

SEWERS

Chapter 149

Sewers¹

Article I Sewer Use

- § 149-1 Definitions and word usage.
 - § 149-2 Permit required for connection; notice of changes in discharge.
 - § 149-3 Building sewer permit classes; applications and fees.
 - § 149-4 Responsibility of owner.
 - § 149-5 Separate building sewers required; exception.
 - § 149-6 Use of old building sewers.
 - § 149-7 Conformance required.
 - § 149-8 Underground connections.
 - § 149-9 Prohibited connections.
 - § 149-10 Notice to inspect and connect.
 - § 149-11 Guarding of excavations
 - § 149-12 Time limit for connection.
 - § 149-13 Licensing of persons making connections.
 - § 149-14 Connections required
 - § 149-15 Authority of Permanent Sewer Commission
 - § 149-16 Prohibited discharge to sanitary sewer.
 - § 149-17 Discharge of stormwater and drainage.
 - § 149-18 Prohibited discharge to any public sewer.
 - § 149-19 Restricted discharges.
-

¹ Editor's Note: The Permanent Sewer Commission was created 10/17/67 STM, Article 5, and extended under Article 38 of the 1969 Annual Town Meeting. Provisions concerning said Commission are on file in the Town Hall.

HULL CODE

- § 149-20 Interceptors.
- § 149-21 Maintenance of facilities by owner.
- § 149-22 Control manholes.
- § 149-23 Measurements, tests and analyses.
- § 149-24 Special agreements.
- § 149-25 Damage to system.
- § 149-26 Powers and authority of inspectors.
- § 149-27 User charge system.
- § 149-28 Violations and penalties.
- § 149-29 Exemptions.

Article II Connections to Building Sewer

- § 149-30 Definitions.
- § 149-31 Connection required.
- § 149-32 Exemptions.
- § 149-33 Violations and penalties.
- § 149-34 Additional remedies.
- § 149-35 Enforcement.

Article III Additional Charges

- § 149-36 Interest.
- § 149-37 Demand charge.

Article IV Sewer Rehabilitation Fund

- § 149-38 Preamble.
- § 149-39 Creation; purpose.
- § 149-40 Payments; exceptions
- § 149-41 Equal dwelling unit system; charge per unit
- § 149-42 When payment due.
- § 149-43 Rules and Regulations.

(HISTORY: Adopted: Article I, 4/7/75 Annual Town Meeting; Article II, 4/8/85 Annual Town Meeting, Art. 26; Article III, 1/27/86 Special Town Meeting, Article 16, and 10/26/87 Special Town Meeting, Article 21; Article IV, 10/26/87 Special Town Meeting, Article 32. Amendment noted where applicable.)

GENERAL REFERENCES

Housing standards . See Chapter 113.
Street and sidewalks . See Chapter 155.

**ARTICLE I
Sewer Use
(Adopted 4/7/75 ATM)**

§ 149-1 Definitions and word usage.

- A. Unless the context specifically indicates otherwise, the meaning of terms used in these rules and regulations shall be as follows:

BOD (denoting ~~%~~ biochemical oxygen demand) . The quantity of oxygen utilities in the biochemical oxidation of organic matter under standard laboratory procedure in 5 (five) days at twenty degrees Celsius (20C.), expressed in milligrams per liter.

BUILDING DRAIN . 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 (one and five tenths (1.5) meters) outside the inner face of the building wall.

BUILDING SEWER . The extension from the building drain to the public sewer or other place of disposal.

COMBINED SEWER . A sewer receiving both surface runoff and sewage.

COMMISSION . The Permanent Sewer Commission of the Town of Hull.

GARBAGE . Solid wastes from the domestic and commercial preparation, cooking and dispensing of food, and from the handling, storage and sale of produce.

INDUSTRIAL WASTE . The liquid wastes from industrial manufacturing processes, trade or business as distinct from sanitary sewage.

NATURAL OUTLET . Any outlet into a watercourse, pond, ditch, lake or other body of surface or ground water.

PERSON . Any individual, firm, company, association, society, corporation or group.

pH . The logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

PROPERLY SHREDDED GARBAGE . 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 (one and twenty-seven hundredths (1.27 centimeters) in any dimension.

PUBLIC SEWER . A sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.

SANITARY SEWER . A sewer which carries sewerage and to which storm, surface and ground waters are not intentionally admitted.

SEWAGE . 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.

SEWAGE TREATMENT PLANT . Any arrangement of devices and structures used for treating sewage.

SEWAGE WORKS . All facilities for collecting, pumping, treating and disposing of sewage.

SEWER . A pipe or conduit for carrying sewage.

