

**VASSALBORO SANITARY DISTRICT  
VASSALBORO, MAINE**

**SEWER USE ORDINANCE  
APRIL 2019**

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## ARTICLE 1. DEFINITIONS

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

- 1.1. "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 twenty (20) degrees Celsius, expressed in milligrams per liter.
- 1.2. "Building Drain" shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five (5) feet (1.5 meters) outside the inner face of the building wall.
- 1.3. "Building Drainage Fee" shall be an ongoing charge assessed for connections of groundwater, runoff, or other prohibited connections where the building owner does not sign an Owner's Agreement.
- 1.4. "Building Sewer" shall mean the extension from the building drain to the public sewer or other place of disposal.
- 1.5. "Combined Sewer" shall mean a sewer receiving both surface runoff and sewage.
- 1.6. "Connection Fee" shall be a one time fee charged for new connections to the sanitary sewerage system to cover inspection and permit administration costs.
- 1.7. "District" shall mean the Vassalboro Sanitary District.
- 1.8. "Easement" shall mean the legal right which one person(s) organization, corporation, or District has to use the land of another for a specific purpose.
- 1.9. "Garbage" shall mean solid wastes from the domestic and commercial preparation, cooking, and dispensing of food, and from the handling, storage, and sale of produce.
- 1.10. "Hearing Board" shall mean that board appointed according to provision of Article 8 hereof.
- 1.11. "Impact Fee" shall mean a one time charge for new connections to recover the capital cost of the District's collection, pumping, and transmission system.
- 1.12. "Industrial Wastes" shall mean the liquid wastes from industrial manufacturing processes, trade, chemical or biological firms or business as distinct from sanitary sewage.

- 1.13. "Local Plumbing Inspector (LPI)" shall mean the State of Maine licensed, Town of Vassalboro appointed official charged with implementing the rules and carrying out the duties required by the Maine State Plumbing Code.
- 1.14. "KSTD" or "Kennebec Sanitary Treatment District" shall mean representatives or employees of the Kennebec Sanitary Treatment District.
- 1.15. "Natural Outlet" shall mean any outlet into a watercourse, pond, ditch, lake or other body of surface or groundwater.
- 1.16. "Owner" shall be the owner of record or agent thereof, of property or structures served or accessible to the District's wastewater collection system.
- 1.17. "Owner's Agreement" shall mean a duly signed and recorded agreement between the property owner and the District, accompanied by an inspection conducted by the District or its agent to demonstrate that unapproved wastewater sources are not connected to the sanitary sewer system.
- 1.18. "Person" shall mean any individual, firm, company, association, society, corporation, or group.
- 1.19. "PH" shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.
- 1.20. "Private Sewer" shall mean a sewage disposal system installed, owned, and operated by a private individual with no connection or expense to the public sewer.
- 1.21. "Properly Shredded Garbage" shall mean the wastes from the preparation, cooking, and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers with no particle greater than one-half (1/2) inch (1.27 centimeters) in any dimension.
- 1.22. "Public Sewer" shall mean a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.
- 1.23. "Readiness to Serve Fee" shall be a portion of the sewer rate charged against owners of real estate abutting or accessible but not connected to sewers or drains of the standard District, whether or not the real estate is improved.
- 1.24. "Sanitary Sewer" shall mean a sewer which carries sewage and to which storm, surface, and ground waters are not intentionally admitted.
- 1.25. "Selectmen" shall mean the members of the Town of Vassalboro Board of Selectmen.

- 1.26. "Septage" shall mean the residual wastes derived from the cleaning, pump, and maintenance of septic tanks.
- 1.27. "Sewage" shall mean a combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground, surface, and storm waters as may be present.
- 1.28. "Sewage Treatment Plant" shall mean any arrangement of devices and structures used for treating sewage.
- 1.29. "Sewage Works" shall mean all facilities for collecting, pumping, treating, and disposing of sewage.
- 1.30. "Sewer" shall mean a pipe or conduit for carrying sewage.
- 1.31. "Shall" is mandatory; "May" is permissive.
- 1.32. "Sewer User Rate Schedule" shall be a document approved by the Trustees containing the rate and fee charges to users or potential users within the District's service area.
- 1.33. "Storm Drain" or "Storm Sewer" shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.
- 1.34. "Superintendent" shall mean the Vassalboro Sanitary District's Superintendent, or his authorized deputy, agent, or representative.
- 1.35. "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.
- 1.36. "Town" shall mean the Town of Vassalboro.
- 1.37. "Town of Winslow" shall mean representatives of the Town of Winslow acting on behalf of the town or its council.
- 1.38. "Trustees" shall mean the members of the Vassalboro Sanitary District Board of Trustees.
- 1.39. "Wastewater Facilities" shall mean all facilities for collecting , pumping, treating and disposing of sewage.
- 1.40. "Watercourse" shall mean a channel with which a flow of water occurs, either continuously or intermittently.

