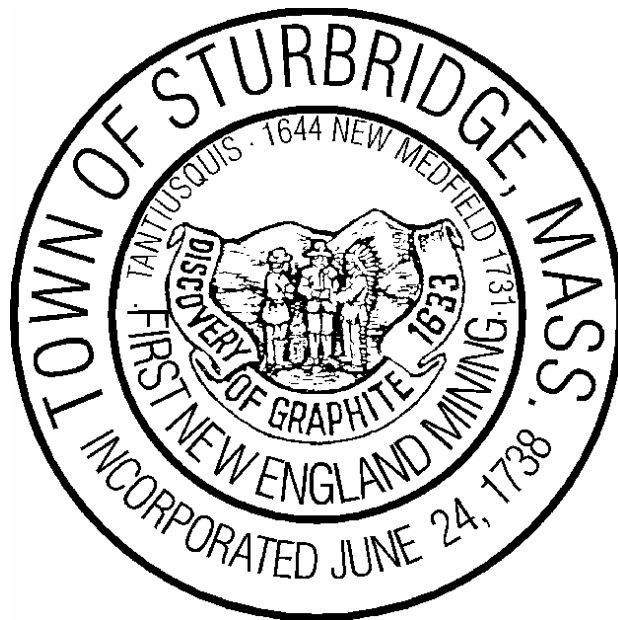


Sewer Regulations

And Bylaws

Town of Sturbridge



As Amended, 2006

**Sturbridge Sewer Bylaws and Regulations
As Amended 2006**

**CHAPTER ONE
DEFINITIONS**

1.00 Definitions

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

"Act" or "The Act" shall mean The Federal Water Pollution Control Act, also known as "The Clean Water Act."

"BOD" (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at twenty degrees centigrade (20 C.), expressed in milligrams per liter.

"Board of Health" shall mean the Board of Health of the Town of Sturbridge.

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

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

"Combined Sewer" shall mean a sewer receiving both surface run-off and sewage.

"Commonwealth of Massachusetts Department of Environmental Protection" (MDEP) shall mean the Massachusetts Department of Environmental Protection or any duly authorized official of said Department.

"Garbage" shall mean solid wastes from the domestic and commercial preparation, cooking, and dispensing of food, and from the handling, storage, and sale of produce.

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

"May" is permissive.

"Natural Outlet" shall mean any outlet into a watercourse, pond, ditch, lake, or other body of surface or groundwater.

"NPDES Permit" shall mean National Pollutant Discharge Elimination System.

"Person" shall mean any individual firm, company, association, society, corporation, or group.

"pH" shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

**Sturbridge Sewer Bylaws and Regulations
As Amended 2006**

"Pretreatment" shall mean the reduction of the amount of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into a sewage treatment plant. The reduction or alteration can be obtained by physical, chemical or biological processes, process changes or by other means.

"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 in any dimension.

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

"Sanitary Sewer" shall mean a sewer, which carries sewage, and to which storm, surface, and groundwaters are not intentionally admitted.

"Sewage" (sometimes termed "Wastewater" or "Waste") shall mean a combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground, surface, and stormwaters as may be present.

"Sewage Treatment Plant" or "Water Pollution Control Plant" shall mean any arrangement of devices and structures used for treating sewage.

"Sewage Works" shall mean all facilities for collecting, pumping, treating, and disposing of sewage.

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

"Shall" is mandatory.

"Significant Industrial User" shall mean any user who has a discharge flow of twenty-five thousand (25,000) gallons or more per average workday; has a flow greater than five percent (5%) of the flow in the town's wastewater system; has in his wastes, toxic pollutants as defined pursuant to Section 307 of the Act; has been identified as one (1) of the twenty-one (21) industrial categories pursuant to Section 307 of the Act; or is found by the town to have significant impact, either singly or in combination with other contributing industries, on the treatment or collection system.

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

"Storm Drain" (sometimes termed "storm sewer") shall mean a sewer which carries storm and surface waters and drainage, but sewage and industrial wastes, other than unpolluted process and cooling water are intended to be excluded.

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

**Sturbridge Sewer Bylaws and Regulations
As Amended 2006**

"Town" shall mean the Town of Sturbridge, Massachusetts.

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

**CHAPTER TWO
USE OF PUBLIC SEWERS REQUIRED**

2.00 Discharge to natural outlets

It shall be unlawful to discharge to any natural outlet within the Town, or in any area under the jurisdiction of said Town, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this bylaw and the requirements of the Commonwealth of Massachusetts.

2.01 Prohibited private facilities

Except as hereinafter provided, it shall be unlawful to construct or maintain in the Town any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage except where no sewage facilities are available.

2.02 Connection to existing public sewer

The owners of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated within the Town and abutting on any street, alley, or right-of-way in which there is located a public sanitary sewer of the Town, are hereby required at their expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this bylaw, within ninety (90) days after the date of official notice to do so, provided that said public sewer is within one hundred (100) feet of the property line, unless prevented by topographical or other reason.

