

**REGULATION OF SEWER USE
MONSON UTILITIES DISTRICT
MONSON, MAINE**

Adopted Oct. 23, 2001

INTRODUCTION

It is the intent of these rules and regulations to promote the general welfare, to prevent disease and to promote health, and to provide for the public safety by regulating the use of public and private sewers and drains, private sewage disposal, the installation and connection of building sewers, and the discharge of waters and wastes into the public sewer systems, and providing penalties for violations thereof in the territorial limits of the Monson Utilities District in the Town of Monson, County of Piscataquis, State of Maine.

ARTICLE I - DEFINITIONS & ABBREVIATIONS

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

Section 1.1 - "ASCE" shall mean American Society of Civil Engineers. .7

Section 1.2 - "Agent" shall mean the Clerk/Treasurer of the Monson Sewer District or the individual designated by the Board of Trustees to perform this function, or the authorized deputy, agent, or representative of this individual.

Section 1.3 - "Benefitted User" shall mean all owners of real estate, abutting on or accessible to sewers or drains of the District, whether or not such real estate is improved, and whether or not such real estate is actually connected to the Districts sewer or drain system. Benefitted users shall include, but not be limited to vacant lots abutting public ways or easements where the public sewer is within 100 feet of said public ways or easements.

Section 1.4 - "Builder" shall mean any person, persons, or corporation who undertake to construct, either under contract or for resale, any habitable building.

Section 1.5 - "Building" shall mean a structure built, erected, and framed of component structural parts designed for the housing, shelter, enclosure, or support of persons, animals or property of any kind.

Section 1.6 - "Building Drain" shall mean the part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer beginning five (5) feet outside the inner face of the building wall.

Section 1.7 - "Building Sewer" shall mean the extension from the building drain to the public sewer or other place of disposal.

Section 1.8 - "Combined Sewer" shall mean a sewer intended to receive both wastewater and storm or surface runoff.

Section 1.9 - "Contractor" shall mean any person, firm, or corporation approved by the Trustees to do work in the District.

Section 1.10 - "D.E.P." shall mean Maine Department of Environmental Protection.

Section 1.11 - "Developer" shall mean any person, persons, or corporation who undertake to construct simultaneously more than one housing unit on a given tract or land subdivision.

Section 1.12 - "District" shall mean the Monson Sewer District.

Section 1.13 - "Easement" shall mean an acquired legal right for the specific use of land owned by others.

Section 1.14 - "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 1.15 - "Garbage" shall mean solid wastes from the retail preparation, cooking, and dispensing of food, and from the retail handling, storage and sale of produce.

Section 1.16 - "Governing Body" shall mean the duly elected Board of Trustees of the Monson Utilities District.

Section 1.17 - "Industrial Wastes" shall mean the liquid wastes from industrial processes as distinct from sewage.

Section 1.18 - "Inflow" shall mean water entering the sewer system from such sources as roof leaders, cellar drains, sump pumps, yard drains, foundation drains, manhole covers, cross connections from storm sewer and combined sewers, catch basins, surface runoff and other drainage.

Section 1.19 - "Natural Outlet" shall mean any outlet into a watercourse, ditch, pond, lake, or other body of surface or ground water.

Section 1.20 - "Owner" shall mean any individual, firm, company, association, society, or group having title to real property.

Section 1.21 - "pH" shall mean the logarithm of the reciprocal of the concentration of the hydrogen ions in grams-ionic weight per liter of solution, and is a term used to express the relative acidity or alkalinity of a substance or solution.

Section 1.22 - "Person" shall mean any individual, firm, company, association, society, or group having title to real property.

Section 1.23 - "Property Line" shall mean the established right-of-way limits of any public or private road or street or the common ownership dividing line between two abutting properties, 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 an easement.

Section 1.24 - "Public Sewer" shall mean a sewer in which all owners of abutting property have equal rights and which is controlled by public authority.

Section 1.25 - "Public Sewer Connection" shall mean the portion of the public sewer from the building sewer to the public right-of-way.

Section 1.26 - "Real Estate" shall be defined in the Revised Statutes of 1964, Title 36, Section 551.

