

ORDINANCE

Regulating The Use

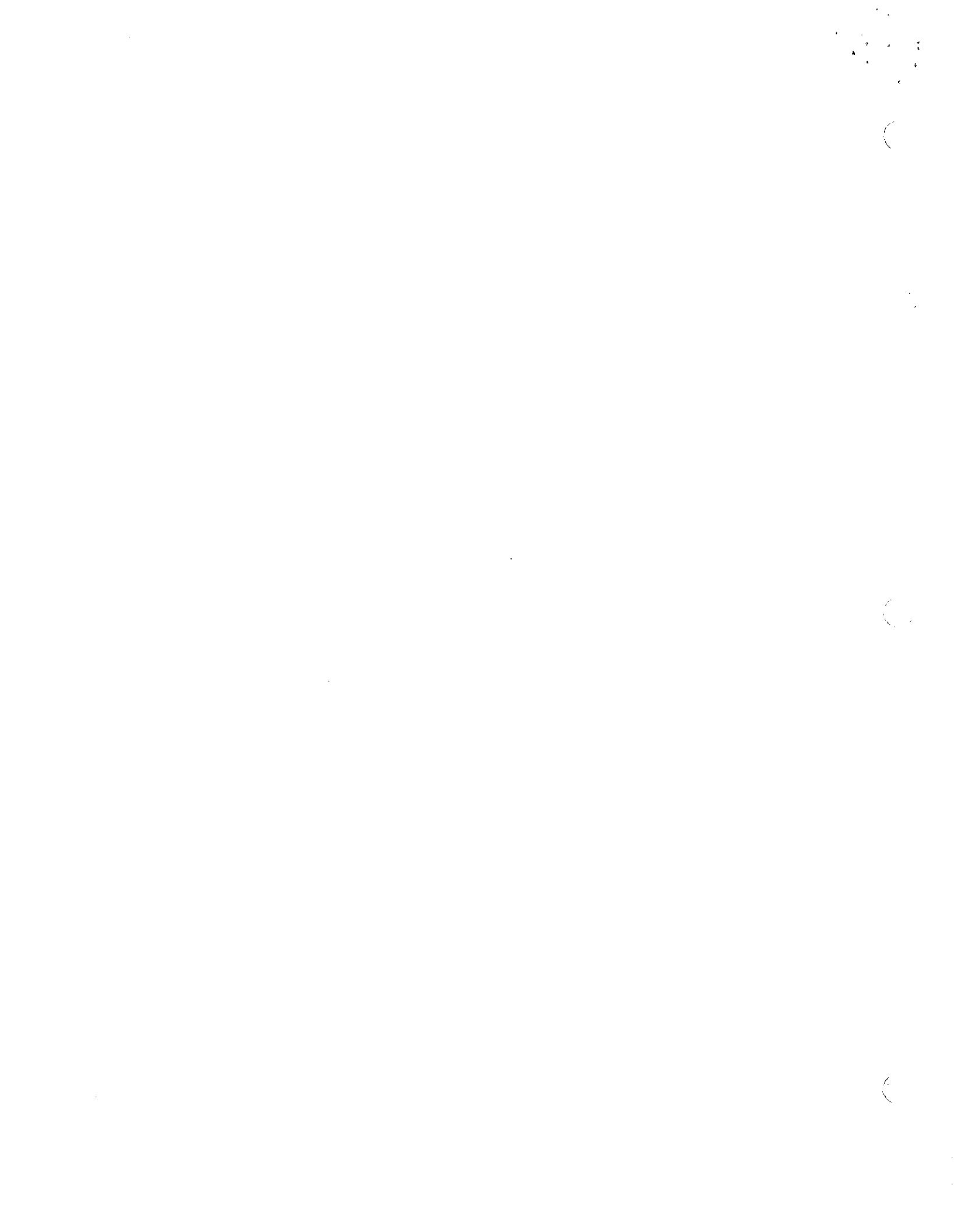
Of

Public And Private

Sanitary Sewerage

Systems

TOWN OF READSBORO
VERMONT



ORDINANCE
REGULATING THE USE OF
PUBLIC AND PRIVATE SEWERAGE SYSTEMS
TOWN OF READSBORO, VERMONT
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ORDINANCE

Regulating the Use of Public and Private
Sanitary Sewerage Systems

Pursuant to Title 24 S3617 of the Vermont Statutes Annotated, it is hereby ordained by the Board of Selectmen of the Town of Readsboro, Vermont, that the protection of the health and safety of the Town of Readsboro and of the general public requires the establishment of minimum standards governing the design, construction, installation, and operation of public and private sanitary sewerage systems.

ARTICLE 1-GENERAL PROVISIONS

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

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

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

SECTION 104. In the case of any other applicable regulation, by-law, ordinance or statute which, differs from the rules and regulations of this ORDINANCE, the more strict shall apply.

SECTION 105. This ORDINANCE may be amended at any time by the Board, as provided by law.

SECTION 106. It shall be the function of the Board to vary or modify the application of any of the provisions of this ORDINANCE when strict enforcement would result in impractical difficulties or unnecessary hardships.

ARTICLE II-DEFINITIONS

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

SECTION 201. Village shall mean the water district of Readsboro, Vermont.

