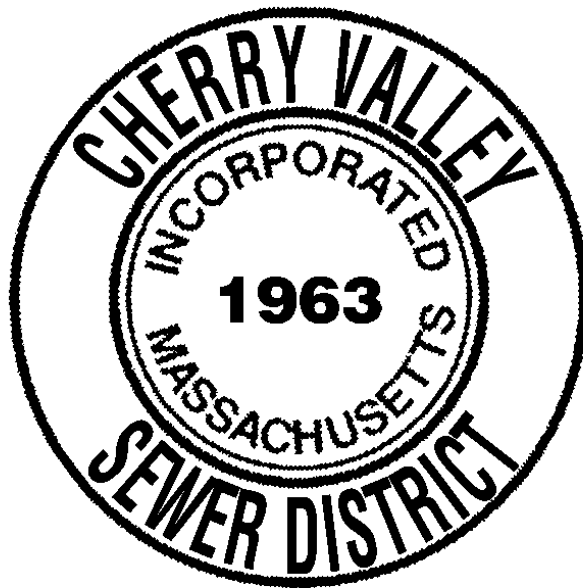


# CHERRY VALLEY SEWER DISTRICT

Revised 10-19-2023.

## THE RULES AND REGULATIONS OF THE CHERRY VALLEY SEWER DISTRICT



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# RULES AND REGULATIONS OF THE CHERRY VALLEY SEWER DISTRICT

## INTRODUCTION

RULES AND REGULATIONS REGULATING THE USE OF PUBLIC AND PRIVATE SEWERS AND DRAINS, PRIVATE SEWERAGE DISPOSAL, THE INSTALLATION AND CONNECTION OF BUILDING SEWERS, AND THE DISCHARGE OF WATERS AND WASTES INTO THE PUBLIC SEWERAGE SYSTEM; ESTABLISHING CHARGES AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF: IN THE CHERRY VALLEY SEWER DISTRICT, COUNTY OF WORCESTER, COMMONWEALTH OF MASSACHUSETTS.

a. The Commissioners of the-Cherry Valley Sewer District, as authorized by Chapter 33 of the Acts of 1998, and by any other applicable statutory, hereby makes the following Rules and Regulations relative to the construction, extension, maintenance, use and operation of the sanitary sewerage system in the Cherry Valley Sewer District including any subsequent alterations and extensions thereof, and relative to the control of connections to said sanitary sewerage system.

The construction, extension, maintenance and operation of the Public Sanitary Sewerage System of the Cherry Valley Sewer District and connections therewith up to the point where the sewer pipe enters any building shall be under the control of and subject to the regulations of the Commissioners under the provisions hereof and any other applicable statutes, regulations, or by-laws.

b. Pursuant to the authority and in compliance with the directive of the General Court as found in Chapter 33 of the Acts of 1998, as the same has been and may be amended from time to time, the Commissioners have established the following Rules and Regulations covering the discharge of wastewater, Drainage, substances or waste into any sewer under their control.

Be it ordained and enacted by the Commissioners of the Cherry Valley Sewer District, Commonwealth of Massachusetts, as follows:

Attention is invited to the fact that the above referred to legislation provides that the following Rules and Regulations may be enforced through fines (MGL Ch. 83§10 allows for fines of up to **\$5,000 for each day**) the courts or otherwise and include the right of the Cherry Valley Sewer District to seek injunctive relief in appropriate cases.

## ARTICLE I

### Definitions

Unless the context specifically indicates otherwise, the meaning of terms used in these Rules and Regulations shall be as follows:

Section 1. "COD" (denoting chemical oxygen demand) shall mean the quantity of oxygen utilized in the chemical oxidation of organic matter with a strong chemical oxidant under standard laboratory procedure and expressed in milligrams per liter.

Section 2. "BOD" (denoting biochemical oxygen demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20 deg C, expressed in milligrams per liter.

Section 3. "Building Drain" shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five (5) feet outside the inner face of the building wall.