SLUG . 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 hour concentration or flows during normal operation.

STORM DRAIN . (sometimes termed ~~%storm sewer+~~) a sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.

SUPERINTENDENT . The Superintendent of Sewers acting for and on the behalf of the Permanent Sewer Commission of the Town of Hull, his authorized deputy, agent or representative.

SUSPENDED SOLIDS . 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.

WATERCOURSE . A channel in which a flow of water occurs, either continuously or intermittently.

B. ~~%shall+~~is mandatory; ~~%may+~~is permissive.

§149-2. Permit required for connection; notice of changes in discharge.

- A. No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance without first obtaining a written permit from the Superintendent.
- B. Any person proposing a new discharge into the system or a substantial change in the volume or character of pollutants that are being discharged into the system shall notify the Superintendent at least forty-five (45) days prior to the proposed change or connection.

§149-3. Building sewer permit classes; applications and fees.

- A. There shall be two (2) classes of building sewer permits: one (1) for residential and commercial service, and one (1) for service to establishments producing industrial wastes.

- B. In either case, the owner or his agent shall make application on a special form furnished by the town. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the Superintendent. A permit and inspection fee of twenty-five dollars (\$25.) for a residential or commercial building sewer permit and fifty dollars (\$50.) for an industrial building sewer permit shall be paid to the town at the time the application is filed.

§149-4. Responsibility of owner.

All costs and expense incident to the installation and connections 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.

§149-5. 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 and the whole considered as one (1) building sewer.

§149-6. Use of old building sewers.

Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Superintendent, to meet all requirements of these rules and regulations.

§149-7. Conformance required.

- A. The size, slope, alignment, materials of construction of a building sewer and the methods to be used in excavating, placing of the pipe, jointing testing and backfilling the trench, shall all conform to the requirements of the Building and Plumbing Code or other applicable rules and regulations of the town. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the American Society for Testing and Materials and the Water Pollution Control Federation Manual of Practice No. 9 shall apply.
- B. The connection of the building sewer into the public sewer shall conform to the requirements of the Building and Plumbing Code or other applicable rules and regulations of the town or the procedures set forth in appropriate specifications of the American Society for Testing and Materials and the Water Pollution Control Federation Manual of Practice No. 9. All such connections shall

be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the Superintendent before installation.

§149-8. Underground connections.

Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.

§149-9. Prohibited connections.

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

§149-10. Notice to inspect and connect.

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 or his representative.

§149-11. Guarding of excavations.

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 Town Highway Department.

§149-12. Time limit for connection. (Added 5-12-80 ATM. Art. 20)

After being so notified by the Commission, the owner of a house, building or property used for human occupancy, employment, recreation or other purposes shall be allowed two (2) years to connect to the public sewer line.

§149-13. Licensing of persons making connections. (Added 5-12-80 ATM. Art. 21)

The Commission shall license competent persons to make connections to the town sewer system. No connection shall be made unless the contractor and/or individual has received such a license.

§149-14. Connections required. (Added 4-12-82 STM. Art. 14)

Any property owner whose property is accessible to the town sewerage system shall connect said property to the same in accordance with the Sewer Use Regulations.

§149-15. Authority of Permanent Sewer Commission. (Added 4-12-82 STM, Art. 12)

The Permanent Sewer Commission, through its agent(s) or by itself, may require any property owner whose property is accessible to the town sewerage system to be connected to the same within a reasonable amount of time.

§149-16. Prohibited Discharge to Sanitary Sewer.

Preamble: Whereas the unauthorized discharge of water into the sanitary sewer system of the town can result in the introduction into said system of harmful liquids and also results in an overcharging of the system which may lead to damage to the system, all of which may unnecessarily increase the cost of the operation, it is declared that the public health and safety warrant this bylaw regulating same.

- A. No person (which shall also mean any entity or corporation) shall discharge or cause or permit to be discharged any stormwater, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water or unpolluted industrial process waters or the like to any sanitary sewer by any subsurface drainage, downspout, eave trough, rainspout, yard drain, sump pump, foundation drain, yard fountain, pond, swimming pool, cistern overflow or air conditioning unit or system or similar device or means.
- B.
 1. Inspections. All inspections provided for in this section must be at times that are reasonably convenient for ordinary citizens. Town staff may apply to the District Court for an appropriate administrative search warrant if a property owner refuses to allow an inspection of the owner's property.
 2. Regular inspections. Within 30 days after written notice from the town, every person owning improved real estate that discharges into the town's sanitary sewer system must allow the town or a designated town representative to inspect the buildings to determine whether there is a prohibited discharge into the sanitary sewer system. In lieu of having the town inspect the property, a person may furnish an inspection report in a form acceptable to the town from a licensed plumber approved by the town.
 3. Re-inspections. A property that is found to be not in compliance with this section is also subject to re-inspections to confirm that the property is subsequently brought into compliance. Thereafter, the property is subject to

reinspections on an annual basis or when deemed necessary to confirm continued compliance. Properties that are in compliance may also be subject to reinspections to confirm continued compliance.

