



REGULATIONS FOR THE INSTALLATION AND CONNECTION
OF BUILDING SEWERS AND FOR THE USE OF PUBLIC SEWERS
IN THE
TOWN OF WILBRAHAM
MASSACHUSETTS

Effective Date: February 2009

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Section A

Purpose and Authority

1. Purpose

The purpose of these Regulations is to better manage land alteration and development in order to protect, maintain, and enhance the public health, safety, and general welfare of the citizens of the Town of Wilbraham by establishing minimum requirements and procedures for the installation and connection of building sewers and the for the use of public sewers.

2. Authority

These regulations are adopted in accordance with Chapter 83, Section 10, of the General Laws of the Commonwealth of Massachusetts, and Chapter 228, Section 14 of the Acts of 1899. The Town of Wilbraham herein prescribes the following Regulations for the Installation and Connection of Building Sewers and for the Use of Public Sewers.

3. Responsibility for Administration

The Town Board of Selectmen, acting as the “Board of Sewer Commissioners”, along with the Department of Public Works, shall be the Permitting Authority/Authorized Enforcement Agency and shall administer, implement and enforce these regulations. Any powers granted to or duties imposed upon the Department of Public Works to promulgate such rules and regulations shall not have the effect of suspending or invalidating these regulations.

4. Additional Regulations

Users of the Town sanitary sewer system shall also comply with the applicable requirements of Chapter 1 of the Rules and Regulations of the Springfield Water and Sewer Commission, as may be amended from time to time, related to wastewater discharges to the collection system.

Section B

Definitions

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

1. "Abutter" shall mean an owner of land which fronts on a public sewer or a public sewer located within an easement.
2. "Act" or "the Act" shall mean the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended (33 U.S.C. § 1251, et seq.)
3. "Applicant" shall mean the owner as hereinafter defined who completes a building sewer permit application with the intention of sewerage an improved property.
4. "Appropriate Time" shall mean any time during normal working hours or during multiple shifts, whichever is longer.
5. "ASTM" shall mean the American Society of Testing & Materials.
6. "Authority" shall mean the Department of Public Works of the Town of Wilbraham, or its authorized deputy, agent or representative.
7. "Authorized Representative of Industrial User" shall mean either:
 - (a) A principal executive officer of at least the level of vice-president, if the industrial user is a corporation;
 - (b) A general partner or proprietor if the industrial user is a partnership or proprietorship respectively; or
 - (c) A duly authorized representative of the Industry, so signified in writing and sent to the POTW by the Industry, if such representative is responsible for the overall operation of the facilities from which the discharge of wastewater originates.
8. "Average Daily Flow" or "ADF" shall mean the quantity of flow that is discharged on an average daily basis. The quantity of flow is calculated based on a yearly rolling average from existing data or through the methods outlined in 310 CMR 15.203.
9. "BOD" (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures, five (5) days at 20 degrees centigrade expressed in terms of mass and volume (milligrams per liter (mg/l)).
10. "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 ten (10) feet

outside the inner face of the building wall. Note: any modifications to piping within the building or within ten (10) feet of the inner face of the building wall requires approval by the Town's plumbing inspector.

11. "Building Sewer" shall mean the piping that extends from the building drain to the public sewer or other place of disposal.
12. "Categorical Pretreatment Standard or Categorical Standard" shall mean any regulation containing pollutant discharge limits promulgated by EPA in accordance with sections 307(b) and (c) of the Act (33 U.S.C. § 1317) which apply to a specific category of users and which appear in 40 CFR Chapter I, Subchapter N, Parts 405-471.
13. "CFR" shall refer to the Code of Federal Regulations.
14. "CITY" shall refer to the City of Springfield, Massachusetts.
15. "CMR" shall refer to the Code of Massachusetts Regulations.
16. "COD" (denoting Chemical Oxygen Demand) shall mean the quantity of oxygen utilized to oxidize all compounds, both organic and inorganic, in water.
17. "Combined Sewer" shall mean a sewer receiving both surface runoff and sewage.
18. "Compatible Pollutant" shall mean those for which the Wastewater Treatment Facility was designed to treat.
19. "Compliance Schedule" shall mean schedule developed by the applicant stating the procedural method for correcting a discharge violation. The procedural method shall consist of the following phases:
 - (a) Study phase including wastewater testing
 - (b) Design phase - if required
 - (c) Construction phase - if required
 - (d) The schedule shall be signed and dated by the applicant's authorized representative. Sufficient information and detail shall be included with the Compliance Schedule to indicate the correction of the discharge violation has been adequately assessed and will be resolved.
20. "Control Manhole" shall mean a manhole which is installed along a building sewer or its terminus and which provides access for the observation, sampling, and measurements of the wastes.
21. "Cooling Water" shall mean the water discharged from any use such as air-conditioning, cooling or refrigeration, during which the only pollutant added to the water is heat.

22. "Day" shall mean one working day consisting of 1, 1.5, 2, 2.5, or 3 working shifts in one (1) twenty-four (24) hour period excluding Saturdays, Sundays, holidays and shutdowns when no manufacturing or other work is in progress at the facility.
23. "Domestic Wastes" shall mean liquid wastes (1) from the non-commercial preparation, cooking and handling of food or (2) containing human excrement and similar matter from the sanitary conveniences of dwellings, commercial buildings, industrial facilities and institutions.
24. "Domestic Wastewater" shall mean normal water-carried household and toilet wastes discharged from any improved property, excluding groundwater, surface water, or stormwater.
25. "Easement" shall mean an acquired legal right for the specific use of land owned by others.
26. "EDU" shall mean equivalent dwelling unit.
27. "EPA" shall mean the U.S. Environmental Protection Agency or, where appropriate, the Regional Water Management Division Director, or other duly authorized official of said agency.
28. "Engineer" shall mean the Town Engineer or his duly authorized representative.
29. "Excessive" shall mean amounts or concentrations of any constituent in wastewater which in the judgment of the Town will cause damage to any wastewater treatment facility or public sewer serving the Town; which will be produced in excessive quantities in the sludge produced at the wastewater treatment facility; which will be harmful to a wastewater treatment process; and/or which cannot be removed in the wastewater treatment facility to the degree required to meet the limited stream classification standard of the receiving water, which can otherwise endanger life, limb, the environment or public property, or which can constitute a nuisance.
30. "Existing Sewer Connection" shall be as defined in Appendix B.
31. "Existing Sewer Extension" shall be as defined in Appendix B.
32. "Facilities" shall include structures and conduits for the purpose of collecting, treating, neutralizing, or disposing of domestic wastewater and/or industrial or other wastewaters as are disposed of by means of structures and conduits including treatment and disposal works, necessary intercepting, outfall, and outlet sewers, and pumping stations integral to such facilities with sewers, equipment, furnishings thereof and other appurtenances connected therewith.
33. "Floatable Oil" is oil, fat, wax, or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. A wastewater

shall be considered free of floatable oil if it is properly pretreated and the wastewater does not interfere with the collection system.

34. "FOG" shall mean Fats, Oils and or Grease.
35. "Flow equalization facilities" are those facilities in which significant variations in flow and composition of a liquid are moderated.
36. "Gallons Per Day (GPD)" shall mean total volume of wastewater discharged into the collection system during one day.
37. "Garbage" shall mean the animal and vegetable wastes resulting from the handling, preparation, cooking and serving of food and from the handling, storage and sale of produce. It is composed largely of putrescible organic matter and its natural moisture content.
38. "Improved Property" shall mean any property located within the Town upon which there is erected a structure intended for continuous or periodic habitation, occupancy, or use by human beings and/or animals and from which structure domestic wastewater and/or industrial wastes shall be or may be discharged.
39. "Incompatible Pollutant" shall mean any pollutant, other than biochemical oxygen demand, suspended solids, pH, coliform bacteria, or additional pollutants identified in the permit, which the POTW was not designed to treat, and which the POTW does not adequately remove.
40. "Industrial Establishment" shall mean any room, group of rooms, building or other enclosure used or intended for use in the operation of one (1) business enterprise for manufacturing, processing, cleaning, laundering, assembling or preparing any product, commodity or article or from which any process waste, as distinct from domestic wastewater, may be discharged.
41. "Industrial User" shall mean a manufacturing, processing, or other non-residential facility (such as but not limited to hospitals, commercial laundries, and tank and barrel cleaning operations), which discharges non-sanitary industrial wastes into a public sewer.
42. "Industrial Wastes" shall mean the liquid or solid wastes from industrial processes, trade, or business, as distinct from sanitary sewage.
43. "Industrial Wastewater" shall mean the liquid wastes resulting from the processes employed in industrial, manufacturing, trade or business establishments.
44. "Infiltration/Inflow (I/I)" shall mean the entrance of clear/clean water into the Town's wastewater collection system. Infiltration is the intrusion of groundwater into the wastewater collection system through cracks/leaks in below grade structures. Inflow is the intrusion of surface water or storm water into the wastewater collection system through direct connections such as roof leaders and catch basins.