Section 1.27 - "Receiving Waters" shall mean any water course, river, pond, ditch, lake, aquifer or other body of water receiving discharge of wastewater.

Section 1.28 - "Sanitary Sewer" shall mean a sewer which carries sewage and which storm, surface, and ground waters are not intentionally admitted.

Section 1.29 - "Sewage" shall mean a combination of the water carried wastes from residences, business buildings and institutions. Also termed "wastewater".

Section 1.30 - "Sewage Treatment Plant" shall mean any arrangement of devices and structures used for treating sewage.

Section 1.31 - "Sewage Works" shall mean all District facilities for collecting, conveying, pumping, treating, and disposing of sewage and industrial wastes.

Section 1.32 - "Sewer" shall mean a pipe or conduit for carrying sewage.

Section 1.33 - "Shall" is mandatory; "May" is permissive.

Section 1.34 - "State Plumbing Code" shall mean the State of Maine Plumbing Code, as amended from time to time.

Section 1.35 - "Storm Sewer" or "Storm Ditch" shall mean a pipe or conduit, which carries storm and surface waters and drainage but excludes sewage and industrial wastes.

Section 1.36 - "Superintendent" shall mean the individual retained or designated by the Agent to supervise and oversee the operation and maintenance of the Municipal sewer system and treatment facilities.

Section 1.37 - "Suspended Solids" shall mean solids that either float on the surface of, or are in suspension in water, sewage or other liquids, and which are removable by laboratory filtering in accordance with "Standard Methods".

Section 1.38 - "User" shall mean an owner of real estate which is connected to the Town's sewer or drain systems.

Section 1.39 - "Wastewater" shall mean the spent water of a community. From the standpoint of source, it may be a combination of the liquid and water-carried wastes from residences, business buildings, and institutions.

Section 1.40 - "Wastewater facilities" shall mean the structures, equipment, and processes required to collect,

carry away, and treat domestic and dispose of the effluent.

Section 1.41 - "Water Course" shall mean a channel in which a flow of water occurs, either continuously or intermittently.

ARTICLE II — USE OF PUBLIC SEWERS

Section 2.1 — Buildings to connect with sewer if available. Every building in the district intended for human habitation or occupancy on premises abutting on a street in which there is a public sewer or any such building within 100 feet of a public sewer shall have a house drainage system which shall be caused to be connected with the sewer by the owner or agent of the premises in the most direct manner possible, and, if feasible, with a separate connection for each house or building, except that existing buildings which are already served by a satisfactory private sewage disposal system which meets and continues to meet the requirements of section 122 (b) of the State Plumbing Code shall not be required to connect with the public sewer. (Ref: Monson Utilities District By-Laws, Sec.20).

Section 2.2 — All costs associated with new Public Sewer Connections shall be the responsibility of the new User. After the new Public Sewer Connection has been installed, tested and approved by the District, the new Public Sewer Connection shall become a Public Sewer and shall be operated and maintained by the District.

Section 2.3 — An easement shall be established for the operation and maintenance of the Public Sewer Connection.

ARTICLE III— PRIVATE SEWAGE DISPOSAL

The Monson Sewer District is legally responsible for providing wastewater treatment and disposal in the sewer area of Monson. The Town of Monson, is responsible through its Code Enforcement Officer to ensure that private wastewater treatment and disposal systems comply with State laws and regulations and Town ordinances. Sections 3.1 and 3.2 are included here as guidance to direct the reader to the proper government entity for assistance with private sewage disposal.

Section 3.1 — Where a public sanitary or combined sewer is not available under the provisions of Section 2.1, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this article and the State of Maine Plumbing Code, Part II, Subsurface Wastewater Disposal Rules, Chapter 241.

Section 3.2 — Before commencement of construction of a private wastewater disposal system the owner(s) shall first obtain a written permit signed by the licensed plumbing inspector for the Town of Monson. The application for such permit shall be made on a form furnished by the Division of Health Engineering, Maine Department of Human Services, which the applicant shall supplement by any plans, specifications and other information as are deemed necessary by the plumbing inspector. A permit and inspection fee shall be paid to the plumbing inspector at the time the application is filed.

