

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

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Section A

Purpose and Authority

1. Purpose

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

2. Authority

These regulations are adopted in accordance with Chapters 80 and 83 of the General Laws of the Commonwealth of Massachusetts. The Town of Norton herein prescribes the following Regulations for the Installation and Connection of Building Sewers and for the Use of Public Sewers.

3. Responsibility for Administration

The Board of Water and Sewer Commissioners shall be the Permitting Authority /Authorized Enforcement Agency and shall administer, implement and enforce these regulations. Any powers granted to or duties imposed upon the Board of Water and Sewer Commissioners to promulgate such rules and regulations shall not have the effect of suspending or invalidating these regulations.

4. Additional Regulations

Users of the Town sanitary sewer system shall also comply with the applicable requirements of the Rules and Regulations of the Mansfield DPW and Taunton DPW as appropriate, as may be amended from time to time, related to wastewater discharges to the collection system, with treatment at either treatment facility. For ease of reference, the treatment facilities owned by the Town of Mansfield and/or the City of Taunton shall be referred to as the local wastewater treatment facilities (WWTFs), or local wastewater treatment plants (or WWTPs).

Section B

Definitions

Unless the context specifically indicates otherwise, the meaning of terms used in this ordinance shall be as follows, with "shall" meaning mandatory, and "may" being permissive:

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

10. "Building Drain" shall mean that part of the lowest horizontal piping of a drainage system, which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning ten (10) feet outside the inner face of the building wall. Note that any modifications to piping within the building or within ten (10) feet outward from the inner face of the building wall requires approval by the Town's plumbing inspector.
11. "Building Sewer" shall mean the piping that extends from the building drain to the public sewer or other place of disposal.
12. "Categorical Pretreatment Standard or Categorical Standard" shall mean any regulation containing pollutant discharge limits promulgated by EPA in accordance with sections 307(b) and (c) of the Act (33 U.S.C. § 1317) which apply to a specific category of users and which appear in 40 CFR Chapter I, Subchapter N, Parts 405-471.
13. "CFR" shall refer to the Code of Federal Regulations.
14. "City Engineer" shall mean the City Engineer of the City of Taunton or his duly authorized representative.
15. "CMR" shall refer to the Code of Massachusetts Regulations.
16. "COD" (denoting Chemical Oxygen Demand) shall mean the quantity of oxygen utilized to oxidize all compounds, both organic and inorganic, in water under standard laboratory procedures, expressed in milligrams per liter (mg/l).
17. "Combined Sewer" shall mean a sewer receiving both surface runoff and sewage.
18. "Compatible Pollutant" shall mean those for which the Mansfield Wastewater Treatment Facility or Taunton Wastewater Treatment Facility were designed to treat.
19. "Compliance Schedule" shall mean schedule developed by the applicant stating the procedural method for correcting a discharge violation. The procedural method shall consist of the following phases:
 - (a) Study phase including wastewater testing
 - (b) Design phase - if required
 - (c) Construction phase - if required
 - (d) The schedule shall be signed and dated by the applicant's authorized representative. Sufficient information and detail shall be included with the Compliance Schedule to indicate the correction of the discharge violation has been adequately assessed and will be resolved.
20. "Control Manhole" shall mean a manhole which is installed along a building sewer or its terminus and which provides access for the observation, sampling,

and measurements of the wastes.

21. "Cooling Water" shall mean the water discharged from non-contact uses such as air-conditioning, cooling or refrigeration, during which the only pollutant added to the water is heat.
22. "Day" shall mean one working day consisting of 1, 1.5, 2, 2.5, or 3 working shifts in one (1) twenty-four (24) hour period excluding Saturdays, Sundays, holidays and shutdowns when no manufacturing or other work is in progress at the facility.
23. "Domestic Wastes" shall mean liquid wastes (1) from the non-commercial preparation, cooking and handling of food and/or (2) containing human excrement and similar matter from the sanitary conveniences of dwellings, commercial buildings, industrial facilities and institutions.
24. "Domestic Wastewater" shall mean normal water-carried household and toilet wastes discharged from any improved property, excluding groundwater, surface water, or stormwater.
25. "Easement" shall mean an acquired legal right for the specific use of land owned by others.
26. "EDU" shall mean equivalent dwelling unit.
27. "EPA" shall mean the U.S. Environmental Protection Agency or, where appropriate, the Regional Water Management Division Director, or other duly authorized official of said agency.
28. "Engineer" shall mean the Town Engineer of the Town of Mansfield or his duly authorized representative.
29. "Excessive" shall mean amounts or concentrations of any constituent in wastewater which in the judgment of the Town or the POTW, will cause damage to any wastewater treatment facility or public sewer serving the Town; which will be produced in excessive quantities in the sludge produced at the wastewater treatment facility; which will be harmful to a wastewater treatment process; and/or which cannot be removed in the wastewater treatment facility to the degree required to meet the limited stream or groundwater classification standard of the receiving water, which can otherwise endanger life, limb, the environment or public property, or which can constitute a nuisance.
30. "Existing Sewer Connection" shall be as defined by 314 CMR 7.00, in Appendix C.

31. "Existing Sewer Extension" shall be as defined by 314 CMR 7.00, in Appendix C.
32. "Facilities" shall include structures and conduits for the purpose of collecting, treating, neutralizing, disposing or reusing of domestic wastewater and/or industrial or other wastewaters as are disposed of by means of structures and conduits including treatment and disposal works, necessary intercepting, outfall, and outlet sewers, and pumping stations integral to such facilities with sewers, equipment, furnishings thereof and other appurtenances connected therewith.
33. "Floatable Oil" is oil, fat, wax, or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. A wastewater shall be considered free of floatable oil if it is properly pretreated and the wastewater does not interfere with the collection system.
34. "FOG" shall mean Fats, Oils and/or Grease.
35. "Flow equalization facilities" are those facilities in which significant variations in flow and composition of a liquid are moderated.
36. "Gallons Per Day (GPD)" shall mean the total volume of wastewater discharged into the collection system or from the treatment system during one day.
37. "Garbage" shall mean the animal and vegetable wastes resulting from the handling, preparation, cooking and serving of food and from the handling, storage and sale of produce. It is composed largely of putrescible organic matter at its natural moisture content.
38. "Improved Property" shall mean any property located within the Town upon which there is erected a structure intended for continuous or periodic habitation, occupancy, or use by human beings and/or animals and from which structure domestic wastewater and/or industrial wastes shall be or may be discharged.
39. "Incompatible Pollutant" shall mean any pollutant, other than biochemical oxygen demand, suspended solids, pH, coliform bacteria, or additional pollutants identified in the applicable discharge permit, which the POTW was not designed to treat, and which the POTW does not adequately remove.
40. "Industrial Establishment" shall mean any room, group of rooms, building or other enclosure used or intended for use in the operation of one (1) business enterprise for manufacturing, processing, cleaning, laundering, assembling or preparing any product, commodity or article or from which any process waste, as distinct from domestic wastewater, may be discharged.
41. "Industrial User" shall mean a manufacturing, processing, or other non-residential facility (such as but not limited to hospitals, commercial laundries, and chemical

plants and operations), which discharges non-domestic industrial wastes into a public sewer.