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

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

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

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

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

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

SECTION 208. Public Sewerage System or Facilities shall mean all facilities for collecting, pumping, treating, and disposing of sewage and is controlled and operated by public authority.

SECTION 209. Private Sewerage System or Facilities shall mean all facilities for collecting, pumping, treating, and disposing of sewage and is not under the control of public authority.

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

SECTION 211. Sewer shall mean a pipe or conduit.

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

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

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

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

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

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

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

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

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

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

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

SECTION 223. House Connection or Hook-up shall mean that part of the Sewerage System that runs from the Main Sewer to the property line and includes all necessary fittings.

SECTION 224. Building Sewer shall mean that part of the Sewerage System which receives the sewage from the house plumbing system and conveys it to the nearest end of the House Connection, unless a House Connection is not available, whereby the Building Sewer shall be extended to the nearest available "Y" branch on the Main Sewer.

SECTION 225. 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 226. Natural Outlet shall mean any outlet into a watercourse, pond, ditch, lake or other body of surface or ground water.

SECTION 227. Watercourse shall mean a channel in which a flow of water occurs, either continuously or intermittently.

SECTION 228. Shall is mandatory; May is permissive.

SECTION 229. Slug shall mean any discharge of water, sewage or industrial wastes which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration of flows during normal operation.

SECTION 230. Scavenger Wastes shall mean **any waste collected from septic tanks, cesspools, and chemical toilets or other sewage sources.**

SECTION 231. Subdivision shall mean a tract of land, owned or controlled by a person, which has been partitioned or divided for the purpose of resale into two (2) or more lots within a continuous period of ten (10) years.

SECTION 232. Development shall mean the construction of improvements on a tract of land for any purpose, including, but not limited to, residential, charitable, civic, recreational, and religious uses.

SECTION 233. Clerk shall mean the Utility Clerk of the Town of Readsboro.

ARTICLE III - ABBREVIATIONS

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

SECTION 301. ANSI shall mean American National Standards Institute.

SECTION 302. ASME shall mean American Society of Mechanical Engineers.

SECTION 303. ASTM shall mean American Society for Testing and Materials.

SECTION 304. AWWA shall mean American Water Works Association.

SECTION 305. NPC shall mean National Plumbing Code.

SECTION 306. hp shall mean horsepower.

SECTION 307. ppm shall mean parts per million.

SECTION 308. mg/l shall mean milligram per liter.

SECTION 309. F shall mean degrees Fahrenheit.

SECTION 310. C shall mean degrees centigrade.

SECTION 311. B.O.D. (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20 C., expressed mg/l.

SECTION 312. pH shall mean the logarithm of the reciprocal of the hydrogen ion activity in moles per liter at a given temperature.

SECTION 313. cm shall mean centimeter(s).

SECTION 314. m shall mean meter(s).

SECTION 315. sq m shall mean square meter(s).

SECTION 316. l shall mean liter(s).

SECTION 317. kg shall mean kilogram(s).

ARTICLE IV - USE OF PUBLIC SEWERS REQUIRED

SECTION 401. It shall be unlawful for any person to place, deposit or permit to be placed or deposited, upon public or private property within the Town or in any area under the jurisdiction of said Town any human excrement, or other objectionable waste unless permitted by the Agency of Natural Resources.

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

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

SECTION 404. The owners of all houses, buildings or properties used for human occupancy, employment, recreation or other purpose, situated within the Village 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 Village, is hereby required, if sewage is generated, to install suitable toilet facilities therein and to connect such facilities directly with the proper public sewer in accordance with the official notice to do so, provided that said public sewer is within one-hundred (100) feet (30.5m) of the property line.

SECTION 405. At the discretion of the Commissioners, private sewage treatment and disposal works which are abandoned because of the availability of public sanitary sewers, may be required to thoroughly and properly cleaned, disinfected, and filled or removed according to good sanitation practice and under the inspection and regulations of the Commissioners.

ARTICLE V - - CONNECTION TO PUBLIC SEWER

SECTION 501. No person shall cover or uncover, make any connections with or opening into, use alter or disturb any public sewer or appurtenance thereof without first obtaining a permit.

SECTION 502. There shall be two (2) classes of Public Sewer Connection permits: (1) for residential and commercial service, and (2) for service to establishments producing industrial wastes. In either case, the Owner, or his agent, shall make application on a special form provided by the Commissioners. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the Commissioners. Permit and inspection fees are required. All permits shall become void if not used within six (6) months from date of issuance and the permit and inspection fees shall be forfeited.

SECTION 503. Prior to issuance of a sewer connection permit for work requiring excavation in a paved street or highway, there shall be obtained from the Board, a Road Opening Permit. For streets or highways under the jurisdiction of governmental agencies, other than the Town, written permission for excavation shall be obtained from the agency in question and same shall be presented to the Board and meet their approval prior to issuance of a Road Opening Permit.

SECTION 504. All cost and expenses incident to the installation and connection shall be borne by the Owner. The Owner shall indemnify the Town from any loss or damage that may directly or indirectly be occasioned by the installation of the sewer connection. A fee of two hundred -fifty (250) dollars shall be charged as a Hook-Up fee, also known as House Connection.

