting the construction and use of sewerage systems and the accumulation, transportation, treatment and disposal of sewage in such a manner that the creation of any sewerage system, whether public, private or industrial, shall not result in pollution, health hazard or other nuisance.

ARTICLE II

Scope

Hereafter any person owning any building or structure within the Town of Skowhegan which is the source of sewage and/or industrial wastes or who proposes to erect such building or structure shall conform to the requirements of this Ordinance and the State of Maine Plumbing Code.

ARTICLE III

Definitions

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

SECTION 301. "A.S.T.M." shall mean American Society for Testing and Materials.

SECTION 302. "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°C., expressed in milligrams per liter.

SECTION 303. "Builder" shall mean any person, persons, or corporation who undertakes to construct, either under contract or for resale, any habitable building unit, either residential, commercial or industrial.

SECTION 304. "Building Drain" shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning eight (8) feet outside the inner face of the building wall.

SECTION 305. "Building Sewer" shall mean the extension from the building drain to a public sewer, private sewer, or individual sewage-disposal system.

SECTION 306. "Combined Sewer" shall mean a sewer receiving both surface runoff and sewage.

SECTION 307. "Developer" shall mean any person, persons, or corporation who undertake to construct simultaneously or in planned sequence more than one building unit, either residential, commercial or industrial, on a given tract or land subdivision.

SECTION 308. "Engineer" shall mean the Professional Engineer retained by the Town of Skowhegan. In the event the Town has not retained an Engineer, the term "Engineer" as used herein will be construed to mean the Superintendent of Sewers.

SECTION 309. "Garbage" shall mean solid wastes from the preparation, cooking, and dispensing of food, and from the handling, storage, and sale of produce.

SECTION 310. "Industrial Wastes" shall mean liquid wastes resulting from industrial manufacturing processes, trade, or business as distinct from sanitary sewage.

SECTION 311. "Natural Outlet" shall mean any outlet into a watercourse, pond, ditch, lake or other body of surface or groundwater.

SECTION 312. "Owner" shall mean any individual, firm, company, association, society, person, or group having title to real property.

SECTION 313. "Person" shall mean any individual, firm, company, association, society, corporation, or group.

SECTION 314. "pH" shall mean the logarithm of the reciprocal of the weight of Hydrogen ions in grams per liter of solution.

SECTION 315. "Private Sewer System" shall mean any sewer that collects sewage from two or more building sewers on private property owned separately or jointly, and discharges to a public sanitary sewer.

SECTION 316. "Properly shredded garbage" shall mean the wastes from the preparation, cooking and dispensing of food that has been shredded to such degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half (1/2) inch in any dimension.

SECTION 317. "Public Sewer" shall mean a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.

SECTION 318. "Sanitary Sewer" shall mean a sewer which carries sewage and to which storm, surface, and groundwaters are not intentionally admitted.

SECTION 319. "Selectpersons" shall mean the duly elected Board of Selectpersons, or their authorized deputy or representative.

SECTION 320. "Sewage" shall mean any liquid waste containing animal or vegetable matter in suspension or solution, and may include liquids containing chemicals in solution.

SECTION 321. "Sewage Treatment Plant" shall mean any arrangement of devices and structures used for treating sewage.

SECTION 322. "Sewage Works" shall mean all facilities for collecting, pumping, treating and disposing of sewage.

SECTION 323. "Sewer" shall mean a pipe or conduit for carrying sewage.

SECTION 324. "Shall" is mandatory, "May" is permissive.

SECTION 325. "Storm Sewer" shall mean a sewer used for conveying rain water, surface water, condensate, cooling water or similar liquid wastes, exclusive of sewage and industrial waste.

SECTION 326. "Superintendent" shall mean the Superintendent of the Water Pollution Control Plant of the Town of Skowhegan, or his/her authorized deputy, agent or representative.

SECTION 327. "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 328. "Town" shall mean the Town of Skowhegan, Maine.

SECTION 329. "Watercourse" shall mean a channel in which a flow of water occurs, either continuously or intermittently.

ARTICLE IV

Use of Public Sewers Required

SECTION 401. It shall be unlawful for any person to place, deposit or permit to be deposited in any unsanitary manner upon public or private property within the Town, or in any area under the jurisdiction of said Town, any human or animal excrement, garbage, or other objectionable waste.