## **ARTICLE 2. PUBLIC SEWERS**

### **DIVISION 1. USE REQUIRED**

#### **2.1.1. Prohibited deposits on property.**

No person shall place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the town, or in any area under the jurisdiction of the town, any human or animal excrement, garbage or other objectionable waste.

#### **2.1.2. Prohibited discharges; use of sewers required.**

No person shall discharge into any natural outlet within the town or in any area under the jurisdiction of the town, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with this ordinance.

#### **2.1.3. Privies prohibited.**

Except as hereinafter provided, no person shall construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage.

#### **2.1.4. Connections required.**

- A. The owner of all houses, buildings or properties used for human occupancy, employment, recreation, or other purposes situated within the Town and abutting on any street, alley, or right-of-way in which there is now located or may in the future be located a public sanitary sewer of the Vassalboro Sanitary District, is hereby required at his expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper sewer in accordance with the provisions of this ordinance within ninety (90) days after date of official notice to do so, provided that said public sewer is within three hundred (300) feet of the structure to be served.
- B. The Trustees may waive the three-hundred (300) foot requirement in section 2.4 above thereby allowing the use of a Subsurface Waste Water Disposal System for single-family residential buildings including any accessory buildings after having found there are unreasonable costs associated with connecting into the public sewer line.
- C. The Trustees shall consider the following as a minimum standard when finding unreasonable costs:
  - 1. The cost of connecting into the public sewer verses the cost of an in-ground septic system. The cost differential between connecting into the public Sewer or a subsurface system should be supported by a minimum of two (2) bids for the installation of the public sewer line and one (1) bid for the installation of the in-ground system.
  - 2. The soils conditions from the structure to the public sewer line: Soil conditions must be shown or described by a formal soils report



- documenting the soils conditions and difficulties between the structure and where the proposed public sewer connection is to be.
3. **Minimum Lot Size:** The subject property must meet both the State's minimum Lot Size law for Subsurface Disposal Systems and local zoning district minimum lot size requirements.
  4. The complexity of the proposed design for either system: The Trustees shall have the right to hire an independent third party for review of the applicant's cost factors. Upon such decision by the Trustees, the applicant shall place a sum of money in escrow with the District to cover the cost of the third party review. Said escrow amount shall be determined by the Trustees.

## **DIVISION 2. USE REGULATIONS AND STANDARDS**

### **2.2.1. Prohibited discharges into sewers.**

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

### **2.2.2. Unpolluted drainage discharges.**

- A. Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers or to a natural outlet approved by the public works supervisor.
- B. Industrial cooling water or unpolluted process waters may be discharged, on approval of the public works supervisor, to a storm sewer, combined sewer or natural outlet.

### **2.2.3. Prohibited waters and wastes.**

- A. No person shall discharge or cause to be discharged any of the following waters or wastes to any public sewers:
  - 1 Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas;
  - 2 Any waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant;
  - 3 Any waters or wastes having a corrosive property after dilution, capable of causing damage or hazard to structures, equipment, and personnel of the sewage works; or
  - 4 Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference

with the proper operation of the sewage works.

**2.2.4. Harmful or dangerous substances.**

- A. No person shall discharge or cause to be discharged substances, materials, waters or wastes if it appears likely in the opinion of the Superintendent that such wastes can harm either the sewers, the sewage treatment process, sewage treatment equipment or the quality of the effluent from the sewage treatment process, have an adverse effect on the receiving stream or can otherwise endanger life, limb, public property or constitute a nuisance.
- B. In forming his opinion as to the acceptability of these wastes, the Vassalboro Sanitary District's Superintendent will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant, and any other pertinent factors.

**2.2.5. Harmful substances; power of supervisor to restrict.**

**Section 1** All persons discharging wastes into the public shall comply with applicable requirements of federal and state industrial pretreatment regulations and the Industrial Pretreatment Program of the KSTD.