45. "Interference" shall mean a discharge which alone or in conjunction with a discharge or discharges from other sources, both:
- (a) Inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use or disposal; and
 - (b) Contributes to a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued there under (or more stringent State or local regulations): Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (including Title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA)) , and including State regulations contained in any state sludge management plan prepared pursuant to Subtitle D of the SWDA), the Clean Air Act, the Toxic Substances Control Act and the Marine Protection, Research and Sanctuaries Act.
46. "Invert" shall mean the bottom inside of the sewer pipe.
47. "mg/l" shall mean milligrams per liter.
48. "National Categorical Pretreatment Standard" shall mean any regulations containing pollutant discharge limits promulgated by EPA in accordance with Section 307(b) and (c) of the CWA (33 U.S.C. 1317), which apply to a specific category of industrial users and which are found at 40 CFR Chapter I, Subchapter N, Parts 405 through 471.
49. "National Pollution Discharge Elimination System (NPDES) Permit" shall mean the program for issuing, conditioning and denying permits for the discharge of pollutants from sources into the waters of the United States, the contiguous zone and the oceans pursuant to Section 402 of the Act (33 U.S.C. 1342).
50. "National Pretreatment Standard" or "Pretreatment Standard" shall mean any regulation containing pollutant discharge limits promulgated by the U.S. Environmental Protection Agency in accordance with Section 307 (b) and (c) of the Clean Water Act (CWA) which applies to industrial users (IUs), including the specific prohibitions found in 40 CFR 403.5.
51. "Natural Outlet" shall mean any outlet into a watercourse, pond, ditch, lake, or other body or surface or groundwater.
52. "New Source" shall mean any building, structure, facility or installation from which there is or may be a discharge of pollutants as defined in 40 CFR 403.3(k).
53. "Owner" shall mean any person vested with ownership, legal or equitable, sole or partial, of any improved property.

54. "Pass Through" means a discharge which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation).
55. "Person" shall mean any individual, firm, company, partnership, corporation, association, group or society and includes the State, and agencies, districts, commissions and political subdivisions created by or pursuant to State Law.
56. "pH" shall mean a measure of the acidity or alkalinity of a solution, expressed in standard units on a scale of 0 to 14, where less than 7 represents acidity, 7 neutrality, and more than 7 alkalinity.
57. "Phosphorus" (denoting Total Phosphorus) shall mean the total of organic phosphorus and inorganic phosphorus.
58. "Pollutant" shall mean any material or substance that may cause an alteration of the chemical, physical, biological or radiological integrity of the POTW or its receiving waters.
59. "POTW (Publicly Owned Treatment Works)" shall mean the treatment works utilized by the Town and its agents, including any devices and systems, used in the collection, storage, treatment, recycling and reclamation of municipal sewage or industrial wastes of a liquid nature and also including without limiting the generality of the foregoing, the City of Springfield Wastewater Treatment Facility and appurtenances, the sewers, pipes, pumping stations and other devices conveying wastewater to the treatment facility, and sludge processing systems whether operated by the Town or City directly, or by a contractor or agent of the Town or City.
60. "Pretreatment or Treatment" shall mean the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW. The reduction or alteration can be obtained by physical, chemical or biological processes, or process changes, or by other means, except as prohibited by 40 CFR Section 403.6(d).
61. "Pretreatment Requirements" shall mean any substantive or procedural requirement related to pretreatment, other than a National Pretreatment Standard imposed on a user.
62. "Pretreatment Standards" shall mean all applicable federal rules and regulations implementing Section 307 of the Act, as well as any non-conflicting state or local standards, including the Rules and Regulations of the Springfield Water and Sewer Commission.
63. "Private Wastewater Disposal System" shall mean the structure, equipment and processes required to treat wastewater generated on the owner's improved property. The system may be comprised of a septic tank and leaching field, packaged treatment plant, or any

other method approved by the Board of Health or Department of Environmental Protection.

64. "Privilege Fee" shall mean a fee assessed to a property in lieu of a betterment assessment. Privilege fees shall be assessed to those properties that are not eligible for the assessment of betterment fees, or for properties that undergo a change of use or are subdivided subsequent to the assessment of the original project betterment and/or privilege fees. Privilege fees shall only apply to "Section M" Projects.
65. "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.
66. "Property", "Parcel", or "Lot" shall mean an area of land as marked on the assessment drawings in the office of the Town Assessor, Town of Wilbraham, Massachusetts.
67. "Public Sewer" shall mean a sewer in which all owners of abutting properties have equal rights, is controlled and maintained by the Town.
68. "Public Works Department" shall mean the Public Works Department of the Town of Wilbraham.
69. "Public Works Department Head" shall mean the Director of the Public Works Department of the Town of Wilbraham, or his authorized deputy, agent or representative.
70. "RCRA" shall mean the Resource Conservation and Recovery Act.
71. "Receiving Waters" shall mean any watercourse, river, pond, ditch, lake, aquifer, or other body of surface or ground water receiving discharge of wastewaters.
72. "Receiving Water Quality Standards" shall mean the Massachusetts Water Quality Standards, as provided by M.G.L. chapter 21, Section 27.
73. "Sanitary Sewer" shall mean a sewer, which carries sewage, and to which stormwater, surface water, and groundwater may be present but are not intentionally admitted.
74. "Section M Project" shall mean a sewer improvement project that is listed in *Section M - Sewer Assessment and Privilege Fee Policy* of these Regulations.
75. "Septage" shall mean the wastes, primarily of sewage origin, that are removed from a cesspool, septic tank, or similar receptacle.
76. "Sewage" shall mean a combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments, together with such groundwater, surface water, and stormwater as may be present.

77. "Sewage Treatment Plant/Facility" or "Water Pollution Abatement Plant/Facility" or "Wastewater Treatment Plant/Facility" shall mean any arrangement of devices and structures used for treating sewage.
78. "Sewage Works" shall mean all facilities for collecting, pumping, treating and disposing of sewage.
79. "Sewer Connection Fee" shall mean a one-time cost paid at the time of issuance of a connection permit, with the cost as stipulated in *Section O – Fees*.
80. "Sewer Permit" shall mean written approval from the Town for the installation of new sewer service or the modification of existing sewer service, with application being made on specific form(s) as provided by the Town.
81. "Sewer Connector" see "Building Sewer"
82. "Sewer Main" shall mean a sewer constructed of adequate diameter, slope, and material, and approved by the D.P.W. Director to function as a public sewer.
83. "Shall" is mandatory; "May" is permissive.
84. "Significant Industrial User" shall mean
 - (a) All industrial users subject to Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR Chapter I, Subchapter N; and
 - (b) Any other industrial user as designated as such by the Town on the basis that it: discharges an average of 25,000 gallons per day or more of process wastewater to the POTW (excluding sanitary, non-contact cooling and boiler blowdown wastewater); contributes a process wastestream which makes up 5 percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or is designated as such by the Town on the basis that the industrial user has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement (in accordance with 40 CFR 403.8(f)(6)).
85. "Slug Loadings" shall mean any discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch discharge.
86. "Spill" shall mean the release, accidental or otherwise, of any material not normally released to the POTW, which by virtue of its volume, concentration, or physical or chemical characteristics, creates a hazard to the POTW, their operation or their personnel. Such characteristics shall include, but are not limited to volatile, explosive, toxic, or otherwise unacceptable materials.
87. "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.

88. "Stormwater" shall mean any surface water flow occurring during or immediately following any form of natural precipitation and resulting therefrom.
89. "Supervisor" shall mean the Superintendent, Chief Operator of the Wastewater Pollution Control Facility, or their designee.
90. "Suspended Solids (SS)" 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, and are referred to as non-filterable residue in the laboratory test procedures prescribed by the EPA.
91. "Total Kjeldahl Nitrogen" shall mean the total of ammonia and organic nitrogen but does not include nitrate and nitrite nitrogen.
92. "Town" shall mean the Town of Wilbraham, Massachusetts. For regulatory matters of these Regulations, "Town" shall be defined as those officials duly authorized to act on behalf of the Town related to sanitary sewer matters.
93. "Town Administrator" shall mean the Chief Administrative Officer of the Town of Wilbraham.
94. "Toxic Pollutant" shall mean a pollutant or combination of pollutants listed as toxic in regulations promulgated by the EPA.
95. "Unpolluted Water" shall mean water that is void of pollutants limited or prohibited by the effluent standards in effect, or water whose discharge will not cause any violation of receiving water quality standards.
96. "User" shall mean any person who contributes, causes, or permits the contribution of sewage into the public sewer or sewage works.
97. "Wastes" shall mean substances in liquid, solid, or gaseous form, which can be carried in water.
98. "Wastewater" shall mean the spent water of a community. From the standpoint of source, it may be a combination of the liquid and water-carried wastes from residences, commercial buildings, institutions, and industrial establishments, together with any groundwater, surface water, and stormwater that may be present, whether treated or untreated, which is discharged into or permitted to enter the Town's wastewater treatment system.
99. "Wastewater Treatment System (System)" shall mean any devices, facilities, structures, equipment or works owned or used by the Town for the purpose of the transmission, storage, treatment, recycling, and reclamation of industrial and domestic waste, or is used for the ultimate disposal of sludge resulting from such treatment.
100. "Watercourses" shall mean a natural or artificial channel in which a flow of water occurs, either continuously or intermittently.