SECTION 402. It shall be unlawful to discharge to any watercourse, either directly or through any storm sewer, within the Town, or in any area under the jurisdiction of the Town, any sewage,

industrial wastes, or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this ordinance.

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 building used for human occupancy, employment, recreation, or any other purpose requiring the disposal of sewage, situated within the Town and abutting on any street, or right-of-way in which there is located a public sanitary sewer, is hereby required, at his/her 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 the date of official notice to do so, provided that said public sewer is located within one hundred (100) feet of the property line; provided that nothing in this section shall require the owner of any such building to acquire any real property or easement therein for the sole purpose of making such connection.

SECTION 405. Vacant lot owners abutting on streets with an existing public sanitary sewer line, are hereby required to connect directly with the public sewer upon fifteen (15) days written notice by the Code Enforcement Officer if the particular street involved is scheduled for hot bituminous paving within six (6) months.

ARTICLE V

Private Sewage Disposal

SECTION 501. Where a public sanitary sewer is not available under the provisions of Section 404, the building sewer shall be connected to a private sewage disposal system complying with the requirements of the Maine State Plumbing Code, dealing with subsurface wastewater disposal rules.

SECTION 502. At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in Section 404, direct connection shall be made to the public sewer in compliance with this Ordinance, and any septic tanks, cesspools, and similar private sewage disposal facilities shall be cleaned of sludge and filled with gravel or other suitable material or removed and disposed of properly.

SECTION 503. No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by the authorized representative of the **Maine** State Department of Health.

ARTICLE VI

Fees

SECTION 601. *(This section and Table I become effective September 1, 2004)* Any person who, seeks to connect to the Town of Skowhegan wastewater collection system is hereby required to pay a Capacity Reserve Fee. The Capacity Reserve Fee for the connection of each new single-family dwelling (220 gallons per day), including the connection of each new individual apartment unit and the connection of each new condominium unit, shall be \$1,760.00. For all other new connections, the fee shall be determined by assigning a contributing flow value, in gallons per day, to the new connection based on Table I of this ordinance, dividing this value by 220 gallons per day; and multiplying the result by \$1,760.00. The minimum contributing flow shall be set at 220 gallons per day. A facility not listed in Table I will be charged \$8.00 per gallon of effluent, based on metered water use or engineering calculations.

In the case of a change of use, redevelopment, expansion or, modification of an existing use, the Capacity Reserve Fee shall be based on the net calculated increase in the contributing flow, based on Table I of this ordinance. No fee credit shall be given for a calculated decrease in flow.

A Capacity Reserve Fee shall not be charged for any reconnection if the reconnection does not cause a net increase in the contributing flow, based on the use as described in Table I of this ordinance.

The fee shall be paid prior to connection to the Town of Skowhegan wastewater collection sewer system. In the case of a change in use, redevelopment, or expansion or modification of an existing use, the fee shall be paid prior to receiving the final Town approval of the proposed change, redevelopment, or expansion or modification of an existing use.

Table I

Type of facility	Design flow per user or unit
Assembly areas	2 gpd per seat
Bakery	50 gpd per bakery plus 10 gpd per employee
Beauty salon	50 gpd per chair
Bed and breakfast	125 gpd per establishment
Boarding houses	125 gpd per house plus 25 gpd per boarder
Bottle club	5 gpd per seat
Bus service areas	5 gpd per passenger plus 10 gpd per employee
Butcher shop	50 gpd per shop plus 10 gpd per employee
Cafeteria	10 gpd per seat plus 10 gpd per employee
Children's camps, day and night	10 gpd per camper plus 10 gpd per staff person
Churches	2 gpd per seat for general seating and 5 gpd per seat for seats in a dining area
Dance hall	5 gpd per attendee plus 10 gpd per employee
Day care facilities	10 gpd per child plus 10 gpd per adult
Eating place, fast food, no seats, no full meals, and no china service	50 gpd or 1 gpd per meal served plus 10 gpd per employee (whichever is larger)
Eating place, fast food, no full meals, and no china service	10 gpd per inside seat plus 5 gpd per outside seat plus 10 gpd per employee
Ice Cream Stands, ice cream only with no seats	75 gpd per stand plus 10 gpd per employee
Restaurant, one or two meals per day (e.g. breakfast and lunch)	10 gpd per indoor seat plus 5 gpd per outdoor seat plus 10 gpd per employee
Restaurant, three or more meals per day (e.g. breakfast, lunch, and dinner)	15 gpd per indoor seat plus 10 gpd per outdoor seat plus 10 gpd per employee
Employees at place of employment with no showers	10 gpd per employee
Health clubs	5 gpd per participant plus 10 gpd per employee
Hospitals	100 gpd per bed plus 10 gpd per employee
Hotels and motels with private baths	50 gpd per bedroom plus 10 gpd per employee
Laundry, self-service	300 gpd per machine plus 10 gpd per employee
Medical offices, clinics, and dental offices	40 gpd per medical staff plus 5 gpd per patient plus 10 gpd per office employee
Nursing Homes	75 gpd per bed plus 10 gpd per employee
Parks and picnic areas, public rest rooms and no showers	5 gpd per attendee plus 10 gpd per employee
Rental cabins and cottages	25 gpd per bed plus 10 gpd per employee
Rental cabins, housekeeping	25 gpd per cabin, plus 25 gpd per bed
School, elementary	5 gpd per student plus 10 gpd per teacher and other employees.