Section 4. "Building Sewer" shall mean the extension from the building to the public sewer or other place of disposal.

Section 5. "City of Worcester," Massachusetts, a municipal corporation acting by and through its Department of Public Works.

Section 6. "Combined Sewer" shall mean a sewer receiving both surface runoff and sewerage

Section 7. "Commercial Establishment" shall mean a place of business such as a restaurant, store or market which deals primarily with the public on a retail basis and shall exclude industry.

Section 8. "Commissioners" shall mean the Commissioners of the Cherry Valley Sewer District.

Section 9. "District" shall mean the Cherry Valley Sewer District.

Section 10. "Domestic Sewer" Shall mean a sewer which carries domestic sewerage and to which storm, surface, and groundwater are not intentionally admitted.

Section 11. "Excessive" shall mean amounts of concentrations of a constituent of a waste in the judgment of the Commissioners will cause damage to any District facility, which will be harmful to the sewage treatment process, which cannot be removed in the sewage treatment plant to the degree required to meet the limiting stream classification standards of Massachusetts or which can otherwise endanger life, limb, or public property, and/or which can constitute a nuisance.

Section 12. "Facilities" shall include structures and conduits for the purpose of collecting, treating, neutralizing, stabilizing, or disposal of domestic wastewater and/or industrial or other wastewater's as are disposed of by means of such 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.

Section 13. "Garbage" shall mean the animal and vegetable wastes resulting from the handling, preparation, cooking, and serving of food. It is composed largely of putrescible organic matter and its natural moisture content.

Section 14. "Industrial Wastes" shall mean the liquid wastes from industrial manufacturing processes, laboratory, trade or business as distinct from sanitary sewage

Section 15. "Industry" shall mean an establishment with facilities for mechanical, testing, trade, or manufacturing purposes.

Section 16. "Natural Outlet" shall mean any outlet into a watercourse, pond ditch, lake, or other body of surface or groundwater.

Section 17. "Parcel" shall mean an area of land as marked on the assessment drawings on file in the office of the Town Assessor, Leicester, Massachusetts.

Section 18. "Person" shall mean any individual, firm, company, association, society, corporation, group, trust, or governmental authority.

Section 19. "pH" Shall Mean the logarithm of the reciprocal of the concentration of hydrogen ions in moles per liter.

Section 20. "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 particles greater than one-half (1/2) inch in any direction.

Section 21. "Public Sanitary Sewer System" shall mean the public system of sanitary sewer owned by the District.

Section 22. "Public Sewer" shall mean any portion of the District sanitary sewer system in which all owners of abutting properties have equal rights, and which is controlled by the District.

Section 23. "Receiving Waters" shall mean any watercourse, river, pond ditch, lake, aquifer, or other body of surface or groundwater receiving discharge of sewage.

Section 24. "Sanitary Sewage" shall mean a combination of the water-carried domestic wastes from residences, business buildings, institutions, and industrial establishments.

Section 25. "Sanitary Sewer" shall mean a sewer which carries sewage and to which storm, surface, and groundwater's are not intentionally admitted.

Section 26. "Sewage" shall mean a combination of the water-carried wastes from residences, business buildings, institutions and industrial establishments, together with such ground, surface, and stormwater's as may be present.

Section 27. "Sewage Works" shall mean all facilities for collecting, pumping, and disposing of sewage. Including Pump Stations, Lift Stations and Grinder Pumps.

Section 28. "Sewer" shall mean a pipe or conduit for carrying sewage.

Section 29. "Shall" is mandatory; "May" is permissive.

Section 30. "Sludge" shall mean any discharge of water, sewage, or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration of flows during normal operation.

Section 31. "Storm Drain" (sometimes termed "storm sewer") shall mean a pipe or conduit which carries storm and surface waters and drainage, but sewage and industrial wastes, other than unpolluted cooling water, are intended to be excluded.

Section 32. "Superintendent" or "inspector" shall mean a person duly appointed by the Commissioners or their representatives.