SECTION 505. A separate and independent sewer connection shall be provided for each and every building except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard or driveway, in which case, the building sewer from the front building may be extended to the rear building and the whole considered as one sewer connection. Use of private sewers which accept and convey flow from more than one building may not be used, except when found, on examination and test by the Commissioners, to be in satisfactory condition and meeting all requirements of this ORDINANCE. The burden of proof and all expenses incurred by the Commissioners to determine the

condition and adequacy of the private sewer, shall be borne by the Owners of said private sewer.

SECTION 506. A portion of the existing outside piping of the house plumbing system may be used in connection with the sewer connection only when it is found, on examination and test by the Commissioners, to meet all requirements of this ORDINANCE.

SECTION 507. The diameter of the building sewer shall not be less than four (4) inches (10.2cm). The building sewer shall be laid on a uniform grade, wherever practicable, at a straight grade of at least one quarter (1/4) of an inch per foot (2%). Where, in special cases, a minimum grade of one fourth inch (1/4) per foot cannot be maintained, a one eighth (1/8) inch per foot (1%) will be permitted, but only after the Commissioners are amply notified and give their prior approval.

SECTION 508. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. No building sewer shall be laid parallel to or within three(3) feet(91.4cm) of any bearing wall which might thereby be weakened. The depth shall be sufficient to afford protection from frost. The building sewer shall be laid at a uniform in the direction from the main sewer to the building and in straight alignment insofar as possible. Change in direction shall be made only with properly curved pipe fittings with suitable clean-outs or flush holes as described in SECTION 517.

SECTION 509. In all building which the house plumbing is too low to permit gravity flow to the public sewer, sanitary sewer carried by such sewer shall be lifter by approver artificial means and discharged to the building sewer.

SECTION 510. No person shall make connections of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer which in turn is connected directly or indirectly to a public sanitary sewer. All such connections which exist shall be disconnected by the Owner, at his expense, by no later than July 2, 1979, or within 30 days upon receipt of notification by the Commissioners when such notification is issued prior to June 1, 1979.

SECTION 511. When installing the building sewer, the trenches shall be dug in a careful manner and properly sheathed where required. The excavated materials shall be placed in a separate pile from road materials and not mixed with the rest of the excavated materials, which must be placed in a compact heap, so placed as to cause the least inconvenience to the public. Proper barricades and lights must be maintained around the trench to guard against accidents.

SECTION 512. In backfilling, the material under, around and for two (2) feet(61cm) immediately over the pipe shall be selected so it contains no stones capable of damaging the installation. This must be carefully tamped, the balance

of the trench to be backfilled in a workmanlike manner, tamping and filling in eight (8) inch (20.3cm) layers so as to avoid any settlement. When the trench has been filled to the proper height, the road material is to be replaced and heavily tamped or rolled.

SECTION 513. Where the trench is excavated in rock, the rock must be carefully excavated to a depth of six (6) inches (15.2cm) below the bottom of the sewer and the trench brought to the proper elevation with gravel or other suitable material satisfactory to the Commissioners. The remainder of the trench must be backfilled with suitable materials as described in SECTION 512.

SECTION 514. Where sub-soil conditions warrant, such special precautions must be taken as may be directed by the Commissioners. In quicksand, all pipes must be laid out on planking, two (2) inches (5.1cm) thick by at least six (6) inches (15.2cm) wide.

SECTION 515. The connection of the building sewer to the main sewer shall be made at the house connection at the property line or, if no house connection exists, connection shall be made at the nearest available "Y" connection on the main sewer. The commissioners will designate the position of the end of the house connection at the property line or the "Y" connection on the main sewer, whichever is appropriate. If it becomes necessary to cut into the main sewer, since no other source of connection is available, then such connection shall be made as directed by and under the supervision of the Commissioners. The dead-ends of all pipes not immediately connected with the house plumbing system must be securely closed by a water-tight cover of imperishable material and properly marked and located.

SECTION 516. Prior to any connection to the house connection, "Y" or to the main sewer, the Commissioners shall be given notice in order that they may inspect such work. If the Commissioners have not been properly notified, they may require the completed work to be uncovered for examination, at the Owner's own expense.

SECTION 517. The use of clean-outs on the building sewer shall be made by installing a "Y" and one-eighth (1/8) bends. The clean-outs shall ordinarily be installed at the point of connection between the building sewer and the outside part of the house plumbing system, at all curves on the building sewer and on the straight part of the house sewer to the main sewer. The clean-out shall be brought up from the building sewer to four (4) inches (10.2cm.) below the ground level to be properly capped. Locations of all clean-outs shall be recorded and turned over to the Commissioners. Where the distance from the building to the point of connection on the main sewer is less than fifty (50) feet (15.2m), and there are no curves in this distance, the clean-out in the house will be sufficient if it is at least six (6) inches (15.2 cm.) above the basement floor. Where the distance exceeds fifty (50) feet (15.2 m), at least one clean-out, twenty (20) feet

(6.1m.) from the house, shall be provided. Clean-outs shall be of the same diameter as the building sewer.

SECTION 518. Before any portion of an existing building sewer or the house plumbing system outside of the building is connected to the main sewer, the Owner shall prove, to the satisfaction of the Commissioners, that it is clean and conforms in every respect to this Ordinance and all joints are water-tight.