School, junior high	5 gpd per student plus 10 gpd per teacher and other employees
School, high	10 gpd per student plus 10 gpd per teacher and other employees
School, boarding	50 gpd per student plus 10 gpd per teacher and other employees
Service stations	250 gpd per 1 st set of fuel pumps plus 150 gpd per each additional set of fuel pumps plus 10 gpd per employee
Shopping centers or stores, public rest rooms and showers	200 gpd per water closet plus 10 gpd per shower plus 10 gpd per employee. Design flows for any eating places or butcher shops shall be determined and added to total design flow.
Taverns/Bars (including but not limited to, pubs, billiard halls, etc.)	10 gpd per seat plus 10 gpd per employee
Tennis and racquetball courts	150 gpd per court plus 10 gpd per employee
Visitors center	5 gpd per visitor plus 10 gpd/employee (This includes libraries, museums, similar uses)

SECTION 602. There shall be two (2) classes of Building Sewer Connection Fees: (a) for residential and commercial service, and (b) for service to establishments producing industrial wastes. In either case the Owner or his/her agent shall make application on a special form furnished by the Town. A permit, tap-in, and inspection fee of fifty dollars (\$50.00) for a residential or commercial building sewer permit and one hundred dollars (\$100.00) for an industrial building sewer permit shall be paid at the time an application is filed.

SECTION 603. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sewage or industrial wastes carried by such drain shall be lifted by approved mechanical means and discharged to the building sewer.

SECTION 604. All excavations for the installation of a building sewer shall be open trench work unless otherwise approved by the Road Commissioner. Pipe laying and backfill shall be performed in accordance with accepted construction practices. No backfill shall be placed until the work has been inspected by the Code Enforcement Officer. If the trench is filled before inspection the Code Enforcement Officer may require it to be re-excavated for inspection. No person may make any opening into a paved street for the purpose of installing a building sewer without first obtaining a written road opening permit from the municipal office. The person opening the street shall be responsible for filling and compacting the opening with gravel in a manner acceptable to the Road Commissioner. The Town will resurface the street opening or contract for same under the supervision of the Road Commissioner. The fee for a road opening permit shall be two hundred dollars (\$200.00), however if the actual cost of resurfacing the opening exceeds this amount the person making the opening shall be billed for any balance.

SECTION 605. All joints and connections shall be made gastight and watertight. All pipe joints shall be made in strict conformance with the pipe manufacturer's installation instructions. The transition joint between pipes of different materials shall be made with adapters and joint materials approved by the Road Commissioner or Code Enforcement Officer.

SECTION 606. All costs and expense incidents to the installation, connection and maintenance of the entire length of building sewer shall be borne by the Owner. The owner shall indemnify the Town from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer. The method of connection of the building sewer to the public sewer will be dependent upon the type of pipe material used and in all cases shall be approved by the Road Commissioner.

SECTION 607. The applicant for the building sewer permit shall notify the Road Commissioner when the building sewer is ready for connection to the public sewer. The connection shall be made under the supervision of the Road Commissioner or his/her representative.

SECTION 608. 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 work shall be restored in a manner satisfactory to the Road Commissioner.