4. Inspections for building, health, fire or other permits or code compliance. If a town inspector is on property for the purpose of inspecting for compliance with a permit or for compliance with the law, the town inspector has the authority to also inspect the property for compliance with this section.

 5. Inspection for property being sold or conveyed. Prior to the sale, transfer or conveyance of the ownership of a building serviced by a sanitary sewer, the owner, buyer or other appropriate party shall request an inspection and shall file prior to the sale, transfer or conveyance with the Permanent Sewer Commission a certificate of compliance. Changing ownership without such a certificate is a violation of this section. In order not to delay or prevent a pending sale of a property affected by this section, a buyer, other transferee or other appropriate party may file with the Sewer Department evidence of a contract or accepted bid for work which, when completed, will bring the property into compliance with the provisions of this law within the time limits set forth by the Sewer Department, along with evidence that adequate funds have been or will be escrowed to complete said work, and a stipulation agreeing to bring the property into compliance with the provisions of this section. Failure by the buyer, transferee or other appropriate party to so bring the property into compliance shall constitute a violation of this bylaw and shall be subject to the penalties and remedies set forth herein.
- C. Corrections. The owner of a property found to be in violation of this section must make the necessary corrections to comply with this section within the time specified in the written notification from the town.
- D. Temporary waiver. The Chief Facility Manager (or designee) may allow or require a temporary waiver from the provisions of this section where a strict enforcement would cause a threat of damage to other property. A written request for a temporary waiver must be first submitted to the Chief Facility Manager specifying the reasons for the request. If a waiver is required or granted, the property owner must pay an additional fee for sanitary sewer services based on the number of gallons discharged into the sanitary sewer system as estimated by the Chief Facility Manager. The Chief Facility Manager may terminate the waiver upon a failure to comply with any conditions imposed in the temporary waiver or may take appropriate legal action to enforce those conditions. The Chief Facility Manager must give five days advance written notice of the termination to the property owner with the reasons for the action. After expiration of termination of a temporary waiver, the property owner must comply with the provisions of the section.

- E. Violations. Any person, entity or corporation violating the provisions of this section shall be liable to a fine of not more than _____ for each violation. Each day on which any violation or offense exists shall constitute a separate violation or offense. Violations may also be processed under the non-criminal disposition procedure pursuant to Chapter 1 of the Code/Bylaws of the Town.
- F. No warranty. A certificate of compliance or inspection done by the town indicates that so far as can be reasonably determined by a visual inspection of the premises and review of town records, the premises meet the requirements of this article. Neither the town nor its inspectors assume any liability in the inspection or issuance of a certificate of compliance or inspections, and the issuance of a certificate of compliance or inspections does not guarantee or warrant the conditions of the premises inspected.

Nothing contained herein shall be construed to be a specific assurance of safety or assistance.

- G. Remedies. The remedies provided in this section are cumulative and do not limit the right of the town to pursue any available legal remedy.

§149-17. Discharge of stormwater and drainage.

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

§149-18. Prohibited discharge to any public sewer.

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

- A. Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas.
- B. Any waters or 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.
- C. Any waters or wastes having a pH lower than five point five (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, ash, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, etc. either whole or ground by garbage grinders.

§149-19. Restricted discharges.

- A. 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 Superintendent that such wastes can harm either the sewers, sewage treatment process or equipment, have an adverse effect on the receiving stream or can otherwise endanger life, limb, public property or constitute a nuisance. In forming his opinion as to the acceptability of these wastes, the Superintendent will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant and other pertinent factors. The substances prohibited are:
1. Any liquid or vapor having a temperature higher than one hundred fifty degrees Fahrenheit (150° F) {sixty-five degrees Celsius (65°C)}.
 2. Any water or waste containing fats, wax, grease or oils, whether emulsified or not, in excess of one hundred (100) milligrams per liter or containing substances which may solidify or become viscous at temperatures between thirty-two degrees and one hundred fifty degrees Fahrenheit (32° and 150°F.) {zero degrees and sixty-five degrees Celsius (0° and 65° C.)}.
 3. Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths ($\frac{3}{4}$) horsepower {seventy-six hundredths (0.76) hp metric} or greater shall be subject to the review and approval of the Superintendent.
 4. Any water or wastes containing strong acid iron pickling wastes or concentrated plating solutions whether neutralized or not.
 5. Any 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 sewage treatment works exceeds the limits established by the Superintendent for such materials.