SECTION 519. Where pipe is installed for building sewers, such work shall be performed by a licensed plumber.

SECTION 520. The Commissioners may apply appropriate tests to the pipes. The plumber and contractor, at their own expense, shall furnish all necessary tools, labor, materials and assistance for such tests and shall remove or repair any defective materials when so ordered by the Commissioners.

SECTION 521. Each plumber, contractor, or other person, performing work on public property for the purpose of installing a building sewer shall file, with the Commissioners, evidence of adequate insurance coverage for liability and property damage. Minimum amounts of coverage will be established by the Commissioners and posted in the Clerk's office. In addition, a performance bond shall be provided, conditioned that the applicant shall fill all excavations and shall restore the street or highway to a condition which is equal to or better than that which existed. All insurance policies and bonds shall save harmless and indemnify the Town from any and all liabilities, damages and costs that may in any manner be incurred by the Town by reason of or in connection with a permit issued under this ORDINANCE.

SECTION 522. All work shall be adequately guarded with barricades, lights and other measures for protection to the public from hazard. Streets, sidewalks, curbs and other public property disturbed in the course of work shall be restored in a manner satisfactory to the Town and other authorities having jurisdiction.

SECTION 523. The contractor shall not block any driveway, street, or road at any time without permission from the Commissioners and other controlling agencies. Every effort shall be made to permit the movement of vehicular traffic at all times. Whenever it becomes necessary to cross or interfere with roads, walks, or drives, whether public or private, the Contractor shall maintain, at his own expense and subject to the approval of the Commissioners, safe bridges or other means of egress.

DEVELOPMENTS AND SUBDIVISIONS

SECTION 524. For the purpose of this Article, the term "development" shall mean "Subdivision" and "Development" as defined in SECTION 231 and 232, respectively.

SECTION 525. All new and existing development within the Town shall provide engineering proof of capability of sewage disposal satisfactory to the State of Vermont, Agency of Natural Resources. Connections to and use of public sewerage facilities shall be at the discretion of the Commissioners who shall consider, among other things, the following:

1. Capacity of existing facilities.
2. Location of the development and the potential impact on the Town as a result of the contemplated sewer extension.
3. Consideration of costs to the Town.
4. Economic and social benefits to the Town.
5. Availability of funding.
6. All costs incurred by the Town for public sewerage system expansions or extensions into developments shall be borne by the developer or property owners to be affected by the extension or expansion unless the voters of the Town shall vote at a duly-warned annual or special Town meeting to assume all of or a portion of the cost involved in a proposed extension or expansion.

SECTION 526. In the case of new developments, the required sanitary sewers shall be designed, installed and operational prior to the generation of any sewage from the development.

SECTION 527. All provisions of the Sections of this Article shall apply to the sanitary sewers within developments, except as hereinafter noted. Materials of construction shall comply with the applicable Sections of this ORDINANCE and as required and approved by the Commissioners.

SECTION 528. A Public Sewer Permit is required, along with permit and inspection fees which shall be paid at the time the application is submitted. Plans, specifications, design notes and other required materials shall be submitted to the Agency of Natural Resources and to the Commissioners for review. A sewer connection permit will not be issued until written approval is received from the Agency of Natural Resources and the Commissioners and then only after Act 250 and all other permits have been obtained and copies submitted to the Commissioners.

SECTION 529. At the discretion of the Board, the Town may accept the constructed facilities as part of the public sewerage system and will operate and maintain same provided the following conditions are met by the owner of the development:

1. The Owner shall provide the Town with a signed affidavit that such facilities are free from debt and that all bills for materials, labor, engineering, etc. and claims for damage have been satisfied and secured.
2. A warranty deed(s) or permanent easement(s) shall be provided by the Owner to the Town for all lands on which such facilities are located.

3. A statement to the Town committing the Owner to pay for all repairs and replacements of defective structures, materials, equipment, etc. during the first year after the date of official acceptance by the Board.
4. A statement from the Owner conveying ownership of the facilities to the Town.
5. Any other statements, affidavits or other materials required by the Board.
6. The Owner shall bear all costs for the transfer of ownership and for all expenses incurred in complying with the requirements of this ORDINANCE

SECTION 530. MAINTENANCE. Maintenance of all private sewerage facilities including, but not limited to, (1) house plumbing systems, (2) building sewers to the main sewer, (3) house connections, (4) sewers and (5) appurtenances shall be the responsibility of the owner, at his expense. The owner shall be solely responsible for continually maintaining such facilities in satisfactory operating condition. Maintenance shall include, but not limited to, (1) maintaining flow, (2) clearing obstructions, (3) maintaining all joints gas and water-tight, (4) repair or replace collapsed, deteriorated or defective materials and (5) all other work which is necessary and essential to maintaining proper operation and preserving the structural integrity and water tightness of the system.

SECTION 531. Should the Commissioners reject an application for and industrial public sewer connection permit in accordance with SECTION 607 the basic application fee will be forfeited together with a portion of the fee covering the cost of an industrial waste review, as determined by the Commissioners.

ARTICLE VI-USE OF THE PUBLIC SEWER

SECTION 601. No person shall discharge or cause to discharge any storm water, surface water, groundwater, roof runoff, subsurface drainage, cooling water or unpolluted industrial process waters to any sanitary sewer.