SECTION 609. When any building sewer is to serve a school, hospital, or similar institutional or public building, or is to serve a complex of industrial or commercial buildings, or which, in the opinion of the Road Commissioner, 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 Road Commissioner 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 Road commissioner. If required, a new manhole shall be installed in the public sewer pursuant to Section 704, and the building sewer connection made thereto as directed by the Road Commissioner.

SECTION 610. Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Road Commissioner or Code Enforcement Officer, to meet all requirements of this Ordinance.

SECTION 611. The diameter of the building sewer shall not be less than four (4) inches, and shall have a slope of one-quarter ($\frac{1}{4}$) inch per foot. Any exceptions shall require the prior approval of the Code Enforcement Officer.

SECTION 612. All buildings connected to the public sewer shall have a backflow valve or check valve installed in the building drain or building sewer positioned so as to prevent any backflow of sewage into the building. In addition all buildings which have sewer inspection ports shall have a cover capable of sealing the port gastight. This cover must remain in place at all times.

SECTION 613. 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, masonry plug or other means approved by the Road Commissioner or Code Enforcement Officer.

ARTICLE VII

Sewer Extensions

SECTION 701. The design of extensions to the sanitary or storm sewer system must anticipate and allow for flows from all possible future extensions or developments within the immediate drainage area. The Town will submit plans and specifications for all proposed sanitary sewer extensions to the Maine Department of Environmental Protection for review and approval prior to construction.

SECTION 702. Property owners may propose extensions to the public sewer within the Town by drafting a written petition with the necessary signatures as determined by the Selectpersons. The Selectpersons shall consider the cost and benefits of the extension, the method of financing its construction, its conformance to any approved plans for future development within the Town, its impact upon existing infrastructure and utilities and any other factors they deem appropriate before voting whether to present the proposal to the Town for approval.

SECTION 703. The owner, builder or developer constructing a private sewer extension must pay for the entire installation, including all expenses incidental thereto. Each building sewer must be installed and inspected in accordance with Article VI of this Ordinance and the entire sewer must be subject to periodic inspection by the Town during installation. Private sewer extensions will be operated, maintained and repaired by the owner, builder or developer unless and until the extension is accepted as a public sewer under the provisions of Section 706 of this Ordinance. Private sewer extensions shall not be connected to the public sewer until:

- a. The completed extension has passed all testing requirements set forth in this Ordinance.
- b. The Engineer supervising construction has certified that the extension was constructed in accordance with the plans and all specifications in this Ordinance.
- c. All the expenses incurred by the Town to review the construction plans and to inspect and monitor construction are paid; and
- d. Reproducible Mylar record drawings of the completed sewer have been provided to the Town.

SECTION 704 Sewer design shall be in accordance with the following provisions. Minimum internal pipe diameter shall be eight (8) inches. Joints for pipe shall employ "O" ring gaskets of the "snap-on" type. Gaskets shall be continuous, solid, natural or synthetic rubber and shall provide a positive compression seal in the assembled joint such that the requirements of Section

705 are met. Joint preparation and assembly shall be in accordance with the manufacturer's recommendations.

Pipe shall be firmly and evenly bedded on a minimum of six (6) inches of granular material with stone size not exceeding 1½ inches. Pipe thickness and field strength shall be calculated on the following criteria:

Safety Factor	1.9
Load Factor	1.7
Weight of Soil	120 lbs/cu. ft.
Wheel Loading	16,000 lbs.

Utilizing the above information, design shall then be made as outlined in Chapter IX of the Water Pollution Control Federation Manual of Practice No. 9, "Design and Construction of Sanitary and Storm Sewers".

Manholes shall be constructed at all changes in slope or alignment or at intervals not exceeding three hundred (300) linear feet. The manholes shall be constructed with precast concrete bases satisfactory to the Superintendent and precast 4-foot diameter concrete barrel sections with eccentric tapered top section, as specified by ASTM C-478. The manhole frame and cover shall be the standard design of the Town and shall be set with no less than two (2) courses of brick underneath to allow for later adjustment in elevation. All joints shall be sealed against infiltration. Manholes shall be constructed with forged aluminum safety type steps cast into the walls of the precast sections.

