

SEWERAGE ORDINANCE

ARTICLE I PURPOSE

The purpose of this Ordinance is to promote the health and general welfare of the citizens of the Town of Oakland by regulating and restricting the construction and use of sewerage systems and the accumulation, transportation, treatment and disposal of sewage in such a manner that the creation of any sewerage system, whether public, private or industrial, shall not result in pollution, health hazard or other nuisance.

ARTICLE II. SCOPE

Hereafter any person owning any building or structure within the Town of Oakland which is the source of sewage and/or industrial wastes or who proposes to erect such building or structure shall conform to the requirements of this Ordinance.

ARTICLE III. DEFINITIONS

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

- Section 1. "Town" shall mean the Town of Oakland, Maine.
- Section 2. "Town Council" shall mean the duly elected Town Council of the Town of Oakland.
- Section 3. "Superintendent" shall mean the Superintendent of the Sewer Department of the Town of Oakland, Maine, or his authorized representative.
- Section 4. "Engineer" shall mean the Professional Engineer retained as Town Engineer by the Town Council, Town of Oakland.
- Section 5. "Plumbing Inspector" shall mean the Plumbing Inspector of the Town of Oakland, Maine.
- Section 6. "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 20 C, expressed in milligrams per liter.
- Section 7. "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 eight (8) feet outside the inner face of the building wall.

- Section 8. "Building Sewer" shall mean the extension from the building drain to the public sewer or other place of disposal.
- Section 9. "Combined Sewer" shall mean a sewer receiving both surface runoff and sewerage.
- Section 9 A. "Force Main" shall mean a direct pressurized transport conduit that does not accept connections from adjoining properties. (amended 08-26-09)
- Section 10. "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.
- Section 11. "Industrial Wastes" shall mean the liquid waste from industrial manufacturing processes, trade, or business as distinct from sanitary sewage.
- Section 12. "Natural Outlet" shall mean any outlet into a watercourse, pond, ditch, lake, or other body of surface or groundwater.
- Section 13. "Person" shall mean any individual, firm, company, association, society, corporation, or group.
- Section 14. "PH" shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.
- Section 15. "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 (½) inch in any dimension.
- Section 16. "Public Sewer" shall mean a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.
- Section 17. "Sanitary Sewer" shall mean a sewer, which carries sewage, and to which storm, surface, and groundwaters are not intentionally admitted.
- Section 18. "Sewage" shall mean a combination of the water carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground, surface, and storm waters as may be present.
- Section 19. "Sewage Treatment Plant" shall mean any arrangement of devices and structures used for treating sewage.
- Section 20. "Sewage Works" shall mean all facilities for collecting, burning, treating and disposing of sewage.
- Section 21. "Sewer" shall mean a pipe or conduit for carrying sewage.
- Section 22. "Shall" is mandatory: "May" is permissive.

- Section 23. "Storm Drain" (sometimes termed "storm sewer") shall mean a sewer, which carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.
- Section 24. "Suspended Solids" shall mean solids that either float on the surface of, or are in suspension in water, sewage, or other liquids, and which are removable by laboratory filtering.
- Section 25. "Watercourse" shall mean a channel in which a flow of water occurs, either continuously or intermittently.
- Section 26. "Developer" shall mean any person or persons who undertake to construct simultaneously or in planned sequence more than one housing unit in a given tract or land subdivision.

ARTICLE IV.

- Section 1. It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the Town of Oakland, or in any area under the jurisdiction of said town, any human or animal excrement, garbage, or other objectionable waste, other than what is permitted under Title 30, Section 4105.
- Section 2. It shall be unlawful to discharge to any natural outlet within the Town of Oakland, or in any area under the jurisdiction of said town, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this Ordinance.
- Section 3. Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage.
- Section 4. The owner of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes requiring the disposal of sewage 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, is hereby required at his 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 Ordinance, within ten (10) days after date of official notice to do so, provided that said public sewer is located within 200 feet of a residential, commercial, industrial or other structure requiring sanitary sewer, and in such cases where the public sewer main terminates at a distance within 25 feet from the closest point of said structure. (amended 07-22-98 & 07-11-01)

A force main will not trigger the connection requirements in this section.
(amended 08-26-09)