101. "WPCF" shall mean the Water Pollution Control Facility".

All other words and terms not otherwise defined herein shall be construed as having meaning defined in the Glossary Water and Waste Water Control Engineering, published by the Water Pollution Control Federation, Washington, D.C., or by their general usage, if undefined or as adopted in the latest edition of Standard Methods for the Examination of Water & Wastewater, published by the American Public Health Association.

Section C

Sewer Installers

1. No person shall install or repair any building sewer, private sewer, or make any connection to any public sewer unless such person is duly licensed by the Town to perform such work.
2. The Town will issue licenses to experienced and competent applicants who must make application therefore on a form, prescribed by the Town and approved by the Public Works Department Head. Licenses shall expire on December 31 of each year, and must be renewed annually on or before January 1 of each year. The fee for each such license shall be as stipulated in *Section O - Fees*.
3. Every applicant who has been issued a Sewer Installer's License shall submit a bond for the faithful performance of such work as the applicant may perform as an installer, in the form approved by the Town and for the amount stipulated in *Section O - Fees*. In addition, the applicant must also submit a Certificate of Insurance for Property Damage Liability and Broad Form General Public Liability, including coverage for premises operations, independent contractors, as well as damage from explosion, by collapse of structures, and to underground pipes, utilities and structures. Both the bond and Certificates of Insurance shall name the Town of Wilbraham as a named insured. In addition, a Certificate of Insurance of Workmen's Compensation coverage shall be filed. All of the above Certificates and bond shall remain in full force and effect for the period of the license granted hereunder and must be renewed and new Certificates provided to the Town upon renewal of the Sewer Installers License. Said insurance shall provide that it shall save, defend and indemnify the Town, its employees, representatives, agents and consultants against any and all claims, liability, loss, expense, action or damage incurred by the Town, including reasonable attorney's fees, arising out of, as a result of or in any way connected with the performance of the work of the licensee, and for or by reason of any acts or omission of said licensee in the performance of its work. The installer shall comply with any and all applicable Local, State, and Federal codes, rules and regulations. The Town shall have the right to require a larger performance bond if deemed appropriate.
4. No Licensed Sewer Installer shall allow its name to be used by any other person, either for the purpose of obtaining permits, or doing any work under its license.
5. Any Sewer Installers License granted pursuant hereto shall be subject to immediate revocation or suspension upon determination by the Town of unsatisfactory performance, breach of these Regulations, or violation of any applicable law, statute, or code.

Section D

Permits and Inspection

1. There shall be two (2) classes of building sewer permits: (a) Residential, and (b) Commercial / Industrial. The Industrial Sewer Use Regulations of the Springfield Regional Wastewater Treatment Facility shall govern industrial wastes and wastewater pre-treatment requirements and conditions. In any case, the owner or his agent shall make application on a special form furnished by the Town. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Town.
 - (a) An application processing fee shall accompany each class of sewer permit application. Such fees shall be as stipulated in *Section O – Fees*. The processing fee shall be as required at the time of application. The Town may revise the processing fee as required to cover actual costs incurred.
 - (b) Permits shall only be issued to sewer installers licensed to install sewers in the Town. Permits shall be non-transferable.
 - (c) Permits shall be subject to revocation when any of the rules and regulations contained herein are breached.
 - (d) If the work under the permit is not completed within 90 days, renewal of the permit (with associated permit fees) shall be required and obtained prior to completion of the project.
 - (e) Permits for new connections will not be issued until the applicant has filed a layout plan showing the location of the existing service connection, house location and route of sewer service, and said layout has been approved by the Public Works Department Head.
 - (f) Permits must be obtained for repair work to, and termination of existing sewer services. Responsibility and liability for all repair work shall be the same as are herein imposed for new connections.
 - (g) No permit shall be issued, except in cases of emergency, to make an excavation in a public way until the applicant files with the Public Works Department Head. Applicant shall send copies of the notices to the public utility companies as required by M.G.L. Chapter 82, Section 40.
2. The applicant for the building sewer permit shall notify the Town a minimum of 24 hours in advance when the building sewer is ready for inspection, either for connection to, or termination from the public sewer. Connections and terminations shall be made under the supervision of the Town. All connections and terminations must be inspected and approved in writing prior to trench backfilling and compacting. Inspection and

approval by Town shall not serve to transfer liability to the Town for any subsequent failures and associated damage and repairs.

3. All connections or terminations shall be made during normal Town working hours. Applicant shall submit a plan showing the as-built conditions of the connection within 5 working days of the approved inspection.
4. All sanitary sewer extensions and connections are subject to the most recently enacted requirements of 314 CMR 7.00 – SEWER SYSTEM EXTENSION AND CONNECTION PERMIT PROGRAM, which can be found in Appendix B. Applicants are cautioned that the requirements of 314 CMR 7.00 may supersede the requirements of these local regulations, and that the copy contained in Appendix B may have been superseded by a more current edition.

Section E

Sewer Charges

1. Charges for use of the sewer system shall be reviewed and revised, as needed, to cover all operation, maintenance and replacement costs associated with the entire wastewater system infrastructure. These charges shall be applicable to sewage and waste discharges of strength equivalent to normal domestic sewage. All charges for sewage and waste discharges of non-domestic sewage shall be determined for each individual discharge after engineering analysis. The analysis shall include all conveyance, operations, maintenance and treatment issues associated with said sewage and waste discharge. Charges shall be as stipulated in *Section O – Fees*.
2. Users of the sewer system shall be billed twice yearly for such use. Wastewater volume shall be based upon metered water use, as read and recorded by the Town Water Department. Those properties that do not have metered water shall be billed a flat rate. Meter installation and use shall be dictated by the Water Department's regulations regarding water meters. All bills due the Town for sewer use shall be payable to the Town Collector within 30 days. Bills unpaid after 30 days shall be assessed a separate penalty with interest starting on the 31st day as stipulated in *Section O - Fees*. Unpaid bills, including late payment penalties from the previous calendar year(s), may be added to the real estate property tax in the form of a Lien for the current year, as provided for in Massachusetts General Laws, Chapter 40, Section 42A through 42F, inclusive.
3. Abatement

All abatements requests must be filed within 30 days of issuance of the sewer use bill. The Town upon receipt of the requests for abatements shall have up to four (4) months to act on the request. The Town shall notify the property owner within ten (10) days of making their decision whether the request was granted or denied. The following abatements may be granted:

- (a) Property owners may request suspension of sanitary sewer service if a property is to become vacant. If approved, Town will authorize termination and the property owner will not be liable for sewer charges once the service is terminated, following inspection and verification by Town personnel. The property owner will be responsible for paying the current bill. Future billing will be based on water usage. The minimum bill will only be waived if there is no metered water usage.

