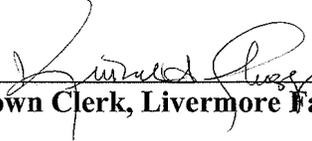


**WASTE WATER ORDINANCE
TOWN OF LIVERMORE FALLS**

On June 11th, 2003 voted and approved at the annual Town Meeting held in Livermore Falls the ordinance called "Waste Water Ordinance for the Town of Livermore Falls.



Town Clerk, Livermore Falls

**WASTE WATER ORDINANCE
TOWN OF LIVERMORE FALLS**

An ordinance regulating the use of public and private sewers and drains, private wastewater disposal, the installation and connection of building sewers, and the discharge of waters and wastes into the public sewer system; and providing penalties for violations thereof in the Town of Livermore Falls.

ARTICLE I. General

Section 1 – Scope

The provisions of this ordinance shall apply to and govern sanitary facilities, sewers and wastewater treatment; the excavation, construction, installation, usage, maintenance, extension, alteration, repair, or removal of any building sewer, building drain, or sanitary sewer systems: the type of wastewater prohibited from public sewers and storm drainage systems; permitted and prohibited concentrations and strengths of wastewater; and situations in which use of a private sewage disposal system is permissible. The facilities affirm that these facilities are regulated by Part Two of the State of Maine Plumbing Code and that the said code is enforced by the Town. This ordinance does not impose any additional regulations on non public sewer systems, except as they relate to connecting such systems to the public sewer.

Section 2. – Intent and Purpose

It shall be the intent and purpose of this ordinance to reduce to the extent practicable, existing pollution and to prevent further pollution caused by inadequate wastewater disposal, and to accomplish the necessary local legislation to meet the requirements of the State of Maine and the Federal Government. All this is furtherance of the health, welfare, comfort and convenience of the inhabitants of the Town.

Section 3. Enforcing Officer

The Superintendent of Sewers as appointed by the Board of Selectmen shall administer and enforce the provisions of this ordinance.

Section 4. – Protection from Damage

No person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is part of the wastewater facilities. Any person(s) violating this provision may be subject to arrest under the charge of criminal mischief as set forth in Maine Revised Statutes Annotated, Title 17-A, Chapter 33, Subsection 806.

ARTICLE II – Definitions

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

Section 1. “Biochemical Oxygen Demand (BOD)” means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20 degrees centigrade, expressed in milligrams per liter.

Section 2. “Building” shall mean a structure built, erected and framed of component structural parts designated for the housing, shelter, enclosure, or support of persons or property of any kind.

Section 3. “Building Drain” shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer. The building drain extends eight (8) feet outside the inner face of the building wall.

Section 4. “Building Sewer” shall mean the extension from the building drain to the public sewer or other place of disposal, also called house connection.

Section 5. “Chemical Oxygen Demand (COD)” shall mean the quantity of oxygen utilized in the chemical oxidation of matter under standard laboratory procedure, expressed in milligrams per liter.

Section 6. “DEP” shall mean State of Maine Department of Environmental Protection.

Section 7. “Domestic Wastes” shall mean liquid wastes and liquid-borne wastes discharged from sanitary convenience such as toilets, washrooms, urinals, sinks, showers, drinking fountains, home laundry rooms, kitchens and floor drains free of industrial waste or toxic materials.

Section 8. “Easement” shall mean an acquired legal right for the specific use of land owned by others.

Section 9. “EPA” shall mean United States Environmental Protection Agency.

Section 10. “Fats, Oils, and Grease (FOG)” shall mean material 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 FOG if it is properly pretreated and the wastewater does not interfere with the wastewater facilities.

Section 11. “Force Main” shall mean any sanitary sewer carrying wastewater under pressure as in a pump discharge or inverted siphon.

Section 12. “Garbage” shall mean the animal and vegetable waste resulting from the handling, preparation, cooking and serving of food.

Section 13. “Hook-up Amount” shall mean amount established by the Selectmen to be paid upon submission of the application for the first time physical connection to Town Sewer.

Section 14. “Industrial Wastes” shall mean the wastewater from industrial processes, trade or business, or any source other than those defined in “Domestic Wastes”.

Section 15. “Natural Outlet” shall mean any outlet, including storm sewers into a watercourse, pond, ditch, lake, or other body of surface or groundwater.

Section 16. “Owner” shall mean the owner of record according to the Town’s Tax Assessor files.

Section 17. “Person” shall mean any individual, firm, company, association, society, corporation, municipal or quasi-municipal agency, state agency, federal agency or other legal entity.