6. Any waters or wastes containing phenols or other taste or odor producing substances, in such concentrations exceeding limits which may be established by the Superintendent as necessary, after treatment of the composite sewage to meet the requirements of the state, federal or other public agencies or jurisdiction for such discharge to the receiving waters.
7. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Superintendent in compliance with applicable state or federal regulations.
8. Any waters or wastes having a pH in excess of nine point five (9.5).
9. Materials which exert or cause:
 - a. Unusual concentrations of inert suspended solids, such as, but not limited to, fuller's earth, lime slurries and lime residues, or of dissolved solids such as, but not limited to, sodium chloride and sodium sulfate.
 - b. Excessive discoloration such as, but not limited to, dye wastes and vegetable tanning solutions.
 - c. Unusual BOD, chemical oxygen demand or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.
 - d. Unusual volume of flow or concentration of wastes constituting slugs as defined herein.
10. Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage 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.

B. Authority of Superintendent.

1. 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 Subsection A of this section, and which, in the judgment of the Superintendent, may have a deleterious effect upon the sewage works, processes, equipment or receiving waters or which otherwise create a hazard to life or constitute a public nuisance, the Superintendent may:
 - a. Reject the wastes;
 - b. Require pretreatment to an acceptable condition for discharge to the public sewers;

- c. Require control over the quantities and rates of discharge; and/or
 - d. Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions of § 149-24 of this Article.
- 2. If the Superintendent permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Superintendent, and subject to the requirements of all applicable codes, ordinances and laws.

§149-20. Interceptors.

Grease, oil and sand interceptors shall be provided when, in the opinion of the Superintendent, they are necessary for the proper handling of liquid wastes containing 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 Superintendent and shall be located as to be readily and easily accessible for cleaning and inspection.

§149-21. Maintenance of facilities by owner.

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 this expense.

§149-22. Control manholes.

When required by the Superintendent, 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. Such manhole, when required, shall be accessibly and safely located and shall be constructed in accordance with plans approved by the Superintendent. 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.

§149-23. Measurements, test and analyses.

- A. All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in these rules and regulations 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 works and to determine the existence of hazards to life, limb and property. The particular analysis involved will determine whether a twenty-four hour composite of all outfalls of a premise is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from twenty-four hour composites of all outfalls whereas pHs are determined from periodic grab samples.

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

§149-24. 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 for treatment, subject to payment therefore, by the industrial concern.

§149-25. Damage to system.

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 and/or damage to property of the Town of Hull.

§149-26. Powers and authority of inspectors.

- A. The Superintendent 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 these rules and

regulations. The Superintendent or his representative shall have no authority to inquire into any processes including metallurgical, chemical, oil, refining, ceramic, paper or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for wastes treatment.

- B. While performing the necessary work on private properties referred to in Subsection A above, the Superintendent or duly authorized employees of the town shall observe all safety rules applicable to the premises established by the occupant or owner, thereof, and the occupant or owner shall be held harmless for injury or death to the town employees and the town shall indemnify the occupant or owner against loss or damage to its property by the town employees and against liability claims and demands for personal injury or property damage asserted against the occupant or owner and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the occupant or owner to maintain safe conditions as required in § 149-22.
- C. The Superintendent 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 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.

§149-27. User charge system

The Commission shall establish sewer use charges to recover the costs associated with the operation and maintenance of the sewerage system.

§149-28. Violations and penalties

- A. Any person found to be violating any provision of these rules and regulations except § 149-25, shall be served by the Commission 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.
- B. Any person who shall continue any violation beyond the time limit provided for in Subsection A of this section shall be guilty of a misdemeanor, and, on conviction thereof, shall be fined in the amount not

exceeding _____ for each violation. Each day in which any such violations shall continue shall be deemed a separate offense.

- C. Any person violating any of the provisions of these rules and regulations shall become liable to the town for any expense, loss or damage occasioned the town, by reason of such violation.

§149-29. Exemptions [Added 11-15-84 STM, Art. 7]

The town shall exempt low-income persons seventy (70) years of age or older from tying into the town's sewer system.

ARTICLE II

Connections to Building Sewer

[Adopted 4-8-85, ATM, Art. 26²]

§149-30. Definitions.

As used in this Article, the following terms shall have the meanings indicated:

HABITABLE STRUCTURE . Includes any building or edifice used for habitation or employment, amusement purposes and other facilities requiring a portable water supply for sanitary or culinary purposes.