2.03 Connection to public sewer required as they become available

At such time as a public sewer becomes available to a property served by a private sewage disposal system, a direct connection shall be made to the public sewer within ninety (90) days after the date of official notice to do so, provided that said public sewer is within one hundred (100) feet of the property line, unless the property owner can otherwise provide evidence that the private sewage disposal system complies with current state and local regulations. Any and all septic tanks, cesspools and similar private sewage disposal facilities shall be abandoned, cleaned of sludge, and filled with suitable material. Suitable material shall be screened gravel with a maximum particle size not exceeding one (1) inch in any direction. Property owners that do not connect to available public sewers within the time prescribed will be subject to testing to demonstrate compliance with current state and local regulations as required by the Board of Health.

2.04 Rental charges

The Town of Sturbridge shall annually establish equitable and just rental charges for the use of the sewage facilities to be paid by every owner of an establishment whose building sewers connect directly or indirectly into public sewers. Such annual charges shall be in

**Sturbridge Sewer Bylaws and Regulations
As Amended 2006**

proportion to the quantity of water supplied to every such establishment, subject to just and equitable discounts and abatements in exceptional cases, or in the case of private water supply, a fair estimate shall be used. The town shall revise the charges for users or user classes to accomplish the following: maintain a proportionate distribution of operation and maintenance cost among users and user classes as required herein; generate sufficient revenue to pay the total operation and maintenance costs necessary to the proper operation and maintenance (including replacement) of the treatment works; and apply excess revenues collected from a class of users to the costs of operation and maintenance attributable to that class for the next year and adjust the rate accordingly. The rental charges shall constitute a lien upon the real estate using such public sewers to be collected in the same manner as taxes upon real estate. Such lien shall be proper and superior to every other lien or claim except a lien of an existing tax, water charge or local assessment or in an action of contract in the name of the Town.

2.05 Sewer fund

The revenue derived from the sewer rentals imposed hereunder, including penalties and interest thereon, shall be kept in a separate and distinct fund to be known as the Sewer Fund.

**CHAPTER THREE
BETTERMENT ASSESSMENTS**

3.00 Authority

The Town of Sturbridge, acting through its Board of Selectmen, shall assess the owners of land abutting a public sewer line installed by the Town by a rate based upon the uniform unit method. Sewer Assessments shall be determined utilizing the total number of existing residential sewer units to be served, 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 to assess betterments, as well as the permitted methodologies for doing so, are described in MGL Ch. 80, §§ 14 through 24.

If any provision of these regulations or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of these regulations which can be given effect without such invalid provisions or applications.

3.01 Method of Assessing Betterments and Sewer Privilege Fees

(A) General

The Town of Sturbridge shall assess sewer betterments based upon the uniform unit method. Properties abutting a sewer street shall be assessed by a rate proportional to the total number of existing sewer units 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 a sewer street. The total assessments shall not exceed the local share of the total sewer project cost which shall include total costs of engineering, survey, design, construction, land acquisition,

**Sturbridge Sewer Bylaws and Regulations
As Amended 2006**

construction engineering services, legal services and all related contingencies, less all state and federal aid received.

The Board shall levy, by preparing an Order of Assessment, assessments against all properties abutting a sewer street within six months after completion of the pertinent construction and 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 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.

(B) Time of Assessment

(1) Betterments – The number of existing sewer units shall be determined by the Board of Selectmen for each sewer construction project approved by the Town Meeting. The time of assessment for lands abutting the sewer street shall be that date upon which the sewer system with appurtenances is “approved for use”. In the case where the construction of that portion of the sewer system (lateral sewers) funded by betterments is completed prior to the date upon which the sewer system is “approved for use” it shall be within the discretion of the Board of Selectmen to establish an earlier date of assessment.

(2) Sewer Privilege Fees – For those properties not abutting the sewer line at the time of construction, but tying into the system at a future date, the time of assessment shall be the date upon which that property connects into the sewer system.

For those properties serviced by the sewer system but subdivided at a future date, the time of assessment for the unsewered subdivision shall be the date upon which those subdivisions connect to the sewer system.

3.02 Sewer Unit Designation

(A) General

Sewer units shall be determined based upon the user class of those properties to be assessed a betterment. 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 and sewer units shall be determined based upon the residential equivalent of such commercial, industrial, municipal or other non-residential class, as provided herein.

(B) Sewer Unit Determinations

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

(1) Residential Developed:

**Sturbridge Sewer Bylaws and Regulations
As Amended 2006**

- (a) Single family dwellings shall comprise one sewer unit.
 - (b) Multiple family dwellings (more than one dwelling unit) shall comprise a number of sewer units based upon the following methodology:
 - (i) Rental properties (apartments) shall be assessed one sewer unit for each apartment with more than one bedroom. Rental properties shall be assessed one-half of one sewer unit for each one bedroom or studio apartment.
 - (ii) Condominium complexes shall be assessed one sewer unit for each dwelling unit.
- (2) Non-Residential – Developed with Town water:
- (a) Non-residential property shall include all industrial, commercial and municipal properties.
 - (b) Non-residential buildings which are metered for water use shall comprise a number of sewer units based upon the average water consumption for the 12 months preceding the appropriation of the funds for construction using the following formula:
$$\frac{\text{Water Usage (gpd)}}{200 \text{ gpd}} = \text{Equivalent number of sewer units}$$