ARTICLE V. PRIVATE SEWAGE DISPOSAL

- Section 1. Where a public sanitary sewer is not available under the provisions of Section 4, Article IV, the building sewer shall be connected to a private disposal system complying with the requirements of the Maine State Department of Health and Welfare dealing with septic tank installations.
- Section 2. Before commencement of construction of a private sewage disposal system the owner shall first obtain a written permit signed by the Plumbing Inspector. The application for such permit shall be made on a form furnished by the Town, 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 based on the Residential and Commercial and Industrial Fee Ordinance shall be paid at the time the application is filed.
- Section 3. A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the Plumbing Inspector. He 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. The inspection shall be made within 24 hours of the receipt of notice by the Plumbing Inspector.
- Section 4. The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the Town.
- Section 5. No statement contained in this article shall be constructed to interfere with any additional requirements that may be imposed by the Health Officer.
- Section 6. When a public sewer becomes available, the building sewer shall be connected to said sewer within ten (10) working days after date of official notice and the private septic tank or cesspool shall be cleaned of sludge and filled with clean gravel as soon as possible, but no longer than ninety (90) days after official notice for connection. A private septic system may continue to be used as long as it remains in good working condition. After such time, connection to the system will be mandatory and will be completed within ninety (90) days. A person owning property with this exemption shall be assessed for construction of the sewer line in the same manner as others are assessed for the public sewer, as established in Article VII. Section 7, and in addition a connection fee shall be assessed when the property is connected to the public sewer line. This fee shall be as established by the Town Council. (Amended 05-14-97 & 08-26-09)

Section 7. The contents from septic tanks of Oakland properties or boat holding tanks located anywhere in Oakland may be discharged to the public sewer system upon approval from the Oakland Sanitary Treatment Plant. A fee set by the Oakland Town Council shall be paid to the Town prior to discharge.

ARTICLE VI. BUILDING SEWERS AND CONNECTIONS (Amended 8-21-91)

Section 1. No unauthorized person shall uncover, make any connection with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Superintendent.

A permit to tie into the Towns Sewer System will only be issued after the applicant has satisfactorily demonstrated to the Code Enforcement Officer/Plumbing Inspector, or his designate, how storm water, cellar drains, roof drains, foundation perimeter drains, etc., will be kept separate from the sewer system.

Section 2. There shall be two (2) classes of building sewer permits:
(a) for residential and commercial service, and

(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. This permit application shall be supplemented by any plans specifications, or other information considered pertinent in the judgment of the superintendent. A permit and inspection fee in accordance with the Residential Fee Ordinance shall be paid to the Town at the time the application is filed.

Section 3. All costs and expenses incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the Town from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

Section 4. A separate and independent 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 courtyard, or driveway, the building sewer from the front building may be extended to the rear building and will be considered as one building sewer except for purposes of Article XII and if approved by the superintendent.

Section 5. Old building sewers may be used in connection with new buildings only when they are found, on examination and tested by the superintendent, to meet all requirements of this Ordinance.

- Section 6. The building sewer shall be tar-coated extra heavy cast iron soil pipe or polyvinyl chloride (PVC) pipe conforming to the following standards. Extra heavy cast iron soil pipe shall conform to American Standard Associations Specification of ASTM Specification C-200; PVC pipe shall meet the requirements of ASTM designation D 2729.
- Section 7. The diameter of the building sewer shall not be less than four inches (4") nor shall the slope of the pipe be less than one-eighth inches (1/8") per foot.
- Section 8. The depth of building sewers installed after September 1, 1975 shall be sufficient to afford protection from frost, but in no event shall be less than three feet (3'). The building sewer shall be laid at uniform grade and in straight alignment insofar as possible. Changes in direction shall be made only with properly curved pipe and fittings. The ends of building sewers, which are not connected to the building drain of the structure for any reason, shall be sealed against infiltration by a suitable stopper, plug, or other approved means.
- Section 9. In all buildings, constructed after September 1, 1975, in which any sewer drain is too low to permit gravity flow to the public sewer, sewage or industrial wastes carried by such drain shall be lifted by approved mechanical means and discharged to the building sewer. (Amended 08-26-09)
- Section 10. All excavations required for the installation of a building sewer shall be open trench work unless otherwise approved by the superintendent. Pipe laying and backfill shall be performed in accordance with Sections 3 through 6 of ASTM Specifications C12 except that no backfill shall be placed until the work has been inspected and except that trench width measured at the top of the installed pipe shall not exceed 24 inches.
- Section 11. All joints and connections shall be made gas tight and watertight. The transition joint between pipes of different materials shall be made with adapters and joint materials approved by the Superintendent.
- Pre-molded gasket joints shall be used and shall be neoprene compression type gaskets, which provides a positive double seal in the assembled joint. The gasket shall be a pre-molded, one piece unit designed for joining the pipe material used. The assembled joint shall be sealed by compression of the gasket between the exterior surface of the spigot and the interior surface of the hub. The joint shall be assembled and special pipe coupling tools designed for that purpose. Lubricant shall be a bland, flex base,

non-toxic material, and shall not chemically attack the gasket material. Lead and oakum joints and solvent weld joints are allowed but only when installed by licensed master plumbers.