Section F

Building Sewers and Connections

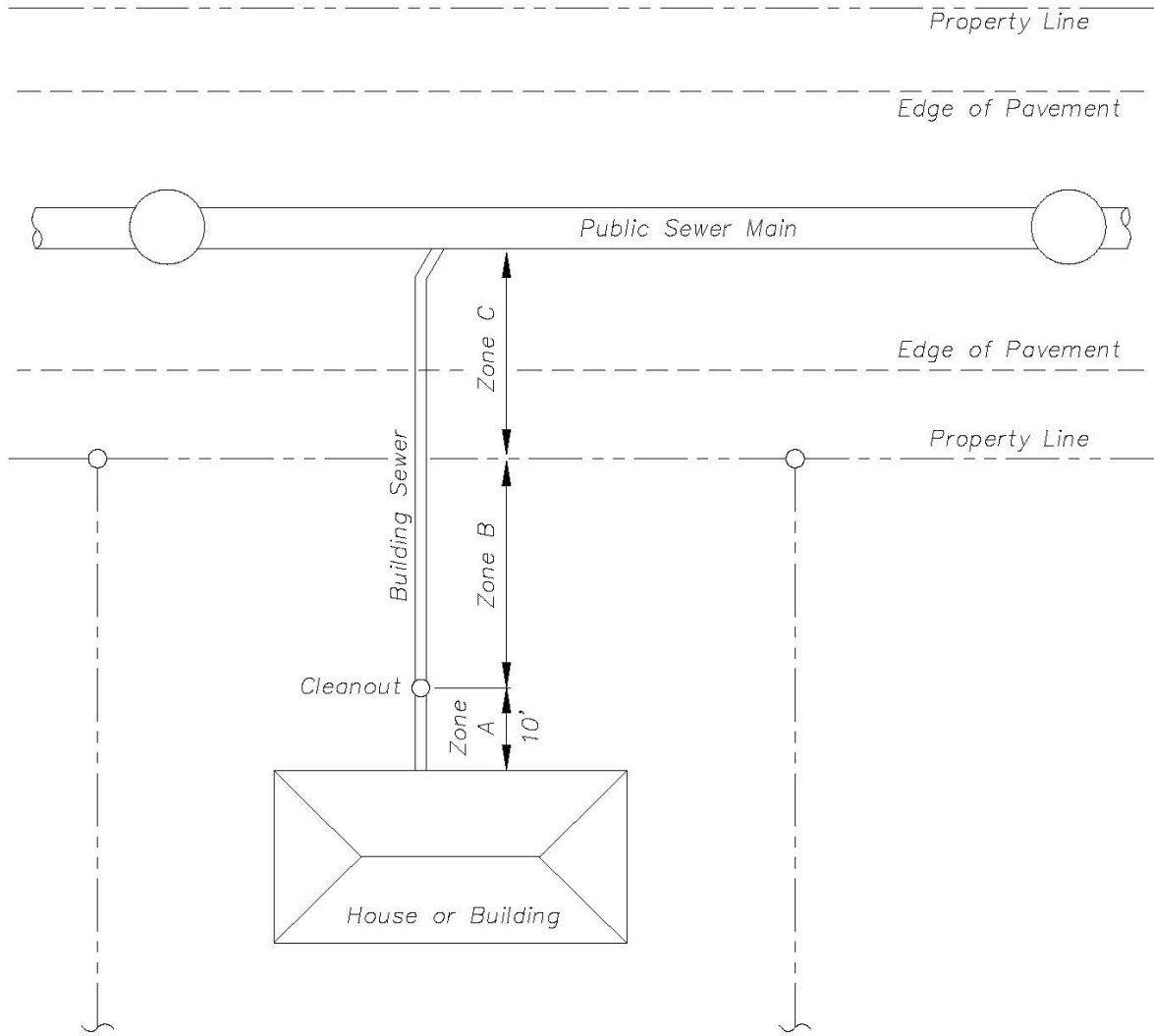
1. No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Town. Any person proposing a new discharge into the system or a substantial change in the volume or character of pollutants that are being discharged into the system shall notify the Public Works Department Head a minimum forty-five (45) days prior to the proposed change or connection, and shall be required to obtain a written permit from the Public Works Department for said new connection or substantial change in discharge.
2. All costs and expense incidental to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the Town from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.
3. Town and Property Owner responsibilities for building sewer maintenance and repair shall be as indicated on the attached diagram.
4. A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.
5. Existing building sewers may be utilized for connection of new buildings only after they are thoroughly cleaned and television inspected and are approved by the Public Works Department Head, to meet all requirements of these regulations. A copy of the television inspection and inspection report shall be provided to the Public Works Department Head. The cost of cleaning and television inspection shall be the sole responsibility of the owner.
6. The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, and backfilling the trench, shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the Town. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the Water Environment Federation (WEF) / ASCE *Manual of Practice No. 9 – Design & Construction of Sanitary and Storm Sewers* (most current edition) shall apply.
7. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain 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. If in the event, the difference in elevation between the building sanitary plumbing and the invert

of the sewer main is less than three (3) feet, a check valve or backflow prevention device shall be installed at the building. If installed, maintenance of such backflow prevention device shall be the full responsibility of the property owner.

8. No person shall make connection of roof downspouts, exterior foundation drains, areaway drains, basement floor drains, sump pumps, 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 without a special permit. Such illicit connections may subject the sewer user to fines and penalties.
9. The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the Town, or the procedures set forth in appropriate specifications of the Water Environment Federation (WEF) / ASCE *Manual of Practice No. 9 – Design & Construction of Sanitary and Storm Sewers* (most current edition). All such connections shall be made gastight and watertight. The Public Works Department Head before installation shall approve any deviation from the prescribed procedures and materials in writing.
10. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Disturbance of streets and sidewalks require a Pavement or Treebelt Cut Permit. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Town. All disturbed publicly owned property that is restored shall be guaranteed from defects for a minimum of one (1) year from the completion of the restoration.
11. New sewer connections or changes of use and/or subdivisions of connected properties that are not currently subject to or that have not previously been assessed betterments or privilege fees (see *Section M – Sewer Assessment and Privilege Fee Policy*), shall be subject to connection fees as indicated in *Section O – Fees*.
 - (a) Connection fees for new connections other than a single family residential home shall be computed based on the average daily flow for the property. In computing connection fees, average daily flows shall be as calculated by 310 CMR 15.203 – System Sewage Flow Design Criteria (see Appendix C)
 - (b) Connection fees for changes of use or for subdivision of properties shall be computed based on the difference between the proposed (new) average daily flow for the property(ies) and the former permitted flow for the property. The Town shall not refund connection fees for changes in use that result in lower flows.
 - (c) Fees shall be payable at the time of issuance of the Sewer Connection Permit. The Sewer Connection Permit shall be valid for a period of ninety (90) calendar days from the date of issuance.

- (d) New Industrial Connections shall be in accordance with the Industrial Sewer Use Regulations of the Springfield Regional Wastewater Treatment Facility. The Town reserves the right to base connection fees on the wastewater characteristics and a detailed engineering analysis for each individual industry. The analysis shall include all conveyance, operations, maintenance and treatment issues associated with said sewage and waste discharge based on the concentrations to be discharged to the sanitary sewer.
12. Sewer connection permits shall not be issued to projects that do not have a required Commonwealth of Massachusetts extension permit until the applicable extension permit has been obtained. Additionally, permits shall not be issued in any part of Town in which there is a moratorium.
 13. Any person may propose an extension, replacement or relocation of a Town sewer to serve a new or rehabilitated building or development. Any person who proposes to extend, replace or relocate a Town sewer shall prepare and submit for review and approval by the Town construction plans live stamped by a licensed Professional Engineer in the Commonwealth of Massachusetts, supplemented by such other permits, including those that may be required by the City of Springfield and the Massachusetts Department of Environmental Protection, plans, specifications, and information the Town deems necessary to determine whether to approve the request. Extension, replacement or relocation of a Town sewer shall not commence without the Town's prior written approval. Every extension, replacement or relocation of a Town sewer shall be designed and constructed in accordance with the current municipal design standards, requirements, specifications and standard details. Any tests, studies, investigations and inspections required for design and construction shall be conducted in accordance with the Town requirements. All expenses incurred pursuant to the extension, replacement or relocation of a Town sewer including but not limited to application, engineering, legal, permitting, construction, inspection and connection costs, shall be borne by the applicant.
 14. Before extending, replacing or relocating a public sewer the contractor shall (a) obtain approval in writing by the Town and (b) post a bond with the Town in an amount and form acceptable to the Town.
 15. After constructing a Town approved public sewer extension, replacement, or relocation, the owner shall transfer ownership of the sewer in a public way or easement to the Town free of charge through a Release Agreement on a form prescribed by the Town. The Release Agreement shall be accompanied with as-built plans submitted in the format prescribed by the Town for the extended, replaced or relocated sewer, along with video results of a television inspection of the sewer, and any other information required by the Town. Until such time as the Release Agreement is signed by the Town, the extended, replaced or relocated sewer shall be considered to be privately owned by the applicant and shall be subject to the requirements pertaining to private sewers contained in these Regulations.
 16. Where a public sewer is not available under the provisions of these regulations, the building sewer shall be connected to a private wastewater disposal system complying

with the requirements of both the Town Board of Health and the Department of Environmental Protection.



NOTES:

1. Property owner responsible for all maintenance within Zone A. Requires a licensed plumber and inspection by Town Plumbing Inspector.
2. Property owner responsible for all maintenance associated with blockages of whatever nature within Zones A, B, and C.
3. Property owner responsible for all maintenance associated with pipeline breaks in Zones A and B.
4. Town responsible for all maintenance associated with pipeline breaks within Zone C.

BUILDING SEWERS

No Scale

Section G

Materials and Workmanship

1. New building sewers, other private sewers, public and private sewer laterals and services, grease traps, oil traps, particle separators, appurtenances, and other wastewater facilities tributary to the Town's wastewater system shall be designed and constructed in conformance with the standards for materials and workmanship presented in Appendix D.

Section H

Use of Public Sewers

1. All applicable State and Federal laws required by the Clean Water Act of 1977 shall be fully incorporated and made enforceable by reference in these Rules and Regulations.
2. No person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff, subsurface drainage, basement drains, sump pumps, industrial wastewater including uncontaminated cooling water to any sanitary sewer. The Industrial Sewer Use Regulations of the Springfield Regional Wastewater Treatment Facility shall regulate industrial wastewater discharges.
3. No person shall introduce or cause to be introduced into the sanitary sewer system any pollutant or wastewater which causes pass through or interference (as defined herein) at the Springfield Regional Wastewater Treatment Facility. These general prohibitions apply to all sewer system users whether or not they are subject to industrial pretreatment or categorical pretreatment standards or any other National, State, or local standards or requirements.