SECTION 705. All sewers shall satisfy requirements of a final leakage test before they will be approved and sewage flow accepted from them by the Town. Where groundwater is high or other conditions make the testing of sewers by the methods outlined below impractical the Road Commissioner or Code Enforcement Officer may elect to accept infiltration measurements or other alternative methods of testing. The contractor, owner, builder or developer shall furnish, at his/her own expense, the necessary facilities for acceptance testing including labor and equipment. All testing will be done under the supervision of the Road Commissioner or Code Enforcement Officer or certification provided to the Town that acceptance testing had been performed in accordance with this Article by a firm or individual qualified to perform such testing. This certification will also specify the date the test was performed, the methods and equipment utilized and the results of each test.

In the event of a testing failure the contractor shall, at his/her own expense, determine the source of the leakage and repair or replace all defective materials or workmanship.

All force mains shall be tested hydrostatically for one (1) hour at a pressure of one hundred fifty percent (150%) of the pressure to which the pipe will normally be subjected. In no case shall the test pressure be less than fifty (50) pounds per square inch. The rate of leakage shall not exceed one hundred (100) gallons per mile of pipe per 24 hours per inch of nominal diameter of the pipe being tested.

All manholes shall be tested for water tightness immediately after assembly by performing a vacuum test prior to backfilling. The manhole lifting holes and pipe lines shall be plugged prior to the test. A test head shall be placed at the inside of the top of the cone section and the seal inflated in accordance with the manufacturer's recommendations. A vacuum of ten (10) inches of mercury shall be drawn and the vacuum pump shut off. With the valves closed, the time shall be measured for the vacuum to drop to nine (9) inches. The manhole shall pass if the time is greater than sixty (60) seconds for forty-eight (48") inch diameter manholes, seventy-five (75) seconds for sixty (60")inch and ninety (90) seconds for seventy-two (72") inch diameter manholes.

Gravity sewers shall be tested with a low pressure air test using Cherne Air-Loc equipment as manufactured by Cherne Industrial, Inc. of Edina, Minnesota or approved equal. Equipment used shall meet the following minimum requirements:

- a. Pneumatic plugs shall have a sealing length equal to or greater than the diameter of the pipe to be inspected.
- b. Pneumatic plugs shall resist internal pressures without requiring external bracing or blocking.
- c. All air used shall pass through a single control panel.
- d. Three individual hoses shall be used for the following connections:
 1. From control panel to pneumatic plugs for inflation.
 2. From control panel to sealed line for introducing the low pressure air.
 3. From sealed line to control panel for continually monitoring the air pressure rise in the sealed line.

All pneumatic plugs shall be seal tested before being used in the actual low pressure air test. One length of pipe shall be laid on the ground and sealed at both ends with the plugs to be checked. Air shall be introduced into the plugs to twenty-five (25) psig. The plugs shall hold against this pressure without bracing and without movement of the plugs out of the pipe.

After a manhole to manhole reach of pipe has been backfilled and cleaned, and the pneumatic plugs have been checked by the above procedure, the plugs shall be placed in the line at each manhole and inflated to twenty-five (25) psig. Low pressure air shall be introduced into this sealed line until the internal air pressure reaches four (4) psig greater than the average backpressure of any groundwater that may be over the pipe. At least two minutes shall be allowed for the air pressure to stabilize.

After the stabilization period (3.5 psig minimum pressure in the pipe), the air hose from the control panel to the air supply shall be disconnected. The section of line being tested shall be termed "acceptable" if the time required in minutes for the pressure to decrease from 3.5 to 2.5 psig (greater than the average backpressure of any groundwater that may be over the pipe) shall not be less than the time shown for the given diameters in the following table.

Pipe Diameter in Inches Minutes

4	2.0
6	3.0
8	4.0
10	5.0
12	5.5
15	7.5
18	8.5
21	10.0
24	11.5

SECTION 706. The owner of a privately constructed sewer may request that the Town take over ownership of the extension provided that all of the following conditions have been met.