42. "Industrial Wastes" shall mean the liquid or solid wastes from industrial processes, trade, or business, as distinct from domestic or sanitary wastewater.
43. "Industrial Wastewater" shall mean the liquid wastes resulting from the processes employed in industrial, manufacturing, trade or business establishments.
44. "Infiltration/Inflow (I/I)" shall mean the entrance of clear/clean water into the Town's wastewater collection system. Infiltration is the intrusion of groundwater into the wastewater collection system through cracks/leaks in below grade structures. Inflow is the intrusion of surface water or storm water into the wastewater collection system through direct connections such as roof leaders and catch basins.
45. "Interference" shall mean a discharge which alone or in conjunction with a discharge or discharges from other sources, both:
 - (a) Inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use or disposal; and
 - (b) Contributes to a violation of any requirement of the POTW's NPDES or groundwater discharge permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued there under (or more stringent State or local regulations): Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (including Title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA)) , and including State regulations contained in any state sludge management plan prepared pursuant to Subtitle D of the SWDA), the Clean Air Act, the Toxic Substances Control Act and the Marine Protection, Research and Sanctuaries Act.
46. "Invert" shall mean the bottom inside of the sewer pipe.
47. "mg/l" shall mean milligrams per liter.
48. "National Categorical Pretreatment Standard" shall mean any regulations containing pollutant discharge limits promulgated by EPA in accordance with Section 307(b) and (c) of the CWA (33 U.S.C. 1317), which apply to a specific category of industrial users and which are found at 40 CFR Chapter I, Subchapter N, Parts 405 through 471.
49. "National Pollution Discharge Elimination System (NPDES) Permit" shall mean the program for issuing, conditioning and denying permits for the discharge of

pollutants from sources into the waters of the United States, the contiguous zone and the oceans pursuant to Section 402 of the Act (33 U.S.C. 1342).

50. "National Pretreatment Standard" or "Pretreatment Standard" shall mean any regulation containing pollutant discharge limits promulgated by the U.S. Environmental Protection Agency in accordance with Section 307 (b) and (c) of the Clean Water Act (CWA) which applies to industrial users (IUs), including the specific prohibitions found in 40 CFR 403.5.
51. "Natural Outlet" shall mean any outlet into a watercourse, stream, river, pond, ditch, lake, or other body of surface or groundwater.
52. "New Source" shall mean any building, structure, facility or installation from which there is or may be a discharge of pollutants as defined in 40 CFR 403.3(k).
53. "Owner" shall mean any person vested with ownership, legal or equitable, sole or partial, of any improved property.
54. "Pass Through" means a discharge which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the POTW's NPDES or groundwater discharge permit (including an increase in the magnitude or duration of a violation).
55. "Person" shall mean any individual, firm, company, partnership, corporation, association, group or society and includes the State, and agencies, districts, commissions and political subdivisions created by or pursuant to State Law.
56. "pH" shall mean a measure of the acidity or alkalinity of a solution, expressed in standard units on a scale of 0 to 14, where less than 7 represents acidity, 7 neutrality, and more than 7 alkalinity.
57. "Phosphorus" (denoting Total Phosphorus) shall mean the total of organic phosphorus and inorganic phosphorus.
58. "Pollutant" shall mean any material or substance that may cause an alteration of the chemical, physical, biological or radiological integrity of the POTW or its receiving waters.
59. "POTW (Publicly Owned Treatment Works)" shall mean the treatment works utilized by the Town and its agents, including any devices and systems, used in the collection, storage, treatment, recycling and reclamation of municipal sewage or industrial wastes of a liquid nature and also including without limiting the generality of the foregoing, the Town of Mansfield Wastewater Treatment Facility or City of Taunton Wastewater Treatment Facility and appurtenances, the sewers, pipes, pumping stations and other devices conveying wastewater to the treatment facility, and sludge processing systems whether operated by the Town of

Mansfield or City of Taunton directly, or by a contractor or agent of the Town of Mansfield or City of Taunton.

60. "Pretreatment or Treatment" shall mean the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW. The reduction or alteration can be obtained by physical, chemical or biological processes, or process changes, or by other means, except as prohibited by 40 CFR Section 403.6(d).
61. "Pretreatment Requirements" shall mean any substantive or procedural requirement related to pretreatment, other than a National Pretreatment Standard imposed on a user.
62. "Pretreatment Standards" shall mean all applicable federal rules and regulations implementing Section 307 of the Act, as well as any non-conflicting state or local standards, including the most recently adopted version of the Sewer Use Regulations and Pretreatment Ordinances of the Town of Mansfield or the City of Taunton, as appropriate.
63. "Private Wastewater Disposal System" shall mean the structure, equipment and processes required to treat wastewater generated on the owner's improved property. The system may be comprised of a septic tank and leaching field, package treatment plant, or any other method approved by the Norton Board of Health or Department of Environmental Protection.
64. "Privilege Fee" shall mean a fee assessed to a property in lieu of a betterment assessment. Privilege fees shall be assessed to those properties that are not eligible for the assessment of betterment fees, or for properties that undergo a change of use or are subdivided subsequent to the assessment of the original or subsequent project betterment and/or privilege fee.
65. "Properly Shredded Garbage" shall mean the wastes from the preparation, cooking, and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half (1/2) inch (1.27 centimeters) in any dimension.
66. "Property", "Parcel", or "Lot" shall mean an area of land as marked on the assessment drawings in the office of the Town Assessor, Town of Norton, Massachusetts.
67. "Public Sewer" shall mean a sewer in which all owners of abutting properties have equal rights, and is controlled and maintained by the Town.
68. "Public Works Department" shall mean the Public Works Department of the Town of Mansfield or City of Taunton.

69. "Public Works Department Head" shall mean the Director of the Public Works Department of the Town of Mansfield or City of Taunton, or his authorized deputy, agent or representative.
70. "RCRA" shall mean the Resource Conservation and Recovery Act.
71. "Receiving Waters" shall mean any watercourse, river, pond, ditch, lake, aquifer, or other body of surface or ground water receiving discharge of treated wastewaters.
72. "Receiving Water Quality Standards" shall mean the Massachusetts Water Quality Standards adopted by the Commonwealth under the authority provided by M.G.L. Chapter 21, Section 27.
73. "Sanitary Sewer" shall mean a sewer, which carries sewage, and in which stormwater, surface water, and groundwater may be present but are not intentionally admitted.
74. Intentionally Omitted.
75. "Septage" shall mean the wastes, primarily of sewage origin, that are removed from a cesspool, septic tank, or similar receptacle.
76. "Sewage" shall mean a combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments, together with such groundwater, surface water, and stormwater as may be present.
77. "Sewage Treatment Plant/Facility" or "Water Pollution Abatement Plant/Facility" or "Wastewater Treatment Plant/Facility" shall mean any arrangement of devices and structures used for treating sewage.
78. "Sewage Works" shall mean all facilities for collecting, pumping, treating and disposing of sewage.
79. "Sewer Connection Fee" shall mean a one-time cost paid at the time of issuance of a connection permit, with the cost as stipulated in *Section O – Fees*.
80. "Sewer Permit" shall mean written approval from the Town for the installation of new sewer service or the modification of existing sewer service, with application being made on specific form(s) as provided by the Town.
81. "Sewer Connector" see "Building Sewer"
82. "Sewer Main" shall mean a sewer constructed of adequate diameter, slope, and material, and approved by the Norton Water and Sewer Superintendent to function as a public sewer.

