



Town of Thomaston
SEWER USE ORDINANCE
Thomaston, Maine

Adopted	October 22, 1990
Amended	March 25, 1991
	August 20, 1991
	June 15, 2005
	February 10, 2009
Amended	June 14, 2023

Section 901 **Management Plan**

Sec. 901.1 – Purpose

The Town of Thomaston in order to promote the health, general welfare, comfort and public convenience of its citizens and to protect the environment owns, controls, maintains and operates a wastewater collection, treatment and disposal facility. The purpose of this ordinance is to set up a management plan for the facility and to restrict and regulate the accumulation, transportation, treatment and disposal of wastewater in such a manner that the creation of any sewerage system, whether public or private, residential or industrial, shall not result in pollution, health hazards or other nuisances for the citizens of the Town of Thomaston.

Sec. 901.2 – Authority and Repeal

This Ordinance is adopted pursuant to Home Rule Powers as provided for in Article VIII Part 2, Section 1, of the Maine Constitution and M.R.S.A. Title 30-A Section 3001 and shall be known as the “Sewer Use Ordinance” of the Town of Thomaston, Maine, enacted by vote of the Town Meeting. The authority to act on behalf of the Town of Thomaston in all matters pursuant to the Town’s Wastewater Facilities shall be vested in the Select Board to the extend allowed by M.R.S.A. Title 30-A Section 3402-3406, and Section 3422 and all other applicable State statues. Any person owning any building or structure within the Town of Thomaston that is the source of sewage and/or industrial waste or who proposes to erect such building or structure shall conform to the requirements of this ordinance. This ordinance shall completely supersede all other sewer ordinances enacted by the Town of Thomaston prior to the enactment of this Ordinance, which other ordinances are hereby repealed except as otherwise noted herein. The invalidity of any section, clause, sentence or provision of this Ordinance shall not affect the validity of any other part of this Ordinance which shall remain in effect without such invalid part or parts.

Sec. 901.3 – Pollution Control Department

There is hereby established a Pollution Control Department (P.C.D.) for the Town of Thomaston. This wastewater department shall maintain and operate all the Town’s wastewater facilities located within the legal limits of the Town of Thomaston, including any portions covered by interlocal agreement with other municipalities. The Select Board shall provide for its staffing, establish rules and regulations for its operation and prepare and approve a fiscal year budget for the Department. The Pollution Control Department

shall be under the general direction of the Town Manager and direct direction of the P.C.D Superintendent. In addition, the Select Board may establish such sewer advisory boards and committees, as it deems necessary and provide for their charges and rules and regulations.

The P.C.D. may establish such additional rules, regulations and plans as needed to clarify and supplement the Ordinance. Additional rules, regulations and plans may include, but is not limited to:

- a. Asset Management Plans.
- b. Long-term sewer maintenance plan.
- c. Sewer use violation monitoring plan.

Sec. 901.4 – User Fees

All persons, firms and corporations, whether public or private, shall pay to the Treasurer of the Town the rates, tolls, rents, fees and other lawful charges established by the Select Board after a public hearing for the wastewater service used or available with respect to their real estate (see Section 907).

Sec. 901.5 – Violation, Penalties and Enforcement

The CEO/LPI shall be responsible for the enforcement of this Ordinance. Upon finding that any owner is violating any provision of this Ordinance, the CEO/LPI may serve the owner 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.

Any owner who continues to violate beyond the time limit provided for in the written notice, may be subject to court action, shall be guilty of a civil violation and on conviction shall be fined not less than \$100 nor more than \$2,500 or such other penalty provided by M.R.S.A. Title 30-A Section 4452. Each day in which such violation shall continue shall be deemed a separate offense violation.

Any owner violating any of the provisions of this Ordinance shall be liable to the Town for any such expense, loss or damage occasioned the Town by reason of such violation.

Sec. 901.6 Appeal Procedure

Any owner aggrieved by the decision of the CEO/LPI, which decision arises from provisions of this Thomaston Sewer Use Ordinance may appeal such decision to the Select Board within thirty (30) days of the Code Officer's decision. The Select Board shall hear said appeal within thirty (30) days of the date of receiving the appeal. The decision of the Select Board

shall be entered at the office of the Town clerk upon form to be approved by the Select Board and the appellant shall be sent a notice of said decision, postage prepaid, to the address of the appellant. The appellant shall, in their application, set forth as grounds for appeal and shall refer to the specific provisions of the Ordinance involved in an appeal to the Select Board.

At any rate, a party may appeal from the decision of the Select Board to the Superior Court in accordance with the Maine Rules of Civil Procedure, Rule 80(b). Hearing before the Superior Court shall be without jury.

Sec. 901.7 – Authority to Inspect

The Select Board or the CEO/LPI or the Superintendent and other duly authorized representatives of the Select Board bearing proper credentials and identification shall be permitted to enter all properties for the purpose of inspection, observation, measurement, sampling and testing pertinent to discharge to the public sewer in accordance with the provisions of this Ordinance but only at reasonable times and upon reasonable notice. The Select Board or the CEO/LPI or the Superintendent shall have no authority to inquire into any process 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 Town's wastewater facilities or waterways. Any information so obtained and considered as proprietary shall be held so by the Select Board.

While performing the necessary work on private properties referred to above, the Select Board or the CEO/LPI or the Superintendent shall observe all safety rules applicable to the premises. The owner shall be held harmless for injury or death to the Town's employees or representatives and the Town shall indemnify the owner against loss or damage to their property by Town employees or representatives and against liability claims and demands for personal injury or property damage asserted against the owner and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the owner to maintain safe conditions.

The Select Board or the CEO/LPI or the Superintendent bearing proper credentials and identification shall be permitted to enter all private properties through which the Town holds a fully executed easement for the purpose of, but not limited to, inspection, observation, measurement, sampling, repair and maintenance of any portion of the Town's wastewater facilities lying with said easement. All entry and subsequent work, if any, on said easement shall be done in full accordance with the terms of the duly executed easement pertaining to the private property involved.

Sec. 901.8 – Damage to Facilities

No 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 Town wastewater facilities. Any person violating this provision shall be subject to those penalties provided by State law. A person shall be liable to the Town in a civil action for all damages incurred, and double damages where appropriate as provided by M.R.S.A. Title 30-A Section 3407.