- a. The owner must establish that the sewer, including pump stations and other equipment, meets all requirements of this Article regarding design of sewer extensions as existing and in force at the time the Town agrees to take over ownership.
- b. The owner shall have the sewer tested to establish that it meets or exceeds the standards set forth in this Article unless, the Road Commissioner or Code Enforcement Officer certifies that such tests are not feasible, in which case the Road Commissioner or Code Enforcement Officer shall specify alternative methods of testing.
- c. The Town shall determine the extent to which a transfer of real property associated with the sewer extension may be accomplished by easement or by conveyance of a fee interest. All easements shall be conveyed by good and sufficient easement deeds in a form acceptable to the Town. All fee interests shall be conveyed by warranty deed. Regardless of whether an easement or fee is conveyed, the conveyance shall be free of any and all claims or encumbrances. Further, the owner of the sewer extension shall provide the Town with a survey in recordable form describing any interest in real property which the owner proposes to convey to the Town.
- d. At the time of the transfer the owner shall execute a written warranty in a form acceptable to the Town guaranteeing that the extension meets each and every requirement contained herein, and that for a period of twelve (12) months from the date of the transfer, the sewer extension and all equipment associated with it will operate without the need for any repairs other than normal maintenance. Further, the owner will provide the Town with a bond or letter of credit in a form acceptable to the Town which will be payable in the event that the extension is repaired during warranty period and the owner does not make timely payment for those repairs.

- e. The owner shall pay all costs or expenses, including but not limited to attorney's and engineering fees, which the Town incurs in order to accomplish the transfer of ownership of a sewer extension.

ARTICLE VIII

Use of the Public Sewers

SECTION 801. Except as hereinafter provided, no person shall discharge or cause to be discharged, any of the following described waters or wastes to any public sewer:

- (a) Any liquid or vapor having a temperature higher than one hundred fifty degrees (150°) Fahrenheit (sixty-five degrees (65°) Centigrade).
- (b) Any waters or wastes which contain grease or oil or other substances that will solidify or become discernibly viscous at temperatures between thirty-two (32°) and one hundred-fifty (150°) degrees Fahrenheit.
- (c) Any waters or wastes containing fats, greases, or oils, whether emulsified or not, exceeding an average of fifty (50) parts per million (four hundred seventeen (417) pounds per million gallons) other soluble matter.
- (d) Any gasoline, benzene, naphtha, fuel oil, mineral oil, or other flammable or explosive liquid, solid, or gas.
- (e) Any noxious or malodorous gas such as hydrogen sulfide, sulfur dioxide or nitrous oxide or other substance, which either singly or by interaction with other wastes, is capable of creating a public nuisance or hazard to life or of preventing entry into sewers for their maintenance and repair.
- (f) Any garbage that has not been properly shredded.
- (g) Any ashes, cinder, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastic, cardboard, wood, paunch manure, hair and fleshings, entrails, lime slurry, lime residues, beer or distillery slops, whey, chemical residues, paint residues, cannery waste, bulk solids, or any other solid or viscous substance capable of causing obstruction to the flow of the sewers, or other interference with the proper operation of the sewage works.
- (h) Any waters or wastes, acid and alkaline in reaction, having corrosive properties capable of causing damage or hazard to structures, equipment and personnel of the sewage works. Free acid and alkalis must be neutralized, at all times, within a permissible pH range of 6.0 to 9.5.

- (i) Any cyanides, in excess of two (2) parts per million by weight as CN.
- (j) Any long half-life (over 100 days) toxic radioactive isotopes, without a special permit.
- (k) Any waters or wastes that for a duration of fifteen (15) minutes has a concentration greater than five (5) times that of “normal” sewage as measured by suspended solids and B.O.D. and/or which is discharged continuously at a rate exceeding one thousand (1,000) gallons per minute except by special permit. Normal sewage shall be construed to fall within the following ranges:

<u>Constituents</u>	<u>Permissible Range</u>
Suspended Solids	180 to 350 ppm
B.O.D.	140 to 300 ppm
Chlorine Requirements	5 to 15 ppm

- (l) Arrangements shall be made with the Superintendent to accept septic tank pumpings at the treatment facility.
- (m) No person shall discharge or cause to be discharged any waters or wastes containing a toxic or poisonous substance, a high chlorine demand or suspended solids in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals or create any hazard in the receiving waters or the effluent of the Town’s sewage treatment plant. Such toxic substances shall be limited to the average concentrations listed hereinafter in the sewage as it arrives at the treatment plant and at no time shall the hourly concentration at the sewage treatment plant exceed three times the average concentration. If concentrations listed are exceeded, individual establishments will be subject to control by the Superintendent or Engineer in volume and concentration of wastes discharged.