83. Intentionally omitted.
84. "Significant Industrial User" shall mean
- (a) All industrial users subject to Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR Chapter I, Subchapter N; and
 - (b) Any other industrial user as designated as such by the Town on the basis that it: discharges an average of 25,000 gallons per day or more of process wastewater to the POTW (excluding sanitary, unpolluted non-contact cooling and boiler blowdown wastewater); contributes a process wastestream which makes up 5 percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or is designated as such by the Town on the basis that the industrial user has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement (in accordance with 40 CFR 403.8(f)(6)).
85. "Slug Loadings" shall mean any discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch discharge.
86. "Spill" shall mean the release, accidental or otherwise, of any material not normally released to the POTW, which by virtue of its volume, concentration, or physical or chemical characteristics, creates a hazard to the POTW, its operation or its personnel. Such characteristics shall include, but are not limited to volatile, explosive, toxic, or otherwise unacceptable materials.
87. "Storm Drain" or "Storm Sewer" shall mean a sewer, which carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.
88. "Stormwater" shall mean any surface water flow occurring during or immediately following any form of natural precipitation and resulting therefrom.
89. "Superintendent", shall mean the Water and Sewer Superintendent for the Town of Norton or his designee.
90. "Suspended Solids (SS)" shall mean solids that either float on the surface of, or are in suspension in water, sewage, or other liquids, and which are removable by laboratory filtering, and are referred to as non-filterable residue in the laboratory test procedures prescribed by the EPA.
91. "Total Kjeldahl Nitrogen" shall mean the total of ammonia and organic nitrogen but does not include nitrate and nitrite nitrogen.

92. "Town" shall mean the Town of Norton, Massachusetts. For regulatory matters of these Regulations, "Town" shall be defined as those officials duly authorized to act on behalf of the Town related to sanitary sewer matters.
93. "Town Manager" shall mean the Chief Administrative Officer of the Town of Norton.
94. "Toxic Pollutant" shall mean a pollutant or combination of pollutants listed as toxic in regulations promulgated by the EPA.
95. "Unpolluted Water" shall mean water that is void of pollutants limited or prohibited by the effluent standards in effect, or water whose discharge will not cause any violation of receiving water quality standards.
96. "User" shall mean any person who contributes, causes, or permits the contribution of sewage into the public sewer or sewage works.
97. "Wastes" shall mean substances in liquid, solid, or gaseous form, which can be carried in water.
98. "Wastewater" shall mean the spent water of a community. From the standpoint of source, it may be a combination of the liquid and water-carried wastes from residences, commercial buildings, institutions, and industrial establishments, together with any groundwater, surface water, and stormwater that may be present, whether treated or untreated, which is discharged into or permitted to enter the Town's wastewater treatment system.
99. "Wastewater Treatment System (System)" shall mean any devices, facilities, structures, equipment or works owned or used by the Town for the purpose of the transmission, storage, treatment, recycling, and reclamation of industrial and domestic waste.
100. "Watercourses" shall mean a natural or artificial channel in which a flow of water occurs, either continuously or intermittently.
101. "WPCF" shall mean the "Water Pollution Control Facility" or WWTF (Wastewater Treatment Facility) owned and operated by the Town of Mansfield or City of Taunton.

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

Section C

Sewer Installers

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

unsatisfactory performance, breach of these Regulations, or violation of any applicable law, statute, or code.

6. Developers constructing sewers within or designed to serve subdivisions, complexes or multi-housing units of which all or in part are intended for private sale, and which sewage works are intended to be accepted and maintained by the Town, shall post a performance bond and labor and material payment bond in the amount equal to 100% of the construction cost of sewer lines, pumps, manholes, and laterals intended for Town acceptance. The Town may set a date for the completion of all construction and beyond which date the Town may hold the Developer in default of its duty to perform the construction. The performance bond will be held in force until work is successfully completed and accepted by the Town of Norton Water and Sewer Commission. Work not completed to the satisfaction of the Water and Sewer Commission, by these regulations, will be completed at the developer's expense. The Town may proceed to default the Developer for failure to perform the work in a timely manner in reference to the date set for completion and proceed against Developer's performance bond. The payment bond shall remain in force for a period of one (1) year from the date of acceptance of the work. Any and all defects in workmanship and materials including surface restoration such as roadway paving, sidewalks, driveways, retaining walls, other utilities, loaming and seeding, etc., shall be repaired to the satisfaction of the Board for a period of one (1) year from acceptance by the Water and Sewer Commission.

Section D

Permits and Inspection

1. There shall be two (2) classes of building sewer permits: (a) Residential, and (b) Commercial/Industrial. The Industrial Sewer Use Regulations of the Mansfield Wastewater Treatment Facility or City of Taunton Wastewater Treatment Facility shall govern industrial wastes and wastewater pre-treatment requirements and conditions. In any case, the owner or his agent shall make application on a special form furnished by the Town. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Town.
 - (a) An application processing fee shall accompany each class of sewer permit application. Such fees shall be as stipulated in *Section O – Fees*. The processing fee shall be as established and required at the time of application. The Town may revise the processing fee as required to cover actual costs incurred.
 - (b) Permits shall only be issued to sewer installers licensed to install sewers in the Town. Permits shall be non-transferable.
 - (c) Permits shall be subject to revocation when any of the rules and regulations contained herein are breached.
 - (d) If the work under the permit is not completed within 120 days, renewal of the permit shall be required and obtained prior to completion of the project.
 - (e) Permits for new connections will not be issued until the applicant has filed an acceptable layout plan with the Superintendent showing the location of the existing service connection, building location and route of sewer service, and said layout has been approved by the Superintendent.
 - (f) Permits must be obtained for repair work to, and termination of, existing sewer services. Responsibility and liability for all repair work shall be the same as are herein imposed for new connections.
 - (g) No permit shall be issued, except in cases of emergency, to make an excavation in a public way until the applicant files with the Superintendent and Town Highway Superintendent. Applicant shall send copies of the notices to the public utility companies as required by M.G.L. Chapter 82, Section 40 and Sections 40A through 40E, inclusive; and meet all of the applicable requirements of M.G.L. Chapter 82A.

2. The applicant for the building sewer permit shall notify the Town a minimum of 24 hours in advance when the building sewer is ready for inspection, either for connection to, or termination from the public sewer. Connections and terminations shall be made under the supervision of the Town. All connections and terminations must be inspected and approved in writing prior to trench backfilling and compacting. Inspection and approval by Town shall not serve to transfer liability to the Town for any subsequent failures and associated damage and repairs.
3. All connections or terminations shall be made during normal Town working hours. Applicant shall submit a record plan to the Superintendent showing the as-built conditions of the connection within 5 working days of the approved inspection.
4. All sanitary sewer extensions and connections are subject to the most recently enacted requirements of 314 CMR 7.00 – SEWER SYSTEM EXTENSION AND CONNECTION PERMIT PROGRAM, which can be found in Appendix C. Applicants are cautioned that the requirements of 314 CMR 7.00 may supersede the requirements of these local regulations, and that the copy contained in Appendix C may have been superseded by a more current edition.