Sec. 901.9 – Wastewater Backup on Private Property

The Town has an up-to-date sanitary sewer system but it is not possible to completely prevent a backup in a public sewer line. If a backup causes wastewater to accumulate outside the plumbing fixtures in or around a structure the owner may contact the Town requesting that the Town take action to correct the problem and restore the area to its prior condition. Any person who contacts the Town shall be asked the following questions:

1. Location (street address) of problem property and name of property owner.
2. Name of person filing complaint.
3. Brief outline of problem.
4. Date and time that problem occurred.

The person shall then be told that the Town recommends they:

1. Clean up any wastewater and have the area disinfected.
2. File a claim with their insurance company under their homeowner's policy.
3. That the Town will contact our insurance company and start a claim for this situation.

Section 902

Definitions

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

ACCOUNT

Any account the Town offers or maintains primarily for personal, family or household purposes that involves multiple payments or transactions.

A.S.T.M.

The American Society of Testing Materials.

A.W.W.A.

The American Water Works Association.

BOD (denoting biochemical oxygen demand)

The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20° C., expressed in milligrams per liter.

BUILDING DRAIN

That part of the lowest horizontal piping of a sewer system which receives the discharge from waste pipes inside the walls of a building or structure and conveys it to the building sewer. The physical limit of the building drain shall be a point eight (8) feet outside the exterior face of the structure's wall.

BUILDING SEWER

The pipes extending from the structure's building drain to its connection to the public sanitary sewer.

C.E.O.

The Code Enforcement Officer of the Town of Thomaston.

COMBINED SEWER

A sewer receiving both natural surface runoff and sewage.

GARBAGE

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

IDENTIFYING INFORMATION

Any name or number that may be used, alone or in conjunction with any other information, to identify a specific person, including: name, address, telephone number, social security number, date of birth, driver's license or identification number, etc.

IDENTITY THEFT

Fraud committed using the identifying information of another person.

INDUSTRIAL WASTEWATERS

The liquid wastes, including any types of solids, from industrial or commercial manufacturing processes as distinct from sanitary wastewater. Industrial wastewaters may or may not be discharged separately from sanitary wastewater. For a combined discharge the Superintendent shall determine if the discharge meets the definition of "industrial Wastewater".

L.P.I.

The Licensed Plumbing Inspector, or alternate, of the Town of Thomaston.

M.R.S.A.

The Maine Revised Statutes Annotated.

NATURAL OUTLET

A natural outlet is any outlet into a watercourse, pond, ditch, lake or other body of surface water or groundwater.

OWNER

This shall mean both the person who is the vested holder of title for any real estate or it may mean all tenants, lessees or others in control or use of the property in question, when applicable. Excluded from this definition is a mortgagee of the property in question unless the mortgagee exercises their rights and becomes an owner.

PERSON

Any individual, firm, company, association, public body, society, corporation, group or applicant.

pH

The logarithm of the reciprocal of weight of hydrogen ions in grams per liter of solution. It is a method of expressing the acidic or basic strength of a solution and of the tendency or ability of that solution to react with other acidic or basic solutions. The pH value may range from 1 (strong acid) to 14 (strong base). Pure water is natural and has a pH of 7.

PRIVATE SEWER SYSTEM

Any sewer that collects wastewater from two or more building sewers on private property owned separately or jointly and discharges to a public sanitary sewer. Private sewer systems are not permitted except by approval of the Superintendent.

PROPERLY SHREDDED GARBAGE

The wastes from the domestic and commercial preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half (½) inch in any dimension.

PUBLIC SEWER

The common sanitary sewer serving the general public and owned and controlled by the municipality.

RED FLAG

A pattern, practice or specific activity that indicates the possible existence of identity theft.

SANITARY SEWER

The sewer which carries domestic and/or industrial wastewater and to which natural storm, surface and groundwaters are not intentionally admitted.

SANITARY WASTEWATER

The liquid waste discharged from a building's or structure's sanitary conveniences, such as toilets, washrooms, urinals, sinks, showers, small laundries and from kitchens and cafeterias essentially free of industrial wastes or toxic materials. Sanitary wastewater may or may not be discharged separately from industrial wastewater. For a combined discharge the Superintendent shall determine if a wastewater discharge meets the definition of "sanitary wastewater".

SELECTBOARD

The Select Board of the Town of Thomaston.

SEPTAGE

The mixture of liquids and solid matters removed from a septic tank during normal cleaning.

SEWAGE or WASTEWATER

The combination of water carried wastes from residences, business buildings, institutions and industrial establishments, together with such natural ground, surface and stormwaters as may be present. This term shall be interchangeable with the word "wastewater".

SEWER

Any pipe or conduit whether above or below the ground intended for carrying sewage.

SEWER EXTENSIONS

Additions to the existing public sewer system. Anything else is a sewer connection. A public sewer extension is a wastewater facility constructed on public property or within a road right-of-way and which is physically connected to the rest of the public sewer system. A private sewer extension is a wastewater facility constructed on private property and connected to the public sewer system.

S.S.D.C.

As used in this Ordinance, the Sewer System Development Charge.

SHALL and MAY

Shall is mandatory; May is permissive.

SLUG

A slug is any discharge of water or wastewater in which the concentration of any given constituent or the rate of flow exceeds, for any period of duration longer than fifteen (15) minutes, more than five (5) times the average twenty-four (24) hours concentration, or flow, during normal operation.

STANDARD METHODS

The manual "Standard Methods for the Examination of Water and Wastewater", latest edition, published by the American Public Health Association.

STORM DRAIN

A storm drain (sometimes termed storm sewer) shall mean a sewer which carries natural storm and surface waters and drainage, but not sewage and industrial wastes, other than unpolluted cooling water.

SUPERINTENDENT

The individual who is the Superintendent of the Town of Thomaston's Pollution Control Department.

SUSPENDED SOLIDS

The solids that either float on the surface of, settle to the bottom of or are in suspension in water, sewage or other liquids, and which are defined as non-filterable residue and are determined in accordance with Standard Methods.

TOWN

The Town of Thomaston, Knox County, Maine.

TOWN WASTEWATER FACILITIES

These shall include Town owned or leased structures, conduits, pump stations, wastewater collection, treatment and disposal facilities and other appurtenances for the purpose of collecting, treating and disposal of domestic and/or industrial wastewater.

WATERCOURSE

The natural or improved channel in which a flow of water occurs, either continuously or intermittently. The terms “waterway” and “swale” shall be considered interchangeable.

WATER POLLUTION CONTROL FACILITY

The arrangement of devices and structures used for treating sewage and sludge (also termed wastewater treatment plant).