(All decimals shall be rounded up to the next whole highest number)
- (3) Non-Residential – Developed without Town water:
- (a) Non-residential buildings not metered for water use shall be assigned a water consumption volume by the Sturbridge Board of Health based on Title 5 of the State Environmental Code for the Commonwealth of Massachusetts, Minimum Requirements for the Subsurface Disposal of Sanitary Sewage. An equivalent number of sewer units shall then be determined by using the following formula:
$$\frac{\text{Non-Residential Sewage Per Day (gpd)}}{200 \text{ gpd}} = \text{Equivalent number of sewer units}$$

(All decimals shall be rounded up to the next whole highest number)
- (4) Residential – Undeveloped:
- (a) Undeveloped lots shall be assigned one sewer unit and be assessed accordingly. Future subdivisions of the assessed lot shall be subject to the assessment of sewer privilege fees.
- (5) Non-Residential – Undeveloped:

**Sturbridge Sewer Bylaws and Regulations
As Amended 2006**

- (a) Undeveloped lots shall be assigned one sewer unit and be assessed accordingly. The lot shall be subject to the assessment of sewer privilege fees. Future use of the land shall govern the assessment of sewer privilege fees.

3.03 Betterment Payment

(A) General

Except as herein provided, the provisions of Massachusetts General Laws relative to the assessment, apportionment, division, reassessment, abatement and collection of sewer assessments, liens therefor, 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.

(B) Lump Sum Betterments

The lump sum betterment payment for an assessed property shall be based upon the total number of sewer units designated for said property at the time of assessment. Said number of sewer units shall be determined as described herein.

(C) 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.

3.04 Sewer Privilege Fee

(A) Private Sewer Extension

If a developer or a person other than the Town of Sturbridge, or duly authorized representative of the Town, constructs a sewer extension to the public sewer system, the Town shall assess a sewer privilege fee in lieu of betterment assessment with respect to each sewer unit to be served by said sewer extension. The sewer privilege fee shall be \$7,500 per residential unit; non-residential units shall be \$7,500 multiplied by the sewer unit calculation described in Section 3.02(B)(2) of this bylaw. Sewer privilege fees shall be levied at the time of connection to the public sewer system. Sewer privilege fees shall be paid in a lump sum at the time of connection.

In addition, 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:

- (1) Review of design plans and specifications for the private sewer extensions to be accepted as part of the public sewer system conducted by a Registered Professional Engineer as authorized by the Board of Selectmen.

**Sturbridge Sewer Bylaws and Regulations
As Amended 2006**

- (2) Inspection fees of the Board related to the installation of the private sewer extension tying into the public sewer system.
- (3) Application fees for a building Sewer Connection Permit, which shall include all reasonable costs related to installation inspection performed by an inspector for the Town of Sturbridge.

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.

3.05 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 Section 3.02 of these regulations and 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 Section 3.03 of these regulations shall apply.

**CHAPTER FOUR
PRIVATE SEWAGE DISPOSAL**

4.00 Connection to private facilities

Where a public sanitary sewer is not available under the provisions of Chapter Two, the building sewer shall be connected to a private sewage disposal system complying with the requirements of the Title V and the Board of Health.

4.01 Board of Health permit required when sewers unavailable

Before commencement of construction of a private sewage disposal system, the owner shall first obtain a written permit signed by the Sturbridge Board of Health. The application for such permit shall be made on a form furnished by the Town, which the applicant shall supplement with any plans, specifications and other information deemed necessary by the Board of Health agent. A permit and inspection fee, as established from time to time by resolution of the Board of Selectmen, shall be payable at the time the application is filed.

4.02 Title V compliance

All private sanitary sewer systems shall comply with the Commonwealth of Massachusetts Title V requirements, and related amendments.

**Sturbridge Sewer Bylaws and Regulations
As Amended 2006**

4.03 Inspection of private sewage disposal systems by Board of Health Agent

A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the Board of Health. The Board of Health and its agent shall be allowed to inspect the work at any stage of construction. The applicant for the permit shall notify the agent when the work is ready for final inspection and before any underground portions are covered. The inspection shall be made within twenty-four (24) hours of the receipt of notice by the agent.

4.04 Maintenance of system

The owner shall operate and maintain any private sewage disposal facilities in a sanitary manner at all times at no expense to the town.

**CHAPTER FIVE
BUILDING SEWERS AND CONNECTIONS**

5.00 Permit required

No authorized 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. All the work related to the installation, repair, extension or modification of building drains, building sewers, and connections to public sewers shall be performed by persons licensed by the Town. Work related to the installation of building sewers, sewer extensions, and connections to public sewers shall be performed only under permit issued by the D.P.W. Director and/or the Board of Selectmen in the case of a sewer extension permit (see attached application form).

5.01 Class of permit

There shall be two classes of building sewer connection permits:

- (A) For residential and commercial service
- (B) For service to establishments producing industrial wastes

In either case, the owner or his agent shall make application on a special form furnished by the Town. The permit application shall include any plans, specifications, or other information considered pertinent in the judgment of the D.P.W. Director. The terms and conditions of the permit are subject to modification and change by the Town, subject to Board of Selectman approval, allowing a six (6) month time schedule for notification and compliance. The discharge shall not be reassigned, transferred, or sold to a new owner, new user, different premises or a new or changed operation. An industrial permittee shall apply for a permit modification when either production or process is changed resulting in the wastewater characteristics of flow being altered. In either case, the owner or his agent shall make an application on a special form furnished by the Town. The permit application shall be supplemented with any plans, specifications or other information considered pertinent in the judgment of the D.P.W. Director. The conditions of the permit shall be uniformly enforced in accordance with the ordinance and all other applicable State and Federal regulations.