Section E

Annual Sewer Charges

1. Charges for use of the sewer system shall be reviewed and revised, as needed, to cover all operation, maintenance and replacement costs associated with the entire wastewater system infrastructure. These charges shall be applicable to sewage and waste discharges of strength equivalent to normal domestic sewage. All charges for sewage and waste discharges of non-domestic sewage shall be determined for each individual discharge after engineering analysis. The analysis shall include all conveyance, operations, maintenance and treatment issues associated with said sewage and waste discharge. Charges shall be as stipulated in *Section O – Fees*.
2. Users of the sewer system shall be billed quarterly (four times per annum) for such use. Wastewater volume shall be based upon metered water use, as read and recorded by the Town Water Department multiplied by 0.95 to account for water not returned to the sewer. Those properties that do not have metered water shall be billed a flat rate. Those properties that utilize a private well for drinking and sanitary purposes shall install a suitable flow meter on the well supply as a basis for sewer billing. If the private water supply is also used for outside non-consumptive uses, the same 95 percent factor will be applied to determine the wastewater volume. Meter installation and use shall be dictated by the Water Department's regulations regarding water meters. All bills due the Town for sewer use shall be payable to the Town Collector within 30 days. Bills unpaid after 30 days shall be assessed a separate penalty with interest starting on the 31st day as stipulated in *Section O - Fees*. Unpaid bills, including late payment penalties from the previous calendar year(s), may be added to the real estate property tax in the form of a Lien for the current year, as provided for in applicable Massachusetts General Laws, Chapter 40, Section 42A through 42F, inclusive; and MGL Chapter 83, Section 16, and Sections 16A through 16F, inclusive.
3. Fees and Charges for the Allocation of Wastewater Treatment Capacity

The Town acting through its Board of Water and Sewer Commissioners and pursuant to general law and special law enacted as Chapter 39 of the Acts of 2009 will charge and assess to any holder of any portion of the reserved capacity of the Town's wastewater treatment allocation a just and equitable portion of the Town's costs of maintenance and repair of the sewerage system, of any debt contracted for sewer purposes or of any payment, including capital cost payments due to another municipality under an intermunicipal agreement to provide wastewater disposal and treatment or due to a regional wastewater authority. Such assessments and charges shall be collected as user fees and billed on a quarterly basis. The Town shall enforce payment of these fees and charges in the same manner as with all user fees including termination of service.

4. Abatements

All abatement requests must be filed with the Board of Water and Sewer Commissioners within 30 days from the postmark of issuance of the sewer use bill. The Water and Sewer Commissioners, upon receipt of the requests for an abatement, shall have up to four (4) months to act on the request. The provisions of General Laws Chapter 59 section 59 and Chapter 83 section 16E shall apply to all requests for abatement.

5. Suspension of Sewer Service

Property owners may request suspension of sanitary sewer service if a property is to become vacant. If approved, Town will authorize termination and the property owner will not be liable for sewer user charges once the service is terminated, following inspection and verification by Town personnel. The property owner will be responsible for paying the current bill and all other outstanding applicable betterments, privilege fees, and connection fees. The minimum bill will only be waived if there is no water usage (metered or not metered) at the vacated property and the physical connection to the public sewer is severed. In the event that a severed connection is reinstated, a sewer "reconnection fee" shall be assessed to the property.

Section F

Building Sewers and Connections

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

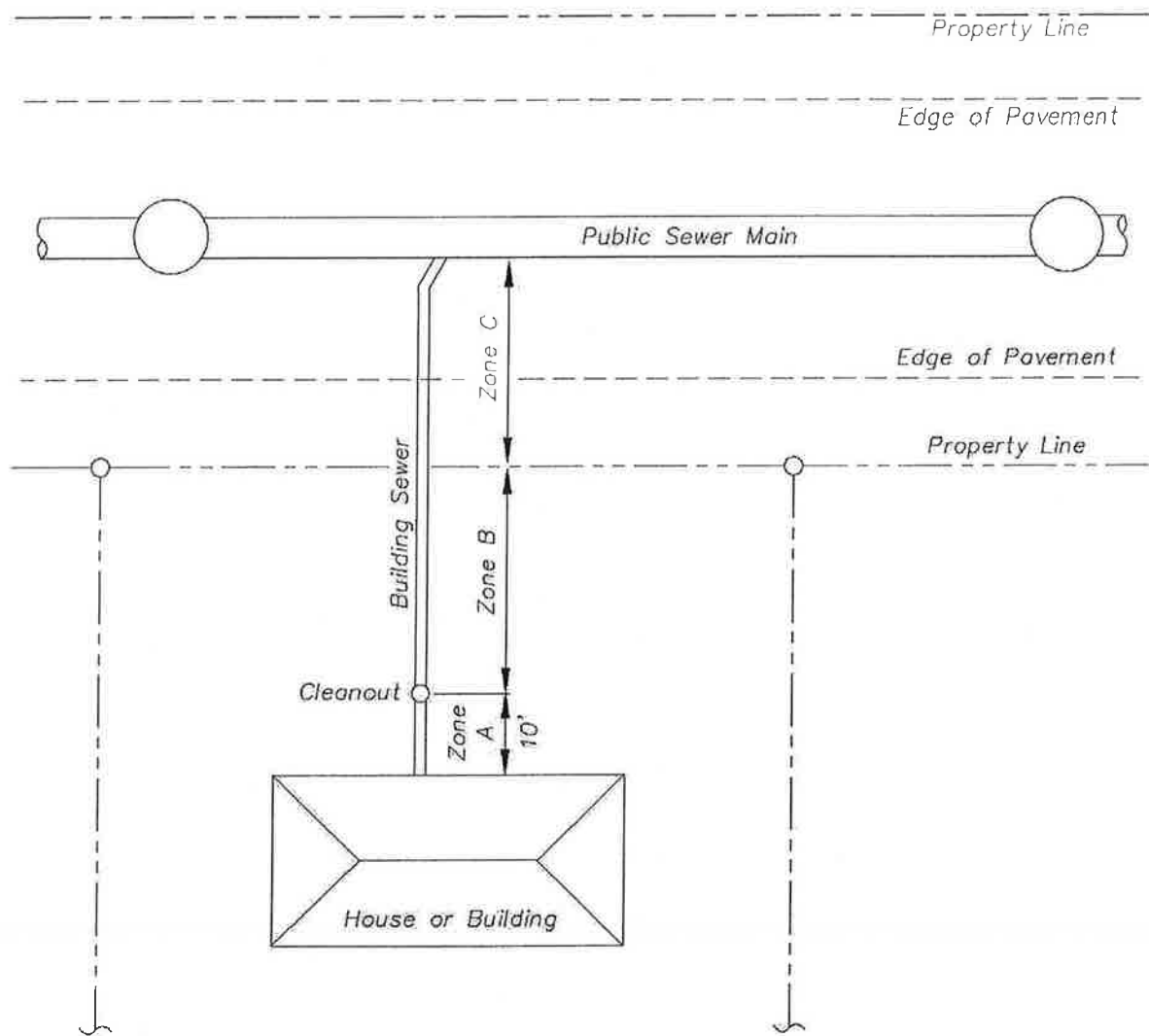
7. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer. If in the event, the difference in elevation between the building sanitary plumbing and the invert of the sewer main is less than two (2) feet, a suitable check valve or backflow prevention device shall be installed at the building. If installed, maintenance of such backflow prevention device shall be the full responsibility of the property owner.
8. No person shall make connection of roof downspouts, exterior foundation drains, areaway drains, basement floor drains, sump pumps, or other sources of surface runoff or groundwater to a building sewer or building drain, which in turn is connected directly or indirectly to a public sanitary sewer without a special permit. Such illicit connections may subject the sewer user to fines and penalties.
9. The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the Town, or the procedures set forth in appropriate specifications of the Water Environment Federation (WEF) / ASCE *Manual of Practice No. 9 – Design & Construction of Sanitary and Storm Sewers* (most current edition). All such connections shall be made gastight and watertight. Gravity building connections shall include the installation of a cleanout, trap, or other suitable facilities on the service connection to mitigate sewer gases from the public sewer system to the individual property plumbing vent pipes, in accordance with applicable plumbing and building codes. The Superintendent, before installation, shall approve any deviation from the prescribed procedures and materials, in writing.
10. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Disturbance of streets and sidewalks require a Pavement Cut Permit or other similar Town permit. Streets, sidewalks, parkways and other public and private property disturbed in the course of the work shall be restored in a manner satisfactory to the Town. All disturbed publicly owned property shall be restored by the applicant and shall be guaranteed from defects for a minimum of one (1) year from the completion of the restoration.
11. New sewer connections or changes of use and/or subdivisions of connected properties that are not currently subject to or that have not previously been assessed betterments or privilege fees (see *Section M – Sewer Assessment and Privilege Fee Policy*), shall be subject to connection fees as indicated in *Section O – Fees*.
 - (a) Connection fees for new connections other than a single family residential home shall be computed based on the maximum daily flow for the