Section 903
Connections to Public Sewer

Sec. 903.1 – Use of Public Sewers Required

The owner of each lot or parcel of land upon which a building has been constructed which abuts upon a street or public way containing a public sewer shall connect that building with the public sewer within ninety (90) days after date of official notice to do so, provided that said public sewer is within two hundred (200) feet of any existing or proposed buildings and/or private on-site septic disposal systems and shall cease using any other method for disposal of wastewater.

Upon completion of the connection of the building sewer to the public sewer, the old septic tank(s) and its contents shall be secured or disposed of in accordance with the Maine State Plumbing Code.

Sec. 903.2 – Connection of Private Sewers, Permits and Regulations

Application: Abutters upon the line of a public sewer and abutters upon the line of a public sewer constructed before a municipality accepts those sections, and the owner of contiguous private sewers may enter and connect with the public sewer on written application to the C.E.O. distinctly describing the land to which the application applies and paying a sewer connection permit fee in form of a one-time Sewer System Development Charge (hereafter referred to as S.S.D.C.) payment (refer to Section 907 - Sewer Service Charges). Expense for any testing and sampling of waste for acceptance at the treatment plant shall be borne by the owner or applicant. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgement of the C.E.O. or Superintendent.

Permit issued: Upon approval, the C.E.O. shall give the applicant a written permit to enter and connect with the public sewer. This permit is available to the owner of the land described in the application, the owner's heirs and assigns, and shall run with the land. Failure to enter and connect into the public sewer within one (1) year from the date of the granting of the permit shall result in the expiration of the permit and forfeiture of the permit fee or S.S.D.C. Renewal of a permit shall be treated as a new application and shall be subject to all of the provisions of this Ordinance including the appropriate fees and charges. For all connections an inspection fee as determined by the Select Board shall be paid to the Town at the time the application is filed.

Regulations: The Select Board shall establish any other rules, regulations and conditions for connecting with the public sewers that they consider expedient and after holding a public hearing with 7 days' notice of the public hearing.

Sec. 903.3 – Notification Periods

The Select Board shall require written notice of any new discharge or any major change, either in volume or character of wastewater, in an existing discharge. The minimum notification period shall be as outlined in Table 1.

Table 1 Minimum Notification Period

New Discharge	
Less than 5,000 gallons per day	15 days
More than 5,000 gallons per day	60 days
Existing Discharge Modifications	
Discharge of less than 10,000 gallons per day	None
Discharge of more than 10,000 gallons per day	30 days

Sec. 903.4 – Connections without Permit

If any owner connects a private sewer or building drain with a public sewer or enters it by a side connection without a permit, the municipal officers may immediately destroy the connection. That owner commits a civil violation for which a forfeiture of not more than twice the normal fee may be adjudged, to be paid to the municipality where the offense is committed.

Sec. 903.5 – Violation of Permit; Nuisances

If any owner willfully or negligently violates any condition or regulation prescribed in the permit, the municipal officers may immediately disconnect the sewer from the public sewer and declare the permit forfeited. That owner, the owner's heirs and assigns may not connect with the public sewer again without a new permit and a new sewer connection permit fee (S.S.D.C). Whoever commits a nuisance by the construction or use of a private sewer is liable for that nuisance notwithstanding this chapter.

Sec. 903.6 – Sewer Connection Permit Requirement for Additional Flows to Existing Sewers

A sewer connection permit shall also be required for any new construction or change of use or expansion by renovation or alteration of an existing structure which will increase the

amount of wastewater added to the sewer system. This applies even if no new sewer connection may be required. All additional wastewater gallonage shall be based on the volume design flows specified in the Maine State Plumbing Code Subsurface Wastewater Disposal rules. This section does not apply to existing single-family dwellings.

The CEO/LPI shall determine whether or not there is an additional increase in the amount of wastewater added to the sewer system.

Sec. 903.7 – Owner’s costs – New Connections

All costs and expenses, incidental to the application, review, installation, connection, repair and maintenance of the building sewer, including the portion in the public right-of-way, shall be borne by the owner. The owner shall indemnify the Town.

Sec. 903.8 – Connection and inspection

When the house sewer is being installed it shall be inspected by the C.E.O. This inspection shall ensure that all portions of the Sewer Ordinance are complied with including Section 905.1 Unpolluted Water. The applicant for the building sewer permit shall notify the Town at least forty-eight (48) hours before beginning work and also when the building sewer is ready for inspection.

Sec. 903.9 – Building Sewers

A separate and independent sewer connection pipe shall be provided for every building, except where one building stands at the rear of another on the same lot and no private sewer is available or can be constructed to the rear building through an adjoining property, the building sewer from the front building may be extended to the rear building if approved by the CEO/LPI or the PCD Superintendent. Any connections so arranged shall be considered as separate services for the purpose of charging sewer fees, S.S.D.C and other charges. The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, joining, testing and backfilling the trench, shall all conform to the requirements of the current building and plumbing code or other applicable rules and regulations of the Town. All such connections shall be gas tight and water tight. Direct connection of building sewers into existing manholes are not permitted. No connection shall be made directly from any private property to a Town sewer force main. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, wastewater carried by such building drain shall be lifted by an approved means and discharged to the building sewer or service lateral. Plans and details of the proposed method shall be approved by the CEO/LPI.

Section 904
Public Sewer Extensions

Sec. 904.1 – Public Sewers Extension by Town

Public sewer extensions may be constructed by the Town, if, in the opinion of the Select Board, the number of existing, improved properties to be served by such extension warrants its cost or if such extension is likely to provide adequate revenues to warrant the cost in the reasonable future. The Select Board, after study, may elect to extend public sewers into areas that meet these criteria or when extension is required by specific state or federal mandate or when property owners, builders or developers have proposed sewer extensions within the Town property or road right-of-way or easement to the Town by written petition filed with the Select Board.

Sec. 904.2 – Approval of Town Extension

Prior to authorizing a sewer extension greater than five hundred (500) feet by the Town the Select Board shall:

1. Notify the Town of Thomaston Planning Board in order to assure conformity with the comprehensive plan and other policies relating to the Town's growth and development.
2. Notify all abutting property owners to the proposed sewer extension not less than ten (10) days prior to the meeting at which they will take final action on the authorization of the extension.

Sec. 904.3 – Financing a Town Extension

The costs associated with such extensions may be borne by the benefited property owners in a manner determined by the Select Board to prevent unreasonable increases in the bonded indebtedness of the Town. In addition, each owner connecting into the public sewer system must obtain a written connection permit from the Town and pay the Sewer System Development Charge (SSDC) and any other charges associated with the connection.