SECTION 602. 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 Commissioners. Industrial cooling water or unpolluted process waters may be discharged, upon approval of the Commissioners, to a storm sewer, combined sewer or natural outlet.

SECTION 603. Except as hereinafter provided, no person shall discharge or cause to be discharged any of the following waters or wastes to any public sewer:

- a. Any liquid or vapor having a temperature higher than 150 F (65 C)
- b. Any water or waste which may contain more than 100 parts per million, by weight, of fat, oil, wax or grease, whether emulsified or not, or contains substances which may solidify or become viscous at temperatures between 32 F (0 C) and 150 F (65 C).
- c. Any gasoline, benzene, naphtha, fuel or other flammable or explosive liquid, solid or gas.
- d. Any garbage that has not been properly shredded. The installation and operation of a garbage grinder equipped with a motor of 3/4 hp.(0.76 hp. metric) or greater shall be subject to the review and approval of the Commissioners.
- e. Any ashes, cinders, sand, mud, straw, shavings, wood, paunch manure, garbage, whole blood, hair, fleshings, entrails and paper dishes, cups, milk containers, or any other solid or viscous substance, either whole or ground by garbage grinders, capable of causing obstruction to the flow in sewers or other interference with the proper operation of the public sewerage facilities.
- f. Any waters or wastes having a pH lower than 5.5 or higher than 9.0, or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the public sewerage facilities
- g. 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 wastewater treatment plant.
- h. Any chemicals or chemical compounds of the following nature or characteristics, or having similarly objectionable characteristics: alcohols, arsenic and arsenicals, phenols or cresols, formaldehydes, iodine,

manganese, cyanide, heavy metals and other metal finishing or plant wastes, acid pickling waste, mercury and mercurials, silver and silver compounds, sulfimides, toxic dyes (organic or mineral), zinc, permanganates, peroxide and the like, compounds producing hydrogen sulfide, or any other toxic, inflammable or explosive gases, either upon acidification, alkalization, oxidation or reduction, strong reducing agents such as nitrates, sulfides, sulfites, and the like, radioactive materials or isotopes.

- l. Any water or wastes containing excessive settleable solids, exerting an excessive chlorine demand, exerting an unusual chemical oxygen demand or containing any other material or constituent in concentrations which will exceed limits which may be established by the Commissioners.
- j. Materials which exert or cause unusual concentrations of inert suspended solids (such as, but not limited to, Fullers earth, lime slurries and lime residuals) or dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate).
- k. Materials which cause excessive discoloration such as, but not limited to dye wastes and vegetable tanning solutions.
- l. Materials which exert or cause an unusual volume of flow or concentrations of wastes constituting "slugs".
- m. 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 wastewater treatment plant.
- n. Any noxious or malodorous gas or substance capable of creating a public nuisance.
- o. Any waters or wastes if it appears likely, in the opinion of the Commissioners, that such wastes can harm either the sewers, treatment plant process, or equipment, have an adverse effect on the receiving stream, or can otherwise endanger human or animal life, limb, public property or constitute a nuisance.
- p. Any waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed or proposed, or are amenable to treatment only to such a degree that the sewage treatment plant effluent cannot meet the requirements of its discharge permit or of other agencies having jurisdiction over discharge to the receiving waters.

SECTION 604. Grease, oil, hair and sand interceptors shall be provided when, in the opinion of the Commissioners, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand and other harmful ingredients. Grease interceptors are mandatory at all restaurants, schools and establishments which prepare foods for the public. All interceptors shall be of a type and capacity approved by the Commissioners and shall be located as to be readily and easily accessible for cleaning and inspection.

SECTION 605. Grease and oil interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, water-tight and equipped with easily removable covers which, when bolted in place, shall be gas-tight and water-tight.

SECTION 606. Where installed, all grease, oil, hair and sand interceptors shall be maintained by the owner, at his expense, in continuously efficient operation at all times. Materials collected shall not be reintroduced into the public sewerage system.

SECTION 607. The admission into the public sewers of any waters or wastes having (a) a 5-day B.O.D. greater than 300 mg/l., or (b) containing more than 350 mg/l. of suspended solids, or (c) containing any quantity of substances having the characteristics described in SECTION 603. or (d) having an average daily flow greater than 2% of the average daily flow received at the Town's sewage treatment plant, shall be subject to the review and approval of the Commissioners may:

- a. Reject the wastes, or
- b. Require pre-treatment to an acceptable condition for discharge to the public sewers, or
- c. Require control over the quantities and rate of discharge or
- d. Require any combination of the foregoing.

"If the Commissioners permit the pre-treatment or equalization of waste flows, the design, plans, specifications and any other pertinent information relating to proposed equipment and facilities shall be submitted for the approval of the Commissioners and to the Agency of Natural Resources subject to the requirements of all applicable codes, ordinances, laws and the municipal discharge permit, and no construction of such facilities shall be commenced until said approvals are obtained in writing. Further, pre-treatment facilities must be consistent with the requirements of any State pre-treatment permit issued to the "industry."

SECTION 608. Where preliminary treatment or flow-equalization facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the Owner at his expense.

SECTION 609. When required by the Commissioners, 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 accessibly and safely located, and shall be constructed in accordance with plans approved by the Commissioners. 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.