**Section 2** Industrial users shall comply with federal and state general pretreatment standards and applicable categorical pretreatment standards. Such noncompliance with categorical standards shall be achieved within three years of the date such standard is effective, unless a shorter compliance time is specified, but in no case later than July 1, 1984.

**Section 3** The Superintendent may, after formal notice to the public sewer user, immediately halt or prevent any discharge of pollutants reasonably appearing to present an imminent endangerment of the health and welfare of persons, or any discharge presenting, or which may present, endangerment to the environment, or which threatens to interfere with operation of the public sewer or wastewater treatment facilities. Actions which may be taken by the Superintendent include seeking ex-parte temporary judicial injunctive relief, entry on private property to halt such discharge, blockage of a public sewer to halt such discharge, or demand of specific action by the discharger.

**Section 4** The Superintendent shall investigate instances of non-compliance with industrial pretreatment standards and requirements, as requested by the KSTD.

**Section 5** Within 180 days after the effective date of a categorical pretreatment standard, existing industrial users subject to such standards shall submit to the KSTD an application for a categorical permit containing information required under applicable

federal and state industrial pretreatment regulations. Such information, as a minimum, shall include:

1. The name and address of the facility, including the name of the operators and owners;
2. A list of all environmental permits held by or for the facility;
3. A brief description of the nature, average rate of production, and Standard Industrial Classification of the operations carried out at such facility;
4. A schedule of actions to be taken to comply with the categorical standards;
5. Information showing the measured average daily and maximum daily flow, in gallons per day, to the public sewer from regulated process streams and from other streams;
6. An identification of the industrial pre-treatment standards applicable to each regulated process; and
7. An analysis identifying the nature and concentration of pollutants in the discharge.

The Superintendent may require additional information to be included in such application.

**Section 6** Within 90 days after the date for final compliance by existing industrial users with applicable categorical pretreatment standards, or in the case of a new source, following commencement of the introduction of wastewater into the public sewer, industrial users shall submit to the KSTD a report indicating the nature and concentration of pollutants in the discharge from the regulated process(es) governed by pretreatment standards and the average and maximum daily flow for these process units. Such report shall state whether the applicable pretreatment standards are being met on a consistent basis and, if not, what additional operation and maintenance practices or pre-treatment is necessary. Such industrial users shall submit to the KSTD during the months of June and December, unless required more frequently, a report indicating the nature and concentration of pollutants in the discharge. Additional requirements for such report may be imposed by the Superintendent.

**Section 7** Industrial users shall give written notice to the Superintendent and the KSTD at least 45 calendar days before making significant changes in the nature, quantity, or rate of discharge of industrial waste.

**Section 8** Industrial users shall immediately notify the Superintendent and the KSTD of any slug loading discharged by such user.

**Section 9** All reports submitted by industrial users under this Article shall be signed by an authorized representative. An authorized representative may be:

1. A principal executive officer of at least a level of vice president, if the industrial user is a corporation; or
2. A duly authorized representative of either of the individuals designated above,

if such representative is responsible for the overall operation of the subject facility.

**Section 10** Industrial users subject to the reporting requirements under this Article shall maintain records of all information resulting from any monitoring activities required to prepare such reports. Such records shall include for each sample:

1. the date, exact place, method, and time of sampling and the names of person or persons taking the sample;
2. the dates analyses were performed;
3. who performed the analyses;
4. the analytical techniques and methods used; and the results of such analyses.

Such records shall be maintained for a minimum of three years and shall be made available for inspection and copying by the Superintendent and the KSTD.

**Section 11** Information and data submitted to the Superintendent and the KSTD under this Article relating to waste water discharge characteristics shall be available to the public without restriction. Other such information shall be available to the public at least to the extent provided by 40 CFR Section 2.302.

**Section 12** The Superintendent may temporarily exclude from the public sewer industrial wastes from one or more industrial users, whether pretreated or not, if necessary or helpful in determining the effects of such wastes upon the public sewer or KSTD facilities.

#### **2.2.6. Grease, oil and sand interceptors.**

- A. Grease, oil, and sand interceptors shall be provided when, in the opinion of the Superintendent they are necessary for the proper handling of liquid wastes containing grease in excessive amounts or any flammable wastes, sand or other harmful ingredients. Such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be located as to be readily and easily accessible for cleaning and inspection.
- B. This system shall be maintained at the expense of the owner.