§149-31. Connection required.

- A. All habitable structures having access to sewers of the Town of Hull shall connect to such sewer.
- B. All habitable structures constructed after the effective date of this Article and having access to sewers of the Town of Hull shall connect to such sewer before any use or occupancy is made thereof.

² Editor's Note: This bylaw was also designated as Art. XXXI of the Town Bylaws

§149-32. Exemptions.

Structures by reason of grade, elevation or other just cause, which cannot be drained into the sewer system of the Town of Hull as determined by the Permanent Sewer Commission, are exempt from this Article until such impediment is alleviated.

§149-33. Violations and penalties.

The penalties for violations of this Article shall be as follows:

- A. Any person found to be violating this Article shall be served by the Commission 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.
- B. Any person who shall continue any violations shall be fined in the amount not exceeding _____() for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.
- C. Any person violating any of the provisions of these rules and regulations shall become liable to the town for any expense, loss or damage occasioned the town, by reason of such violation.

§149-34. Additional remedies.

The provisions of this Article may be enforced by civil action without limiting the prosecution of any violations hereof.

§149-35. Enforcement.

Nothing contained herein shall prevent or interfere with the enforcement of any other proceeding, rules, regulation, order or law concerning sewer connections.

ARTICLE III

Additional Charges

[Adopted 1-27-86 STM, Art. 16³ and 10-26-87 STM, Art. 214]

§149-36 Interest.

Any sewer user charge not paid within the required time period shall be subject to an interest charge at the same rate as permitted for late tax payments, until paid. The provision shall not affect or limit any collection methods or abatement procedure.

§149-37 Demand charge.

The Treasure/Collector or any other board, department, officer or official may, to offset the additional costs incurred, add to delinquent sewer user bills or demands for payment, being sent to any person or entity who has not paid said bill within the required time period after said bill was originally issued, an additional billing charge not to exceed the maximum demand charge allowed under MGL C. 60, § 16, as the same may be amended from time to time. Nothing contained herein shall limit any legal recourse available to said Treasurer/Collector, board, department, officer or official.

ARTICLE IV

Sewer Rehabilitation Fund

[Adopted 10-26-87 STM, Art. 32.5]

§149-38. Preamble.

Whereas the increased development in the Town of Hull is creating greater demands on the municipal sewerage system due to a greater number of properties connecting into the system than the different parts of the system will be able to handle and resulting in the need to perform sewer improvements, rehabilitation work, replacement work, updating work and repairs, there is hereby established a Sewerage Rehabilitation Fund.

§149-39. Creation; purpose.

There shall be a sewerage rehabilitation fund, the purpose of which is to help offset the costs and expenses associated with the increased demands on the sewer systems and facilities and to provide funds for the Permanent Sewer Commission for the costs of engineering, testing, construction and rehabilitation of sewerage pipes, lines, facilities, plant and pump stations located within the town and to provide funds to do all things necessary to correct, remedy, repair, regulate, prevent and prohibit all forms of infiltration or inflow from groundwater and other sources into pipes, lines, facilities and systems and to take such actions necessary to properly maintain and operate the sewerage system, plant and facilities in the town.

§149-40. Payments; exceptions.

[Revised at ATM May 1,2000]

[Revised at ATM May 13-15, 2002]

Payments/contributions to said account shall be made by applicants for or holders of building permits for the construction, erection, improvement, reuse or rehabilitation of land or the buildings thereon for business, industrial, commercial, multifamily and residential uses or mixtures thereof which are connected or need to be connected to the sewer system of the town and who need a sewer extension permit.

§149-41. Equal dwelling unit system; charge per unit.

- A. The amount of said payment/contribution shall be based on an equal dwelling unit (EDU) or percentage thereof, EDU being a bedroom in a residential dwelling. Percentages are computed using standard flow projections listed in Section 7.15 of Massachusetts Sewer System and Connection 314 CMR 700. Where Section 7.15 of the Massachusetts Sewer System and Connection, 314 CMR 700 does not provide flow estimation projections for the intended use, the Chief Facility Manager shall determine the estimated flow using the best practical methods available.
- B. The current charge per EDU is five hundred dollars (\$500.00). Excluded however, shall be existing single family residences for the purpose of expansions and or additions which do not alter the structures status and or use as a single family residence.

§149-42. When payment due.

Payments/contributions made hereunder shall be made prior to issuance of a sewer extension or sewer connection permit or if said permit has been issued, prior to the Permanent Sewer Commission signing off on the occupancy certificate.

§149-43. Rules and regulations.

The Permanent Sewer Commission may make and issue rules and regulations concerning the implementation of this Article.