**Sturbridge Sewer Bylaws and Regulations
As Amended 2006**

5.02 Permit maintained on site

One copy of the permit shall be available for inspection at all times at the site of the work.

5.03 Property owner to bear cost

All costs and expenses incidental to the installation, testing, 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.

5.04 Entrance fees for domestic use

An entrance fee of One Thousand Two Hundred (\$1,200.00) Dollars shall be charged to any sewer service for domestic usage on any sewer connection installed from the main sewer to the property line. This entrance fee shall be payable at the time of the service connection except that at the discretion of the Board of Selectmen, or their agents (Town Administrator or D.P.W. Director) this payment may be on terms and conditions set forth by the Town with the provision that any balance due the Town on the entrance fee shall constitute a lien on the property of the applicant.

5.05 Additional expenses for domestic users

The owner, in addition to such entrance fees shall pay the established rates for sewer rental and shall pay for all service work, materials, and inspection from the property line or termination of town-installed line to his house or building. Inspection services provided by the Town shall be billed at an hourly rate as determined by the D.P.W. Director.

5.06 Entrance fee for purposes other than domestic use

The entrance fee for any service, other than domestic, connecting into any sewer shall be based on the following: Apartment houses or condominium complexes shall pay an entrance fee of One Thousand Two Hundred (\$1,200.00) Dollars per unit.

5.07 Business or industrial entrance fees

The business or industry entrance fee shall be Two Hundred Twenty Five (\$225.00) Dollars per one hundred gallons per day or a minimum fee of One Thousand Two Hundred (\$1,200.00) Dollars, whichever is greater.

5.08 Additional expenses for users other than domestic accounts

The service for the buildings under this section shall be paid entirely by the owner and shall include all labor, material, inspection, and other charges related to the installation, above and beyond the existing infrastructure of the Town.

5.09 Payment of entrance fees; lien

The entrance fees set forth in this section shall be payable at the time of the application except that at the discretion of the Board of Selectmen, or their agents (Town Administrator or D.P.W. Director) this payment may be on terms and conditions set forth by the Town

**Sturbridge Sewer Bylaws and Regulations
As Amended 2006**

with the provision that any balance due the Town on the entrance fee shall constitute a lien on the property of the applicant.

5.10 Inspection; supervision of connection

The applicant for the building sewer permit shall notify the D.P.W. Director at least forty eight (48) hours before beginning the work and also twenty four (24) hours before the building sewer is ready for inspection, testing, and connection to the public sewer. The testing and connection shall be made under the supervision of the D.P.W. Director.

5.11 Notification of completion, and certification

Notification of the completion of the work with certification that all conditions of the Sewer Bylaw have been complied with shall be filed in writing by the applicant with the D.P.W. Director within twenty four (24) hours after the completion of the work covered in each permit.

5.12 Separate building sewers required; exception

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 under permit issued by the D.P.W. Director.

5.13 Old building sewers

Old building sewers or portions thereof may be used in connection with new buildings only when they are found, on examination and test by the owner/developer and witnessed by the D.P.W. Director, to meet all requirements of this bylaw.

5.14 Elevation of sewer; lifting of sewerage

Where 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.

5.15 Building sewer and trench specifications

The size, slope, alignment and materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, joining, testing and backfilling the trench, shall all conform to the requirements of the State and Local Building and Plumbing Code or other applicable rules and regulations of the Town. In absence of code provisions or in amplification thereof, the materials and procedures shall be set forth in appropriate specifications of the A.S.T.M. All excavations required for the installation of a building sewer shall be open trench work unless otherwise approved by the D.P.W. Director. Pipe laying and backfill shall be performed in accordance with Town of Sturbridge typical street opening pavement repair and A.S.T.M. Specification C12-64, except that no backfill shall be placed until the work has been inspected. Additional specifications shall include The

**Sturbridge Sewer Bylaws and Regulations
As Amended 2006**

Commonwealth of Massachusetts Department of Public Works Standard Specifications For Highways, Bridges, and Waterways.

5.16 Vented drain system

The building drain system shall be so vented that under no circumstances will the seal of any appliance be subjected to a pressure differential in excess of one (1) inch of water. All appliances connected directly or indirectly to the building drain shall have traps with a liquid seal not less than two (2) inches in depth.

5.17 Prohibited connections

No person shall make a connection of roof downspouts, exterior foundation drains, areaway drains or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.

5.18 Connection to public sewer

The connection of the building sewer into the public sewer shall conform to the requirements of the State and Local Building and Plumbing Code or other applicable rules and regulations of the volley or to the procedures set forth in appropriate specifications of the A.S.T.M. and all such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the D.P.W.. Director before installation.

5.19 Guarding and restoration of excavation

All excavations for building sewer installations shall be adequately guarded with barricades and lights to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Town.