#### **2.2.7. Maintenance of treatment facilities.**

Where preliminary treatments or flow-equalizing facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

#### **2.2.8. Manhole installations.**

- A. When required by the District, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes.
- B. The manhole, when required, shall be accessibly and safely located. It shall be constructed in accordance with plans approved by the District Superintendent. The manhole shall be installed by the owner at his expense, and shall be maintained by him so as to be safe and accessible at all times.
- C. The owner when requested shall keep records and report 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.

#### **2.2.9. Analysis of waters and wastes.**

- A. All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this chapter 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. The characteristics shall be determined at the control manhole provided, or upon suitable samples taken at the control manhole.
- B. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be of constituents upon the sewage works and to determine the existence of hazards to life, limb, and property.

#### **2.2.10. Cost recovery.**

- A. (a) The trustees shall establish the user charge and, if applicable, industrial cost recovery system in accordance with appropriate federal and state rules and regulations pertaining to the costs associated to the use of the sewer by an industry.
- B. (b) The trustees shall establish the user charge system in accordance with appropriate federal and state rules and regulations pertaining to the costs associated to the use of the sewer by a non-industrial user.

- C. (c) 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 Vassalboro Sanitary District at least forty-five (45) days prior to the proposed change or connection.

**2.2.11. Special disposal agreements.**

No statement contained in this article shall be construed as preventing any special agreement or arrangement between the District and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the District for treatment, subject to payment, by the industrial concern.



## **ARTICLE 3. PRIVATE DISPOSAL SYSTEMS**

### **3.1. Private disposal permitted.**

If a public sanitary or combined sewer is not available under the provisions of Article 2, Section 2.1.4, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this Article.

### **3.2. Discharge of septic tank contents into sewers.**

Contents of septic tanks shall not be discharged into the public sewers unless written permission is obtained prior to the discharge from the Superintendent.

### **3.3. Additional requirements to article.**

No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by the health officer, the state plumbing code or the State Health and Welfare Department.

### **3.4. Connection with public sewer; time limit.**

When a public sewer becomes available, the building sewer shall be connected to the sewer within sixty (60) days. The private sewage disposal system shall be cleaned of sludge and filled with gravel or dirt. Upon receipt of an acceptable septic system inspection report performed by a properly licensed or certified inspector, the time limit will be extended to five (5) years from the date that sewer service becomes available.

## **ARTICLE 4. BUILDING SEWERS AND CONNECTIONS**

### **4.1. Building sewer or connection permit.**

No person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance without first obtaining a written permit from the Superintendent. Application for permit shall be made at least forty five (45) days before the scheduled work, unless a shorter time is approved by the District.

### **4.2. Building sewer permits; application; fee.**

- A There shall be two (2) classes of building sewer permits:
  - 1. For residential and commercial service; and
  - 2. For service to establishments producing industrial wastes.
- B In either case, the owner or his agent shall make application on a special form furnished by the District. Their permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Superintendent.
- C A permit and inspection connection fee of \$150 for a residential or commercial building sewer permit and \$300 for an industrial building sewer permit shall be paid to the District at the time the application is filed.

### **4.3. Installation costs; indemnification.**

- A All costs and expenses incident to the installation and connection of the building sewer shall be borne by the owner.
- B The owner shall indemnify the District for any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer, if the damage or loss is a result of negligence on the part of the owner.
- C Construction and Extensions of the sanitary sewer system; assessments and deferred payments.
  - 1. The Trustees may at any time direct the construction of extensions to the sanitary sewer system wherever it is determined necessary for public convenience, or health, safety, or welfare such as to abate pollution or to serve presently undeveloped areas of the Town, or for the Town's general betterment.
  - 2. Vassalboro Sanitary District is authorized to assess and collect against the owner of the land or person in possession, or against whom the taxes on the land are assessed, on an installment basis



over a period not exceeding 10 years – if so-authorized by the Trustees, that portion of the sum not exceeding the benefit the Trustees considers just and equitable towards defraying the costs of constructing and completing public drains or sewer abutting such lots and parcels of land, together with any sewage disposal units and appurtenances necessary thereto, pursuant to the terms, conditions, limitations, guidelines and requirements of Title 30-A MRSA, Sections 3441-3445, as amended. Assessments for such costs shall include but not be limited to all costs of construction, land acquisition, engineering, administration and interest paid on project financing, and may be assessed pro-rata to reflect the ratio of frontage along the sewer line of each property owner to the total frontage of all abutters along the sewer construction project.