property. In computing connection fees, daily flows shall be as calculated by 310 CMR 15.203 – System Sewage Flow Design Criteria (see Appendix D)

- (b) Connection fees for changes of use or for subdivision of properties shall be computed based on the difference between the proposed (new) daily flow for the property(ies) and the former permitted flow for the property with both flows based on 310CMR 15.203. The Town shall not refund connection fees for changes in use that result in lower flows.
 - (c) Fees shall be payable at the time of issuance of the Sewer Connection Permit. The Sewer Connection Permit shall be valid for a period of one hundred twenty (120) calendar days from the date of issuance, unless otherwise agreed to in writing by the Town.
 - (d) New Industrial Connections shall be in accordance with the Industrial Sewer Use Regulations of the Mansfield Wastewater Treatment Facility and the Taunton Wastewater Treatment Facility. The Town reserves the right to base connection fees on the wastewater characteristics and a detailed engineering analysis for each individual industry. The analysis shall include all conveyance, operations, maintenance and treatment issues associated with said sewage and waste discharge based on the concentrations to be discharged to the sanitary sewer.
12. Sewer connection permits shall not be issued to projects that do not have a required Commonwealth of Massachusetts extension permit in accordance with the most recently approved version of 314 CMR 7.00 (Appendix C) until the applicable extension permit has been obtained. For purposes of these regulations a reduction in the Sewer Connection Fee shall be allowed for a private sewer extension requiring an extension of the public sewer constructed by or for the proponent/owner for a distance of 1000 feet or more. Such a sewer extension shall be a continuation of the public sewer on public property including public ways, installed at the Owner's/Proponent's/Developer's expense.

For sewer extensions less than 1000 feet in length, a reduction in Sewer Connection Fees shall be determined by the Water and Sewer Commission. Such reduction shall take into account the actual length of public sewer installed by the proponent, the added sewer connection fees to be collected by the Town for other properties fronted by the public sewer, and the cost of the municipal sewer system facilities installed (including gravity sewers, pump stations and force mains) installed at the proponent's expense. The sewer connection fee shall not be less than the current Sewer Connection fee assessed for projects where 1000 feet or more of municipal sewer infrastructure has been installed by the owner/proponent/developer. (For example, the fee shall not be less than \$6600 per EDU based on the April, 2009 fee schedule.)

13. Any person may propose an extension, replacement or relocation of a Town sewer to serve a new or rehabilitated building or development. Any person who proposes to extend, replace or relocate a Town sewer shall prepare and submit for review and approval by the Town, construction plans live stamped by a licensed Professional Engineer in the Commonwealth of Massachusetts, supplemented by such other permits, including those that may be required by the Town of Mansfield or the City of Taunton and the Massachusetts Department of Environmental Protection, plans, specifications, and information the Town deems necessary to determine whether to approve the request. Extension, replacement or relocation of a Town sewer shall not commence without the Town's prior written approval. Every extension, replacement or relocation of a Town sewer shall be designed and constructed in accordance with the current municipal design standards, requirements, specifications and standard details. Any tests, studies, investigations and inspections required for design and construction shall be conducted in accordance with the Town requirements. All expenses incurred pursuant to the extension, replacement or relocation of a Town sewer including but not limited to application, engineering, legal, permitting, construction, inspection and connection costs, shall be borne by the applicant.
14. Before extending, replacing or relocating a public sewer the contractor shall (a) obtain approval in writing by the Town and (b) post a bond for payment and performance with the Town in an amount and form acceptable to the Town as set forth in Section C (6).
15. After constructing a Town approved public sewer extension, replacement, or relocation, the owner shall transfer ownership of the sewer in a public way or easement to the Town free of charge through a Release Agreement on a form prescribed by the Town. The Release Agreement shall be accompanied with as-built plans submitted in the format prescribed by the Town for the extended, replaced or relocated sewer, along with video results of a television inspection of the sewer, and any other information required by the Town. Until such time as the Release Agreement is signed by the Town, the extended, replaced or relocated sewer shall be considered to be privately owned by the applicant and shall be subject to the requirements pertaining to private sewers contained in these Regulations.
16. Where a public sewer is not available under the provisions of these regulations, the building sewer shall be connected to a private wastewater disposal system complying with the requirements of the Norton Board of Health and/or the Massachusetts Department of Environmental Protection.



NOTES:

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

BUILDING SEWERS

No Scale

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Section G

Materials and Workmanship

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

Section H

Use of Public Sewers

Use of Public Sewers Required

Article 22 of the June 16, 1999 Annual Town Meeting established a town by-law requiring the owner or occupant of any building upon land abutting on a private or public way, in which there is a common sewer, to connect the same therewith by a sufficient drain within two years of the availability of said sewer service.