(a) Prohibited Discharges

No person shall discharge or deposit or cause or allow to be discharge or deposited into the public sewer system any wastewater which contains the following substances, elements or properties:

- i. Explosive Mixtures Liquids, solids or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any other way to the wastewater treatment system or to the operation of that system and meets a closed cup flashpoint of less than 140°F, (60°C) using the test methods specified in 40 CFR 261.21.
- ii. Radioactive Wastes Radioactive wastes or isotopes of such half-life or concentration that they do not comply with regulations or orders issued by the appropriate authority having control over their use and which will or may cause damage or hazards to the Wastewater Treatment System of personnel operating the system.
- iii. Toxic Substances Any toxic substances in amounts exceeding standards promulgated by the Administrator of the United States Environmental Protection Agency pursuant to Section 307 of the Act, and chemical elements or compounds, or other taste or odor producing substances, or any other substances which are not susceptible to treatment or which may interfere with the biological processes or efficiency of the treatment system.

- iv. Pass Through Any discharge, which alone or in conjunction with a discharge or discharges from others sources, causes a violation of any requirement of the Wastewater Treatment Facility NPDES permit, including an increase in the magnitude or duration of a violation.
- v. Heat Wastewater having a temperature in excess of 104°F (40°C).

(b) Limited Wastewater Discharges

No person shall discharge or cause or allow to be discharged or deposited into the public sewer system any wastewater which contains the following substances, elements or properties:

- i. Oils and Grease Oil and grease concentrations or amounts which violate the standards set forth in Item 4(b) of this Section and petroleum/non biodegradable cutting/mineral oils in amounts which cause interference or pass through.
- ii. Toxic Gases/Vapors/Fumes Noxious malodorous solids, liquids or gases, and toxic gases, vapors, and fumes which either singly or by interaction with other wastes, are capable of creating a public nuisance or hazard to life, or are or may be sufficient to prevent entry into a sewer for its maintenance and repair.
- iii. Solid or Viscous Wastes Solid or viscous wastes which will or may cause obstruction to the flow in a sewer, or otherwise interfere with the proper operation of the wastewater treatment system. The classification of materials in this category shall include, but are not limited to grease, uncomminuted garbage, animal guts or tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste, paper, wood, plastic, tar asphalt residues from refining or processing of fuel, or lubricating oil, any type of sludge from holding or storage tanks located on the premises. There shall be a presumption that any material in the foregoing classification does obstruct or interfere with the proper operation of the wastewater treatment system.
- iv. Flow Rate/Concentration Wastewaters at a flow rate or containing such concentrations or quantities of pollutants that can cause interference.
- v. Unpolluted Waters Any unpolluted water including, but not limited to, water from cooling systems which will unreasonably increase the hydraulic load on the treatment system.
- vi. Discolored Material Wastes with objectionable color not removable by the treatment process.

- vii. Corrosive Wastes Any wastes, which will cause corrosion or deterioration of the treatment system. All wastes discharged to the public sewer system must have a pH value in the range of 6.2 to 9.0 standard units.
- viii. Trucked/Hauled Waste Any wastes trucked or hauled except at discharge points designated by the Public Works Department Head.

(c) Maximum Concentration of Pollutants

The maximum concentration of pollutants allowable in wastewater discharges to the wastewater collection system shall be in accordance with the Industrial Sewer Use Regulations of the Springfield Regional Wastewater Treatment Facility.

(d) Special Agreements

Nothing in this Section shall be construed as preventing any special agreement or arrangement between the Town and any user of the wastewater collection system whereby wastewater of unusual strength or character is accepted into the system subject to any payments or user charges as may be required by the Town. In no case shall such an agreement result in a violation of federal, state or local pretreatment requirements.

4. No persons shall discharge or cause to be discharged the following described substances, materials, waters, or wastes if it appears likely in the opinion of the Town or Springfield Regional Wastewater Treatment Facility that such wastes can harm either the sewers, sewage treatment process or equipment, have an adverse effect on the receiving stream, or can otherwise endanger life, limb, public property, or constitute a nuisance. In forming its opinion as to the acceptability of these wastes, the Town or Springfield Regional Wastewater Treatment Facility 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 and force mains, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant, and other pertinent factors. The substances prohibited are:

- (a) Any liquid or vapor having a temperature higher than one hundred four (104) °F (40°C).
- (b) Any water or waste containing fats, wax, grease or oils, whether emulsified or not, in excess of one hundred (100) mg/l or containing substances which may solidify or become viscous at temperatures between thirty-two (32) and one hundred fifty (150) °F (0 and 65°C).
- (c) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths (3/4) horsepower (0.76 hp metric) or greater shall be subject to the review and approval of the Town.

- (d) Any waters or wastes containing strong acid iron pickling wastes, or concentrated plating solutions whether neutralized or not.
 - (e) Any waters or wastes containing heavy metals, EPA priority pollutants and/or similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement.
 - (f) Any waters or wastes containing phenols or other taste or odor producing substances.
 - (g) Any radioactive wastes or isotopes.
 - (h) Any waters or wastes having a pH in excess of 9.0.
 - (i) Materials which exert or cause:
 - i. Unusual concentrations of inert suspended solids (such as, but not limited to, Fullers earth, lime slurries and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate).
 - ii. Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).
 - iii. Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the Springfield Regional Wastewater Treatment Facility.
 - iv. Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.
 - (j) Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.
5. If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in Items 3 and 4 of this Section, and which in the judgment of the Town or Springfield Regional Wastewater Treatment Facility may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Town or Springfield Regional Wastewater Treatment Facility may:
- (a) Reject the wastes,

- (b) Require pretreatment to an acceptable condition for discharge to the public sewers as outlined in the Springfield Regional Wastewater Treatment Facility Industrial Sewer Use Regulations,
 - (c) Require control over the quantities and rates of discharge,
 - (d) Require payment to cover the added cost of handling and treating the wastes not covered by existing sewer charges, and/or
 - (e) Seek administrative, civil and/or criminal penalties.
 - (f) If the Springfield Regional Wastewater Treatment Facility permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Springfield Regional Wastewater Treatment Facility, and subject to the requirements of all applicable codes, ordinances, and laws.
6. Grease, oil, and sand interceptors shall be provided when, in the opinion of the Town they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall conform to the requirements of Article 1.5.6 of the Springfield Water and Sewer Commission Rules and Regulations (see Appendix A).
7. Where preliminary treatment or flow-equalizing facilities are provided for any waters or wastes, the owner at his expense shall maintain them continuously in satisfactory and effective operation.
8. No dumping of septic tank or cesspool wastes shall be permitted into the Town sanitary sewer system.

Section I

Protection from Damage

No person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment that is a part of the sewer works. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct and prosecution to the full extent of the law.

Section J

Powers and Authority of Inspectors

1. Any Town or Springfield Regional Wastewater Treatment Facility employee or other duly authorized representatives of the Town or Springfield Regional Wastewater Treatment Facility bearing proper credentials and identification shall have the right to enter all properties (both public and private) for the purposes of inspection, observation, measurement, sampling, testing, and investigations to the degree necessary to permit the evaluation of the user's compliance with these regulations in accordance with the provisions of these regulations. Unreasonable delays in allowing access to the user's premises shall be a violation of these regulations.
2. Any Town or Springfield Regional Wastewater Treatment Facility employee or other duly authorized representatives of the Town or Springfield Regional Wastewater Treatment Facility bearing proper credentials and identification shall have the right 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.
3. Any Town or Springfield Regional Wastewater Treatment Facility employee or other duly authorized representatives of the Town having been refused access to a building, structure, or property, or any part thereof, and is able to demonstrate probable cause to believe that there may be a violation of these regulations, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program designed to verify compliance with these regulations or any permit or order issued hereunder, or to protect the overall public health, safety and welfare of the community, then the Town may seek issuance of a search warrant.