Section 18. “Property Line” shall mean curb line if the building sewer is to connect with the public sewer in a public street. “Property Line” shall mean the edge of a sewer right-of-way or easement in those instances where the building sewers connect to the public sewer in a right-of-way or easement.

Section 19. “pH” shall mean the logarithm of the reciprocal of the hydrogen-ion concentration. The concentration is the weight of hydrogen ions, in grams, per liter of solution. Neutral water, for example, has a pH value of 7 and a hydrogen-ion concentration of 10^{-7} .

Section 20. “Pollutant” shall mean to include but is not limited to dredged spoil, solid waste, junk, sewage sludge, munitions, chemicals, biological or radiological materials, oil, petroleum products or by-products, heat, wrecked or discharged equipment, rock, sand, dirt and industrial, municipal, domestic, commercial or agricultural wastes of any kind.

Section 21. “Private Wastewater Disposal System or Sewer” shall mean non-public sewage disposal facilities as permitted under the State of Maine Plumbing Code, Part II, Subsurface Wastewater Disposal Regulations or non-public wastewater facilities as licensed by the DEP.

Section 22. “Properly Shredded Garbage” shall mean wastes from the handling, preparation, cooking, and serving 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 10mm (0.39 inch) in any dimension.

Section 23. “Public Sewer” shall mean a common sewer owned, operated and maintained by the Town of Livermore Falls Sewer Department.

Section 24. “Readiness to Serve Fee” shall mean an annual fee assessed to a property which abuts a public sewer having available to it a connection stub.

Section 25. “Sanitary Sewer” shall mean a sewer that carries liquid and water-carried wastes from residences, commercial buildings, industrial

plants and institutions together with minor quantities of ground, storm and surface waters that are not admitted intentionally.

Section 26. "Septage" shall mean the water, sludge, grit and all other solid and liquid substances collecting in the septic tanks, cesspools and other similar devices.

Section 27. "Sewer" shall mean a pipe or conduit that carries wastewater.

Section 28. "Sewer User" shall mean the person owning a building connected to or required to be connected to the public sewer.

Section 29. "Shall" is mandatory; "May" is permissive.

Section 30. "Slug" shall mean any discharge of water or wastewater which in concentration of any given constituent or in any 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 or flow during normal operation and/or adversely affects the public sewer system and/or performance of the wastewater treatment works.

Section 31. "Storm Drain" shall mean a drain or sewer for conveying groundwater, surface water or unpolluted water from any source.

Section 32. "Superintendent" shall mean the Superintendent of Sewers as appointed by the Board of Selectmen.

Section 33. "Suspended Solids (SS)" shall mean total suspended matter that either floats on the surface of, or is in suspension in, water, wastewater, or other liquids, and that is removable by laboratory filtering as prescribed in "Standard Methods for the Examination of Water and Wastewater" published by the American Public Health Association.

Section 34. "Town" shall mean Town of Livermore Falls, Maine and its elected and appointed officials acting in authorized manner.

Section 35. "Unit" shall mean 1.) One unit is a single family home, three bedrooms, no more than 2 baths. 2.) Apartment houses are one Unit per living quarters, or per electrical meter. 3.) Commercial units will be

determined by a site visit, actual flow records, and by comparison to other similar sites.

Section 36. “Unpolluted Water” is water of quality equal to or better than the effluent criteria in effect or water that would not cause violation of receiving water quality standards and would not be benefited by discharge to the sanitary sewers and wastewater treatment facilities provided.

Section 37. “Wastewater” shall mean the spent water of a community. From the standpoint of source, it may be a combination of liquid and water-carried wastes from residences, business buildings, institutions, and industrial establishments together with such ground, surface, and storm waters as may be present.

Section 38. “Wastewater Treatment Works” shall mean an arrangement of devices and structures for treating wastewater, industrial waste, and sludge.

Section 39. “Wastewater Facilities” shall mean pipes, structures, equipment, and processes required to collect, pump, carry away and treat domestic and industrial wastes and to dispose of the effluent and by-products.

Section 40. “Water Course” shall mean a natural or artificial channel for the passage of water either continuously or intermittently.

ARTICLE III – Use of Public Sewers Required

Section 1. Unlawful Disposal or Discharge

Except as provided under the Rules of the Maine Department of Human Services, Division of Health Engineering, known as The State Plumbing Code, Part II and except in accordance with provisions for licensing by the Maine Department of Environmental Protection for the discharge of suitably treated wastes, it shall be unlawful to construct or maintain any privy, vault, septic tank, cesspool, or other facility intended or used for the disposal of polluted water, wastewater, or human excrement, or to discharge such excrement or water to any natural outlet within the Town, or in any area under the jurisdiction of the Town.