Section 12. The connection of the building sewer into an existing public sewer shall be made at the existing public sewer. All costs and expense incidental to the installation and connection of the entire length of 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. The method of connection of the building sewer to the public sewer will be dependent upon the type of pipe material used and in all cases shall be approved by the Superintendent. The connection of the building sewer into the public sewer shall be made at the "Y" or "T" branch. If none is available a connection may be made By tapping the existing sewer by a method approved by the Superintendent.

Section 13. The applicant for the building sewer permit shall notify the Superintendent when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Superintendent.

When trenches are opened for the laying of building sewer pipes, such trenches shall be inspected by the Superintendent before the trenches are filled; and the person performing such work shall notify the Superintendent when the installation of the building sewer is completed. If the trench is filled before inspection, the Superintendent shall require it to be re-excavated for inspection.

The contractor or applicant requesting the Code Enforcement Officer/Plumbing Inspector or his designate to inspect the work requiring an inspection shall provide sufficient notice. Inspections will be made by the Code Enforcement Officer/Plumbing Inspector or his designate within 24 hours of notification. Inspections will only be done during normal work hours unless other satisfactory arrangements are made in advance.

Section 14. When any building sewer is to serve a school, hospital, or similar institution or public building, or is to serve a complex of industrial or commercial buildings, or which, in the opinion of the Superintendent will receive sewage or industrial wastes of such volume or character that frequent maintenance of said building sewer is anticipated, then such building sewer shall be connected to the public sewer through a manhole. The Superintendent shall determine if and where this type of connection to the public sewer is required. Connections to existing manholes shall be made as directed by the Superintendent. If required a new manhole shall

be installed in the public sewer pursuant to Article VII, Section 3 and the building sewer connection made thereto as directed by the Superintendent.

Section 15. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as 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 Director of Public Works.

ARTICLE VII. SEWER EXTENSION

Section 1. Sewer extensions, including individual building sewers from the sewer to the property line, may be constructed by the Town under public contract if, in the opinion of the Town Council, and approval of the citizens, the number of properties to be served by such extension warrants its costs. 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 incorporated town by drafting a written petition, signed by a majority of the benefiting property owners, and filing it with the Town Council. The cost of such extensions may be assessed, not to exceed one half the cost to the benefited property owners.

Section 2. If the Town does not elect to construct a sewer extension under public contract; the property owner, building, or developer may construct the necessary sewer extension, if such extension is approved by the Town Council in accordance with the requirements of Section 1., he or 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. Design of sewers shall be as specified in Section 3, Article VII. The installation of the sewer extension must 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 Superintendents decisions shall be final in matters of quality and methods of construction. The sewer, as constructed, must pass the exfiltration test required in Section 4, Article VII 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. Sewer design will be in accordance with current professional design standards. Plans will bear signature and stamp of licensed professional

engineers. All federal, state, and local laws and ordinances in effect at the time of construction will be reflected in the plans and construction. (As amended 08-26-09)

Section 4.

Leakage in the gravity sewers shall not exceed 100 gals. per in.dia. per day per mile of pipe when tested by either internal pressure or external pressure means. Where groundwater is high the Superintendent may elect to accept infiltration measurements in lieu of exfiltration tests. All manholes shall be tested as to water tightness, if required by the Superintendent as follows:

The inlet and outlet of the manhole shall be plugged by watertight plugs and the manhole shall have 4 feet of water placed therein. The water shall remain for sufficient time to allow for absorption into the concrete pipe. The amount of water loss from the manhole shall than be determined. The rate shall not exceed 5 gals. per manhole per 24 hours for 4 ft. dia. manholes. All infiltration leaks shall be repaired by excavation outside of the manhole if required.