Section K

Penalties

1. Any person found to be violating any provision of these regulations may be served by the Town with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations. If the Town deems a violation as causing immediate and imminent endangerment to persons or the treatment facilities, the Town shall verbally notify the violator to immediately and effectively halt or prevent any discharge to the system.
2. Any person who is found to have failed to cease all violations as defined in these Regulations, whether intentionally, unintentionally or accidentally, or who violates any provision of these regulations or a rule or regulation of the Town, may be assessed a maximum civil penalty per day of violation as indicated in *Section O – Fees*. In addition, any person found to be in violation of these regulations may be fined a maximum administrative penalty for each violation per day as indicated in *Section O – Fees*. The Town may recover reasonable attorney's fees, court costs, treatment costs, and other expenses of litigation in any suit commenced by the Town against a person who is adjudged to have violated this regulation or the orders, rules and regulations issued hereunder. Each day in which any such violation shall continue shall be deemed a separate violation for purposes of both the civil penalty and the fine provisions of this Section.
3. Criminal Prosecution: 53 Federal Register 40562.
4. Fines for the following violations shall be as indicated in *Section O – Fees*:
 - (a) General Violation:
 - i. Any user who willfully or negligently violates any provision of these regulations shall, upon conviction, be guilty of a misdemeanor punishable by a fine as indicated, per violation per day or imprisonment for not more than one year, or both.
 - ii. In the event of a second conviction, the user shall be punishable by a fine as indicated, per violation per day or imprisonment for not more than three years, or both.
 - (b) Falsifying Information:
 - i. Any user who knowingly makes any false statements, representations, or certifications in any application, record, report, plan or other document filed or required to be maintained pursuant to these regulations, or other order, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required, shall, upon conviction be punished

by a fine as indicated, per violation per day, or imprisonment for not more than one year, or both.

ii. In the event of a second conviction, the user shall be punishable by a fine as indicated, per violation per day, or imprisonment for not more than three years, or both.

5. All expenses for user testing and monitoring to assure compliance with these regulations or any orders issued hereunder shall be at the sole expense of the user.
6. Any person violating any of the provisions of these regulations shall become liable to the Town for any expense, loss, or damage occasioned the Town by reason of such violation.
7. The Town, pursuant to appropriate filing, may place a lien upon the property or premises for which sewer use charges, service charges, fees or penalties are more than 30 days overdue. Notwithstanding such lien any overdue sewer use charge or service charge may be collected through any legal means.

Section L

Sewer Line Breaks and Blockages

1. It is the sole responsibility of the private property owner to hire and pay for cleaning and examination of the building sewer, whether on private property or within the Town's right-of-way. It is recommended that private sewer lines be cleaned and examined every one to five years.
2. If examination by a private property owner or their designated service professional reveals a problem within the building sewer, the following actions should be taken for the investigation:
 - a. Broken Pipe: If examination reveals that a break may lie within the Town's right-of-way, the owner should contact the Town. The Town, following notification from the property owner, will evaluate the problem area. If a break is found to be within the Town's right-of-way, it will be repaired at the expense of the Town. If a break is found to be on private property, all costs associated with the repair shall be borne by the property owner, as well as all costs incurred by the Town, (including overtime charges) for the examination and/or repair.
 - b. Obstruction: If examination reveals that an obstruction of any nature has occurred at any point within the building sewer, all costs for removal of the obstruction shall be the sole responsibility of the private property owner, including all costs incurred by Town (including overtime charges) for the examination and/or removal of the obstruction.
3. Refer to the "Building Sewers" schematic in *Section F – Building Sewers and Connections* for further information.

Section M

Sewer Assessment and Privilege Fee Policy

1. The requirements of this Section apply only to bettered sewer projects (and the lands and properties therein) as listed in this Section. Such projects and the land and properties within them are generally referred to as “Section M” projects or properties.
2. The Town, acting through its Board of Selectmen, shall assess sewer betterments to the owners of land abutting a public sewer main installed by the Town by a rate based upon a uniform unit method as described by MGL Chapter 83, Section 15. Sewer assessments shall be determined utilizing the total number of existing and potential residential sewer units (Equivalent Dwelling Units – EDUs) to be served, and/or the residential equivalent of commercial, industrial or semi-public uses, and shall be levied as betterment assessments, or alternatively, sewer privilege fees as described herein. The authority of the Town to assess betterments, as well as the permitted methodologies for doing so, is described in the applicable sections of MGL Chapters 80 and 83.
3. General Sewer Assessments
 - (a) The Town shall assess sewer betterments based upon a uniform unit method. Properties within and abutting a public sewer project area shall be assessed by a rate proportional to the total number of existing sewer units (EDUs) to be served at the time of the assessment. Said rate shall be determined by user class and shall apply to all lands developed or undeveloped abutting the project. The total assessments shall not exceed 100% of the total sewer project cost which shall include total costs of engineering, survey, design, construction, land acquisition, construction engineering services, interest, legal services, and all related contingencies, less all state and federal aid received. The cost per EDU value established for each Town sewer project shall be recorded herein (see *Section O - Fees*) and applied as a Privilege Fee for properties that undergo subsequent subdivision, change of use, or are not eligible for the assessment of betterments. Sewer connection fees will be waived for properties that are assessed betterments.
 - (b) The Board of Selectmen shall levy, by preparing an Order of Assessment, assessments against all properties within and abutting a public sewer project upon substantial completion of the pertinent construction and approval of the subject portion of the sewer system (approved by the Board of Selectmen) for its intended use. In the Order of Assessment, the Board of Selectmen shall designate the owner of each parcel as of the preceding January first, as liable to assessment as stated under the provisions of the Massachusetts General Laws.
 - (c) As provided in MGL Chapter 83, Section 15B, the Board of Selectmen shall have the right to make partial or estimated assessments before the completion of construction and approval for use of the wastewater facilities. The estimated assessment shall be not more than one-half of the total anticipated project cost.

- (d) Properties that are not eligible for the assessment of betterment charges per MGL Ch. 80, §§ 14 through 24, shall be charged on the basis of Privilege Fees as described in Article 4 below.

4. Sewer Privilege Fees

- (a) Properties that are within a Section M sewer project, but that are not eligible for the assessment of betterment charges, such as municipal, state, housing authority and other properties, shall be charged on the basis of Privilege Fees. At the time of assessment, privilege fees shall be assessed at the established cost per EDU value for the project.
- (b) Properties that were not within a Section M sewer project, but that wish to connect subsequent to the original assessment of betterments and privilege fees for the project, shall be charged on the basis of Privilege Fees. At the time of connection, privilege fees shall be assessed at the established cost per EDU value plus interest at 5.0% from the time of original assessment for that phase of the project.
- (c) Changes to, or subdivision of a property that occurs subsequent to the assessment of betterments for that property shall result in Privilege Fee charges for such new use. For such situations, the privilege fee shall be computed per EDU and shall be equal to the difference in total privilege fee between the new privilege fee computed at the new development class or density plus simple interest at 5.0% per annum from the date on which the property was originally bettered, and the fee originally assessed for the property.
- (d) Sewer connection fees will be waived for properties that are assessed privilege fees.

5. Time of Sewer Assessment

- (a) The time of assessment for betterments and/or Privilege Fees for lands abutting the sewer street shall be that date upon which the sewer system with appurtenances is “approved for use”, not withstanding anything in Section M.3. (c).
- (b) The time of assessment for any properties not abutting the sewer street, or those tying into the system subsequent to the original assessment of betterments and/or Privilege Fees, shall be the date upon which that property connects into the sewer system.
- (c) The time of assessment for any properties previously assessed but subsequently subdivided, or for which the property’s use is changed, shall be the date upon which the subdivided property(ies) connect to the sewer system or upon which the property’s use is changed.

6. General Sewer Unit Designation

EDUs shall be determined based upon the user class of those properties to be assessed betterments. Said classes shall include residential and non-residential. The non-residential class shall include commercial, industrial, municipal and any or all other non-residential properties. EDUs shall be determined based upon the residential equivalent of such commercial, industrial, municipal or other non-residential class, as provided herein.

7. EDU Determinations

Properties receiving direct benefit from the public sewer system, whether developed or undeveloped, shall be designated a number of EDUs in accordance with the following:

(a) Residential - Developed:

- i. Single-family dwellings shall equal one EDU.
- ii. Multiple family dwellings (more than one dwelling unit), including in-law apartments, shall comprise a number of EDUs based upon the following methodology:
 1. Condominiums, rental properties (apartments), and in-law apartments shall be assessed one EDU for each condominium unit or apartment.
- iii. Future subdivisions of any residential developed parcels shall be subject to the assessment of sewer privilege fees as outlined in this Section.
- iv. All calculated EDUs shall be rounded up to the next whole number.

(b) Non-Residential – Developed:

- i. Non-residential buildings shall comprise an EDU value based upon the building use and/or classification depicted in Table M-1. Each building shall comprise an EDU value based upon either:
 1. EDU value assigned by Table M-1, , or;
 2. Calculated EDU value, where $\text{EDUs} = \text{Calculated Daily Flow (gpd)} / 175 \text{ gpd/EDU}$ (calculated from flow rates assigned in Table M-2) divided by 175 gpd/EDU. All fractional EDUs shall be rounded up to the next highest whole number. Note that flows computed under this calculation represent average daily flows.
- ii. In the event that a building's use and/or classification is not depicted in Table M-1, the building shall comprise an EDU value based upon flows as calculated by 310 CMR 15.203. The EDU value shall be determined by using the following formula:

EDUs = Calculated Daily Flow (gpd) divided by 330 gpd/EDU. All decimals shall be rounded up to the next highest whole number. Note that flows computed under this calculation represent maximum daily flows.

iii. All calculated EDU values shall be rounded up to the next whole number.