Section 2. Connection to Public Sewer Required

The owners of any building used for human occupancy, employment, recreation, or otherwise contains plumbing systems for conveying water borne waste, situated within the Town and abutting on any street, road, or right-of-way in which there is now located or planned to be located a public sanitary sewer, excluding force mains, is hereby required to connect, at the owner's expense, any said plumbing facilities directly with the public sewer in accordance with the provisions of this ordinance within 120 days after date of notice by the Superintendent to do so.

The building owner may request in writing to the Superintendent, deferral of this connection requirement on the basis of undue hardship if the building has as existing properly operating private wastewater disposal system, in which case the owner shall demonstrate the nature and degree of hardship.

If the building owner can provide to the satisfaction of the Superintendent that a suitable private wastewater disposal system is currently in use, the owner shall be exempt from connection to the public sewer but shall be assessed a readiness to service fee.

During construction of a public sewer, owners of unimproved lots and land abutting such sewer, have the option of having a service stub brought to the edge of the roadway at Town expense, (except as provided in Article IX) in which case the property owner will be assessed the readiness to service fee.

ARTICLE IV. Private Wastewater Disposal Systems

Section 1. Public Sewer Not Available

Where a public sanitary sewer is not available under the provisions of Article III, Section 2, the building shall be connected to a private wastewater disposal system complying with the provisions of this article and the State of Maine Plumbing Code, Part II, Subsurface Wastewater Disposal Regulations or to non-public wastewater facilities licensed by the DEP.

Section 2. Permit Required

Before commencement of construction of a private wastewater disposal system or nonpublic wastewater facilities licensed by the DEP, the owner shall first obtain a written permit signed by the plumbing inspector. The application for a subsurface wastewater disposal permit shall be made on a form furnished by the Division of Health Services, which the applicant shall supplement by any plans, specifications, and other information as are deemed necessary by the plumbing inspector. A permit and inspection fee as established by the Board of Selectmen shall be paid to the plumbing inspector at the time the application is filed.

A permit for a private waste water disposal system shall not become effective until the installation is completed to the satisfaction of the plumbing inspector. The plumbing inspector shall be allowed to inspect the work at any stage of construction and in any event the applicant for the permit shall notify the plumbing inspector when the work is ready for final inspection and before any underground portions are covered. Inspection shall be made within 48 hours of the receipt of notice by the plumbing inspector.

Section 3. State Compliance

The type, capacities, location and layout of a private waste water disposal system shall comply with the State of Maine Plumbing Code, Part II, Subsurface Wastewater Disposal Regulations and minimum lot size (Maine Revised Statutes Annotated) Title 12, Chapter 423-a or as provided and licensed by the DEP as may be amended. No private wastewater disposal system shall be permitted to discharge to any outlet unless approved and licensed by the DEP.

Section 4. Public Sewer Available

At such time as a building with an existing private waste water disposal system is connected to the public sewer as provided in Article III, Section 2, any septic tanks, cesspools, and similar private wastewater disposal facilities shall no longer be used and shall be cleaned of sludge, and filled with clean bankrun gravel or completely removed within 30 days from connection.

Section 5. Private System Operation

The owner(s) shall operate and maintain the private wastewater disposal facilities in a sanitary manner at all times, at no expense to the Town. The contents from private wastewater disposal systems shall not be discharged to the public sewer

Section 6. Additional Requirements

No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by the Town's Health Officer, Building Inspector or Code Enforcement Officer.

ARTICLE V. Building Sewers and Connections

Section 1. Permit Required

No unauthorized person(s) 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 Superintendent.

Any person proposing a new discharge into the system or a substantial change in the volume or character of pollutants that are being discharged into the system shall notify the Superintendent at least 45 days prior to the proposed change or connection, and shall comply with Maine Revised Statutes Annotated, Title 38, Chapter 3, Subchapter 1, Subsection 361 as determined by the Superintendent.

There shall be two classes of building sewer permits: 1.) for residential and commercial service, and 2.) for service to establishments producing industrial wastes. In either case, the owner(s) 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 Superintendent. A permit for both residential and industrial services as established by the Board of Selectmen for the appropriate class shall be paid to the Town at the time the application is filed.

Section 2. Costs Borne by Owner

All costs and expense incident to the installation, connection and maintenance of the building sewer shall be borne by the owner to the property line easement or right-of-way. 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.