If approved by the Superintendent, a low pressure air test may be used to test the gravity sewers. The test shall be performed using the equipment stated below, according to stated procedures and under the supervision of the Superintendent.

The equipment used shall meet the following minimum requirements:

- a. Pneumatic plugs shall have a sealing length to or greater than the diameter of the pipe to be inspected.
- b. Pneumatic plugs shall resist internal test pressures without requiring external bracing or blocking.
- c. All air used shall pass through a single control panel.
- d. Three individual holes shall be used for the following connections:
 1. From control panel to pneumatic plugs for inflation.
 2. From control panel to sealed line for introducing the low-pressure air.
 3. From sealed line to control panel for continuously monitoring the air pressure rise in the seal line.

After a manhole-to-manhole reach of pipe has been backfilled and cleaned the plugs shall be placed in the line at each manhole and inflated to 25 psig. Low-pressure air shall be introduced into the sealed line until the internal air pressure reaches 4 psig greater than the average back pressure of any groundwater that may be over the pipe. After this stabilization period (3.5 psig minimum pressure in the pipe), the air hose from the control panel to the air supply shall be disconnected. The portion of line

being tested shall be termed acceptable if the time required in minutes for the pressure to decrease from 3.5 to 2.5 psig (greater than the average back pressure of any groundwater that may be over the pipe) shall not be less than the time shown for the given diameters in the following table:

<u>Pipe Diameter (inches)</u>	<u>Minutes</u>
4	2.0
6	3.0
8	4.0
10	5.0
12	5.5
15	7.5
18	8.5
21	10.0
24	11.5

In areas where groundwater is known to exist its height over the invert of the pipe shall be determined. The height in feet shall be divided by 2.3 to establish the pounds of pressure that will be added to all readings (i.e. if the height of water is 11½ ft. then the added pressure will be 5 psig. The allowable drop of 1 lb. and the timing remain the same).

All testing of sewer shall be conducted in the presence of the Superintendent. If the installation fails any test, the source of leakage shall be found and repaired and all defective materials shall be replaced.

Section 5.

All sewer extensions constructed at the property owner's, builder's or developer's expense, after final 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 12 months. The guarantee shall be in the form of a maintenance guarantee bond in an amount not less than 10% of the Engineer's estimate of the cost of the extension.

Section 6. 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.

Section 7. Expenses of Construction (Amended 12-28-81 & 08-26-09)

***1. Estimate and Assessment of Costs; Notice.** Excepting force main projects when the Town has constructed and completed a public drain or common sewer, the municipal officers shall determine what lots or parcels of land are benefited by the drain or sewer, and shall estimate and assess upon the lots and parcels of land and against the owner thereof or person in possession or against whom the assessment is so made shall be the owner, tenant, lessee or agent and whether the same is occupied or not, the sum not exceeding the benefit they may deem just and equitable towards defraying the expenses of constructing and completing the drain or sewer, together with any sewage disposal units and appurtenances that may be necessary, and in operation after May 31, 1979, the whole of the assessments not to exceed $\frac{1}{2}$ the cost of the drain or sewer and sewage disposal units, and the drain or sewer shall forever thereafter be maintained and kept in repair by the Town. The municipal officers shall file with the Town Clerk the location of the drain or sewer and sewage disposal unit, with a profile description of the same, and a statement of the amount assessed upon each lot or parcel of land so assessed, and the name of the owner of the lots or parcels of land or person against whom the assessment is made, and the Town Clerk shall record the assessment in a book kept for that purpose, and within 10 days after filing notice each person so assessed shall be notified of the assessment by having an authentic copy of the assessment, with an order of notice signed by the Town Clerk, stating the time and place for a hearing upon the subject matter of the assessments, given to each person so assessed or left at his usual place of abode in the Town. If he has no place of abode in the Town, then the notice shall be given or left at the abode of his tenant or lessee, if he has one in the Town; if he has no tenant or lessee in the Town, then by posting the notice in some conspicuous place in the vicinity of the lot or parcel of land so assessed, at least 30 days before the hearing; or the notice may be given by publishing in three (3) weeks successively in any newspaper published by the Town, the first publication to be at least 30 days before the hearing. A return made upon a copy of the notice by any constable in the Town or the production of the paper containing the notice shall be conclusive evidence that the notice

was given, and upon the hearing the municipal officers shall have power to revise, increase or diminish any of the assessments, and any revisions, increase or diminution shall be in writing and recorded by the Clerk.