1. It shall be unlawful to discharge to any natural outlet within the Town, or in any area under jurisdiction of said Town, any sewage or polluted waters, except where suitable treatment has been provided in accordance with the provisions of these rules and regulations and requirements of the Department of Environmental Protection, Commonwealth of Massachusetts
2. Except as hereinafter provided, it shall be unlawful to construct and maintain in the Town any privy, privy vault, septic tank, cesspool, leaching system or other facility intended or used for the on-site disposal of sewage except where no sewerage works are available.
3. The Owners of all dwellings, buildings, and properties used for human occupancy, employment, recreation, or other purposes situated within the Town (where plumbing and sanitary fixtures are installed) 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 own expense to install suitable toilet facilities therein and connect said facilities directly to the proper public sewer in accordance with the provisions of these rules and regulations. Such sewer connection shall be made provided that said public sewer is within one-hundred (100) feet of the property line.
4. The Water and Sewer Commission shall establish equitable charges for the use, operation and maintenance of the sewage works and treatment of sewage to be paid by every owner of a dwelling or establishment whose building sewers connect to the public sewers. With the exception of a minimum sewer user charge, such charges shall be in direct proportion to the quantity of metered water used. The user charges shall constitute a lien upon the real estate using such public sewer to be collected in the same manner as taxes upon real estate, or in any action of the contract in the name of the Town.
5. The Water and Sewer Commission shall establish equitable betterment assessment charges, privilege fees, connection charges, etc. These charges shall be according to the rules and regulations and apply to land on any way in which a sewer is constructed.

6. The Water and Sewer Commission shall, in establishing the rates referred to in this Section H, Use of Public Sewers Required, paragraphs 4 and 5; make specific reference to the sewer use rate structure in force at the time of any connection.

Use of Sewers - General

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

(a) Prohibited Discharges

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

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

Environmental Protection Agency pursuant to Section 307 of the Act, and chemical elements or compounds, or other taste or odor producing substances, or any other substances which are not susceptible to treatment or which may interfere with the biological processes or efficiency of the treatment system.

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

(b) Limited Wastewater Discharges

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

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

- iv. Flow Rate/Concentration Wastewaters at a flow rate or containing such concentrations or quantities of pollutants that can cause interference.
- v. Unpolluted Waters Any unpolluted water including, but not limited to, water from cooling systems which will unreasonably increase the hydraulic load on the treatment system.
- vi. Discolored Material Wastes with objectionable color not removable by the treatment process.
- vii. Corrosive Wastes Any wastes, which will cause corrosion or deterioration of the treatment system. All wastes discharged to the public sewer system must have a pH value in the range of 6.0 to 8.0 standard units.
- viii. Trucked/Hauled Waste Any wastes trucked or hauled except at discharge points designated by the Superintendent.

(c) Maximum Concentration of Pollutants

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

(d) Special Agreements

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

- 4. No persons shall discharge or cause to be discharged the following described substances, materials, waters, or wastes if it appears likely in the opinion of the Mansfield or Taunton Wastewater Treatment Facility that such wastes can harm either the sewers, sewage treatment process or equipment, have an adverse effect on the receiving stream, or can otherwise endanger life, limb, public property, or constitute a nuisance. In forming its opinion as to the acceptability of these wastes, the Town or Mansfield or City of Taunton Wastewater Treatment Facility will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers and force mains, nature of the sewage treatment process, capacity of the

sewage treatment plant, degree of treatability of wastes in the sewage treatment plant, and other pertinent factors. The substances prohibited are:

- (a) Any liquid or vapor having a temperature higher than one hundred four (104) °F (40°C).
- (b) Any water or waste containing fats, wax, grease or oils, whether emulsified or not, in excess of one hundred (100) mg/l or containing substances which may solidify or become viscous at temperatures between thirty-two (32) and one hundred fifty (150) °F (0° and 65°C).
- (c) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths (3/4) horsepower (0.76 hp metric) or greater shall be subject to the review and approval of the Superintendent.
- (d) Any waters or wastes containing strong acid iron pickling wastes, or concentrated plating solutions whether neutralized or not.
- (e) Any waters or wastes containing heavy metals, EPA priority pollutants and/or similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement.
- (f) Any waters or wastes containing phenols or other taste or odor producing substances.
- (g) Any radioactive wastes or isotopes.
- (h) Any waters or wastes having a pH in excess of 7.0 or below 6.0.
- (i) Materials which exert or cause:
 - i. Unusual concentrations of inert suspended solids (such as, but not limited to, Fullers earth, lime slurries and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate).
 - ii. Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).
 - iii. Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the local Wastewater Treatment Facility.
 - iv. Unusual volume of flow or concentration of wastes constituting "slug loadings" as defined herein.

- (j) Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.
5. If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in Items 3 and 4 of this Section, and which in the judgment of the local Wastewater Treatment Facility may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the local Wastewater Treatment Facility or Superintendent may:
- (a) Reject the wastes,
 - (b) Require pretreatment to an acceptable condition for discharge to the public sewers as outlined in the Mansfield or Taunton Wastewater Treatment Facility Industrial Sewer Use Regulations,
 - (c) Require control over the quantities and rates of discharge,
 - (d) Require payment to cover the added cost of handling and treating the wastes not covered by existing sewer charges, and/or
 - (e) Seek administrative, civil and/or criminal penalties.
 - (f) If the Mansfield or Taunton Wastewater Treatment Facility permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Mansfield or Taunton Wastewater Treatment Facility, as appropriate, and subject to the requirements of all applicable codes, ordinances, and laws.
6. Grease, oil, and sand interceptors shall be provided when, in the opinion of the Town they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall conform to the requirements of the Mansfield or Taunton Sewer Use Regulations (see Appendix A).
7. Where preliminary treatment or flow-equalizing facilities are provided for any waters or wastes, the owner, at his expense, shall maintain them continuously in satisfactory and effective operation.
8. No dumping of septic tank or cesspool wastes shall be permitted into the Town sanitary sewer system or into any regional interceptor sewer located in Norton..

Section I

Protection from Damage

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

Section J

Powers and Authority of Inspectors

1. Any Town employee or local Wastewater Treatment Facility employee or other duly authorized representatives of the Town or Mansfield or Taunton Wastewater Treatment Facility bearing proper credentials and identification shall have the right to enter all properties (both public and private) for the purposes of inspection, observation, measurement, sampling, testing, and investigations to the degree necessary to permit the evaluation of the user's compliance with these regulations in accordance with the provisions of these regulations. Unreasonable delays in allowing access to the user's premises shall be a violation of these regulations.
2. Any Town employee or Mansfield or Taunton Wastewater Treatment Facility employee or other duly authorized representatives of the Town, or Mansfield or Taunton Wastewater Treatment Facility bearing proper credentials and identification shall have the right to enter all private properties through which the Town holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewage works lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.
3. The Town may seek the judicial issuance of a search warrant or appropriate judicial order when any Town employee or Mansfield or Taunton Wastewater Treatment Facility employee or other duly authorized representative of the Town, having been refused access to a building, structure, or property, or any part thereof, is able to demonstrate probable cause to believe that:
 1. there may be a violation of these regulations or,
 2. that there is a need to inspect and/or sample as part of a routine inspection and sampling program designed to verify compliance with these regulations or any permit or order issued hereunder orthere is an imminent threat to the overall public health, safety and welfare of the community.