5.20 Piping

The building sewer shall be cast-iron soil pipe, A.S.T.M. Specification A74-66; vitrified clay sewer pipe A.S.T.M. Specification C200-69; SDR 35 Polyvinyl Chloride (PVC) pipe; Schedule 40 PVC pipe; or approved equal. Joints shall be tight and waterproof. Cement mortar joints will not be permitted. Any part of the building sewer that is located within five (5) feet of a water service pipe shall be constructed of cast-iron soil pipe with lead joints. Cast-iron pipe with lead joints may be required where the building sewer is exposed to damage by tree roots. If installed in filled or unstable ground, the building sewer shall be laid on a suitable concrete bed or cradle or shall be of cast-iron soil pipe with lead joints.

5.21 Laterals

For gravity systems, the size and slope of the building sewer shall be subject to the approval of the D.P.W. Director but in no event shall the diameter be less than six (6) inches. The slope of such pipe shall not be less than one-quarter ($\frac{1}{4}$) inch per foot. The building sewer shall be laid at uniform grade and in straight alignment insofar as possible. Changes in direction shall be made only with benched manholes as approved by the

**Sturbridge Sewer Bylaws and Regulations
As Amended 2006**

D.P.W. Director. A clean-out shall be located a minimum of four (4) inches above the basement floor. These requirements shall not apply to low-pressure grinder pump systems.

5.22 Joints and connections

All joints and connections shall be made watertight.

5.23 Cast-iron joint specifications

Cast-iron pipe joints shall be firmly packed with oakum or hemp and filled with molten lead, Federal Specifications (QQ-C-40) not less than one (1) inch deep. Lead shall be run in one pouring and caulked tight. No paint, varnish, or other coatings shall be permitted on the jointing material until after the joint has been tested and approved.

5.24 Vitrified clay joint specifications

All joints in vitrified clay pipe or between such pipe and metals shall be made with approved premolded gasket joints and shall utilize materials having resilient properties. Joints using materials having resilient properties shall conform to A.S.T.M. C425-66T and shall be type I or III.

5.25 Polyvinyl chloride (PVC) joint specifications

Joints for SDR 35 and Schedule 40 PVC pipe shall be O ring rubber gasket joints or premolded gasket joints.

5.26 Leak detection

All parts of new building drains and sewers shall withstand under test without observable leakage a ten (10) foot head of water for a minimum period of fifteen (15) minutes at a temperature above the freezing points of water. Air pressure tests are an approved substitute when witnessed by the D.P.W. Director.

5.29 "Wye" or "Tee" connections

The connection of the building sewer into the public sewer shall be made at the "Y" or "T" branch, or at bench level in a manhole if such branch tee or manhole is accessible.

5.30 Tap or sleeve connections

If no branch, tee, or manhole is available, a connection may be made by tapping the existing sewer by an approved method under the supervision of the D.P.W. Director. The contractor is to submit shop drawings of materials for approval prior to connection.

5.31 Loads on structures

The covers of all building drain and building sewer manholes, inspection chambers, cleanouts, and the like shall be watertight and shall be capable of withstanding, without damage or displacement, any traffic loads (H2O loading) to which they may be subjected.

**Sturbridge Sewer Bylaws and Regulations
As Amended 2006**

5.32 Low-Pressure Systems & Grinder Pumps

The town will allow, where necessary for fiscal or engineering reasons, low-pressure sewer systems. The Board of Selectmen will maintain discretion over the construction of such systems and will determine the requirements for said systems. Any low-pressure sewer systems will require the property owners to enter into an agreement with the Town to allow access to the system for repair and maintenance of grinder pumps and appurtenant facilities.

5.50 Sewer Service Area

5.51 Service Area – Purpose

It is the purpose of this bylaw to protect water resources in order to:

- (a) Protect the health, safety and welfare of the residents of the Town of Sturbridge through the preservation of the town's groundwater and surface water by addressing primarily existing sewage disposal problems.
- (b) Protect groundwater and surface water from nitrogen contamination and pollution from subsurface disposal of wastewater.
- (c) Protect other sensitive water resource areas, including those lands that contribute recharge to private drinking water supplies.

It is also the purpose of this bylaw to regulate the connections to and extensions of the Town's sewer system in order to preserve and manage limited treatment capacity.

5.52 Identification of Lots to be served

Upon completion of construction of the Town's sewer collection system, only those lots existing as of record and recorded in the Worcester Registry of Deeds as of December 31, 2001 within the Phase I (original system in place prior to 1995), Phase II, Cedar Lake, Technology Park, Tantasqua, Phase III or Big Alum Sewer Projects shall be permitted to connect to the town's sewer collection system. Any vacant lot within the above referenced sewer areas is entitled to a design flow of one (1) sewer unit as defined in Section 5.59.

5.53 New Lots

Sewer extensions to new streets, subdivisions or lots created and recorded in the Worcester Registry of Deeds after December 31, 2001 shall not be permitted except by approval of the Director of Public Works and by majority vote of the Board of Selectmen, acting as Sewer Commissioners. Sewer extensions to new lots shall expire two (2) years after the extension is approved by the Board of Selectmen if work has not been substantially initiated, as determined by the Board of Selectmen unless an extension has been granted by the Board of Selectmen. All sewer extensions shall require a public hearing with the public hearing notification printed in the newspaper designated by the Town, at least two weeks prior to the hearing.

**Sturbridge Sewer Bylaws and Regulations
As Amended 2006**

5.54 Reserve for Future Municipal Buildings

The town shall maintain a reserve capacity of 20,000 gallons per day for the sole purpose of serving future municipal buildings.