3. Payments of assessments against such abutting properties as determined by the Trustees shall not be deferred except in the event that the owner or person assessed for any such abutting property benefited by the establishment of a new public drain or sewer is unwilling or unable to pay his or her share of the allocated portion of the construction costs at the time of assessment, whereby payment of the assessment may be deferred by written agreement approved by the Trustees, between the District and the affected property owner or person assessed for a period of not more than 10 years on such conditions as may be authorized under 38 MRSA §1234

#### **4.4. Multiple sewer connections.**

A separate and independent sewer shall be provided for every building. The owner shall be required to obtain written permission before constructing or causing to be constructed a system that connects building sewers from two (2) or more separate buildings on one (1) or more lots, from the Trustees.

#### **4.5. Old building sewers.**

Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the District Superintendent, to meet all requirements of this chapter.

#### **4.6. Building sewer specifications.**

The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling the trench, shall all conform to the requirements of the state plumbing code and the applicable regulations of the District. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate

specifications of the A.S.T.M. and W.P.C.F. Manual of Practice No. 9 shall apply.

**4.7. Sewer elevation.**

In any building in which the sanitary outlet is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.

**4.8. Runoff and groundwater prohibited.**

No person 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 a public sanitary sewer.

**4.9. Sewer connection requirements.**

- A The connection of the building sewer into the public sewer shall conform to the applicable regulations of the District and the state plumbing code.
- B All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials shall be approved by the Superintendent before installation.

**4.10. Inspection and connection; notification of District.**

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

**4.11. Excavations; restoration.**

- A All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard.
- B Streets, side-walks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the District.

**4.12. Institutional, industrial or commercial buildings; manholes.**

- A 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 District's Superintendent will receive sewage or industrial wastes of such volume or character that frequent maintenance of the building sewer is anticipated, then such building sewer shall be connected to the public sewer through a manhole. The District's 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 District's Superintendent.

- B If required a new manhole shall be installed in the public sewer and the building sewer connection made thereto as directed by the Superintendent.

## **ARTICLE 5. SEWER PERMITS**

### **5.1. Permit issuance.**

A Permits shall be issued for the following classifications:

1. For residential, commercial building sewers, and private systems.
2. For industrial sewer connections.

### **5.2. Building drainage system internal inspection.**

The District will assess a building drainage fee for the amount shown in the Sewer User Rate Schedule. The drainage fee will be waived upon completion of a satisfactory internal inspection by the Superintendent which demonstrates that only approved wastewater sources are connected to the building sewer, and an executed Owner Agreement.

## **ARTICLE 6. PROHIBITED ACTIVITIES**

### **6.1. Destruction prohibited.**

- A 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 sewage works.
- B Any person violating this section shall be subject to immediate arrest.

## **ARTICLE 7. PUBLIC AUTHORITIES**

### **7.1. Access required; identification cards.**

The Superintendent and other duly authorized employees of the District bearing proper credentials and identification shall be permitted to enter all properties for the purpose of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this chapter.

### **7.2. Access to private property.**

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

### **7.3. State plumbing code.**

Sewer uses and/or construction not covered under this chapter shall be governed by the state plumbing code.

## **ARTICLE 8. HEARING BOARD**

### **8.1. Hearing board designated.**

The Vassalboro Sanitary District Board of Trustees shall serve as a hearing board for this chapter for arbitration of differences between the District and sewer users on matters concerning interpretation and execution of the provisions of this ordinance by the District. The cost of the arbitration will be paid by the sewer user.

### **8.2. District's jurisdiction and powers.**

- (a) The Vassalboro Sanitary District shall have the following powers and duties to be exercised only upon written appeal by a party aggrieved by a decision of the District as such decision arises from requirements of this chapter:
  - (1) To determine whether the decisions of the officers are in conformity with the provisions of this chapter and to interpret the meaning of this chapter in cases of uncertainty;
  - (2) To grant variances from the terms of the chapter where there is no substantial departure from the intent of the chapter and/or where necessary to avoid undue hardship.
  - (3) To permit an exception to this chapter only when the terms of the exception have been specifically set forth by this chapter.