- *2. Exception from Assessment, Farmland.** Farmland as defined by MRSA Title 36, Section 1102, Sub-Section 4, is exempt from the assessment provided in Sub-Section 1, when no benefits are derived from the common sewer drain. The owner of the farmland shall notify the municipal officers that his property may qualify for this exception. The municipal officers shall revise the assessments against qualified farmland to exempt it from assessment. Any revision of assessment provided by this subsection shall be in writing and recorded by the Clerk. When the use of the land is changed from farmland, the owner shall within 60 days notify the municipal officers in writing of the change. The municipal officers shall assess this land in an amount equal to the assessment, which would have been due, but for the provisions of this sub-section. The municipality shall notify the owner of the assessment due which the owner shall pay within 60 days of notice.
- *2A. Exception from Assessments, General Projects.** If the Town constructs a system expansion for the general benefit of its system users with outside agency grant funds providing the majority of financing, construction assessments against property owners will not be levied by the municipal officers. Connection fees will be assessed when a property is connected to the public sewer line. This fee will be established by the Town Council. (Amended 08-26-09)
- *3. Collection of Assessments.** All assessments and charges made under this Section shall be certified by the municipal officers and filed with the tax collector for collection. A facsimile of the signatures of the municipal officers imprinted at their direction upon any certificate of assessment charge under this chapter shall have the same validity as their signatures. A municipality may by Ordinance, provide for the collection of such assessments and charges, including expenses involved in the abatement by the municipality of malfunctioning domestic sewage disposal units, as provided for in Title 30, Section 4359, Sub-Section 4, over a period of time not to exceed 10 years, and may implement such collection methods if the person assessed has agreed to that method in writing and notice of that fact has been recorded in the appropriate registry of deeds. The municipal officers shall annually file with the collector a list of installment payments due the municipality, which shall be collected with interest at a rate, determined by the municipal officers. If the person assessed within 30 days after written notice of the total amount of such assessment and charges, or annual installment payment and interest fails, neglects or refuses to pay said municipality the expense thereby incurred,

a special tax in the amount of the total unpaid assessment and charges may be assessed by the municipal assessors upon each and every lot or parcel of land so assessed and buildings upon the same, and such assessment shall be included in the next annual warrant to the tax collector for collection, and shall be collected in the same manner as State, County, and municipal taxes are collected. Interest will be collected at the same rate as that for unpaid property taxes on the unpaid portion of assessments and charges due the municipality shall accrue from the 30th day after written notice to the person assessed, and shall be added to and become part of the special tax when committed to the tax collector. (Amended 07-22-98)

- *4. Whenever this Ordinance is in conflict with State Statute, the State Statute shall prevail.

ARTICLE VIII. USE OF PUBLIC SEWERS

SECTION 1. No person shall discharge or cause to be discharged any storm water, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water or unpolluted industrial process waters to any sanitary sewer. (amended –7-11-01)

SECTION 2. Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers, or to a natural outlet approved by the Superintendent. Industrial cooling water or unpolluted process waters may be discharged, on approval of the Superintendent, to a storm sewer, or natural outlet.

SECTION 3. Except as hereinafter provided, no person shall discharge or cause to be discharged, any of the following described waters or wastes to any public sewer:

(a) Any liquid or vapor having a temperature higher than 150 degrees F (65 degrees C).

(b) Any waters or wastes which contain grease or oil or other substances that will solidify or become discernibly viscous at temperatures between 32 and 150 degrees F.

(c) Any waters or wastes containing fats, grease, or oils, whether emulsified or not, exceeding an average of 50 parts per million (417 pounds per million gallons) other soluble matter.

(d) Any gasoline, benzine, naphtha, fuel oil, mineral oil, or other flammable or explosive liquid, solid, or gas.

(e) Any noxious or malodorous gas such as hydrogen sulfide, sulfur dioxide or nitrous oxide or other substance, which either singly or by interaction with other wastes, is capable of creating a public nuisance or hazard to life or of preventing entry into sewers for their maintenance and repair.

(f) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of 3/4 horsepower or greater shall be subject to the review and approval of the Superintendent.

(g) Any ashes, cinder, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastic, cardboard, wood, paunch, manure, hair and fleshing, entrails, lime alurry, lime residues, beer or distillery slope, whey, chemical residues, paint residues, cannery waste, bulk solids, or any other solid or viscous substance capable of causing obstruction to the flow of the sewers, or other interference with the proper operation of the sewage works.