Limits of Toxic Substances in Sewage

Iron, as Fe	5.0 ppm
Chromium, as Cr (hexavalent)	3.0 ppm
Copper, Cu	1.0 ppm
Chlorine Requirements	15.0 ppm
Phenol	10.0 ppm
Cyanide, as CN	0.5 ppm
Cadmium, as Cd	0.5 ppm
Zinc, as ZN	0.5 ppm
Nickel	1.0 ppm

- (n) No person shall discharge, or cause to be discharged, any stormwater, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water or unpolluted industrial process waters to any sewer. Storm water and all

other unpolluted drainage shall be discharged to storm sewers or to a natural outlet approved by the Town.

SECTION 802. Grease, oil and sand interceptors shall be provided when the above set limits for those substances are exceeded or when, in the opinion of the Engineer, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, 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 Engineer, and shall be located as to be readily and easily accessible for cleaning and inspection and shall comply with the State Plumbing Code.

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

SECTION 803. Where installed, all grease, oil and sand interceptors shall be maintained by the Owner, at his/her expense, in continuously efficient operation at all times and shall be readily accessible and open to inspection by the Superintendent at any time.

SECTION 804. The admission into the public sewers of any waters or wastes having (a) a 5-day Biochemical Oxygen Demand greater than 300 parts per million, or (b) containing more than 350 parts per million of suspended solids, or (c) containing more than 15 parts per million of chlorine requirement, or (d) having an average daily flow greater than 2% of the average daily sewage flow of the Town, shall be subject to the review and approval of the Superintendent and Engineer. Where necessary, in the opinion of the Superintendent and Engineer, the Owner shall provide, at his/her expense, such preliminary treatment as may be necessary to, (1) reduce the Biochemical Oxygen Demand to 300 parts per million and the suspended solids to 350 parts per million by weight, or (2) reduce the chlorine requirements to 15 parts per million, or (3) reduce objectionable characteristics or constituents to within the maximum limits provided for in Section 801, or (4) control the quantities and rates of discharge of such waters or wastes. Plans, specifications, and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the Engineer, and no construction of such facilities shall be commenced until said approvals are obtained in writing. Failure to comply with one or more of the remedial procedures as required by the Engineer will constitute a violation of this Ordinance.

SECTION 805. 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/her expense.

SECTION 806. When required by the Engineer, the Owner of any property served by a building sewer carrying industrial wastes shall install a suitable control manhole in the building sewer to facilitate observation, sampling and measurement of the wastes. Such manhole, when required, shall be accessible and safely located, and shall be constructed in accordance with plans

approved by the Engineer. The manhole shall be installed by the Owner at his/her expense, and shall be maintained by him so as to be safe and accessible at all times.

SECTION 807. All measurements, tests, and analysis of the characteristics of waters and wastes to which reference is made in Sections 801 and 804, shall be determined in accordance with "Standard Methods for the Examination of Water and Sewage", upon suitable samples taken at control manhole provided for in Section 806. 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.

SECTION 808. 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 therefor by the industrial concern.

SECTION 809. All of the preceding standards are to apply at the point where the industrial wastes are discharged into the public sanitary sewerage system and any chemical or mechanical corrective treatment required must be accomplished to practical completion before the wastes reach that point. The laboratory methods used in the examination of all industrial wastes shall be those set forth in the latest edition of "Standard Methods for the Examination of Water and Sewage", published by the American Public Health Association. However, alternate methods for the analysis of industrial wastes may be used subject to mutual agreement between the Selectpersons and the producer of such wastes. The frequency and duration of the sampling of any industrial waste shall not be less than once every three months for a 24-hour period. However, more frequent and longer periods may be required at the discretion of the Selectpersons.

ARTICLE IX

Protection from Damage

SECTION 901. No person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance, or equipment which is a part of the Town sewage system. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

SECTION 902. A contractor must present a certificate of insurance showing minimum liability coverage of \$300,000 for bodily injury to one person and \$1,000,000 for bodily injury to more than one person and \$300,000 for property damage before a permit will be issued for construction of public sewers or sewer extensions. Construction of sewer extensions may require higher coverage if so recommended by the Engineer.

ARTICLE X

Powers and Authority of Inspectors

SECTION 1001. The Superintendent, the Road Commissioner, the Code Enforcement Officer, the Engineer, and other duly authorized employees of the Town bearing proper credentials and identifications shall be permitted to enter upon all properties for the purpose of inspection, observation, measurement, sampling and testing, in accordance with the provisions of this ordinance.