Section 3. Separate Building Sewer Required

A separate and independent building sewer shall be provided for every building requiring a sewer connection; 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 a driveway, and the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.

Section 4. Old Building Sewers

Old building sewers may be used in connection with new buildings only when they are found to meet all requirements of this ordinance and such use is authorized by the Superintendent

Section 5. Methods of Construction

The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench shall all conform to the requirements of the State of Maine Plumbing Code and other applicable rules and regulations to the Town.

The connection of the building sewer into the public sewer shall be made at the wye branch or its equivalent. When connecting a 4 inch diameter building sewer to any public sewer 8 inches in diameter or less, and when connecting a 6 inch diameter building sewer to any public sewer 12 inches in diameter or less, a wye branch must be installed in a location specified by the Superintendent. Where the public sewer has greater than the maximum diameter for installation of a wye branch as specified above or no properly located wye branch is available, a neat hole may be cut into the

upper quadrant of the public sewer to receive the building sewer with entry to be made in the downstream direction at an angle of approximately 45 degrees, again in a location specified by the Superintendent. A properly sized wye saddle shall be inserted into the hole so as not to extend past the inner surface of the public sewer. A smooth, neat joint shall be made and the connection made secure and watertight by encasement in concrete or as otherwise approved. Special fittings may be used for the connection only when approved by the Superintendent.

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 drainage 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 determined by the Superintendent that a clogged street sewer could cause sewage backflow in the service line and result in damage to the building and/or contents, the Superintendent recommends the installation of a backflow preventer valve at the owner's expense.

Section 6. Building Sewer Inspection

The Superintendent shall be allowed to inspect all building sewers installed pursuant to the Article at any stage of construction and in any event, the applicant for the permit shall notify the Superintendent when the work is ready for inspection and before any underground portions are covered. A timely inspection shall be made by the Superintendent.

No building sewer installation constructed pursuant to the Article can be approved if such sewer is covered prior to inspection. The owner will be held in violation of this Section if the Superintendent has not inspected and approved the installation.

Section 7. Connection by Town

If an existing entrance or connection to the public sewer is not available or a new building sewer connection, the owner shall notify the Superintendent two business days before the expected time of connection. All such connections at the public sewer shall be made by the Town or its agent at the owner's expense. The above costs are in addition to the "hook-up amount" as established by the Selectmen.

Section 8. Storm Drain Connection Prohibited

No person(s) shall make connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sewer unless such connection is approved by the Superintendent for purposes of disposal of polluted surface drainage.

Section 9. Building Demolition

In the case of buildings being removed or demolished, the building sewer shall be capped at the street to the satisfaction of the Superintendent.

Section 10. Street and Public Right-of-way

All street openings, or installations in a public right-of-way shall be performed in strict accordance with Town regulations and approved by the Director of Public Works.

Section 11. Connection to Force Main Prohibited

No person shall make connection of a building sewer or pipe of any type to force main or inverted siphon which is part of the public sewer system.

ARTICLE VI. Use of Public Sewers

Section 1. Stormwater

No person(s) shall discharge or cause to be discharged any unpolluted waters such as storm water, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, or polluted industrial process waters to any sanitary sewer. Stormwater and all other unpolluted drainage shall be discharged to storm drains, or to natural outlets approved by the Superintendent. Unpolluted industrial cooling water or process water may be discharged, on approval of the Superintendent to a storm sewer, combined sewer, or natural outlet; and the discharge shall comply with Maine Revised Statutes Annotated, Title 38, Chapter 3, Subsection 413.

Section 2. Prohibited Wastes

No person(s) shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

- A. Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas;
- B. Any waters or pollutants 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 waste 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, including but not limited to those substances as defined in standards issued from time to time by EPA and DEP;
- C. Any water or pollutants having a ph lower than 5.0 or higher than 9.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the wastewater facilities;
- D. Any solid or viscous substances in such quantities or of such size as capable of causing obstruction to the flow in sewers or other interference with the proper operation of the wastewater facilities such as, but not limited to, ashes, bones, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, disposable diapers, wood, unground garbage, seafood shells, whole blood, paunch manure, hair and fleshings, entails, and paper or plastic dishes, cups, milk containers, etc. either whole or ground by garbage grinders;
- E. Any waters of pollutants, including oxygen demanding pollutants (DOB, etc), which released in quantities of flow or concentrations or both constitute a "slug" as defined herein;
- F. Any heated waters or pollutants in amounts which will inhibit or interfere with biological activity in the wastewater treatment works but in no case heated waters or pollutants in such quantities that the temperature at the wastewater treatment works influent exceeds 40 degrees centigrade (86 degrees Fahrenheit).