(c) Residential – Undeveloped:

i. Undeveloped residential parcels shall be assigned one EDU and be assessed accordingly. Future subdivision or change of use shall be subject to the assessment of privilege fees.

(d) Non-Residential – Undeveloped:

i. Undeveloped non-residential parcels shall be assigned one EDU and be assessed accordingly. Future subdivision or change of use shall be subject to the assessment of privilege fees.

Table M-1
Non-Residential EDU Values

BUILDING USE AND/OR CLASSIFICATION	EDU VALUE
Each room of a rooming house or boarding house	0.33 EDU
Each room of a hotel or motel	0.67 EDU
Single family home Each unit of a multi-family home Each unit of an apartment building Church (or other place of worship) or a rectory (without function hall) Photographer business Florist business Commercial parking garage Warehouse Fire station Each operator in a barber shop Dairy bar, with window service only Post office, with less than 10 employees Business office, with less than 10 employees Factory/light industry with less than 10 employees Mercantile store with less than 10 employees Supermarket with less than 10 employees Package store Police station (add 1/5 of an edu for each cell)	1.00 EDU
Each operator in a beauty salon	1.33 EDU
Bakery Billard parlor Doctor's or dentist's office Drive-in restaurant Drug store Fish or meat market Funeral parlor/mortuary Hall or place of public assembly (no bar license) Service station or an auto dealership	2.00 EDU

Table M-2
Non-Residential Flow Computations

BUILDING USE AND/OR CLASSIFICATION	FLOW
Bowling Alley	75 gpd/Alley
Drive-In Theatre	5 gpd/car stall
Movie House	2.5 gpd/seat
Nursing Home / Rest Home	100 gpd/bed
Tourist Home (Bed & Breakfast)	50 gpd/bedroom
Residential School	100 gpd/person
Non-Residential School (Elementary, Junior High, Senior High only)	15 gpd/person
Office Building (more than 10 employees)	20 gpd/employee
Mercantile Store / Supermarket (more than 10 employees)	20 gpd/employee
Restaurant / Bar / Nightclub (more than 100 person capacity)	7 gpd/person capacity

8. General Betterment Payment

Except as herein provided, the provisions of Massachusetts General Laws relative to the assessment, apportionment, division, reassessment, abatement and collection of sewer assessments, liens therefore, and interest thereon shall apply to assessments made under this bylaw, and the Board of Assessors and Treasurer/Collector of the Town shall have all of the powers conveyed by Massachusetts General Laws relative to such assessments.

(a) Lump Sum Betterments

The lump sum betterment payment for an assessed property shall be based upon the total number of EDUs designated for said property at the time of assessment. Said number of EDUs shall be determined as described herein. Lump sum betterments shall be payable within thirty (30) days upon written notice of assessment; otherwise payment shall default to the apportionment schedule described hereunder.

(b) Apportionment of Betterment Payment

Property owners shall have the option to apportion betterment payments in accordance with MGL Ch. 80, § 13. The interest rate charged by the Town shall be the rate being charged to the Town for the sewer construction project bond, plus any interest required by Massachusetts General Laws.

9. Private Sewer Extension Connection Fees

The developer and/or property owners connecting to a private sewer extension shall bear the burden of all costs, including costs of legal services, related to the following:

- (a) The Town reserves the right to require the review of design plans and specifications for private sewer extension by a Registered Professional Engineer selected by the Town. All design plans submitted for review shall be 100% complete and shall be stamped by a Registered Professional Engineer in the Commonwealth of Massachusetts.
- (b) The Town reserves the right to require the inspection of any installation of private sewer extensions tying into the public sewer system. When so required, the developer and/or property owner of the extension shall pay for all inspection fees incurred by the Town per the fees stipulated in *Section O - Fees*.
- (c) Sewer connection fees as outlined in *Section F – Building Sewers and Connections, and Section O - Fees*.
- (d) Private costs associated with the design and construction of a private sewer extension shall not be considered with respect to the sewer privilege fee.

Payments or method of payment related to these costs shall not be reflected within the sewer privilege fee.

10. Public Sewers in Unaccepted Ways

If a property abuts a private or unaccepted way within which a public sewer has been installed, or if a property lies within one hundred (100) feet of a public sewer within a private or unaccepted way, the Town shall assess a sewer privilege fee in lieu of betterment assessment against said property. The sewer privilege fee shall be equivalent to the betterment assessment for said property as determined by the procedures outlined in this Section. The sewer privilege fee shall be levied at the time of connection to the public sewer. All provisions governing the payment and method of payment related to betterment assessments as described in this Section shall apply.

11. Abatement

Property owners must file requests for abatements in accordance with MGL Ch. 80, § 5. The Town, upon receipt of requests for abatements, shall have up to four (4) months to act on the request. The Town shall notify the owner within ten (10) days of making its decision whether the request was granted or denied. Abatements shall be transferred with ownership of the parcel and recorded in the land ownership documents.

12. Section M Projects:

The following projects and properties shall be subject to the requirements of this Section:

Project Name	Date
Main Street Sewer Improvement Project	2009

Section N

Validity

1. If any section, subsection, sentence, word, clause, phrase or portion of this Regulation is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not effect the validity of the remaining portions of this Regulation.
2. These regulations shall be in full force and effect from and after their passage, approval, recording, and publication as provided by law.
3. Any rule or regulation adopted by the Springfield Regional Wastewater Treatment Facility as it pertains to wastewater shall also be strictly adhered to regardless if it is included in these regulations. However, in the event that these regulations are more strict than the Springfield Regional Wastewater Treatment Facility's regulations then these regulations shall govern.

Section O
Fees
(Charges and Penalties)

The fees stipulated herein were adopted on:..... January 8, 2009

Section C - Installers

- Installers License\$150
- Installers Bond\$5,000
- Broad Form General Public Liability Insurance..... \$200,000 / \$500,000
- Property Damage Liability..... \$200,000 / \$500,000

Section D – Permits and Inspection

- Application Processing Fee\$25
- Inspection Fee\$25

Section E – Annual Sewer Charges

- Semi-Annual Sewer Use Charge – Residential (per 100 cubic feet).....\$4.10
- Semi-Annual Sewer Use Charge – Commercial (per 100 cubic feet)\$5.00
- Minimum Semi-Annual Sewer Use Charge - Residential\$52.50
- Maximum Semi-Annual Sewer Use Charge - Residential\$492.00
- Semi-Annual Residential Flat Fee (no water meter)\$270.60
- Minimum Semi-Annual Sewer Use Charge - Commercial\$60.00
- Late Payment Fee.....\$25.00
- Late Payment Interest Rate (Annual)..... 14%

Section F – Building Sewers and Connections

- Sewer Connection Fee (per EDU)\$4,000

Section K - Penalties

- Maximum Civil Penalty for Violation, per day, per violation.....\$300
- Minimum Administrative Penalty, per day, per violation\$300
- General Violation, first conviction, per day, per violation (maximum fine).....\$300
- General Violation, second conviction, per day, per violation (maximum fine)\$300
- Falsifying Information, first conviction, per day, per violation (maximum fine)\$300
- Falsifying Information, second conviction, per day, per violation (maximum fine).....\$300

Section M – Sewer Assessment and Privilege Fee Policy

- EDU Value - Main Street Sewer Project to be determined after project is completed.

APPENDIX A

City of Springfield, Massachusetts

Sewer & Water Commission

RULES AND REGULATIONS

APPENDIX B

314 CMR 7.00

Sewer System Extension and Connection Permit Program

APPENDIX C

310 CMR 15.203

System Sewage Flow Design Criteria

APPENDIX D

Town of Wilbraham, Massachusetts

Standards for Materials and Workmanship For Sanitary Sewer System Components

1. New building sewers, other private sewers, public and private sewer laterals and services, grease traps, oil traps, particle separators, appurtenances, and other wastewater facilities tributary to the Town's wastewater system shall be designed and constructed in conformance with current municipal standards and specifications. In the absence of such specifications or in amplification thereof, the materials and procedures set forth in appropriate specifications of the American Society of Civil Engineers (ASCE) / WEF Manual of Practice No. 9 (most current addition), Gravity Sanitary Sewer Design and Construction, New England Interstate Water Pollution Control Commission Guides for the Design of Wastewater Treatment Works (TR-16), Title V of the State Environmental Code, and the Uniform State Plumbing Code, 248 CMR 2.00 shall apply.
2. Excavation in, or construction of any building or structure on Town property or in a Town easement is prohibited without prior written authorization from the Town.
3. Prior to installing below grade plumbing, the owner shall submit a plan of the proposed plumbing to the Town for review and approval. Plumbing that is subject to the requirements of this Section shall include faucets, showers, baths, toilets and washing machine hookups. All plumbing fixtures located at an elevation below the top of the manhole on the Town sewer serving the proposed plumbing shall be considered to be liable to backflow and shall be equipped with a backwater valve in accordance with 248 CMR Section 2.09:(4) of the Uniform State Plumbing Code, the Town Requirements for Site Plans, and 780 CMR Section 872 of the State Building Code. The backwater valve shall be installed and maintained at the owner's expense.
4. Public and private sewers and sewer laterals and service connections shall be laid at least 10 feet horizontally or two feet vertically apart from any new or existing water main or service connection.
5. Any area, which is used to dispense fuel and is covered by a canopy or other type of roof or enclosure, shall drain into an approved oil trap and then into the sanitary sewer. Roof leaders and drainage shall not be introduced into the sanitary sewer. An alternative is to contain all runoff within the fuel dispensing area so that it is not drained off to a watercourse. The owner shall be responsible for the removal and disposal of any runoff that is contained in such a manner. The fuel dispensing area shall be graded so as to prevent any runoff to surrounding areas, which drain into a storm drain. Runoff from canopies of gas stations and from fuel dispensing areas not in a building or covered by a canopy shall be drained according all Local, State and Federal rules and regulations.
6. Any person seeking to construct, repair, or modify public sewer and sewer laterals, private sewer laterals and service connections, may be required by the Town to prepare