(h) Any waters or wastes, acid and alkaline in reaction, having corrosive properties capable of causing damage or hazard to structures, equipment and personnel of the sewage works. Free acids and alkalies must be naturalized, at all times, within a permissible PH range of 6.0 to 9.5.

(i) Any cyanides, in excess of 2 parts per million by weights as CN.

(j) Any long half-life (over 100 days) of toxic radioactive isotopes, without a special permit.

(k) Any waters or wastes that for a duration of 15 minutes has concentration greater than 5 times that of "normal" sewage as measured by suspended solids and B.O.D. and/or which is discharged continuously at a rate exceeding 1,000 gallons per minute except by special permit. Normal sewage shall be construed to fall within the following ranges:

<u>Constituents</u>	<u>Permissible Range</u>
Suspended Solids	180 to 350 ppm
B.O.D.	140 to 300 ppm

Chlorine Requirements 5 to 15 ppm

(l) Any storm water, roof drains, spring water, cistern or tank overflow, footing drain, discharge from any vehicle wash rack or water motor, or the contents of any privy vault, septic tank or cesspool, or the discharge or effluent from any air conditioning machine or refrigeration unit except as provided in Article VIII, Section 1.

(m) No person shall discharge or cause to be discharged any waters or wastes containing a toxic or poisonous substance, a high chlorine demand or suspended solids in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals or create any hazard in the receiving waters or the effluent of the Town's sewage treatment plant. Such toxic substances shall be limited to the average concentrations listed hereinafter in the sewage as it arrives at the treatment plant and at no time shall the hourly concentration at the sewage treatment plant exceed three times the average concentration. If concentrations listed are exceeded, individual establishments will be subject to control by the Engineer in volume and concentration of wastes discharged.

Limits of Toxic Substances in Sewage

Iron, as FE.....	5.0 ppm
Chromium, as Cr (Hexavalent)	3.0 ppm
Copper, as Cu.....	1.0 ppm
Chlorine Requirements.....	15.0 ppm
Phenol.....	10.0 ppm
Cyanide, as CN.....	0.5 ppm
Cadmium, as Cd.....	0.5 ppm
Zinc, as ZN.....	0.5 ppm
Nickel.....	1.0 ppm

SECTION 4.

Grease, oil and sand interceptors shall be provided when the above set limits for those substances are exceeded or when, in the opinion of the Superintendent or Engineer they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, and 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 Superintendent or Engineer and shall be located as to be readily and easily accessible for cleaning and inspection.

Grease and oil interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperatures. They shall be of substantial construction, watertight, and equipped with easily removable covers which when bolted in place shall be gas-tight and watertight. (amended 08-27-02)

In all restaurants or food processing facilities, grease interceptors/traps shall be of the type of an outside pre-cast concrete baffle tank for only the kitchen waste. Where no land is available for an outside grease interceptor/trap, the Superintendent or Engineer may authorize the installation of an interior mechanical grease separator. In the maintaining of these interceptors the owner(s) shall be responsible for the proper disposal by appropriate means of the captured material and shall maintain records of the dates and means of disposal which shall be forwarded to the Superintendent or Engineer or are subject to review by the Superintendent or Engineer, to include removal and hauling of the collected materials not performed by currently licensed waste disposal firms. The Superintendent and/or the Engineer shall inspect all grease interceptors/traps at least quarterly. The Superintendent and/or Engineer shall order the maintenance of the grease interceptors/traps on an as needed basis.

Uses that are not compliant with this section of the Ordinance shall become compliant no later than July 01, 2006. (amended 04-13-05)

SECTION 5. Where installed, all grease, oil and sand interceptors shall be maintained by the owner, at his expense, in continuously efficient operation at all times and shall be readily accessible and open to inspection by the Superintendent at any time.