Section 3.3 - 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 into any natural outlet.

Section 3.4 - At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in Section 2.1, connection shall be made to the public sewer in compliance with these rules and regulations and any septic tanks, cesspools, or similar private sewage disposal facilities shall be abandoned and filled with suitable material immediately after connection to the public sewer. Any abandoned disposal facilities not filled with suitable materials upon connection to the public sewer, the District reserves the right to perform necessary work and put a lien on said property for all costs to the District.

Section 3.5 - The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times and at no expense to the District.

Section 3.6 - No statement contained in this Article shall be construed to interfere with any additional requirements that may be imposed by the Town's Code Enforcement officer.

ARTICLE IV — BUILDING SEWERS AND CONNECTIONS TO PUBLIC SEWERS

Section 4.1 — The provisions of this Article shall be deemed to supplement provisions of the State Plumbing Code with respect to Building Sewers and connections thereof to Public Sewers. In the event of conflicts between this Article and the State Plumbing Code, the provisions of this Article shall be deemed to apply. Permits and Fees stipulated hereunder are additional to any permits or fees, or both, required under the State Plumbing Code.

Section 4.2 — No person shall uncover, 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 discharged 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. Any person violating this section is subject to a minimum fine of \$500 per violation.

Section 4.3 — There shall be two (2) classes of building sewer permits — (1) for residential service, and (2) for commercial and other non-residential service. Also, there shall be two types of sewer connections (1) for gravity connections and (2) for pressure line connections. In either case, the owner or his agent shall make application on a special form furnished by the District. (See appendix A)

Section 4.4 — A separate and independent building sewer shall be provided for every building except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway, in which case the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.

Section 4.5 — Existing building sewers may be used in connection with new buildings only when they are found, on examination and test, to meet all requirements of this ordinance.

Section 4.6 — The building sewer shall be cast iron soil pipe, Polyvinyl Chloride pipe (PVC), or other suitable material approved by the Superintendent. The quality and weight of materials shall conform to the specifications of the State Plumbing Code. All joints shall be tight and waterproof. Where the building sewer is exposed to damage by tree roots or is installed in filled or unstable ground, the Superintendent shall have the authority to stipulate such special pipe materials or installation provisions, as he deems necessary for the circumstances. Testing of the building sewer installation shall be done at no cost to the District, in the presence of the Superintendent and using such methods, as he shall stipulate.

Section 4.7 — **Gravity Sewer Connections:** New Public Sewer Connections shall be Gravity Sewer Connections when possible. Gravity Sewer Connections shall consist of a septic tank and gravity sewer to the Public Sewer at the public right-of-way. The Gravity Sewer Connection shall be designed and constructed in accordance with the Maine Wastewater Disposal Rules, District specifications and applicable codes. 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 inches. The slope of a four-inch pipe shall not be less than one-quarter (1/4) inch per foot. All costs associated with the new public sewer connection shall be the responsibility of the new property owner as described in Section 2.2.

Section 4.8 — **Pressure Sewer Connections:** Pressure Sewer Connections shall be provided where Gravity Sewer Connections are not possible. Pressure Sewer Connections shall consist of a septic tank, septic tank effluent pump station with control panel and force main sewer to the Public Sewer at the public right-of-way.

The Pressure Sewer Connection shall be designed and constructed in accordance with the Maine Subsurface Wastewater Disposal Rules, District specifications and applicable codes. The septic tank effluent pump station shall be separate from the septic tank and include a watertight basin (fiberglass, polyethylene or equal). The pump shall be mounted on slide rails to facilitate pump removal.

The septic tank effluent pump station control panel shall be located inside the building served and connected to the electrical panel. Electrical costs associated with the operation of the septic tank effluent pump and the costs for installation will be the responsibility of the user.

All costs associated with the installation of the pressure sewer connection from the building drain to the public sewer connection will be the responsibility of the property owner as described in Section 2.2.