and implement an Erosion and Sedimentation Control Plan to prevent the introduction of sediments into the Town sewers and storm drains. The design of any facilities required pursuant to this section shall be subject to the approval of the Town and the design, installation and maintenance of such facilities shall be at the facility owner's expense. The Town shall have the right to inspect such facilities in accordance with these Regulations.

7. Pipe and fittings to be used for sanitary sewer mains shall be either ductile iron or PVC pipe, eight (8) inches or more in diameter. Ductile iron pipe shall be minimum class 52 conforming to ANSI Standards A21.50 and A21.51. PVC pipe shall conform to ASTM Standards D 1784 and D 3034-SDR 35. Sewer service or lateral connections shall be a minimum of six (6) inches or more in diameter
8. Manholes shall be comprised of precast concrete sections conforming to ASTM C478. The wall thickness of precast sections shall be minimum of 5", 6", 7" and 8" for 48", 60", 72" and 84" manhole diameters respectively. All cement shall be Type II and the minimum compressive strength of the concrete shall be 4000 psi at 28 days. Circumferential steel reinforcement in walls and bases shall be a minimum of 0.12 sq. in./lin. ft. for 4-foot diameter sections and 0.15 sq. in./lin. ft. for 5- and 6-foot diameter sections. Reinforcing shall extend into the tongue and groove. Conical reducing sections shall have a wall thickness not less than 5-inches at the bottom and wall thickness of 8-inches at the top. Conical sections shall taper from a minimum of 48-inches diameter to 24 or 30-inches diameter at the top. Slab top sections and flat riser sections (Grade Rings) shall meet or exceed an H-20 Loading requirement. Precast sections shall be manufactured to contain wall openings of the minimum size to receive the ends of the pipes set accurately to conform to the line and grade of the sewer. Cutting or tampering existing manholes, for the purpose of creating new openings or altering existing openings, shall not be permitted without written approval. The exterior surfaces of all manholes shall be given a minimum of one shop coat of bituminous dampproofing.
9. Manhole inverts shall be formed of brick and mortar. Bricks shall comply with ASTM C32, for Grade SS, hard brick, except that the mean of five tests for absorption shall not exceed 8 percent by weight. Mortar shall be composed of Portland cement, hydrated lime, and sand in which the volume of sand shall not exceed three times the sum of the volumes of cement and lime. Cement shall be Type II Portland cement. Hydrated lime shall be Type S conforming to ASTM C207. Sand shall comply with ASTM C144 specifications for "Fine Aggregate," except that all of the sand shall pass a No. 8 sieve.
10. Manhole frames, covers and step castings shall be of good quality, strong, tough, even-grained cast iron, smooth, free from scale, lumps, blisters, sandholes, and defects. Contact surfaces of covers and frame seats shall be machined. Castings shall be ASTM A48 Class 30B or better. The surface of the manhole cover shall have a diamond pattern with the cast words "SEWER". No air vents shall be permitted in the cover. Manholes shall have frames and covers shall be as approved by the Town.

11. Manhole steps shall conform to ASTM C478 requirements and shall be fabricated of either extruded aluminum or steel reinforced plastic. Steps shall be uniformly spaced at a maximum of 12-inches unless otherwise approved in writing.
12. Manhole gasket materials shall be top grade (100% solids, vulcanized) butyl rubber and shall meet or exceed AASHTO M-198. Couplings at the manhole-pipe interface shall be made with a rubber seal system meeting the requirements of ASTM C923.
13. Internal sewer drop connections to existing or proposed manholes shall not be permitted without prior written approval from the Town.
14. In general, sewer services shall not be installed with more than two (2) angle points, or a total angular deviation of one hundred eighty (180) degrees, unless granted variance by the Town. Bends in sewer services shall be made with either a) smooth sweep fittings, or b) lateral fittings with cleanouts as described below. Cleanouts, handholes, or manholes shall be installed for sewer services at one hundred (100) foot maximum intervals as approved by the Town or its authorized agent.
15. A cleanout shall be installed at a point ten feet (10') from the building face on all new sewer services. The cleanout shall consist of a wye fitting with a riser and threaded cap, terminated no more than twelve inches (12") below grade.
16. All services shall be laid in an envelope of crushed stone with not less than six (6) inches of said material all around the barrel of the pipe. $\frac{3}{4}$ " crushed stone shall satisfy the requirements listed in MHD Specification Section M2.01.
17. Unless otherwise approved by the Town, no service lateral pipe shall be laid to a slope of less than one-fourth inch ($\frac{1}{4}$ " per foot (2%).
18. Line and grade of the pipe and fittings shall be controlled by the use of batter boards and string lines set for this purpose, or by laser. Batters shall not exceed a distance of thirty (30) feet apart unless otherwise directed by the Town. Batter boards are to be set by the contractor.
19. Trenches shall be excavated from the common sewer or from the end of the existing sewer services whichever is applicable, to the point of connection with the building plumbing outlet.
20. Where practical, when the sewer is sufficiently deep, service connections shall be laid directly, without horizontal or vertical deflections from the building sewer to the connection at the sewer main.
21. Tunneling shall not be allowed unless special permission for it is granted.

22. Connections made to the building plumbing system shall be upstream of any septic tanks or cesspools. Upon connection of the building plumbing system to the common sewers, existing septic tanks and cesspools shall be removed or completely filled with suitable material, to the satisfaction of the Board of Health.
23. Connections shall not be cut into sanitary sewers without permission. All pipe and fittings shall be inspected prior to any backfilling. Pipe joint connections shall be watertight.
24. Design of all low-pressure sewer systems shall be prepared by a registered Professional Engineer, and approved by the Town. Design, installation and/or construction of low-pressure sewer systems shall be in accordance with current municipal design standards.
25. Installers shall be responsible for all defects in materials and workmanship for a minimum period of one (1) year following the completion of sewer installation.
26. When ledge is encountered in the excavations, a permit must be obtained from the Town for the use of explosives. All blasting shall be done in accordance with all applicable Local, State and Federal codes and regulations and any other requirements as imposed by the Town fire department. Only persons licensed in the Commonwealth of Massachusetts by the Department of Public Safety for this purpose shall do all blasting.
27. Television Inspection
 - (a) Upon completion of a section of sewer or building/service/lateral connections, when and if so required by the Town, the section of sewer shall be TV inspected at no additional cost to the Town.
 - (b) The entire section of sewer shall have a satisfactory water-tightness. Should the Town determine that the section(s) inspected are unsatisfactory, section of sewer shall be repaired of all defects and re-inspected at no additional cost to the Town.
 - (c) A plan of the method for repairing any defects that are found shall be submitted to the Town for review and approval.
28. All excavations and obstructions shall be adequately barricaded and lighted at all times to protect the public from harm.
29. Trenches shall be backfilled and compacted, and the street surfaces repaired in accordance with requirements of the Town.
30. Power shovels, bulldozers, loaders, trucks and other equipment shall not be operated on or across sidewalks, berms, curbing, etc., until they have been properly protected from damage by planking or other approved means. All resulting damage shall be repaired to the satisfaction of the Town at no additional cost to the Town.
31. When making a sewer connection in a State Highway, the necessary permit from Mass Highway shall be obtained prior to the issuance of a sewer connection permit by the

Town. All work shall be done in accordance with the requirements set forth in the permit from Mass Highway. Any costs in connection therewith shall be borne by the applicant.

32. Private pump systems in the Town Right of Way and/or easement shall be maintained by the property owner.
33. Any outdoor surface area that is authorized through a special permit to drain into the sanitary sewer system shall be covered by a canopy or other type of roof or enclosure. Roof leaders and drainage shall not be introduced into the sanitary sewer. The area should be graded so as to prevent additional runoff from surrounding areas.