SECTION 6. The admission into the public sewers of any waters or wastes having (a) a 5 day Biochemical Oxygen Demand greater than 300 parts per million or (b) containing more than 350 parts per million of suspended solids, or (c) containing more than 15 parts per million of chlorine requirement, or (d) containing any quantity of substances having the characteristics described in Section 3, Article VIII or (e) having an average daily flow greater than 2% of the average daily sewage flow of the Town, shall be subject to the review and approval of the Engineer, where necessary, in the opinion of the Engineer, the owner shall provide, at his expense, such preliminary treatment as may be necessary to, (1) reduce the Biochemical Oxygen Demand to 300 parts per million by weight, or (2) reduce the Chlorine requirements to 15 parts per million, or (3) reduce objectionable characteristics or constituents to within the maximum limits provided for in Section 3, or (4) control the quantities and rates of discharge of such waters or wastes. Plans, specifications, and any other pertinent information relating to proposed preliminary treatments facilities shall be submitted for the approval of the Engineer, and no construction of such

facilities shall be commenced until said approvals are obtained in writing. Failure to comply with one or more of the remedial procedures as required by the Engineer will constitute a violation of this ordinance.

SECTION 7. 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.

SECTION 8. When required by the Engineer, the owner of any property served by a building sewer carrying industrial wastes shall install a suitable control manhole in the building sewer to facilitate observation, sampling and measurement of the wastes.

Such manhole, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the Engineer. The manhole shall be installed by the owner at his expense, and shall be maintained by him so as to be safe and accessible at all times.

SECTION 9. The Superintendent or Engineer may require a user of sewer services to provide information needed to determine compliance with this Ordinance. These requirements may include:

1. Wastewater discharge peak rate and volume over a specific period.
2. Chemical analysis of wastewaters.
3. Information on raw materials, processes, and products affecting wastewater volume and quality.
4. Quantity and disposition of specific liquid, sludge, oil, solvent, or other materials important to sewer use control.
5. A plot of sewers of the user's property showing sewer and pretreatment facility location.
6. Details of wastewater pretreatment facilities.
7. Details of systems to prevent and control the losses of materials through spills to the municipal sewer.

SECTION 10. All measurements, tests, and analyses of the Characteristics of waters and wastes to which reference is made in Sections 3 and 6, shall be determined in accordance with "Standard Methods for the Examination of Water and Sewage," upon suitable samples taken at control manhole provided for in Section 8. 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.

SECTION 11. No statement contained in this article shall be construed as preventing any special agreement or arrangement between the Town and any industrial

concern whereby an industrial waste of unusual strength or character may be accepted by the Town for treatment, subject to payment therefore by the industrial concern.

SECTION 12. All of the preceding standards are to apply at the point where the industrial wastes are discharged into the public sanitary sewerage system and any chemical or mechanical corrective treatment required must be accomplished to practical completion before the wastes reach that point. The laboratory methods used in the examination of all industrial wastes shall be those set forth in the latest edition of "Standard Methods for the Examination of Water and Sewage," published by the American Public Health Association. However, alternate methods for the analysis of industrial wastes may be used subject to mutual agreement between the Town Council and the producer of such wastes. The frequency and duration of the sampling of any industrial waste shall not be less than once every three months for a 24-hour period. However, more frequent and longer periods may be required at the discretion of the Town Council.

ARTICLE IX. PROTECTION FROM DAMAGE

SECTION 1. 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 sewage works. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

SECTION 2. A contractor must present a certificate of insurance showing minimum liability coverage of \$400,000, or at the limit of liability for municipalities as determined by MRSA Title 14, Sec. 8105. Sewer extensions may require higher coverage if so recommended by the Engineer. (amended 08-26-09)

ARTICLE X.

SECTION 1. The Superintendent, the Engineer, and other duly authorized employees of the Town bearing proper credentials and identifications shall be permitted to enter upon all properties for the purpose of inspection, observation, measurement, sampling and testing, in accordance with the provisions of this ordinance.

SECTION 2. The Superintendent, the Engineer, 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 sewerage works lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

ARTICLE XI. SEWER SERVICE CHARGES

SECTION 1. The source of not less than 90% of the revenues needed for retiring debt services, capital expenditures, operation and maintenance of the public sewerage works shall be Sewer Service Charges.

SECTION 2. Sewer Service Charge rates including readiness to serve charges shall be determined by the Town Council. This charge will be billed on a quarterly basis throughout each fiscal year. (amended 07-22-98)

SECTION 3. The Town Council reserves the right, from time to time, to change Sewer Service Charges originally or previously assigned to any property owner.