SECTION 610. All industries discharging into a public sewer shall perform such monitoring of their discharges as the Commissioners may reasonably require, including installation, use, and maintenance of monitoring equipment, keeping records and

reporting the results of such monitoring to the Commissioners. Where industrial pretreatment permits are issued by the State of Vermont, monitoring records must also be submitted to the State in accord with such permit. Such records of any monitoring shall be made available, upon request of the Commissioners, the State of Vermont and/or any other agencies having jurisdiction over discharges to the receiving waters.

SECTION 611. All measurements, tests, and analyses of the characteristic of waters and wastes to which reference is made in this ordinance shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater," published by the American Public Health Association and shall be determined at the control manhole provided or upon suitable samples taken at said manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the public sewerage system and determine the existence of hazards to life, limb, and property. (The particular analyses involved will determine whether a twenty-four (24) hour composite of all outfalls of a premise is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from 24-hour composites of all outfalls whereas pH's are determined from periodic grab samples.

SECTION 612. Any industry held in violation of this ORDINANCE may have it's disposal authorization terminated.

SECTION 613. The Commissioners may require any applicant for a permit or any sewer user to provide, at his expense, chemical analyzed, treatability studies, engineering reports or other documentation which shall be prepared by a professional engineer or a certified laboratory, as applicable.

SCAVENGER WASTE

SECTION 615. Scavenger waste is **prohibited**.

SPECIAL AGREEMENTS

SECTION 619. No statement contained in this ARTICLE shall be construed as preventing any special agreement or arrangement between the Town and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the Town for treatment, subject to payment therefore by the industrial concern, provided that such agreements do not contravene any requirements of existing Federal Laws and are compatible with any user charge and industrial cost recovery system in effect.

ARTICLE VII-PROTECTION FROM DAMAGE

SECTION 701. No unauthorized person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is part of the Public Sewerage System. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

ARTICLE VIII-PRIVATE SEWERAGE SYSTEMS

GENERAL

SECTION 801. Where a public sanitary sewer is not available for connection from a building, the building sewer shall be connected to a private sewage disposal system, complying with the provisions of this ORDINANCE and all regulations of the Vermont Department of Health and of the Agency of Natural Resources.

SECTION 802. It is the intent of this ARTICLE to insure that private sewerage systems are properly designed, constructed and maintained in such a manner that they:

- a. Do not contaminate any drinking water supply.
- b. Are not accessible to insects, rodents or other possible carriers of disease which may come into contact with food or drinking water.
- c. Do not pollute or contaminate any subsurface waters or underground waters used for drinking.
- d. Are not a health hazard by being accessible to persons.
- e. Do not give rise to nuisance due to odor or unsightly appearance.
- f. Will not violate any State or Federal Laws or regulations governing water pollution or sewage treatment.

ARTICLE IX-SEWER CONSTRUCTION MATERIALS

SECTION 901. The Commissioners shall allow or shall not allow the use of any or all materials for sewer construction as they see fit. They shall have the authority to make changes in materials authorized for use in systems under the Town's jurisdiction, at any time.

SECTION 902. Improvements in materials used for sewer construction and jointing methods of any type may be submitted to the Commissioners for approval, but the Commissioners will be in no way obligated to accept such new sewer materials of joints.

SECTION 903. It is the intent of this Section that all pipe joints shall be watertight, except those employed in absorption fields. Allowable leakage by infiltration or exfiltration tests shall not exceed 100 gallons per inch diameter per mile per day (0.092 cu.m./day cm. diameter/km.) when the pipe is subjected to hydrostatic pressure equivalent to a 4-foot (1.22m.) differential head of water. Cement and mortar joints will not be acceptable.

SECTION 904. The following pipe materials will be the only generally acceptable materials for building sewers discharging domestic sewage or wastewaters to the public sewerage system and to private disposal systems. Other pipe materials may be employed only with special written permission from the Commissioners.

VITRIFIED CLAY PIPE AND FITTINGS

- a. Pipe and fittings- Unglazed, extra strength, minimum crushing strength shall be 2,400 pounds per linear foot for all pipe sizes up to and including 10" ASTM C700
- b. Joints- Rubber or plastic compression type connections. ASTM C425

ASBESTOS CEMENT PIPE AND FITTINGS

- a. Pipe and Coupling Type Fittings-
 - 1. Type II, Class 3300, non-pressure pipe. ASTM C428
 - 2. Pressure, water pipe, class as required. ASTM C296
- b. Joints- Rubber ring, non-oil resistant. ASTM D1869

CAST IRON PIPE

- a. Pipe-Class 100 ANSI A21.6 or ANSI A21.8
- b. Fittings- ANSI A21.10
- c. Rubber Gasketed Joints- Mechanical or push-on type. ANSI A21.11
- d. Coatings-Cement Mortar lining, Bituminous Coating inside and outside. ANSI A21.4

PVC PIPE

- a. Pipe- SDR 35 or higher rating. ASTM D3034 or schedule 40 or higher solvent-weld pipe.
- b. Fittings- SDR 35 or schedule 40 or better PVC.

CAST IRON NO-HUB PIPE

- a. Pipe- Standard no-hub cast iron pipe.
- b. Fittings- No-hub rubber compression fittings.