Section 3. Limited Wastes

The following describes substances, materials, waters, or pollutants shall be limited in discharge to the public sewer to concentrations or quantities which will not harm either the sewers, wastewater treatment process, or equipment, will not have an adverse affect on the receiving stream, or will not otherwise endanger lives, limb, public property, or constitute a nuisance. The Superintendent may set limitations lower than the limitations established in the regulations below if in his opinion such more severe limitations are necessary to meet the above objectives. The limitations or restrictions of waste or wastewaters discharged to the sanitary sewer which shall not be violated without approval of the Superintendent are as follows:

- A. Wastewater having a temperature higher than 60 degrees Centigrade (140 degrees Fahrenheit);
- B. Wastewater containing more than 25 mg/l of petroleum oil, no biodegradable cutting oils, or products of mineral oil origin;
- C. Wastewater containing fats, oils and grease, whether emulsified or not, in excess of 100 mg/l or containing substances which may solidify or become viscous at temperatures between 32 degrees and 150 degrees Fahrenheit (0 and 65 degrees Centigrade);
- D. Any garbage that has not been properly shredded. Garbage grinders may be connected to sanitary sewers from homes, hotels, institutions, restaurants, hospitals, catering establishments or similar places where garbage originates from the preparation of food, in kitchens for the purpose of consumption on the premises, or one served by caterers;
- E. Wastewater containing any hexavalent chromium, aluminum, iron, tin, fluorides, arsenic, phenols, chlorides, sulfates, or mercury: or the following metals in concentrations exceeding those listed:

<u>METAL</u>	<u>MAXIMUM FOR ANY ONE DAY (MG/L)</u>	<u>AVERAGE OF DAILY VALUES FOR 30 CONSECUTIVE DAYS</u>
CADMIUM	.064	.016
COPPER	2.87	0.80
LEAD	3.72	1.09
NICKEL	3.51	1.26
SILVER	0.44	.013
ZINC	2.64	0.80

F. Wastewater containing odor-producing substances exceeding limits which may be established by the Superintendent;

G. Any radioactive wastes or isotopes which exceed limits established by applicable state or federal regulations or standards;

H. Wastewater containing substances which are not amenable to treatment or reduction by the wastewater treatment process employed, or are amenable to treatment only to such degree that the wastewater treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters;

I. Wastewater which, by interaction with other water or pollutants in the public sewer system, release obnoxious gases, form suspended solids which interfere with the public sewer system, or create a condition deleterious to the wastewater facilities;

J. Any wastes having color not removable by the treatment works;

K. Any wastes having average BOD in excess of 40 mg/l;

L. Any wastes having average COD in excess of 600 mg/l;

M. Any wastes having average SS in excess of 400 mg/l;

N. Any wastes having dissolved solids in such quantity and character as compatible with the wastewater treatment works.

Section 4. Town Options for Prohibited Wastes

If any waters or pollutants are discharge, or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in Section 2 or 3 or this Article, and which in the judgment of the Superintendent may have a deleterious effect upon the wastewater facilities, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Superintendent may:

- A. Reject the waters of pollutants;
- B. Require pretreatment to an acceptable condition for discharge to the public sewers and/or;
- C. Require control over the quantities and rates of discharge, and/or;
- D. Require payment to cover the added costs of handling and treating the wastes.

Section 5. Pretreatment or Flow Equalization

If the Superintendent requires or permits the pretreatment or equalization of waste flows, the design and installation of the pretreatment or equalization plants and equipment shall be subject to the review and approval of the Superintendent and subject to the requirements of all applicable codes, ordinances, laws and municipal discharge permit. All such pretreatment or flow equalization facilities shall be maintained continuously in satisfactory and effective operation by the owner and at his expense.

Section 6. Grease and Sand Traps

Grease, oil and sand interceptors shall be provided when, in the opinion of the Superintendent, they are necessary for the proper handling of liquid wastes containing floatable grease in excessive amounts as specified in Section 3 C, or any flammable wastes, sand, and other harmful ingredients. All interceptors shall be of a type and capacity approved by the Superintendent and shall be located outdoors as to be readily and easily accessible for cleaning and inspection. In the maintaining of these

interceptors, the owner shall be responsible for the proper removal and disposal by appropriate means of the captured material and shall maintain records of the dates, and means of disposal which are subject to review by the Superintendent. Any removal and hauling of the collected materials, not performed by the owner must be performed by currently licensed waste disposal firms.