Sec. 904.4 – Procedure for Town Extension

The Town may acquire any property or easements needed, contract for the design and construction and perform any other tasks necessary to install the sewer extension. All extensions constructed under this section shall comply with Section 904.18 "Sewer Design Standards, Testing and Approval".

Sec. 904.5 – Public Sewer Extension in Special Sewer Zone

The Select Board may establish a Special Sewer Zone comprising all non-sewered lots of benefiting property owners to a proposed sewer extension in a Town road right-of-way or

easement. This process may be initiated by a petition to the Select Board by property owners, builders or developers.

Sec. 904.6 – Approval of Special Sewer Zone Extension

Prior to establishing a Special Sewer Zone and authorizing any sewer extension the Select Board shall:

1. Notify the Town of Thomaston Planning Board in order to assure conformity with the comprehensive plan and other policies relating to the Town's growth and development.
2. Notify all abutting property owners to the proposed sewer extension not less than ten (10) days prior to the meeting at which they will take final action on the authorization of the extension.

Sec. 904.7 – Financing a Special Sewer Zone Extension

Extensions to the sewer collection system provide benefits by increasing the area served by public sewers, spreading the cost of safely treating and disposing of wastewater among more users and helping to protect the Saint George River and its watershed. However, existing buildings along the proposed sewer route may have working septic systems and not need public sewer at the time the sewer is installed. There may be vacant lots that are not built on until years after the sewer is installed. To promote the benefits of expanding the public sewer service area the Town may establish a Special Sewer Zone and provide funding, or not, as necessary to install a public sewer. To reimburse the Town, or others, for a portion of the sewer extension expense the Select Board may establish a special assessment for each owner within the zone to be paid at the time of connecting into the public sewer. This special assessment must be paid before the owner can obtain a written connection permit from the Town and is in addition to the Sewer System Development Charge (SSDC) and any other charges associated with the connection.

Sec. 904.8 – Procedure for Special Sewer Zone Extension

The procedure for a Special Sewer Zone Extension shall be the same as for a Town extension as outlined in Section 904.4.

Sec. 904.9 – Public Sewer Extension by Others

If the Select Board does not elect to construct a public sewer extension the property owners, builders or developers may construct the necessary public sewer extension if the requirements of section 904.10 are met.

Sec. 904.10 – Approval of a Public Sewer Extension by Others

Prior to authorizing a sewer extension greater than five hundred (500) feet by the Town the Select Board shall:

1. Notify the Town of Thomaston Planning Board in order to assure conformity with the comprehensive plan and other policies relating to the Town's growth and development.
2. Notify all abutting property owners to the proposed sewer extension not less than ten (10) days prior to the meeting at which they will take final action on the authorization of the extension.

Sec. 904.11 – Financing Extensions by Others

The property owners, builders or developers shall pay for the entire installation, including planning and design, installation of sewers, pump stations, service connections, SSDC charges and all expenses incidental to the project. Each building sewer must be installed and inspected as required under the Town regulations and the inspection fee shall be paid. The construction of any sewer extension may be subject to continuous full time inspection by the Town, or its representative. The expenses incurred by the Town and the Town's consulting engineer in reviewing and approving the plans and specifications and performing their inspection work shall be paid from an escrow deposit made by the property owners, builders or developers to the Town at the time of application to the Select Board. The amount of the deposit shall be 2% of the estimated cost of the extension. If the expenses exceed the amount of the 2% escrow account, the extra expense shall be levied against the property owners, builders or developers. Failure to pay the extra expenses will result in the disapproval of the application and no physical connection to the public sewer shall be made. Any funds remaining in the escrow account after the Town has paid all of the expenses for review and inspection of the sewer extension shall be returned to the property owners, builders or developers.

Sec. 904.12 – Procedure for Extension by Others

Design of sanitary sewers and appurtenances shall be as specified in Section 904.18. The design of sewers and pump stations to be deeded to the Town shall anticipate and allow for all possible future system extensions or developments within the future drainage areas as established by the Town. The Select Board's decisions or the decisions of its representative shall be final in matters of quality and methods of construction. The owners, builders or developers or their successor in interest shall warranty the public sewer extension and pay for all operations, maintenance, corrections and repair costs for one year after acceptance by the Town. In order to ensure that all operations, maintenance, corrections and repair costs are paid by the owners, builders or developers, a one-year maintenance guarantee as specified in Section 903.15 may be required by the Town.

Sec. 904.13 – Ownership of New Sewers

All extensions of public sewers constructed at the expense of property owners, builders or developers, after approval and acceptance by the Town, shall become the property of the

Town and shall thereafter be maintained by the Town. The property owners, builders or developers, shall for all sewers, pump stations and appurtenances not in the public right-of-way, and before acceptance, provide, by deed free and clear of encumbrances or by easement to the Town, right or title to the sewers, pump stations and appurtenances including access from a public right-of-way.

Sec. 904.14 – Private Sewer Extension

All private sewer extensions on private property that discharge or connect to the public sanitary sewer shall be approved by the Select Board prior to construction. Excluded from this requirement are building drains and building sewers. The Select Board may approve a private sewer extension if plans and specifications, properly designed by an engineer registered in the State of Maine and conforming to design standards set out in this regulation, are submitted sixty (60) days before the regularly scheduled meeting at which the Select Board approval of the extension is requested.

Sec. 904.15 – Approval of a Private Sewer Extension

Prior to authorizing a private sewer extension, the Select Board shall:

1. Notify the Town of Thomaston Planning Board in order to assure conformity with the comprehensive plan and other policies relating to the Town’s growth and development.
2. Notify all abutting property owners to the proposed sewer extension not less than ten (10) days prior to the meeting at which they will take final action on the authorization of the extension.

Sec. 904.16 – Financing Private Sewer Extensions

The procedure for financing a private sewer extension shall be the same as for an extension by others as outlined in Section 904.11.

Sec. 904.17 – Procedure for Private Sewer Extensions

The procedure for a private sewer extension shall be the same as for an extension by others as outlined in Section 904.12.

Sec. 904.18 Sewer System Design Standards, Testing and Approval

General Standards: All extensions to the sanitary sewer system shall be properly designed in accordance with the standards set by:

“Recommended Standards for Sewage Works”, as adopted by the Great Lakes – Upper Mississippi River Board of Sanitary Engineers (the Ten State’s Standards).