5.55 Allocation of Reserve Capacity for Failed Septic Systems

By majority vote of the Board of Health and at the discretion of the Board of Selectmen (acting as Sewer Commissioners) and subject to available capacity, failed septic systems for developed lots in existence prior to December 31, 2001 may be incorporated into the sewer system area. The sewer service design flows calculated for failed septic systems shall be determined by the sewer design capacity and sewer unit calculation set forth in Section 5.59 of this bylaw. The reserve capacity shall be reduced by a like amount. The owners of failed septic systems shall reimburse the town for the expense of maintaining their portion of the reserve capacity through payment of a sewer privilege fee as outlined in Chapter Two of the Sewer Bylaws and Regulations allocated to it by the Board of Selectmen (acting as Sewer Commissioners).

5.56 Allocation of Reserve Capacity for Expansion of Existing Facilities

The town may by majority vote of the Board of Health and Board of Selectmen (acting as Sewer Commissioners) and subject to available capacity, allow the expansion of existing facilities within the Sewer Service Area that will result in increased sewage flow. The design flow for the expansion of the existing facilities shall be calculated in accordance with the sewer design capacity and sewer unit calculation set forth in Section 5.59 of this bylaw. The reserve capacity shall be reduced by a like amount. The owner of the expanded facility shall reimburse the town for the expense of maintaining their portion of the reserve capacity through payment of a sewer privilege fee as outlined in Chapter Two of the Sewer Bylaws and Regulations as allocated to it by the Board of Selectmen (acting as Sewer Commissioners).

5.57 Allocation of Reserve Capacity for Change in Use of Existing Facilities

The town may by majority vote of the Board of Selectmen, acting as Sewer Commissioners, subject to available capacity, allow the change in use of existing facilities within the Sewer Service Area that will result in increased sewage flow. The design flow for the change in use of the existing facility shall be calculated as follows:

Additional design flow: $\text{New Design Flow} - \text{Existing Design Flow}$

The existing design flow is the average daily water consumption for the new facility as recorded by the Sturbridge Water Department for the prior full calendar year and the New Design Flow is the Sewage Flow calculated in accordance with Section 5.59 of this bylaw. The reserve capacity shall be reduced by a like amount. The owner of the facility shall reimburse the town for the expense of maintaining the portion of the reserve capacity that has been allocated to them as set forth in Section 5.58 of this bylaw. No rebates shall be granted for change of use which reduces water consumption.

**Sturbridge Sewer Bylaws and Regulations
As Amended 2006**

5.58 Cost Reimbursement for Reserve Capacity

The town owns any and all sewer system capacity not otherwise allocated specifically to an individual, corporation or other entity. Upon allocation of reserve capacity from the town to an individual, corporation or other entity, the town shall be reimbursed for its portion of the reserve capacity in accordance with the town's cost allocation procedures determined by the Board of Selectmen (acting as Sewer Commissioners).

5.59 Sewer Design Capacity and Sewer Unit Calculation

The required number of sewer units for a failed system, new connection, expansion of an existing facility, or change in use of an existing facility shall be determined by the following formula:

- Number of Sewer Units – Water Use (or Title 5 Design Flow) divided by 200 gallons per day.

The Title 5 Design Flow is equal to the sewage volume calculated per 310 CMR 15.203, Title 5. The sewage capacity that must be reserved for the connection shall be determined by the following formula:

- Sewage Flow – Number of Sewer Units multiplied by 200 gallons per day.

**CHAPTER SIX
LICENSING OF PERSONS AUTHORIZED TO
MAKE CONNECTIONS TO THE PUBLIC SEWERS**

6.00 Town license required for installers

Plumbers and drain layers of established reputation and experience will be licensed by the Town of Sturbridge as Drain Layers authorized to perform work, subject to compliance with the following requirements:

6.01 License filing fee

Applicants for licenses are required to pay a filing fee of One Hundred (\$100.00) Dollars as Drain Layer, payable to the Town, all of which shall be refunded to the applicant if his application is rejected.

6.02 Bonds

If approved by the D.P.W. Director, applicants for licenses shall file with the Town proper and acceptable Performance and Guarantee Bond in the amount of Five Thousand (\$5,000.00) Dollars which shall remain in full force and effect for a period of one (1) year from the date of application.

6.03 Certificates of insurance

Applicants for licenses after approval by the D.P.W. Director shall file with Town, a Certificate of Insurance in the minimum sum of Three Hundred Thousand (\$300,000.00) Dollars to cover Public Liability and a Certificate of Insurance in the minimum sum of

**Sturbridge Sewer Bylaws and Regulations
As Amended 2006**

Twenty Five Thousand (\$25,000.00) Dollars covering Property Damage. In addition, a Certificate of Insurance covering Workmen's Compensation shall be filed, all of which shall remain in full force and effect for a period of at least one (1) year from the date of approval. Said insurance shall indemnify the Town of Sturbridge against any and all claims, liability or action for damages, incurred in or in any way connected with the performance of the work by a sewer system installer, and for or by reason of any acts or omission of said sewer system installer in the performance of his work. When requested by the Town additional bonding shall be provided to cover the total estimated project cost as determined by the D.P.W. Director for a period of one (1) year from acceptance of each project.