Section 7. Industrial Waste Permit Required

All discharges of industrial wastewater are required to obtain a permit from the Superintendent. All permits and applications for permits shall be in a form determined by the Superintendent and shall include an application fee established by the Board of Selectmen. In cases where the Town incurs administrative or outside professional costs in preparing such applications, such costs shall be charged directly to the applicant. Each permit shall have an annual expiration date. Such permit shall require compliance with all federal and state pretreatment standards and may include other requirements imposed by the Superintendent.

Section 8. Industrial Waste Monitoring

A. When required by the Superintendent, the owner of any property serviced by a building sewer carrying industrial pollutants shall install a suitable structure together with such necessary meters, and other appurtenances, in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such located and constructed in accordance with plans approved by the Superintendent. The structure 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.

B. All measurements, tests, and analyses of the characteristics of waters and pollutants 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 structure as required in paragraph A of this section, or upon suitable samples taken at the upstream and downstream manholes in the public sewer nearest to the point at which the building sewer is connected.

C. All industries discharging into a public sewer shall perform such monitoring of their discharges as the Superintendent may reasonably require, including installation, use and maintenance of monitoring equipment, keeping records, and reporting the results of such monitoring to the Superintendent. Such records shall be retained by the owner for a minimum of three years and made available upon request by the Superintendent.

D. All sampling and testing shall be carried out by the qualified person at the owner's expense. The method and location of sampling and quality of testing is subject to approval of the Superintendent. Any users of public sewers discharging or causing to be discharged into such public sewers any industrial wastes shall provide the Superintendent with samples, when requested.

Section 9. EPA Pretreatment Regulations

The Municipality shall develop and the Superintendent shall enforce pretreatment regulations for existing and new sources of pollution that are discharged or proposed to be discharged into the municipality-owned wastewater treatment facilities as set forth in Title 40, Chapter 1, Part 128 and Part 403 of the Final Rules of the United States Environmental Protection Agency.

Section 10. Exclusion of Industrial Waste

The Superintendent, with approval of the Town Manager, shall have authority to temporarily exclude any industrial waste, whether pretreated or not, from the municipal sewers whenever, in his or her opinion, such action is necessary for the purpose of determining the effects of such wastes upon the public sewers or wastewater facilities. The Superintendent shall notify the affected user prior to taking such actions, and shall afford the user a reasonable time for response. The Superintendent shall have the authority to take actions necessary to halt the discharge of pollutants from any user to the treatment works which reasonably appears to present an imminent endangerment to the wastewater facilities or to the health or welfare of persons. Such actions shall be preceded by notification, oral or written, to the user.

Section 11. Additional Information Required

The Superintendent may require a user of sewer services to provide information needed to determine compliance with this ordinance. These requirements may include:

- A. Wastewater discharge rates and volumes (average, minimum, peak) over a specified time period.
- B. Chemical analyses of wastewaters.
- C. Information on raw materials, processes, and projects affecting wastewater volume and quality.
- D. Quantity and disposition of specified liquids, sludge, oil, solvent, or other materials important to sewer use control.
- E. An engineering drawing by a registered engineer on sewers of the user's property showing sewer and pretreatment facility location and details of wastewater pretreatment facilities.
- F. Details of systems to prevent and control the losses of materials through spills to the public sewer.

Section 12. Special Arrangements

No statement contained in the Article shall be construed as preventing any special agreement or arrangement between the town and any industrial sewer user whereby an industrial waste of unusual strength or character may be accepted by the Town for treatment, subject to payment therefore by the industrial sewer user; provided that such agreements do not contravene any requirements of existing federal or state laws and/or regulations promulgated there under, and are compatible with any user charge system in effect.

ARTICLE VII. Powers and Authority of Superintendent

Section 1. Right of Entry

The Superintendent and other duly authorized employees or agents of the Town bearing proper credentials and identification shall be permitted to

enter all properties for the purpose of inspection, observation, measurement, sampling, and testing pertinent to discharge to the public sewer system in accordance with the provision of this ordinance.

Section 2. Process Information

The Superintendent or other duly authorized employees or agents are authorized to obtain information concerning processes which have a direct bearing on the kind and source of discharge to the public sewer system. The user may request that such information be kept confidential. The user must establish that the revelation to the public of the information in question might result in an advantage to competitors.

Section 3. Safety on Private Property

While performing the necessary work on private properties referred to in Article VII, Section 1, the Superintendent or duly authorized employees or agents of the Town shall observe all safety rules applicable to the premises established by the owner and the owner shall be held harmless for the injury or death to the Superintendent, employees or agents. The Town shall indemnify the owner 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 owner to maintain safe conditions.