“Design and Construction of Sanitary and Storm Sewers”, published by the Water Environment Federation as Manual of Practice No. 9.

The design of sewers to be deeded to the Town shall anticipate and allow for all possible future system extensions or developments within the immediate drainage area. Plans and specifications for sewer extensions shall be submitted to the Town and written approval received from the Pollution Control Superintendent before construction may proceed.

Pipe Standards: All pipe material for either gravity sewers or for pressure force mains or appurtenances to these lines shall be:

- Poly Vinyl Chloride pipe (PVC) conforming to ASTM specification D3034 with pipe class to be appropriate for pipe loading.
- High Density Polyethylene pipe (HDPE) conforming to ASTM 3350 cell classification of 345434C.
- Ductile iron, Class 52, conforming to AWWA C150 with joints meeting AWWA C104 and fittings meeting AWWA C110.

No clay or concrete pipe shall be used.

Alternate materials for pipe, manholes or pump stations may be approved for use if, in the opinion of the Superintendent, the resulting construction will be of acceptable standards. No main line sanitary sewer pipe shall have less than an eight (8) inches internal diameter and no building sewer pipe located in the public right-of-way shall have less than a six (6) inches internal diameter.

The assembled pipe, including joints, shall meet the requirements of testing set out below. Bedding material, when required, shall be well-graded crushed rock or bank run gravel meeting the following standard: 100% will pass a 3/4-inch screen and not more than 10% will pass a 200-mesh sieve.

Pipe thickness and field strength shall be calculated on the following: Safety factor 1.9, Load factor 1.7, Weight of soil 120 lbs./cu. ft. and Wheel loading 16,000 lbs.

Gravity Pipe Testing: All gravity lines shall be tested before use by a low pressure exfiltration air test. All sewer lines shall be cleaned to remove all sediment and debris prior to testing. Test plugs shall be properly installed blocking both ends of the pipe and air introduced through a mechanism in one of the air lock units to a minimum of four (4)

Sewer Diameter (inches)	4	6	8	10	12	15	18	21
Test Duration (minutes)	2	3	4	5	6	8	9	10

pounds per square inch pressure. The air shall then be shut off. A pressure drop, from the applied pressure, of less than one (1) psi during the period of time specified in the table below will constitute an acceptable air pressure test. If the pressure drop during the indicated time interval is exceeded, the test will be determined as a failure. The pipe shall be retested following the necessary repairs or replacement.

No repair shall be made internally on the pipe unless specially authorized by the Town. If any pipe is defective, it shall be removed and replaced. If debris and sediment enters the pipe during repair, the pipe shall be cleaned again before retesting.

The Town reserves the right to require any other testing or inspection of the pipe it deems necessary to ensure that the pipe meets all standards.

Force Main Testing: All force mains shall be water-pressure tested. Because of serious safety hazards air-pressure testing is not allowed. All force mains shall be cleaned by flushing to remove all sediment and debris prior to testing. The force main shall be satisfactorily valved or capped on each end and slowly filled with water. All air must be expelled from the pipe. Pressure shall be applied to the pipe by means of a pump connected to the pipe until a minimum of one hundred (100) pounds per square inch is reached. The duration of the pressure test shall be one (1) hour and water shall be added during that time to maintain the pressure within five (5±) psi of the initial pressure.

Leakage shall be defined as the quantity of water that must be supplied into the new force main to maintain One hundred pounds (100) ± 5 psi. Allowable leakage shall not exceed:

Pipe diameter (inches)	3	4	6	8	10	12
Max. leakage (gph/1,000 ft.)	0.20	0.37	0.55	0.74	0.92	1.10

Manhole Standards: Manholes shall be constructed at all changes in slope or alignment or at intervals not exceeding four hundred (400) linear feet.

The manholes shall be precast concrete, four (4) foot internal diameter, or larger if required, concrete base, barrel sections with tapered top sections, as specified by ASTM C-478. All pipe openings shall have a rubber seal (boot) cast into the concrete that can be placed over the pipe and secured with a non-corroding fastener. Inverts and bench walls shall be precast into the bases or field constructed with brick and steel troweled concrete or mortar. All manhole joints, including frame, shall be sealed against infiltration.

The manhole frame and cover shall be the standard design of the Town and shall be set with no less than two (2) courses of brick underneath to allow for later adjustment in elevation.

Manhole Testing: All manholes shall be vacuum tested immediately after assembly and prior to backfilling. All lift holes shall be plugged with an approved non-shrink grout. All pipes entering the manhole shall be plugged. The plugs shall be securely braced to prevent them from being sucked into the manhole. The test head shall be placed at the inside of the top of the cone section and the seal inflated in accordance with the manufacturer's recommendations. A vacuum of ten (10) inches of mercury shall be drawn and the vacuum pump shut off. With the valves closed the time shall be measured for the vacuum to drop to nine (9) inches.

The manhole shall pass the test if the time is greater than:

<u>Manhole Diameter</u>	<u>Minimum Time</u>
Four (4) foot	60 seconds
Five (5) foot	75 seconds
Six (6) foot	90 seconds

If the manhole fails the initial test, necessary repairs shall be made with a non-shrink grout while the vacuum is still being drawn. Retesting shall proceed until a satisfactory test is obtained.

904.19 – Connection Requirements

No building sewers shall be connected to a sewer extension until all of the following conditions are completed to the satisfaction of the Town.

1. The completed sewers, force mains and manholes shall satisfy the requirements of a final exfiltration, or for the manholes, vacuum test.
2. All fees due for the extension have been paid.
3. Reproducible Mylar or paper record drawings of the completed sewer have been furnished.
4. Presentation to the Town of a one (1) year maintenance guarantee in the form of a performance bond or escrow deposit or letter of credit or other guarantee acceptable to the Town for an amount equal to thirty (30) percent of the cost of construction of the sewer and appurtenances as estimated by the Town.

904.20 – Insurance and Indemnity Required

All contractors working for the Town or on Town property must present a certificate of insurance showing the following minimum liability coverage in effect:

1. Liability coverage of \$2,000,000 including:
 - a. \$1,000,000 for bodily injury.
 - b. \$1,000,000 for property damage including underground collapse and completed operations.
2. Workers Compensation to meet the statutory requirement of the State of Maine.

The Town must be named as an additional insured before a permit will be issued for construction of sewer extensions.

Coverage exceeding the above amounts may be required by the Town.