Section 33. "Suspended Solids" shall mean solids that either float on the surface of, or are in suspension in water, sewage, or other liquid, and which are removable by laboratory filtering and are referred to as non-filterable residue in the laboratory test prescribed in the current edition of "Standard Methods for the Examination of Water and Wastewater".

Section 34. "Toilet" shall mean each individual toilet bowl.

Section 35. "Upper Blackstone Water Pollution Abatement District" (UBWPAD), a body corporate established under chapter 752 of the Acts of 1968 as amended, which owns and operates a regional wastewater facility in Millbury, Massachusetts (WWTF) and is authorized to collect, treat and dispose wastewater generated from certain member cities, towns and sewer districts within the commonwealth including the Cherry Valley Sewer District.

Section 36. "Water Pollution Control Plant" or "Sewage Treatment Plant" shall mean any arrangement of devices and structures used for treating sewage.

Section 37. "Watercourse" shall mean a channel in which a flow of water occurs, either continuously or intermittently.

Section 38. "Wastes" shall mean substances in liquid, solid, or gaseous form that can be carried in water.

## ARTICLE II

### **Construction of Sewers by Private Developers**

Section 1. The Developer of a subdivision plan approved in accordance with the regulations of the Leicester Planning Board pursuant to Massachusetts General Law (MGL), Chapter 41 with the intent to connect into an existing sanitary sewer under the ownership and operational control of the Cherry Valley Sewer District shall bear the cost of the sewer connection to the existing sewer. In addition, the Developer shall be required to pay the cost of any engineering inspection and record drawings required by the district.

Section 2. When a developer installs sewers in proposed streets or right-of-way in anticipation of the extension of an existing sewer, the cost of building connections shall be born by the Developer.

Section 3. The design of any proposed sewer construction must be submitted to the Commissioners for approval prior to issuance of a permit for construction.

Section 4. All sewers constructed by Developers must be separate sanitary sewers and must be designed in accordance with ("Guides for Sewage Works Design" prepared by the Technical Advisory Board of the New England Interstate Water Pollution Control Commission.)

Section 5. The cost of construction, installation, and connection of any modifications to the existing sewer system required to accommodate the proposed subdivision connection shall be borne by the developer.

Section 6. Upon completion of a sewer and its acceptance by the Commissioners, the sewer shall become incorporated in the district's sanitary sewer system.

Section 7. Payment of all costs, fees and charges for connections, modifications, design review, construction inspection as determined in accordance with this Article shall be made upon approval of the sewer system connection application by the Cherry Valley Sewer District Board of Commissioners.

## ARTICLE III

### **Building Sewers and Connections**

Section 1. The construction, extension, maintenance, and operation of the Public Sanitary Sewer System of the District and connections therewith up to the point where the sewer pipe enters any building shall be under the control of and subject to the regulations of the District under the provisions hereof and any other applicable statutes, regulations, or bylaws.

Section 2. Before any sewerage work is commenced in the District, when the same is to be connected with the Public Sanitary Sewer System and before any opening is made in any public street, highway, public ground or private way therefore, and before any addition, alteration, maintenance, or repair work is made to any connecting line or connections with the Public Sanitary Sewer System, permits for such work shall first be obtained from the District or its authorized agent, and from the Highway Department or other appropriate department of the respective town. Applications for such permits shall be on forms provided by the District and by the town. One copy of each permit shall be available for inspection at all times at the site of the work.

Section 3. At such time as a direct connection is made to the public sewer as a substitute for a private system consisting of a septic tank, cesspool, or similar facility, the private disposal system shall be sealed off, abandoned, cleaned of sludge, and filled with clean bank run, gravel, gravel dirt, or optional approved fill material.

Section 4. There shall be two (2) classes of building sewer permits: (a) for residential and commercial service, and (b) for service to establishments producing industrial wastes. In either case, the owner or his agent shall make application on a special form furnished by the District. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Commissioners. The permit fee as set by the District in the Fee Schedule, as the same may be revised from time to time shall be paid to the District at the time the application is filed.