Section 4.9 — No person shall make connection of roof down spouts, 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 a public sanitary sewer unless such connection is approved by the Superintendent for purposes of disposal of polluted surface drainage.

Section 4.10 — All excavations required for the installation of a building sewer shall be open trench work unless otherwise approved by the Superintendent.

Section 4.11 — All joints and connections in the building sewer shall be made gastight and watertight.

Section 4.12 — 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 Superintendent shall be available to supervise and inspect the connection within forty-eight (48) hours of notification of readiness.

Section 4.13 — If the District does not elect to construct a sewer extension under public contract, the property owner, builder, or developer may construct the necessary sewer extension, if such extension is approved by the Trustees in accordance with the requirements of Section 5.3. The cost of sewer extensions thus made, including all building sewers, shall be absorbed by the developers or property owners. The installation of the sewer extension and each building sewer shall be subject to inspection by the Superintendent and the expenses for this inspection shall be paid for by the owner, builder or developer. The Superintendent's decisions shall be final in matters of quality and methods of construction.

Section 4.14 — All sewer extensions to the sanitary sewer system shall be properly designed in accordance with the Districts standards and the Maine State Plumbing Code.

Section 4.15 — All extensions of public sewers constructed at the expense of the property owner, builder, or developer, after approval and acceptance by the superintendent, shall become the property of the District and shall thereafter be maintained by the District. Said sewers, after their acceptance by the District, shall be guaranteed against defects in materials or workmanship for eighteen (18) months, the guarantee being in a form stipulated by the District. At the sole discretion of the District, a completion bond or certified check may be demanded as part of the guarantee.

ARTICLE V - USE OF PUBLIC SEWERS

Section 5.1 — No person shall discharge or cause to be discharged any unpolluted waters such as storm water, surface water, ground water, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process water, to any sanitary sewer.

Section 5.2 — 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 (150) degrees Fahrenheit.
- b. Any water or waste which may contain more than one hundred (100) parts per million, by weight, of fat, floatable oil, or grease.
- c. Any gasoline, benzene, naphtha, fuel oil, lubricating oils, or other flammable or explosive liquids, or gases.
- d. Any wastewater from eating establishments containing floating oils, fat or grease.
- e. Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch manure, or any other solid or viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage works.
- f. Any water or wastes having a pH lower than 6.5 or higher than 8.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.
- g. Any waters or wastes containing a toxic or poisonous substance 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 sewage treatment plant.
- h. Any waters or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant.

Section 5.3 - Grease, oil and sand interceptors or traps shall be required at the property owners expense and installed according to the Maine State Plumbing Code or when, in the opinion of the Superintendent, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand 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 Superintendent and shall be located so as to be readily and easily accessible for cleaning and inspection.

Section 5.4 - Where installed, all grease, oil and sand interceptors or traps shall be maintained by the owner, at his expense, in continuously efficient operation at all times. Proof of the tank pumping/cleaning will be given to the District annually.

ARTICLE VI — PROTECTION FROM DAMAGE

Section 6.1 - 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 District sewage works. Any person violating this provision shall be subject to immediate arrest under charge of criminal mischief as set forth in Maine Revised Statutes Annotated, Title 17-A, Chapter 33 section 806.

Section 6.2 - A contractor must present a certificate showing proof of liability insurance before a permit will be issued for construction of building sewer or sewer extensions*.

ARTICLE VII - POWERS AND AUTHORITY OF INSPECTORS

Section 7.1 - The superintendent and other duly authorized employees of the District bearing proper credentials and identifications shall be permitted to enter upon all properties for the purpose of inspection, observation, and measurement sampling and testing in accordance with the provisions of these rules and regulations.

ARTICLE VIII - PENALTIES

Section 8.1 — Any party found to be violating any provision of these rules and regulations except Section 7, shall be served by the District 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 8.2 Any person who fails to comply with the provisions of these rules and regulations other than those provisions pertaining to the payment of charges for services established herein shall, upon conviction, be subject to a fine not exceeding one thousand dollars (\$1000) for each offense together with the District's costs and counsel fees in the prosecution of a violation. The continued violation of any provision of any section of these rules and regulations, other than those pertaining to the payment of charges for services established herein, shall constitute a separate offense for each and every day such violation of any provision hereof shall continue.