Section 4. Easement and Right of Way Entry

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

ARTICLE VII. Penalties

Section 1. Written Notice of Violation

Any person found to be violating any provision of this ordinance, except Article I, Section 4 and Article VI, Section 10 shall 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.

Section 2. Fines

Any person who shall continue any violation beyond the time limit provided for in Article VIII, Section 1, shall be guilty of a misdemeanor, and on conviction thereof shall be fined in the amount of not less than \$100 for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.

Section 3. Liability for Public Expense

Any person violating any of the provisions of this ordinance shall become liable to the town for any expense, loss, or damage occasioned by the Town of Livermore Falls. By reason of such offense including:

- A. Any physical impairment of the wastewater facilities.
- B. Any fines which the Town of Livermore Falls may be required to pay as a result of such an offense.

Section 4. Injunctive Relief

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

ARTICLE IX. Sewer Extensions

Section 1. Public sewer extensions may be constructed by the Town under public contract if, in the opinion of the Selectmen, the number of properties to be served by such extensions warrants its cost. Under this arrangement the property owner shall pay for and install the building sewer from the public sewer to his residence or place of business in accordance with the

requirements of Article IV. Property owners may propose sewer extensions within the Town by drafting a written petition signed by a majority of the benefiting property owners, and filing with the Selectmen. The cost of such extensions may be assessed to the benefited property owners in any manner determined by the Selectmen.

Section 2. If the town does not elect to construct a sewer extension under public contract, the property owner, builder, or developer may construct the necessary sewer extension, if such extension is approved by the Selectmen in accordance with the requirements of Section 3. They must pay for the entire installation, including all expenses incidental thereto. Each building sewer must be installed and inspected as previously required and the inspection fees shall be paid therefore. Design of sewers shall be as specified in Section 3 and 4. The installation of the sewer extension shall be subject to periodic inspection by the Superintendent and the expenses for this inspection shall be paid for by the owner, builder or developer. The Superintendent's decisions shall be final in matter of quality and methods of construction. The sewer, as constructed, must pass the exfiltration test required in Section 5 before it is to be used. The cost of sewer extension thus made shall be absorbed by the developers or the property owners, including all building sewers.

Section 3. All extensions to the sanitary sewer system owned and maintained by the Town shall be properly designed in accordance with the Recommended Standard for Sewage Works, as adapted by the Great Lakes-Upper Mississippi River Board of State Sanitary Engineers. Plans and specifications for sewer extensions shall be submitted to and approval obtained from the Superintendent before construction may proceed. The design of sewers must anticipate and allow for flows from all possible future extensions or developments within the immediate drainage area.

Section 4. Sewer design shall be in accordance with the following provisions. Pipe material shall be PVC, minimum classification standards to be SDR 35. No standard strength clay pipe nor non-reinforced concrete pipe shall be used. Minimum internal pipe diameter shall be 8 inches. Joint preparation and assembly shall be in accordance with the manufacturer's recommendations. Wye branch fittings shall be installed for connection to buildings sewers in accordance with Article V Section V. Pipe shall be firmly and evenly bedded on a minimum of 6 inches of screened gravel with stone size not exceeding 1 inch.

Manholes shall be constructed at all changes in slope or alignment or at intervals not exceeding 400 linear feet. The manholes shall be constructed with a poured 3000 psi concrete base 8 inches thick, steel troweled concrete or mortar bench walls and inverts, and precast four foot diameter concrete manhole barrel sections with tapered top sections, as specified by ASTM C-478. The manhole frame and cover shall be the standard design of the Town and shall be set with no less than one two inch concrete riser underneath to allow for later adjustment to elevation. All joints shall be sealed against infiltration.

Section 5. All public sewers shall satisfy requirements of a final exfiltration test before they will be approved and sewage flow accepted from them by the Town. This test can either be conducted hydraulically or pneumatically.

The Hydraulic test consists of filling the pipe with water to provide a head of at least 5 ft. above the top of the pipe or 5 ft. above the ground water, whichever is higher, at the highest point of the pipe line under test, and then measuring the loss of water from the line by the amount which must be added to maintain at the original level. In this test, the line must remain filled for least 24 hours prior to taking of measurements. Exfiltration shall be measured by the drop of water level in a stand pipe with closed bottom end or in one of the sewer manholes available for convenient measuring. When a standpipe and plug arrangement is used in the upper manhole of a line under test, there must be some positive method of releasing entrapped air in the sewer prior to taking measurements. The length of sewer shall in no event exceed 1,000 ft. for either type of test and, in the case of sewers laid on a steep grade, may be limited by the maximum allowable internal pressure on the pipe and joints at the lower end of the line. The test period, wherein the measurements are taken, shall not be less than two hours in either test and the maximum allowable rate of leakage shall not exceed 100 gallons per mile of pipe per 24 hours per inch of nominal pipe diameter. For purposes of determining this maximum allowable rate of leakage, manholes shall be considered as a section of 48 inch diameter pipe 5 feet long, and the equivalent leakage of allowance shall be 4.5 gallons per manhole per 24 hours.