A plan of proposed work with complete explanation thereof shall be filed in triplicate before any installations are begun. Said plan shall be signed by a duly licensed Master Drain Layer, Journeyman Drain Layer, or an Engineer registered in the Commonwealth of Massachusetts, accompanied by an application for approval and issuance of a permit. The application shall also be signed by the property owner or his agent.

All plans shall show locations of gas and water lines and all buildings to be sewered. Any changes to the plan as submitted and approved by the District shall be submitted in writing and approved by the Commissioners or their representative.

Section 5. 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 Commissioners. All the work related to the installation of building sewers, and the connection to the public sewers shall be performed by persons licensed by the District.

Section 6. No person shall break, cut or remove any pipe of the public sanitary sewer, or make or cause to be made, any connection to said sewer except through the connection branches provided for that purpose, except as hereinafter provided.

Section 7. All cost and expense incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the District from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

Section 8. 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, if approved by the commissioners, and the whole considered as one building sewer.



Section 9. Old building sewers or portions thereof may be used in connection with new buildings only when they are found, from examination and test, by the Commissioners, to meet all requirements of the Rules and Regulations.

Section 10. No building sewer shall be laid parallel to or within three (3) feet of any bearing wall, which might thereby be weakened.

Section 11. 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.

Section 12. The building sewer shall be polyvinyl chloride pipe (PVC), SDR-35 solid wall pipe or ductile iron pipe with calcium laminate cement mortar lined (with seal coat) in accordance with AWWA/ANSI, C104/A21.4 or polyethylene 40 mils nominal thickness. Joints shall be tight and waterproof. Cement mortar joints shall not be permitted. Any part of the building sewer that is located within ten (10) feet of a water service pipe shall be constructed of ductile iron water tight pipe with water tight joints. A Tyton type pipe or approved may be used. Ductile iron pipe with water tight joints may be required by the District where the building sewer is exposed to possible damage by tree roots. If installed in filled or unstable ground, the building sewer shall be of ductile iron pipe, except if laid on a suitable concrete bed or cradle.

Section 13. The size and slope of the building sewer shall be subject to the approval of the Commissioners, but in no event shall the diameter be less than six (6) inches. The slope of such 6-inch pipe shall not be less than one-quarter (1/4) inch per foot. The building sewer shall be laid at uniform grade and in straight alignment insofar as possible. Changes in direction shall be made only with manholes or properly curved pipe and fittings, as approved by the Commissioners.

Building sewers shall not be constructed in lengths' greater than three hundred (300) feet without the installation of a manhole. Manholes shall be constructed in accordance with "Guides for Sewage Work Design" as prepared by the Technical Advisory Board of the New England Interstate Water Pollution Control Commission.

A cleanout shall be located a minimum of four (4) inches above the basement floor.

The depth of cover over the sewer shall be sufficient to afford protection from frost.

Section 14. All excavations required for the installation of a building sewer shall be open trench work unless otherwise approved by the Commissioners. Pipe laying and backfill shall be performed in accordance with ASTM (American Society of Testing Material) Specification, except that no backfill shall be placed until the work has been inspected.

The excavation for the building sewer shall start at the public sewer.

When water is present in a trench, a sump of crushed stone shall be constructed, and water shall be pumped at all times. The trench shall be kept dry at all times during construction.

At all times when pipe installation is not in progress, the open ends of the pipe shall be closed with temporary watertight plugs.

Section 15. No blocks or stones will be used to support the pipe.

All sewer pipe shall be laid on a bed of crushed stone at least four (4) inches in depth. Stone shall be installed before the pipe is laid in the trench and the pipe shall then be covered with at least four (4) inches of crushed stone.

Excavation and backfill shall be done in accordance with plans and specifications approved by the Commissioners.