6.04 Alternate installers

The D.P.W. Director shall license Journeyman Plumbers, Drain Layers, and Sewer System Installers who are personally engaged in making physical installation of sewer connections upon payment of a license fee of One Hundred (\$100.00) Dollars. If a Journeyman Plumber, Drain Layer or Sewer System Installer is acting in the capacity of a Contractor, all provisions of Chapter Five shall apply to him.

6.05 License renewal

All licenses expire one (1) year from the date of issuance thereof and no licenses are transferable. The fee for each renewal shall be One Hundred (\$100.00) Dollars which shall be due and payable on or before the anniversary date of issue.

6.06 Notice to approve or revoke license

The D.P.W. Director or the Town of Sturbridge reserves the right to immediately revoke any license if any provision of said license is violated. Applicants for licenses shall be approved or disapproved within a period of thirty one (31) days after filing the application.

6.07 Licensee must be active on site

All licensees are required to give personal attention to all installations and shall employ only competent workers. Installations performed by licensees in absentia (by others) shall be subject to a non-approval notice. Corrective actions shall be outlined in the notice. The licensee shall be responsible for all required repairs.

6.08 Reporting prohibited substances

All licensees are required to give a full written report to the D.P.W. Director within twenty four (24) hours in the event that prohibited substances are found in a sewer or house drain during the course of their work.

**CHAPTER SEVEN
USE OF PUBLIC SEWERS**

7.00 Prohibited discharges to sanitary sewers

No stormwater, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process water shall be discharged

**Sturbridge Sewer Bylaws and Regulations
As Amended 2006**

or caused to be discharged to any sanitary sewer. No direct connection shall be made from a public water supply to a building drain discharging to any sanitary sewer.

7.01 Discharge of industrial and drainage waters

Stormwater and all other unpolluted drainage shall be discharged to such sewers only as specifically designed as storm sewers, or to a natural outlet approved by the D.P.W. Director. Industrial cooling water or unpolluted process waters may be discharged, on approval of the D.P.W. Director, to a storm sewer or natural outlet.

7.02 Prohibitive discharges to public sewers

None of the following described waters or wastes shall be discharged or caused to be discharged to any public sewers:

- (A) Gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas.
- (B) Waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant, including but not limited to cyanides in excess of two (2) mg/L as CN in the wastes as discharged to the public sewer. Any waters or wastes containing toxic or poisonous solids, liquids or gases in excess of the limits established pursuant to Section 307 of the Clean Water Act as amended, or in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance or create any hazard in the receiving waters of the sewage treatment plan as discharged to the public sewer.
- (C) Waters or wastes having a pH lower than 5.5, or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.
- (D) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to, stone, gravel, ashes, cinders, sand, concrete, paving materials, mud, straw, sticks, plaster, cement, mortar, shavings, metal, glass, rags, feathers, tar, plastics, weed, ungrounded garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.
- (E) Waters and wastes posing harmful characteristics or substances - No person shall discharge or cause to be discharged the following described substances, materials, waters, or wastes if it appears likely in the opinion of the D.P.W. Director that such wastes can harm either the sewers, waste treatment process, or pumping equipment, have an adverse effect on the receiving stream, or can otherwise endanger life, limb, public property, or constitute a nuisance. In forming his opinion as to the acceptability of these wastes, the D.P.W. Director will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities

**Sturbridge Sewer Bylaws and Regulations
As Amended 2006**

in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the waste treatment plant, degree of treatability of wastes in the sewage treatment plant, and other pertinent factors. The substances prohibited are:

- (F) Any liquid or vapor having a temperature higher than one hundred fifty degrees Fahrenheit (150 F.) [sixty five degrees centigrade (65 C.)], or discharge causing the sewage treatment plant influent to be greater than one hundred four degrees Fahrenheit (104 F.) [forty degrees centigrade (40 C.)].
- (G) 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) degrees Fahrenheit (0 and 65 degrees centigrade).
- (H) 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 or greater shall be subject to the review and approval of the D.P.W. Director.
- (I) Waters or wastes containing strong acid iron pickling wastes, or concentrated plating solutions whether neutralized or not.
- (J) Waters or wastes containing iron, chromium, copper, zinc, and similar objectionable, or toxic substances; or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage at the waste treatment works exceeds the limits established by the Town of Sturbridge for such materials.
- (K) Waters or wastes containing phenols or other taste- or odor-producing substances, in such concentrations exceeding limits which may be established by the Town of Sturbridge as necessary, after treatment of the composite sewage, to meet the requirements of the State, Federal, or other public agencies of jurisdiction for such discharge to the receiving waters.
- (L) Radioactive wastes or isotopes of such half-life or concentrations as may exceed limits established by the Town of Sturbridge in compliance with applicable State or Federal regulations.
- (M) Waters or wastes having a pH in excess of 9.5.
- (N) Materials which exert or cause:
 - (1) Unusual concentrations of inert suspended solids such as, but not limited to, Fullers earth, lime slurries, and lime residues, or dissolved solids such as, but not limited to, sodium chloride and sodium sulfate.
 - (2) Excessive discoloration such as, but not limited to, dye wastes and vegetable tanning solutions.

**Sturbridge Sewer Bylaws and Regulations
As Amended 2006**

- (3) Unusual BOD, chemical oxygen demand, chlorine requirements, or phosphorus in such quantities as to constitute a significant load on the waste treatment works.
- (4) Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.