The pneumatic test consists of blanking both ends of the pipe with air locks and introducing air through a mechanism in one of the air lock units to 3.5 pounds per square inch pressure. With a known permeability of the pipe,

the only variable is the pipe diameter, and the minimum allowable time in minutes for a 1.0 pound per square inch pressure drop is found by multiplying the pipe diameter in inches by 0.472.

If leakage exceeds a specified amount by either test, the necessary repairs or replacements required shall be made to permanently reduce the leakage to within the specified limit.

Section 6. All extensions of public sewers constructed at the expense of the property owner, builder, or developer, after approval and acceptance by the Superintendent, shall become the property of the Town and shall thereafter be maintained by the Town. Said sewers, after their acceptance by the Town, shall be guaranteed against defects in materials or workmanship for 18 months. The guarantee shall be in a form provided for by the Town. At the sole discretion of the Town, a completion bond or certified check may be demanded as part of the guarantee.

Section 7. No builder or developer shall be issued a building permit for a new dwelling or structure requiring sanitary facilities within the Town, unless a suitable and approved method of waste disposal is proposed. All new developments shall be provided with an approved system of sanitary sewers.

Section 8. Pump Station Design

Sewer and pump station design shall be in accordance with the sewer design specifications adopted by the Town. The Town of Livermore Falls shall approve, prior to installation, all necessary instrumentation for all pump stations. All pump stations shall be designed and constructed by the requesting party(s), with the developer or the property owners requiring the pump station paying all of the costs. Station to be adjacent to public right of way and on land deeded to the Town.

Section 9. Building Permit Requirement

No builder or developer shall be issued a building permit for a new dwelling or structure requiring sanitary facilities within the Town, unless a suitable and approved method of sewage disposal is proposed and approved by the Town.

ARTICLE X. Sewer Fees

Sewer service charge rates shall be determined by the Selectmen on a year-to-year basis and in general such charges will be determined on a rate structure based on water consumption as well as a per unit charge assessed to the property. The sewer service charge will be computed and billed at regular intervals throughout each calendar year, as established by the Selectmen.

Section 1. Readings

Sewer bills are based on first quarter readings received from the Livermore Falls Water District. These readings are used for four quarters of billing (April to January). If a new reading is requested from a customer, the Sewer Clerk must be notified prior to billing, copy of last water bill supplied, and a \$5 administrative request fee must be paid. (This request will be done for the next two billings).

Section 2. Payment of Bills

Bills are due 60 days from billing date. Interest will be charged on any unpaid balance after this time period. Lien process will be followed on any unpaid bill. Liens will be placed against the property where service is billed in accordance with all applicable State Statutes.

ARTICLE XI. Appeals

Section 1. First Notice to Superintendent

Any person aggrieved by a determination made under the provisions of this ordinance, or any person questioning the amount of or the validity of any charge or fee hereunder, shall first contact the Superintendent who may make such adjustments as he deems appropriate within the limits of his authorization in this ordinance.

Section 2. Appeal to the Board of Selectmen

Any person dissatisfied with the action of the Superintendent may appeal in writing within 10 days to the Board of Selectmen, which shall within 30 days hold a hearing on the appeal. The Board of Selectmen may

affirm or amend the Superintendent's action, and it may permit exceptions to a variance from the specific provisions of this ordinance, including but not limited to, a requirement for added water or sewerage flow metering and reporting. All decisions determined by the Board of Selectmen will be provided in writing and dated.

Section 3. Appeal to Superior Court

An aggrieved party may appeal the decision of the Board of Selectmen to the Superior Courts as provided by the laws of the State of Maine.

ARTICLE XII. Validity of Ordinance

All ordinances or parts of ordinances in conflict herewith are hereby repealed. The validity of any section, clause, sentence, or provision of this ordinance shall not affect the validity of any other part of this ordinance which can be given effect without such invalid part or parts.

ARTICLE XIII. Ordinance in Force

This ordinance shall be in full force and effect from and after its passage, approval and recording.

Adopted June 11, 2003