Section 16. All joints and connections shall be made watertight. Ductile iron pipe for sanitary sewers shall be calcium aluminate cement mortar lined (with sealcoat) in accordance with AWWA/ANSI, C104/A21.4 or polyethylene (40 mils nominal thickness) lined or lined with a high-build, multi-component, amine-cured

novalac epoxy lining, such as Protecto 401; and shall have a bituminous coating inside and outside. Methods of shipping shall be as acceptable to the ENGINEER and shall be such as to avoid injurious impact on the pipe. Damaged pipe shall be removed from the job. Pipe lengths shall be the longest available. Ductile iron pipe joints shall be of the push-on joint type, unless otherwise specified, and shall have the same pressure rating as the pipe of which they are a part. Gaskets for rubber-gasket joints for ductile iron pipe shall be oil resistant and shall conform to the requirements of ANSI/AWWA C111/A21.11 – current edition.

16.1.1 Ductile iron mechanical joint and push on joint fittings shall be rated for 350 psi working pressure.

16.1.2 The minimum thickness class of ductile iron pipe to be buried shall be as follows:

<u>Pipe Diameter</u>	<u>Thickness Class</u>	<u>Depth of Cover</u>
4 to 12 inches	52	0 to 20 ft.
4 to 12 inches	54	over 20 ft.
14 to 24 inches	52	0 to 20 ft.
14 to 24 inches	54	over 20 ft.
over 24 inches	54	0 to 20 ft.
over 24 inches	56	over 20 ft.

16.2.1 Polyvinyl Chloride Pipe (PVC) joints shall be elastomeric, oil resistant gasket joints, acceptable to the ENGINEER. PVC resin compound shall conform to ASTM D1784 and elastomeric rings shall conform to ASTM D1869 and F477. Joints for PVC pipe and fittings with nominal diameters 18-27 inches shall meet the requirements of ASTM Specifications D-3212, standard specification for joints for drain and sewer plastic plastic pipes using flexible elastomeric seals, and the requirements of Uni-Bell Plastic Pipe Association Specification UNI-B-1, standard specification for thermoplastic pipe joints, pressure and non-pressure applications. Manufacturer's details and recommendations for installation shall be furnished for approval before delivery, and samples shall be furnished as required.

Section 17. The connection of the building sewer into the public sewer shall be made at the "Y" at "T" branch, if such branch or tee is available at a suitable location.

If no branch is available, a connection may be made by tapping the existing sewer by an approved method, then inserting a "Y" or "T" saddle, all encased in concrete.

Section 18. No person shall make connections of roof drains, downspouts, foundation drains, areaway drains, basement 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.→

Section 19. All work carried on or required under the provisions of these regulations shall be subject to the inspection of the Commissioners or their authorized representative. No sewer connection branch shall be open, no pipe laid, and no joints made except under the supervision of an agent of the District. The District shall be notified at least twenty-four (24) hours before the beginning of any work upon building sewers or connections. No trench shall be backfilled or any part of pipe or fittings covered until twenty-four (24) hours notice has been given to the Commissioners or their authorized agent that the work is ready for inspection and such inspection and approval has been made by the Commissioners or their authorized agent. Every such inspection shall be made as soon as practicable after the receipt of such notice and the inspector shall have the power to apply any proper tests to the pipe or fittings, and owner or contractor doing the work shall furnish all necessary (tools and labor for such test, and shall remove any defective materials or repair any work improperly done as the inspector shall direct.

Section 20. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property

disturbed in the course of the work shall be restored in a manner satisfactory to the Commissioners at the contractor's expense.

Temporary bridges shall be installed over trenches when deemed necessary in the judgment of the Commissioners to provide convenient public travel.

Section 21. Nothing herein provided shall be interpreted to prevent an owner from doing any necessary excavating on his own property without a license.

## ARTICLE IV

### **Licensing of Persons Authorized to Make Connections to the Public Sewers**

Section 1. Plumbers and drain layers of established reputation and experience will be licensed by the District as Master Drain Layers authorized to perform work, subject to compliance with the following requirements.