Section 8.3 As an alternative, upon violation of these rules and regulations, the proper authorities of the District or 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, or to prevent the occupancy of any building, structure or land where said violations of these rules and regulations are found.

Section 8.4 — Any person violating any of the provisions of these rules and regulations shall become liable to the District for any expense, loss, or damage occasioned by the District by reason of such violation.

ARTICLE IX — SEWER USE CHARGES

Section 9.1 — The source of all 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 District whose residence or place of business is connected to the public sewer system.

Section 9.2 — Sewer Use Charge rates shall be determined by the District on a yearly basis and shall be billed quarterly. All benefitted users connected to the District's public sewer system shall pay a user fee based on the number of wastewater billing units. A schedule of wastewater billing units will be developed by the District and adjusted as required.

Section 9.3 — The District reserves the right, from time to time, to change Sewer Use Charges originally or previously assigned to any property owner.

Section 9.4 — All rates shall be due and payable at the office of the District and shall ordinarily be billed quarterly in advance.

Section 9.5 — There shall be a late charge equal to the maximum rate allowed by State Law assessed to all delinquent accounts effective thirty (30) days from date of billing. The rate shall be established annually by the District.

Section 9.6 — There shall be a lien to secure the payment of sewer charges legally assessed on real estate within the District, which shall take precedence of all other claims on such real estate, excepting only claims for taxes. The Treasurer of the District shall have the authority and power to sue for and collect the sewer charges.

Section 9.7 — Billing for a new service will not be effective until the following full billing period.

ARTICLE X - VALIDITY OF RULES AND REGULATIONS

Section 10.1 — All prior rules and regulations or parts thereof in conflict herewith are hereby repealed.

Section 10.2 — The validity of any section, clause, sentence or provision of these rules and regulations shall not affect the validity of any other part which can be given effect without such invalid part or parts.

ARTICLE XI - RULES AND REGULATIONS

Section 12.1 —These rules and regulations shall be in full force and effect from and after their passage, approval and recording.

Section 12.2 —Passed and adopted by the Monson Utilities District, State of Maine, on the 23RD day of Oct. 2001, by the following votes:

Ayes 3 Namely BRIAN TURNER, Roger Page,
VERNON Darling
Nays 0 Namely _____

Approved this 23RD day of Oct, 2001.

Signed Brian Turner, Chairman

Attest:

Signed Roger Page, Clerk

APPENDIX I

RESIDENTIAL OR COMMERCIAL BUILDING SEWER APPLICATION

To the Monson Utilities District:

The undersigned, being the

(Owner, Owner's Agent)

of the property located at _____ do hereby

(number) (street)

request a permit to install and connect a building sewer to serve the

(residence, commercial building, etc.)

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

Number of Fixtures:

___ Kitchen Sinks	___ Water Closets (Flush)	___ External Grease Traps
___ Lavatories	___ Bath Tub	
___ Washing Machine	___ Showers	
___ Dishwashers	___ Tub/Shower Combinations	

Specify other fixture(s) _____

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

3. Plans and specifications for the proposed building sewer are attached hereunto as Exhibit "A".

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

1. To accept and abide by all provisions of the Regulations of Sewer Use for the Monson Utilities District, and of all other pertinent ordinances or regulations that may be adopted in the future.
2. To maintain the building sewer at no expense to the Monson Utilities District.
3. To notify the Monson Utilities District when the building sewer is ready for inspection and connection to the public sewer, but before any portion of the work is covered.
4. To obtain a Maine Department of Transportation road opening permit prior to excavating in State roadway limits, and to abide by all requirements of said permit.
5. To cooperate at all times with the Monson Utilities District and its representatives and to allow the Monson Utilities District or its representative to inspect the internal plumbing within the building at any reasonable time.

Owner _____ Date _____

Owner's Address: _____

Applicant (if not Owner) _____

Applicant's Address _____

Application approved and permit issued:

Date _____ Signed _____ (District)