SECTION 1002. The Superintendent and other duly authorized employees of the Town bearing proper credentials and identification shall be permitted to enter all private properties through which the Town holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair and maintenance of any portion of the sewage works lying within said easement. All entry and subsequent work, if any, on said easement shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

ARTICLE XI

Enforcement

SECTION 1101. It shall be the duty of the Code Enforcement Officer to enforce the provisions of this ordinance. Any person found to be violating any provision of this ordinance except Section 901 shall be served by the Town with 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 1102. Any person, individual, firm, corporation, or partnership who fails to comply with the provisions of this ordinance shall be subject to the fines and other penalties imposed under 30-A MRSA Section 4452. The continued violation of any provision of any section of this ordinance shall constitute a separate offense for each and every day such violation of any provision hereof shall continue.

SECTION 1103. As an alternative, upon violation of this ordinance, the proper authorities of the Town, in addition to other remedies, may institute any appropriate action or proceedings including an injunction to prevent such unlawful use, construction, or maintenance of cesspools, septic tanks, sewage disposal systems, pipes or drains to restrain, correct or abate such violation to prevent the occupancy of any building structure or land where said violations of this ordinance are found.

SECTION 1104. Any person violating any of the provisions of this ordinance shall become liable to the town for any expense, loss, or damage occasioned the Town by reason of such violation.

ARTICLE XII

Sewer Appeals

SECTION 1201. The Board of Selectpersons is hereby authorized to have the following powers and duties to be exercised only upon written appeal by a party aggrieved by a decision of the Superintendent, the Road Commissioner, the Town Health Officer or the Code Enforcement Officer insofar as such decision arises from requirements of this ordinance:

- A. To determine whether the decisions of the said officers are in conformity with the provisions of this ordinance, and to interpret the meaning of this ordinance in Cases of uncertainty.
- B. To grant variances from the terms of this ordinance where there is no substantial departure from the intent of the ordinance and/or where necessary to avoid undue hardship.
- C. To permit an exception to this ordinance only when the terms of the exception have been specifically set forth by the Town.
- D. Unless prevented by illness or absence from the State
 - 1. The Superintendent and Road Commissioner shall attend all hearings pertaining to the public sewerage system.
 - 2. The Code Enforcement Officer shall attend all hearings pertaining to the private sewerage systems.
 - 3. The Health Officer shall attend such hearings as he may be involved in.
- E. The officer concerned shall present to the Board of Selectpersons all plans, photographs, or other factual material which is appropriate to an understanding of the appeal.
- F. The Selectpersons shall not continue hearings on an appeal to a future date except for good cause. Written notice of the decision of the Board shall be sent to the appellant and to the officer concerned, forthwith. Failure of the Board to issue such notice within 30 days of the date of the hearing shall constitute a denial of said appeal.

SECTION 1202. Appeal Procedure

- A. Any person and any municipal department aggrieved by the decision of the Superintendent, The Road Commissioner, the Town Health Officer or the

Code Enforcement Officer, which decision arises from provisions of this ordinance, may appeal such decision to the Board of Selectpersons.

B. Within thirty (30) days of the date of the decisions of the Superintendent, the Road Commissioner, the Town Health Officer or the Code Enforcement Officer, the appeal shall be entered at the office of the Town Clerk upon forms to be approved by the Board of Selectpersons. The appellant shall set forth in the form the grounds of his/her appeal and shall refer to the specific provisions of the Sewerage Ordinance involved. Following the receipt of any appeal, the Town Clerk shall notify forthwith the officer concerned and the Town Manager.

C. An aggrieved party may appeal from the decision of the Board of Selectpersons to the Superior Court as provided by the laws of the State of Maine.

SECTION 1203. After a decision has been made by the Board of Selectpersons, a new appeal of similar import shall not be entertained by the Board until one year shall have elapsed from the date of said decision, except that the Board may entertain a new appeal if the Chairman believes that, owing to a mistake of law or misunderstanding of fact, an injustice was done, or if he believes that a change has taken place in some essential aspect of the appeal.

ARTICLE XIII

Severability

SECTION 1301. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 1302. The validity of any section, clause, sentence, or provision of this ordinance shall not affect the validity of any other part of this ordinance which can be given effect without such invalid part or parts.

ARTICLE XIV

Ordinance in Force

SECTION 1401. This ordinance shall be in full force and effect from and after its passage, approval, recording and publication as provided by law.