### **8.3. Public hearing; notice.**

A public hearing shall be held within thirty (30) days of date that an appeal is filed. Public notice shall be given at the Vassalboro Town Office and in a newspaper of general circulation serving the Vassalboro area at least seven (7) days in advance of the hearing. Appellant shall be charged for the cost of notification of the public hearing. The amount shall be paid to the treasurer prior to publishing the notification of the public hearing.

### **8.4. Written decision.**

A decision in writing, shall be given to the appellant within thirty (30) days of the hearing.

## **ARTICLE 9. PENALTIES**

### **9.1. Notice of violation.**

Any person violating any section of this chapter except Article 5 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 of the violation. The offender shall, within the period of time stated in such notice, permanently cease all violations.

### **9.2. Penalty.**

- A Any person continuing any violation beyond the time limit provided for in section 8-1 shall be guilty of a misdemeanor. Upon conviction, such person shall be fined in the amount not exceeding one hundred dollars (\$100.00) for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.
- B Any person violating any section of this chapter shall become liable to the District for any expense, loss, or damage occasioned the District by reason of such violation.



## **ARTICLE 10. PAYMENT FOR USE OF DISTRICT SEWERS REQUIRED**

### **10.1. Rates billed quarterly.**

Rates shall be charged quarterly for use of the District sewers. Rates shall be adequate to meet all the District's expenses including debt service, operation and maintenance costs, and future reserves.

### **10.2. Owner Responsible for charges.**

Rates are due from the owner of the premises served and such owner shall be held responsible and billed therefore unless the District is notified by the owner and occupant to bill the occupant.

### **10.3. Charges due when billed.**

All charges are due within 30 days of the invoice date and shall be payable via U.S. Postal Service.

### **10.4. Sewer Connection Charge**

The District shall assess a one-time sewer connection charge; such charge to cover the District's cost of inspecting and administering the connection, as per the provisions of Article 4.2.

### **10.5. Impact Fee**

The District shall assess a one-time impact fee; such charge to recover the District's cost of providing and maintaining public sewer service. The impact fee shall be as set in Sewer User Rate Schedule. The District may reduce or waive the impact fee if the property connects to a new public sewer within one year of the construction of the new sewer.

### **10.6. Readiness to Serve Charge**

The District shall assess an ongoing readiness to serve charge; such charge to cover the District's capital cost of providing public sewer service. The readiness to serve charge shall be as set in Sewer User Rate Schedule.

### **10.7. Building Drainage Fee**

The District shall assess an ongoing building drainage fee for connections of groundwater, runoff, or other prohibited connections as described in this ordinance. The building drainage fee shall be as set in Sewer User Rate Schedule. The drainage fee will be waived upon completion of a satisfactory internal inspection by the Superintendent which demonstrates that only approved wastewater sources are connected to the building sewer, and an executed Owner Agreement. The Owner's Agreement will be in the format

provided by the District. If a subsequent inspection reveals that unapproved wastewater are connected to the building sewer, the Building Drainage Fee will be back-charged to the date of the previous inspection.

#### **10.8. User Charge System**

The Sewer User Rate Schedule is contained in a separate document entitled "Vassalboro Sanitary District Sewer User Rate Schedule." The sewer user rates are included in this ordinance by reference only. The Trustees will review the rates annually and modify them in accordance with 38 MRSA §1234.

## **APPENDIX**

### **CONSTRUCTION STANDARDS FOR MAIN LINES PROPOSED TO BE ACCEPTED BY THE DISTRICT**

#### **Engineering, As-Built and Materials and Performance Testing Required**

1. Any sewer main line (gravity or force main and associated manholes and pump stations) to be proposed for acceptance by the District as a municipal utility shall be engineered by a Maine registered professional engineer. Plans for such infrastructure must be stamped by the developer's Maine registered engineer prior to presenting to the Trustees as part of new street or subdivision proposals. Prior to acceptance by the District, As-Built Plans must be submitted to the Superintendent, and Superintendent shall notify the Town of Vassalboro Town Manager and Board of Selectmen, in writing, that the As-Built and associated testing documentation meet the satisfaction of the District.
2. No municipal gravity sewer line will be accepted by the District which is sized less than 8" in diameter. All lines, manholes, stations and related construction materials must be specified on the plans (and subsequent As-Built) submitted by a developer's Maine registered professional engineer.