Section K

Penalties

1. Any person found to be violating any provision of these regulations may be served by the Town with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations. If the Town deems a violation as causing immediate and imminent endangerment to persons or the treatment facilities, the Town shall verbally notify the violator to immediately and effectively halt or prevent any discharge to the system.
2. Any person who is found to have failed to cease all violations as defined in these Regulations, whether intentionally, unintentionally or accidentally, or who violates any provision of these regulations or a rule or regulation of the Town, may be assessed a maximum civil penalty per day of violation as indicated in *Section O – Fees*. The Town may recover reasonable attorney's fees, court costs, treatment costs, and other expenses of litigation in any suit commenced by the Town against a person who is adjudged to have violated this regulation or the orders, rules and regulations issued hereunder. Each day in which any such violation shall continue shall be deemed a separate violation for purposes of both the civil penalty and the fine provisions of this Section.

Without limiting the enforcement remedies available to the Town, the Superintendent or his designee may choose to enforce any of these regulations through a non-criminal disposition proceeding authorized under General Laws Chapter 40 Section 21D and the General Bylaws of the Town.

3. Criminal Prosecution shall be in accordance with all relevant statutory authority.
4. Fines for the following violations shall be as indicated in *Section O – Fees*:
 - (a) General Violation:
 - i. Any user who willfully or negligently violates any provision of these regulations shall, upon conviction, be guilty of a misdemeanor punishable by a fine as indicated, per violation per day.
 - ii. In the event of a second conviction, the user shall be punishable by a fine as indicated, per violation per day.
 - iii. Falsifying Information:

Any user who knowingly makes any false statements, representations, or certifications in any application, record, report, plan or other document filed or required to be maintained pursuant to these regulations, or other order, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required, shall, upon conviction be punished by a fine as indicated, per violation per day.

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

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

Section L

Sewer Line Breaks and Blockages

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

Section M

Sewer Assessments

This section shall address the following assessments and fees:

- Sewer Betterment Assessments – assessed to the lands and properties serviced by a municipal sewer project;
- Sewer Privilege Fees – assessed to lands where there has been a previous sewer betterment assessed but the land has been subdivided or the use has changed or to lands that cannot be charged a sewer betterment assessment;
- Sewer Connection Charges – assessed to the party to be benefited by the sewer connection and for which there has been no previous sewer betterment assessment and/or privilege fee paid at the service location.

For purposes of reference, the above are collectively referred to as “assessments”.

Uniform Rate – Equivalent Dwelling Unit

The Town, acting through its Board of Water and Sewer Commissioners, shall calculate all sewer assessments by a rate based upon a uniform unit method herein described as an Equivalent Dwelling Unit. Sewer assessments shall be determined by calculating the total municipal sewer project cost to the municipality reduced by state and federal assistance received and divided by the total number of existing and potential or planned residential sewer units (Equivalent Dwelling Units – EDUs) to be served, and the residential equivalent of commercial, industrial or semi-public uses. Such assessments shall be levied as betterment assessments, or alternatively, sewer privilege fees as described herein.

1. General Sewer Assessments – Calculation of the Equivalent Dwelling Unit Cost
 - (a) Properties within and abutting a public sewer project area shall be assessed based on the total number of existing sewer units (EDUs) to be served at the time of the assessment times the rate per EDU established for the project. Said rate shall be determined by user class and shall apply to all lands developed or undeveloped abutting the project. The betterment assessments shall be greater than 50% and not exceed 100% of the total sewer extension project cost, which cost shall include total costs of

engineering, survey, design, construction, land acquisition, construction engineering services, interest, legal services, and all related costs, less all state and federal aid received. To the extent practicable, the betterment cost per EDU for all municipal sewer projects and for sewer connection charges shall be determined based on the most recently completed municipal sewer project completed in Norton for which sewer betterments have been assessed, adjusted for inflationary and/or construction cost indexes. In addition, a share of the cost of general benefit facilities constructed or to be constructed by the town or by or for the POTW, which share shall be set by the Commission and range from 0 to 100 percent of the pro rata share of such costs shall be added to the betterment assessment.. The cost per EDU value established for each Town sewer project shall be recorded herein (see *Section O - Fees*). This cost per EDU, or an amount not exceeding 10 percent more than this cost per EDU shall also be the same rate per EDU assessed as a Sewer Connection Fee that is to be assessed when no investment in municipal sewer infrastructure construction is made by the Owner/Proponent for the sewer tie-in (other than the tie-in itself). This cost per EDU shall also be assessed as a Sewer Privilege Fee for properties that undergo subsequent subdivision, change of use, or to lands that cannot be charged a sewer betterment. Sewer Connection Fees will be waived for properties that are assessed sewer betterments or privilege fees.

- (b) The Board of Water and Sewer Commissioners shall levy, by preparing an Order of Assessment, sewer betterment assessments against all properties within and abutting a public sewer construction project upon substantial completion of the pertinent construction and approval of the subject portion of the sewer system (approved by the Board of Water and Sewer Commissioners) for its intended use. In the Order of Assessment, the Board of Water and Sewer Commissioners shall designate the owner of each parcel as of the preceding January first, as liable to assessment as stated under the provisions of the Massachusetts General Laws.
- (c) As provided in MGL Chapter 83, Section 15B, the Board of Water and Sewer Commissioner shall have the right to make partial or estimated betterment assessments before the completion of construction and approval for use of the wastewater collection facilities. The estimated assessment shall be not more than one-half of the total anticipated project cost.
- (d) Properties served by a Municipal Sewer Extension Project that cannot assessed sewer betterment charges, shall be charged on the basis of Privilege Fees as described in paragraph 2, herein below.

2. Sewer Privilege Fees and Sewer Connection Fees

- (a) Properties that are within a municipal sewer extension project, that are not, or may not be assessed sewer betterment charges, shall be charged on the basis of Privilege Fees. At the time of assessment, privilege fees shall be assessed at the established cost per EDU value for the betterment assessments, including share of general benefit costs, for the particular sewer extension project, with the total number of EDUs to be assessed to both municipal and non municipal properties
- (b) Properties that were not provided sewer service within a municipal sewer extension, but that wish to connect to the municipal sewer subsequent to the original assessment of betterments and privilege fees for the project, shall be charged on the basis of a Sewer Connection Fee. Sewer Connection Fees shall be determined and assessed based on whether or not additional public infrastructure/sewer extensions are associated with the property so connected. As such there shall be two types of Sewer Connection Fees.
- (c) Changes to, or subdivision of a property that occurs subsequent to the assessment of betterments (or privilege fee) for that property shall result in a Sewer Privilege Fee when the proponent requests to tie into service and such fee shall be based on the then current Fee schedule, and based on the revised use.
- (d) Sewer connection fees for projects requiring extensions of the public sewer shall be based upon the number of EDU units served and such fees may be reduced to account for the investment in the extended sewer infrastructure made by the Developer/Owner. The connection fee established for Developers/Owners that construct a public sewer extension, to their property which is defined herein as a line exceeding one thousand (1,000) linear feet, may be at a negotiated rate taking into consideration, among other things: 1) the cost to the Developer/Owner to build the sewer extension, 2) the number of EDUs served by the extension, 3) the additional potential sewer service connections afforded by the public sewer extension, 4) the rates set forth in Schedule "O", 5) protection of critical wetlands, watersheds and aquifers and 6) such other items of relevant benefit or burden to the public system that would justify deviation from the EDU calculation. Capacity in this context means sewage flow from a dwelling unit or units calculated according to Title V of the State Sanitary Code. In all of these instances, the Board reserves the right to negotiate a sewer connection fee independent from the number of EDUs served and guided by the factors recited above.