SECTION 4. All sewer charges shall be committed to the Tax Collector of the Town for collection on a quarterly basis due and payable within thirty days from date of billing. There shall be a lien on real estate served or benefited by a municipal sewer and sewer disposal to secure the payment of service charges duly established hereunder which shall take precedence over all other claims on such real estate excepting only claims for taxes. The tax Collector of the municipality shall have by Title 38, Section 1208, to treasurers of sanitary sewer districts. In addition to the lien established hereby, the Town may maintain a civil action against the party so charged for the amount of said sewer charge in any court competent to try the same, and in such action may recover the amount of such charge with legal interest on the same from the date of said charge and costs. (amended 07-22-98)

SECTION 5. An interest charge at the same rate as established by the Town Council for uncollected taxes will be made on all bills not paid within 30 days from date of billing. (amended 07-22-98)

SECTION 6. A special Sewer Service Charge shall be established for any industrial firm or organization who, by virtue of the volume, strength or unusual

characteristic of their waste alone, would overload or upset the capacity or efficiency of the sewerage works or any part thereof if such waste entered the public sewer, or whose waste disposal situation is such that it would be in the public interest to waive the basic requirements. The Town Council, after appropriate study, and advice from the Engineer, shall establish a Special Sewer Service Charge to the industrial firm by separate agreement with said firm. The applicable rights of the public shall be the basis for such an arrangement.

(Amended 10-22-96)

ARTICLE XII. - SEWER SERVICE CHARGE ABATEMENT POLICY

Section 1.

The Town Council acting through its Town Manager or his/her designee is hereby authorized to grant sewer charge abatements to the users of the Oakland sewer system after proper consideration of the following:

- A. Abatements must be applied for within six (6) months after the end of the billing period. Abatement requests made after six months from the end of the billing period will not be considered. (amended 04-14-99)
- B. For all structures, including multi-family buildings, a minimum per unit per quarter charge shall be assessed regardless of usage or non-usage, as determined by the Town Council except as provided below. (amended 04-14-99 & 03-22-06)
- C. For all structures, including multi-family buildings, which have become uninhabitable due to fire, building deterioration, etc., the minimum charge assessed shall be determined by the Town Council on a quarterly basis. In addition, the building shall be inspected by the Code Enforcement Officer to verify that water service to the building has been disconnected. Billing will be discontinued for those properties where the building has been removed and the sewer line capped to the satisfaction of the Sewer/Treatment Plant Superintendent or his/her designee. (amended 12-11-02 & 03-22-06)
- D. For those sewer customers who do not have metered water service, and who later switch to metered service, abatements may be approved by the Town Manager or his or her designee for a period no greater than two (2) billing quarters. Once metered use has been documented for a least two (2) billing quarters, a quarterly average shall be determined and compared to usage amounts for the prior two (2) quarters. Abatements may then be granted for the amount of the difference between the metered and on metered quarterly usages. Abatements shall be limited to the two (2) previous billing quarters. (amended 04-14-99)
- E. A billing adjustment may be made granted to any sewer user for metered water usage that doesn't enter the sewer system. In order to be eligible for this abatement the user shall purchase and install a water meter for recording all water use, which does not enter the treatment system. The user will be required to provide, in writing, beginning and ending readings to the Town Office.

ARTICLE XIII. PENALTY

SECTION 1. Any person found to be violating any provision of this ordinance except Section 1, Article IX 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. Any person, individual, firm, corporation, or partnership that fails to comply with the provisions of this ordinance other than those provisions pertaining to the payment of charges for services established herein, shall be guilty of disorderly conduct and shall be subject to a fine not exceeding \$100. for each offense. The continued violation of any provision of any section of this ordinance, other than those pertaining to the payment of charges for services established herein, shall constitute a separate offense for each and every day such violation of any provision hereof shall continue.

SECTION 3. The proper authorities of the Town, in addition to other remedies, may institute any appropriate action or proceedings including an injunction to prevent such unlawful use, construction or maintenance of cesspools, septic tanks, sewage disposal systems, pipes or drains to restrain, correct or abate such violation to prevent the occupancy of any building structure or land where said violations of this ordinance are found.

SECTION 4. Any person violating any of the provisions of this ordinance shall become liable to the Town for any expense, loss, or damage occasioned the Town by reason of such violation.

ARTICLE XIV. VALIDITY

SECTION 1. All regulations or parts of regulations in conflict herewith are hereby repealed.

SECTION 2. The invalidity 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.

Town Council

/s/ WILTON LARSEN

/S/ CLEO BREEN

/S/ ROBERT MCLELLAN

/S/ RALPH FARNHAM JR.

DATED SEPTEMBER 1, 1975

data/ord/SewerOrdinance082609