SECTION 905. The proceeding listing of materials of construction are considered to be minimum requirements and higher strength materials shall be used where required.

ARTICLE X-POWERS AND AUTHORITY OF INSPECTORS

SECTION 1001. The Board, Health Officer, Commissioners and other duly authorized employees of the Town bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this ordinance.

The Board, Health Officer, Commissioners or other duly authorized employees shall have no authority to inquire into any processes including metallurgical, chemical, oil refining, ceramic, paper or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for wastes treatment.

SECTION 1002. While performing the necessary work on private properties referred to in Article X, Section 1001 above, the Board, Health Officer, Commissioners or duly authorized employees of the Town shall observe all safety rules applicable to the premises established by the Company and the Company shall be held harmless for injury or death to the Town employees and the Town shall indemnify the company against loss or damage to it's property by Town employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in Article VI, Section 609.

SECTION 1003. The Board, Health Officer, Commissioners or 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.

POSTED 5/11/90
TOWN CLERK'S OFFICE
AT 1:50 P.M.

TOWN OF READSBORO

The following ordinance will replace the current wastewater section 1104 article 10 ordinance dated May 31, 1979. The change will allow the sewer commissioners authority to alter the wastewater rate structure and make changes pursuant to title 24 chapter 101. The State law allows for several different rate structure methods and because the Selectmen are taking action to implement a rate structure to produce a fair and equitable rate it is necessary to adopt an ordinance which allows rate structure changes too be implemented.

This ordinance shall become effective sixty days after the adoption date pursuant Title 24 chapter 59. Any person wishing to petition this ordinance may do so under the Title 24 chapter 59 provisions. If you have any questions please contact Annette Caruso at Utility Office or phone 423-7010.

SECTION 1104. USER CHARGE SYSTEM - The annual charges stipulated in SECTION 1101 & 1102 of this ARTICLE shall be based upon rate structure(s) decided by the Sewer Commissioners as provided for in 24 V.S.A., Chapter 101.

This ordinance above replaces the May 31, 1979 section 1104 article 10 ordinance per order of the Selectmen pursuant Title 24, chapter 59 dated this 10th day of May, 1990 by the Readsboro Selectmen.

Attest: Anita Caruso

Chairperson

Stanley E. Cusack
Craig Bartosewicz
Ronald King

ARTICLE XI - SEWER RENTS

SECTION 1101. DEBT SERVICE-An annual charge is hereby imposed upon every person whose premises are served by the public sewerage system, either directly or indirectly, for the service rendered by such public sewerage system to the Owners and other users of real property for the payment of the costs of development and construction and debt service of said system.

SECTION 1102. OPERATION AND MAINTENANCE - An annual charge is hereby imposed upon every person whose premises have a building or structure thereon and are served by the public sewerage system of the Town and from which, either directly or indirectly, sewage is being, or can be, collected from the use of the premises by the Owners or other users of real property within the Village for the payment of the costs of operating, maintaining and repairing said system.

SECTION 1103 _The sewer rents established in SECTIONS 1101 and 1102 and defined hereinafter, shall be charged whether or not the property is occupied and whether or not the property is connected to the public sewerage system by the necessary building sewer.

SECTION 1104.USER CHARGE SYSTEM- The annual charges stipulated in SECTIONS 1101 and 1102 shall be based upon a unit system of measurement, to be called equivalent connector units (ECU's). Such units will be established by the Commissioners and will be determined from the actual or estimated discharges of each user so as to yield charges which are approximately in proportion to the strength and quantity of waste to be discharged. A typical single family residence forms the basis for ECU's and is assigned a value of one (1) ECU. ECU values for other classification of users are determined by estimating the sewage flow and waste loads generated by each type of user and dividing the flow by 200GPD (the estimated flow from a typical single family residence), dividing the waste load by 0.55 PPD (the estimated BOD load from a single family residence), adding the quotients together and dividing by two (2). Each premise with a building or structure thereon shall be assessed a minimum of one (1) ECU for each classification of user on the premises. A "Survey Sheet for Sewer Charges", itemizing the various classifications of users and the ECU values per unit of measurement for each, will be completed for each parcel served by the public sewerage

system to determine the total ECU allocation to be applied for billing purposes. In the event the use of any parcel of real property combines two or more of the classifications set forth in the "Survey Sheet for Sewer Charges", the number of ECU's in each classification will be determined, and the total thereof shall constitute the number of ECU's to be charged to the entire parcel. To determine the user charge per ECU, the ECU's for all users will be added together and divided into the sum of the annual bond payments and the estimated operation and maintenance costs. The resultant number shall then be multiplied by the number of ECU's for each individual parcel to determine the user charge for that parcel. The billing rate is subject to periodic change as the annual bond payments and operation and maintenance costs vary. As such, the current billing rate per ECU will be posted in the Clerk's Office at all times.

SECTION 1105. BILLINGS - The Commissioners shall determine the number of equivalent connector units for each parcel of real property pursuant to SECTION 1104. The Utility Clerk shall keep a record of all owners of real property within the area served by the public sewerage system and this record will indicate the number of equivalent connector units for such property. One bill, covering the charges pursuant to SECTIONS 1101 and 1102 shall be mailed to the Owners of the real property affected, or their designated agent. The failure of any Owner or designated agent to receive a bill promptly shall not excuse non-payment of same as herein provided, and in the event an Owner fails to receive a bill promptly, he shall obtain a bill at the Office of the Utility Clerk.