All contractors shall indemnify and defend the Town and hold it harmless for all claims, damages, losses and expenses, including attorney's fees, arising out of or resulting from, contractor's work. The Town shall have the right to select its own attorney at the contractor's expense.

904.21 - Safety

All contractors working for the Town or on Town property shall be responsible for initiating, maintaining and supervising all safety precautions in connection with work on the sewer system and take all necessary precautions to prevent damage, injury or loss. They shall comply with all applicable laws, ordinances, rules, regulations and orders of any public body having jurisdiction. They will erect and maintain as required by the conditions, all necessary safeguards for safety and protection. They shall comply with all pertinent provisions of the Occupational Safety and Health Administration (OSHA) and any state safety and health agency requirements. They shall comply with all provisions of Title 23 Section 3360 of the MRSA, Protection of Underground Public Utilities, commonly known as the "Dig-Safe Law".

Special attention shall be paid to work in high traffic areas, whether State owned or not, to provide traffic control procedures to meet the requirements of the Maine Department of Transportation (MDOT).

904.22 – Restoration of Disturbed Areas

All streets, sidewalks, driveways, lawns, natural areas, drainage courses and other public and private property disturbed in the course of the work shall be restored in a manner satisfactory to and in conformance with the regulations and ordinances of the Town of Thomaston, the State of Maine or the property owner.

Section 905

Discharges to Public Sewers

Sec. 905.1 – Unpolluted Water

No person shall discharge or cause to be discharged any unpolluted water such as stormwater, surface waters, groundwater, roof runoff, subsurface drainage, water from sump pumps, uncontaminated cooling water or unpolluted commercial or industrial process waters to any public sanitary sewer. Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm drains or to a natural outlet approved by the Maine DEP and the TPCD Superintendent. When available, all water from sump pumps and building drains shall be discharged to a clean water drain or a natural outlet.

Sec. 905.2 – Materials Not Allowed

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

- A. Any gasoline, diesel fuel, fuel oil or other flammable or explosive liquid, solid or gas which will create a fire or explosive hazard in the wastewater facilities.
- B. Any waters or wastes containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or in interaction with other wastes, to injure or interfere with any sewer treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the wastewater treatment plant. This includes any material defined as hazard waste by either Federal or State regulations.
- C. Any water or waste having a pH lower than 5.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the wastewater facility.
- D. Solids 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 treatment facility, such as, but not limited to, ashes, sand, mud, straw, shavings, metal, glass, rags, bones, feathers, tar, plastics, wood, unground garbage, fibers, whole blood, paunch manure, hair and fleshings, entrails, paper dishes, cups, milk containers or other substances, either whole or ground by garbage grinders.

- E. Any waste or pollutants, including oxygen-demanding pollutants which released in quantities of flow or concentrations or both constitute a “slug” as defined in Section 902.
- F. Any heated water or pollutants in amounts which will inhibit or interfere with biological activity in the wastewater treatment facility.
- G. Any materials from septic tanks, cesspools or other receptacles storing organic wastes.

Sec. 905.3 – Materials Limited

The following described substances, materials, wastes or wastewater or pollutants discharged to the public sanitary sewers shall be limited to concentrations or quantities which will not harm either the public sewers, wastewater treatment process or other Town facilities, will not have an adverse effect on the receiving stream or area or will not otherwise endanger life, limb, public property or constitute a nuisance. The Town may set concentration limitations lower than the limits established below if in the opinion of the Town that much more severe limitations are necessary to meet the above objectives. In forming an opinion as to the acceptability, the Town will give consideration to such factors as the quantity of subject wastes in relation to flows and velocities in the sewers, the wastewater treatment process employed, capacity of the wastewater treatment facility and other pertinent factors.

- A. Liquids or vapors having a temperature higher than 65° C (150° F).
- B. Wastewater containing fats, wax, grease or oils whether emulsified or not, in excess of a total of one hundred (100) mg/l or containing substances which may solidify or become viscous at temperatures between 0° and 65° C (32° and 150° F).
- C. Garbage that has not been properly shredded.
- D. Any waters or wastes containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or in interaction with other wastes, to injure or interfere with any sewer treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the effluent disposal areas.
- E. Any waste or pollutants, including oxygen-demanding pollutants which when released in quantities of flow or concentrations or both constitute a “slug” as defined in Section 902.

- F. Waters or wastes containing constituents that may cause the effluent to exceed the limits set in the Town's Wastewater Discharge Permit or limits set by State or Federal regulations.

Section 906

Pretreatment Requirements

Sec. 906.1 – Pretreatment Required

If any waters or wastes are discharged, or are proposed to be discharged to the public sanitary sewers, which waters contain the substances or possess the characteristics enumerated in Section 905.3 of this ordinance, and which, in the judgment of the Town of Thomaston, Pollution Control Department Superintendent (Superintendent), may have a detrimental effect upon the sewage works, processes, equipment, or effluent disposal area, or which otherwise create a hazard to life or constitute a public nuisance, the Superintendent may:

1. Reject the wastes.
2. Require pretreatment to an acceptable condition for discharge to the public sewers.
3. Require control over the quantities and rates of discharge.
4. Require payment to cover the cost of handling and treating the waste not covered by existing sewer charges.

When considering the above alternatives, the Superintendent shall give consideration to the economic impact of each alternative on the discharger. If the Superintendent permits the pretreatment or equalization of waste flows, the design and installation of the pretreatment or equipment shall be subject to the review and approval of the Superintendent, and subject to the requirements of all applicable codes, ordinances, laws and the municipal wastewater discharge permit.

906.2 – Grease, Oil and Sand Interceptors.

Grease, oil and sand interceptors shall be provided when, in the opinion of the Superintendent, they are necessary for the proper handling of the liquid waste containing floatable grease or for any flammable waste, 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. All new construction and the remodeling of any old construction shall conform to the requirements of the Maine State Plumbing Code and the State of Maine Subsurface Wastewater Disposal Rules for grease and oil interceptors. The minimum size for an external grease trap shall be at least 1,000 gallons of liquid capacity.

In maintaining these interceptors, the owner shall be responsible for the proper removal and disposal by appropriate means of the captured material and shall maintain records of

the dates and means of disposal, which are subject to review by the Superintendent. Any removal and hauling of the collected materials not performed by the owner or the owner's agent must be performed by currently licensed waste disposal firms.