3. Time of Sewer Assessment

- (a) The time of final assessment for betterments and/or Privilege Fees for lands abutting the sewered street shall be that date upon which the sewer system with appurtenances is "approved for use".
- (b) The time of assessment for any properties not abutting the sewered street, or those tying into the system subsequent to the original assessment of betterments and/or Privilege Fees, (including Sewer Connection Fees), shall be the date upon which that property connects into the sewer system.
- (c) The time of assessment for any properties previously assessed but subsequently subdivided, or for which the property's use is changed, shall be the date upon which the subdivided property (properties) connect to the sewer system or the date upon which the property's use is changed.

4. General Sewer Unit Designation

The number of EDUs assigned to each property for which a betterment or fee is to be assessed shall be determined based upon the user class of those properties to be assessed betterments. Said classes shall include residential and non-residential. The non-residential class shall include commercial, industrial, governmental and any or all other non-residential properties. The number of EDUs shall be determined based upon the residential equivalent of such commercial, industrial, municipal or other non-residential class, as provided herein.

5. EDU Determinations

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

- (a) Residential - Developed:
 - i. Single-family dwellings shall equal one EDU.
 - ii. Multiple family dwellings (more than one dwelling unit), including in-law apartments, shall comprise a number of EDUs based upon the following methodology:
 - 1. Condominiums, rental properties (apartments), and in-law apartments shall be assessed one EDU for each condominium unit or apartment.
 - 2. Pro rata reductions to the number of EDU's for such properties with less than three (3) bedrooms may be considered by the Town on a project-by-project basis.

- iii. Future subdivisions of any residential developed parcels shall be subject to the assessment of sewer privilege fees as outlined in this Section.

(b) Non-Residential – Developed:

- i. Non-residential buildings shall comprise an EDU value based upon the expected or actual flow for the building use and/or classification. Each building shall comprise an EDU value based upon:
 - 1. Calculated EDU value, where $\text{EDUs} = \frac{\text{Calculated Daily Flow (gpd)}}{330 \text{ gpd/EDU}}$ (calculated from flow rates assigned in 310 CMR 15.203) divided by 330 gpd/EDU. All fractional EDUs shall be rounded up to the next highest whole number, or
 - 2. Actual average daily water use over a 2 year period of uninterrupted water service and use multiplied by 2.0, divided by 330 gpd/EDU. All fractional EDU's shall be rounded up to the next highest whole number.
- ii. All calculated fractional EDU values shall be rounded up to the next highest whole number.

(c) Residential – Undeveloped:

- i. Undeveloped buildable residential parcels shall be assigned a minimum of one EDU and be assessed accordingly. Undeveloped lots with sufficient frontage and area shall be assigned one EDU for each "Form A" lot, where planning board approval is not required for such subdivision, based on zoning then in effect. Owners of undeveloped land may request an extension of the time for payment in accordance with G.L. Ch. 83 sec. 19. Future subdivision or change of use shall be subject to the assessment of privilege fees.

(d) Non-Residential – Undeveloped:

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

6. General Betterment Payment

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

(a) Lump Sum Betterments

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

Lump sum betterments shall be payable within thirty (30) days upon written notice of assessment; otherwise payment shall default to the apportionment schedule described hereunder.

(b) Apportionment of Betterment Payment

Property owners shall have the option to apportion betterment payments in accordance with MGL Ch. 80, § 13. The interest rate charged by the Town shall be 5 percent; or the rate being charged to the Town for the sewer construction project bond plus 2 percent, or as required by Massachusetts General Laws. The interest rate to be charged will be determined by the Commission when project financing is finalized, and subject to Town Meeting Approval

7. Private Sewer Extension Connection Fees

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

(a) The review of design plans and specifications for private sewer extension by a Registered Professional Engineer selected by the Town. All design plans submitted for review shall be 100% complete and shall be stamped by a Registered Professional Engineer in the Commonwealth of Massachusetts.

(b) The inspection of any installation of private sewer extensions tying into the public sewer system. When so required, the developer and/or property owner of the extension shall pay for all inspection fees incurred by the Town based on the actual cost of the inspection by the Town (or by hired consultants at the discretion of the Town) to include full-time inspection of public and private sewer facilities as deemed necessary.

(c) Sewer Connection Fees as outlined in *Section F – Building Sewers and Connections*; *this Section M - Sewer Assessment and Connection Fee Policy*; and *Section O - Fees*.

(d) Private costs associated with the design and construction of a private sewer extension to the extent described in this Section M.

8. 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 a betterment assessment against said property. The sewer privilege fee shall be equivalent to the betterment assessment for said property as determined by the procedures outlined in this Section. The sewer privilege fee shall be levied at the time of connection to the public sewer. All provisions governing the payment and method of payment related to betterment assessments as described in this Section shall apply.

9. Abatement of Betterments

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

10. Private Agreements

Nothing shall prevent the Water and Sewer Commission from entering into agreements with private parties to establish and clarify responsibilities for the design and construction of major private sewer extensions. To the extent practicable, the provisions set forth in this Section M and Section F of these regulations shall be used as a basis for the terms and conditions of such public-private agreements.

Section N

Validity

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

Fees with
Charges and Penalties

The fees stipulated herein were adopted on: February 2010

Section C - Installers

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

Section D – Permits and Inspection

- Application Processing Fee.....\$250.00
- Inspection Fee \$50 per hour
- Reconnection Privilege Fee\$150.00

Section E – Annual Sewer Charges

- Quarterly Sewer Use Charge – Residential (per 100 cubic feet)\$6.60
- Quarterly Sewer Use Charge – Commercial (per 100 cubic feet).....\$6.60
- Minimum Quarterly Sewer Use Charge - Residential\$75.25
- Minimum Quarterly Sewer Use Charge - Commercial.....\$75.25
- Late Payment Fee\$25.00
- Late Payment Interest Rate (Annual)At the rate of interest established by G.L. Ch. 59 sec. 57

as amended from time to time.

• Chapter 39 of The Acts of 2009 Charges

Charges based on
actual costs
assessed and
capacity owned

Section F – Building Sewers and Connections

- Sewer Betterment Assessment per EDU.....\$11,183
(Lake Winnecummet Sewer Project)

Sewer Connection Fee per EDU (No municipal sewer Infrastructure constructed
by Owner) (\$35/gpd x 330 gpd/EDU)\$11,550

- Sewer Connection Fee per EDU (Public Sewer Extensions exceeding 1000 feet constructed by owner at owner's expense) (\$20/gpd x 330 gpd/EDU)\$6,600
- Sewer Privilege Fee (per EDU).....\$11,550

Section K - Penalties

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