SECTION 1106. COLLECTION - Collection of delinquent sewer rents may be enforced by the Town pursuant to 24 V.S.A. 3612. Charges; lien and 24 V.S.A. 3615. Rents; rates. In the event any sewer rent is not paid within thirty (30) days from the billing date, the Board may cause a notice to be delivered or mailed to the Owner addressed as provided in

SECTION 1105, and to the occupant of the premises, addressed at the premises, stating the amount due and demanding payment thereof within a period of five (5) days of the date of such notice and stating that if such payment is not made, such sewer rent shall be a lien upon such real estate under 32 V.S.A. 5061. In the event any sewer rent is not paid within thirty (30) days from the billing date, a late penalty charge will be added to the sewer charge and the interest rate on overdue accounts shall be the same as those applied to the collection of taxes.

SECTION 1107. PROCEEDS - Pursuant to 24 V.S.A. 3616, all revenues received from sewer rents, including interest and penalties thereof, and all other charges, shall be credited to a special fund to be known as the "WATER POLLUTION CONTROL ACCOUNT." The moneys in such account shall only be used and applied to pay the interest and principal of the sewerage system bonds of the Town as well as the expenses of operation maintaining and repairing said system and other expenses directly related to the administration and execution of the provisions of this ORDINANCE.

ARTICLE XII - PENALTIES

SECTION 1201. Any person found to be violating any provision of this ORDINANCE, except SECTION 701, shall be served by the Board 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 1202. Any person who shall continue any violation beyond the time limit provided for in SECTION 1201 shall be guilty of a misdemeanor and upon conviction thereof, shall be fined in an amount to be determined by the Commissioners and posted in the office of the Utility Clerk. Each day in which any such violation shall continue shall be deemed a separate offense.

SECTION 1203. Any person violating any of the provisions of this ORDINANCE shall become liable to the Town for any expenses, loss or damage occasioned the Town by reason of such violation.

SECTION 1204. Notwithstanding any of the foregoing provisions, the Town may institute any appropriate action including injunction or other proceedings to prevent, restrain or abate violations hereof.

ARTICLE XIII - APPLICATION/PERMITS/FEES

SECTION 1301. Applications for permits shall be made on forms established and provided by the Commissioners.

SECTION 1302. Any false or misleading statement in any application for a permit will invalidate the permit and shall be deemed a violation of this ORDINANCE.

SECTION 1303. Any permit issued by the Commissioners may be suspended or revoked at any time by the Commissioners for:

- a. Violation of any of the conditions of this ORDINANCE.
- b. Violation of the specific terms and conditions of the permit.
- c. Refusal to permit inspection by the Commissioners or their duly authorized representatives.

SECTION 1304. Any Commissioner may verbally suspend or revoke a permit at any time whereupon the suspension or revocation shall take effect immediately. Such action will be confirmed in writing by the Commissioners. When possible, the Commissioners will provide a written notice to desist or make correction of any practice or operation which violates or contravenes the provisions or the purpose of this ORDINANCE or the permit and will allow sufficient time for the correction of the violation.

SECTION 1305. All permits must be kept on the premises and shall be made available to the Commissioners or their duly authorized representatives at any time. A copy of a scavenger waste permit must be on or in the vehicle. Failure to keep permits available shall be presumptive evidence that the work or operation being conducted without a permit is in violation of this ORDINANCE.

SECTION 1306. All fees stipulated in this ORDINANCE shall be determined by the Board and shall be posted in the office of the Clerk. All fees shall be made payable to the Town and paid directly to the Clerk.

ARTICLE XIV - VALIDITY

SECTION 1401. All rules and regulations in conflict herewith are hereby repealed.

SECTION 1402. Each section or part of a section in this ORDINANCE is hereby declared to be a separate and distinct enactment. If any section or portion thereof in this ORDINANCE, as adopted, is found to be void, invalid, unconstitutional, inoperative or ineffective for any cause, it shall not affect the validity of any other section or part thereof which can be given effect without such invalid part or parts.

Adopted: 5/10/90

Submitted by B. Howes, Sewer and Water Superintendent for review and reapproval: 5/25/99

Board Chair: Stanley L. Russell
Tom DeLois
Barry Berard

ARTICLE XV - ORDINANCE IN FORCE

SECTION 1501. This ORDINANCE, shall be in full force and effect from and after its passage, approval, recording and publication as provided by law.

SECTION 1502. Duly enacted and ordained by the Board of Bailiffs of the Village of Readsboro, Bennington County, State of Vermont, on the 1st. day of September 1978 at a duly called and duly held meeting of said Board of Bailiffs.

ATTEST:

Margie Cristofolini
Margie Cristofolini
Village Clerk

BOARD OF BAILIFFS

BY Carmen Landy
Carmen Landy, President

Ernest G. Bolognani
Ernest G. Bolognani
Bailiff

Joseph Marchegiani
Joseph Marchegiani
Bailiff

Arthur J. Dassatti
Arthur Dassatti
Bailiff