906.3 – Pretreatment Discharge Permit

Each wastewater generator that the Superintendent requires to provide pretreatment to its wastewater under this section of the ordinance may be issued a Pretreatment Discharge Permit by the Superintendent. The purpose of the permit shall be to protect the operation and equipment of the wastewater facilities from upsets or damage; to help ensure that the wastewater facilities effluent meets all State and Federal discharge license requirements and assure that any by-products of operations are not detrimentally affected. Such permit shall constitute an enforceable control mechanism between the generator and the Town.

906.4 – Pretreatment System Maintenance

Where pretreatment 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 their expense.

906.4 – Monitoring Equipment

When required by the Superintendent, the owner of any property serviced by a building sewer into which industrial wastewaters are discharged shall install a suitable control manhole together with such necessary monitoring equipment and other appurtenances to facilitate observation, sampling and measurement of the wastewater in the building sewer. Such manholes and equipment, when required, shall be safely and accessibly located and shall be constructed in accordance with plans reviewed by the Superintendent. The manhole shall be installed by the owner at their expense and shall be maintained by the owner so as to be safe and accessible at all times. The owner shall, if required by the Superintendent, perform flow measurements and analysis of the wastewater at their expense.

906.5 – Records Required

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

- A. Details of wastewater pretreatment facilities design and construction.
- B. Wastewater discharge peak rate and volume over a specified time period.
- C. Analysis of wastewater performed by a laboratory that satisfactorily participates in the U.S.E.P.A. Water Pollution Series of Performance Evaluations.

- D. Information on processes and materials important to sewer use control.
- E. Any spill prevention program.

906.6 – Sampling and Testing

All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in this regulation shall be determined in accordance with Standard Methods or equivalent U.S.E.P.A. methods and determined at the control manhole. If there is no control manhole the nearest downstream manhole may be used. Sampling shall be carried out in accordance with all U.S.E.P.A. sampling

Section 907
Sewer Service Charges

Sec. 907.1 – Purpose; Reserve Funds

The source of a portion of the revenues for operation and maintenance, capital expenditures and retiring debt service of the public sewer system of the Town shall be a sewer service charge assigned to owners of property whose property, residence or place of business is capable of being connected to the public sewer system pursuant to Section 903 of this ordinance. A portion of the funds collected shall be placed in a separate reserve fund for such future use as the Select Board may approve including, but not limited to: debt reserve, sludge reserve, Sewer System Development reserve, short lived assets reserve and solar reserve.

Sec. 907.2 – Sewer Charges Assessed

Sewer service charge rates shall be determined by the Select Board annually and assessed in the following manner:

- A. Residential and commercial sewer charges for active accounts shall be based on water usage as determined by water meter readings and calculated from the rates established under this section.
- B. All properties whether occupied or unoccupied, with buildings that are connected and that have plumbing, shall pay, at least, the minimum billing charge.
- C. Property owners who are serviced by a public sewer and who obtain their water from a private source such as a private well may install a metering device that will measure the amount of flow from the private water source. The sewer rate for such owners shall be based upon the metered amount if it is in excess of the minimum rate. Otherwise the minimum amount will be charged. If a property owner does not install a metering device the sewer use charge shall be based on the average charge paid by other metered users.
- D. All charges pursuant to this section will be billed quarterly or monthly.
- E. Any users found, after investigation by the Superintendent, to be in violation of Section 905.1 (unpolluted waters) may be charged an additional surtax of 100% of their sewer rate for a minimum of one (1) year after notice or \$750.00 whichever is greater.

- F. The Town may allow a bypass meter for water not going to the public sewer and authorize appropriate adjustment of charges and fees (see Section 907.7 of this Ordinance).

Sec. 907.3 – Delinquent Accounts

Delinquent accounts shall be handled as provided by the M.R.S.A.s and as outlined below:

Interest: As authorized by M.R.S.A. Title 30-A Section 3406, the Town may charge interest on delinquent accounts at a rate not to exceed the highest lawful rate set by the Treasurer of the State for municipal taxes.

Lien: There shall be a lien on real estate served or benefited by a municipal sewer or sewer disposal system to secure the payment of service charges and interest on delinquent accounts established under this regulation. This lien takes precedence overall other claims on real estate, excepting only claims for taxes.

Collection: The Treasurer of the municipality may collect the service charges and interest on delinquent accounts in the same manner as granted by M.R.S.A. Title 38 Section 1208, to treasurers of sanitary sewer districts with reference to rates established and due under M.R.S.A. Title 38 Section 1202.

Partial Payments: The Town may accept partial payments on sewer accounts and such payments shall always be credited to the oldest outstanding amount on that account. Partial payments may be accepted on liens and this shall not negate the lien.

Sec. 907.4 – Unusual Waste Charge

A special sewer service charge shall be imposed for any wastewater generator who, by virtue of the volume, strength or unusual characteristic of their waste alone, would overload or upset the capacity or efficiency of the Town Wastewater Facility or any part thereof if such waste entered the public sewer. The Select Board, after appropriate study, and advice from the Superintendent, shall establish a special sewer service charge to the generator by separate agreement with said firm. The applicable portions of this Sewer Use Ordinance, as well as the equitable rights of the public shall be the basis for such an arrangement.

Sec. 907.5 – Sewer System Development Charge

Increased residential, commercial and industrial development within the Town that has created a need to undertake capital improvements to the existing wastewater facilities to accommodate and treat the increased wastewater flow directly produced and generated by this increased development. These capital improvements have created a cost which is

separate and distinct from normal maintenance and upgrading repairs which benefits existing users.

In order to assess these capital improvement costs for increasing capacity fairly and equitable among those creating this demand the Town hereby established a Sewer System Development Charge (S.S.D.C.). The proceeds from this charge are to be applied solely towards the overall capital costs of financing the necessary capital improvements and capital equipment purchases to increase the capacity of the Wastewater facilities.

An S.S.D.C. is the new or expanded municipal sewer users proportional cost of increasing the capacity of the wastewater collection, pumping and treatment system which benefits the new or expanded user. This charge is separate and distinct from the physical connection costs, the sewer rate, other sewer fees and any sewer extension costs. The S.S.D.C. shall also be charged when there is an additional wastewater flow to the collection and treatment facilities resulting from new or expanded construction, renovation or change in use and no new physical sewer connection is involved and there is already an existing sewer connection. This charge shall not apply to a single family living unit that is not changed from a single family living unit by renovation or expansion. The S.S.D.C. is the fee for a sewer connection permit and is a one-time charge.