7.03 Overflow by draining from cesspools or other receptacles storing organic wastes.

7.04 Steam exhausts, boiler blowoffs, sediment traps, or pipes carrying hot circulating water.

7.05 Waters or wastes containing substances which are not amenable to treatment or reduction by the waste treatment process 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.

7.06 Discretion of D.P.W. Director as to harmful discharges

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 Section 6.02 of these Regulations, and which in the judgment of the D.P.W. Director may have a deleterious effect upon the sewerage facilities, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the D.P.W. Director may:

- (A) Reject the wastes and require separate treatment
- (B) Require pretreatment to an acceptable condition for discharge to the public sewers. The construction, operation and maintenance of pretreatment facilities shall be subject to the review, inspection and approval of the USEPA and the MDEP.
- (C) Require control over the quantities and rates of discharge.
- (D) Require payment under the provisions of this bylaw to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges.

7.07 Installation of pretreatment or equalization facilities

If the D.P.W. Director permits the pretreatment or equalization of waste flows, the design and installation of plants and equipment shall be subject to the review, approval, and inspection of the D.P.W. Director, USEPA and the MDEP and subject to the requirements of all applicable codes, ordinances, and laws.

7.08 Interceptors

Grease, oil, and sand interceptors shall be provided when, in the opinion of the D.P.W. Director, 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 be of a type and capacity approved by the D.P.W. Director and Building

**Sturbridge Sewer Bylaws and Regulations
As Amended 2006**

Inspector and shall be so located as to be readily and easily accessible for cleaning and inspection.

7.09 Maintenance of pretreatment facilities

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

7.10 Manholes

The owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes as may be required by the D.P.W. Director. Such manhole shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the D.P.W. Director. The manhole shall be installed by the owner at his expense, and shall be maintained by him to be safe and accessible to the D.P.W. Director at all times.

7.11 Analyses of waters and wastes

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

7.12 Monitoring discharges

All industries discharging into a public sewer shall perform such monitoring of their discharges as the D.P.W. Director and/or other duly authorized employees of the Town may reasonably require, including installation, use, and reporting the results of such monitoring to the D.P.W. Director. Such records shall be made available upon request by the D.P.W. Director to other agencies having jurisdiction over discharges into the receiving waters.

7.13 Special agreements

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

**Sturbridge Sewer Bylaws and Regulations
As Amended 2006**

payment therefor, by the industrial concern. All special agreements or arrangements shall be made within State and Federal guidelines, rules and regulations.

**CHAPTER EIGHT
PROTECTION FROM DAMAGE**

8.00 Interference prohibited

No unauthorized person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the sewerage works. The user shall notify the Town immediately upon accidentally discharging wastes in violation of the code. This notification shall be followed, within fifteen (15) days after the date of occurrence, by a detailed written statement describing the causes of the accidental discharge and the measures taken to prevent future occurrence. Such notification will not relieve users of liability for any expense, loss or damage to the sewer system, treatment plant or treatment process or for any fines imposed on the Town under applicable State and Federal regulations. Every significant industrial user shall submit detailed plans showing facilities and operating procedures that shall pinpoint any indirect connections or entry points to the sewer system.

**CHAPTER NINE
POWERS AND AUTHORITY OF INSPECTORS**

9.00 Right of entry

The D.P.W. Director and other duly authorized employees of the Town bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this bylaw. The D.P.W. Director shall have no authority to inquire into any processes including metallurgical, chemical, oil, refining, ceramic, paper, or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment.

9.01 Liability

While performing the necessary work on private properties referred to in Section 8.00 above, the D.P.W. Director or duly authorized employees of the Town shall observe all safety rules applicable to the premises established by the owner and the owner shall be held harmless for injury or death to the Town employees and the Town shall indemnify the owner against loss or damage to its property by Town employees and against liability claims and demands for personal injury or property damage asserted against the owner 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 as required in Section 6.10.

9.02 Entry on easements containing sewerage equipment

The D.P.W. Director and other duly authorized employees of the Town bearing proper credentials and identification shall be permitted to enter all private properties through which the Town holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewage facilities lying within said easement. All entry and subsequent work, if any, on

**Sturbridge Sewer Bylaws and Regulations
As Amended 2006**

said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

**CHAPTER TEN
PENALTIES**

10.00 Notice of violations

Any person found to be violating any provision of this bylaw except Chapter Seven shall be served by the Town of Sturbridge 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.

10.01 Penalties for offenses

Any person who shall continue any violation beyond the time limit provided for in Section 10.00 shall be guilty of a misdemeanor and on conviction thereof shall be fined in the amount not exceeding One Hundred (\$100.00) Dollars for each violation and/or lose the right to work or remain connected to the Town facilities or both. Each day in which any such violation shall continue shall be deemed a separate offense.

10.02 Liability

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

10.03 Late payment penalty

A Five (\$5.00) Dollar fee shall be added to any water/sewer bill not paid within the sixty (60) day billing period.

**CHAPTER ELEVEN
VALIDITY**

11.00 All bylaws or parts of bylaws in conflict herewith are hereby repealed.

11.01 The invalidity of any section, clause, sentence, or provision of this bylaw shall not affect the validity of any other part of this bylaw, which can be given effect without such invalid part or parts.