Charge Calculations: The S.S.D.C. charge shall be established by the Select Board and shall be based upon the gallons of daily flow of wastewater projected to be generated by each user as established in design criteria of the Maine Department of Human Services, State Plumbing Code, Subsurface Wastewater Disposal Rules. This flow shall be calculated and determined by the C.E.O and/or the Superintendent.

Permit: Upon approval, if applicable, the C.E.O. shall give the applicant a written permit to enter and connect with the public sewer. This permit is available to the owner of the land described in the application, the owner's heirs and assigns, and shall run with the land. Failure to enter and connect into the public sewer within one (1) year from the date of granting the permit shall result in the expiration of the permit and forfeiture of the permit fee or the S.S.D.C. Renewal of a permit shall be treated as a new application and shall be subject to all of the provisions of this ordinance including the appropriate fees and charges. The S.S.D.C. may be refunded, upon request of the owner, under the following conditions:

1. No portion of the permit has been used;
2. The permit is still valid as of the date a written request for refund is received;
3. A 20% administrative charge is deducted from any refund.

Municipal Property Exempt: The S.S.D.C. shall not apply to the treatment of any wastewater flow from property owned by the Town including tax-acquired property. Other

tax-exempt properties such as public or private schools or institutions shall be charged an S.S.D.C.

S.S.D.C. Fund: All S.S.D.C. fees collected shall be paid into a special interest bearing reserve account. Accounting practices shall identify the amounts paid in by each person or firm and the amounts expended for system development. Expenditures shall be tracked on a first-paid, first-spent basis. The monies collected from the S.S.D.C. shall be used solely to finance increases in the wastewater facilities capacity including but not limited to the following:

- a. Enlargement, upgrading and rehabilitation of the wastewater treatment plant or equipment or elements thereof;
- b. Construction or upgrading of pump stations to increase wastewater system capacity;
- c. Replacement or enlargement of existing sewer lines or storm drains which removes unpolluted water from the sanitary sewer;
- d. Construction of new sanitary sewers to replace existing sewer lines when unpolluted water is removed in the project;
- e. Debt service payments for any loans, bonds, notes or other evidence of indebtedness legally incurred by Town meeting vote or by the Selectboard for the purpose of increasing the capacity of the Town wastewater facilities.

The funds may not be used to finance routine maintenance and repair activities or other expenses solely related to operation of the wastewater system. Any S.S.D.C., or portion thereof, paid into the fund, if not expended within ten (10) years of payment shall be refunded with interest to the person or firm who paid the fee or their successor in interest.

Calculation of Charges: The S.S.D.C. shall be based on the estimated cost per gallon of clean water removal from the sanitary sewer system. This charge may be increased to allow for increases in normal construction costs and inflation.

Sec. 907.6 – Adoption of Sewer Charges

Prior to the adoption of a new rate, charge and fee schedule, the Select Board shall hold a public hearing regarding the proposed rate, charges and fee schedule. The Select Board shall publish the proposed rates, charges and fees and notice of the hearing not less than once in a newspaper having general circulation in Thomaston not less than seven (7) days prior to the hearing. Prior to the adoption of new sewer rates only, the Select Board shall mail to each ratepayer a notice of the public hearing and the proposed new rates at least fourteen (14) days prior to the hearing. The mailing requirement does not apply to the Sewer System Development Charge or other charges and fees.

Sec. 907.7 – Bypass Meter Credit

Sewer user fees are based on water usage as measured by the structure's incoming water meter. A bypass meter provides a means for the customer to avoid paying a sewer charge on purchased water that does not go to the public sewer.

Any customer that purchases water and uses a portion of it in such a manner that the used water does not go to the public sewer may, at their expense, purchase and install a bypass meter on that portion of water that does not go to the public sewer. The water that passes through this bypass meter may be deducted, by the Town, from the total water volume used for sewer billing purposes. Deductions exceeding the previous twelve (12) month period may not be credited. No credits will be given that reduce the sewer charge below the minimum charge.

To get a credit the customer must:

1. Purchase and install the bypass meter on a line that does not discharge any portion on its flow to the public sewer.
2. Notify the Town office either in writing or by phone that the meter is installed and give the initial meter reading. The Town may inspect the installation.
3. Report to the Town office the current bypass meter reading prior to end of the billing quarter if any bypass usage occurred that quarter or, at a minimum prior to the end of the calendar year.

Sec. 907.7 – Identity Theft Prevention

Purpose: This section complies with the Federal Trade Commission's Red Flags Rule, which implements Section 114 of Fair and Accurate Credit Transactions Act of 2003, 16 C.F.R. – 681.2. This includes reasonable procedures for detecting, preventing and mitigating identity theft and protecting against the establishment of false accounts and ensuring existing accounts are not being manipulated.

Risk Assessment: A risk assessment of how new accounts are opened and the methods used to access the account information concludes that there is a very low risk of identity theft for the following reasons:

1. All accounts are billed to the property owner and any unpaid bills at the time of property transfer stay with the property and are the responsibility of the new owner.
2. New accounts require only a service location, name and mailing address to be opened. Social security numbers or other identification are not requested.
3. The Town does not make automatic withdrawals from personal bank accounts.

Identification of Red Flags: The following activities will be monitored for potential fraud:

1. An alert from a customer, identity theft victim, law enforcement or other person that the Town has a fraudulent account for a person engaged in identity theft.
2. Information commonly associated with fraudulent activity is provided by applicant (e.g., address that is a mail drop or prison, non-working phone number or associated with answering service).
3. Documents with information that is inconsistent with existing customer information (such as if a person's signature on a check appears forged).

Response: Any employee who may suspect fraud or detect a red flag shall report all information to the Town Manager, the Police Department and other authority as necessary.

Personal Information Security Procedures: The Town hereby adopts the following security procedures:

1. The Town office building shall be locked at all times it is not occupied by Town staff and keys to the office building shall be limited in circulation. Access to the employee work area of the office shall be limited at all times.
2. Files containing personally identifiable information are kept in locked file cabinets except when an employee is working on the file.
3. Access to customer's personal identify information is limited to employees with a "need to know".
4. Paper records shall be shredded before disposal.
5. Any data storage media shall be disposed of by shredding, punching holes in or incineration.
6. Employees will not leave sensitive papers out on their desks when they are away from their workstations.
7. Employees will log off their computers and store files when leaving their work areas.
8. Anti-virus and anti-spyware programs will be run on individual computers and on servers daily.
9. Computer passwords and user names will be different for each employee.

10. The computer network will have a firewall where an individual network connects to the internet.
11. Employees will be alert to attempts at phone phishing.