- a. Applicants for licenses are required to pay a filing fee as set forth in Fee Schedule as same may be amended from time to time, as master drain layer, payable to the District, all of which will be refunded to the applicant if his application is rejected.
- b. If approved by the Commissioners, applicants for licenses shall file with the District a proper and acceptable Performance and Guarantee Bond in the amount as set forth in Fee Schedule as same may be amended from time to time which shall remain in full force and effect for a period of one (1) year from the date of application.
- c. Applicants for licenses, after approval by the Commissioners, shall file with the District a Certificate of Insurance in the sums of Five Hundred Thousand Dollars per One Million Dollars (\$500,000/1,000,000) to cover Public Liability and a Certificate of Insurance in the sum of One Hundred Thousand Dollars (\$100,000.00) covering Property Damages. In addition, a Certificate of Insurance covering Workmen's Compensation shall be filed, all of which shall remain in full force and effect for a period of at least one (1) year from the date of approval.

Said insurance shall indemnify the Commissioners and the District against any and all claims, liability or action for damages, incurred in or in any way connected with the performance of the work by a Master Drain Layer, and for or by reason of any acts or omission of said Master Drain Layer in the performance of his work.

All policies shall be so written that the Commissioners will be notified in writing of cancellation or restrictive amendment at least fifteen (15) days prior to the effective date of such cancellation or amendment.

- d. Applicants for licenses will be approved or disapproved within a period of thirty-one (31) days after filing the application.

Section 3. All licenses expire one year from the date of issuance thereof and no licenses are transferable. The fee for each renewal thereof shall be as set forth in Fee Schedule as same may be amended from time to time which shall be due and payable on or before the anniversary date of issue.

Section 4. The Commissioners reserve the right to revoke any license if any provision of said license is violated.

## ARTICLE V

### **Responsibilities of Licensed Drain Layers**

Section 1. All licensees are required to give personal attention to all installations and shall employ only competent workers.

Section 2. No building shall be connected to the public sanitary sewer system unless said building has a soil line extended to a point above the roof, properly vented.

Section 3. the Commissioners or their duly authorized agent shall be notified at least twenty-four (24) hours prior to the beginning of any work on sewer or building sewer connections.

Section 4. When it is necessary to close off a street or any part thereof, the Fire Department and Police Department of the respective town shall be notified by the Contractor. A street opening permit shall be obtained from the appropriate department of the respective town and a Performance Bond shall be posted with the Board of Selectmen of the respective town, if required, at least twenty-four (24) hours before opening the street.

On state highways an additional permit shall be secured from the State Department of Public Works before any work can be started.

Section 5. All licenses are required to give a full written report to the Commissioners within twenty-four (24) hours in the event that prohibited substances are found in a sewer or building sewer during the course of the work.

Failure to so report shall render the licensee, whether firm or corporation, liable to the penalty of a fine of not more than five-hundred dollars (\$500.00) for each failure to so report. Finding substances these regulations in the sewer connection of any building shall be prima facie evidence of violation of these regulations by both the owner and occupant of the premises, or either of them.

Section 6. It shall be the responsibility of the licensed drain layer to properly pump all contents and fill with bank-run gravel all septic tanks and cesspools at the time of connection to the sewer system.

Section 7. Notification of the completion of the work with certification that all conditions of the Rules and Regulations have been complied with shall be filed in writing with the District within twenty-four (24) hours after the completion of the work covered in each permit. This notification shall include a drawing of the work done. The drawing shall show sufficient measurements to locate all components of the work installed.

Section 8. Whenever, in the opinion of the Commissioners or their authorized agent, any licensee hereunder has violated any of the provisions of these regulations, the Commissioners may revoke the license of said licensee. With respect to any person, firm, or corporation who shall violate any of the provisions of these regulations and shall have refused or neglected to make good, to the satisfaction of the Commissioners, any defective or imperfect work resulting from such violation, or to pay any fees, or penalties on account thereof or otherwise imposed under the provisions of these regulations, no permit from the Commissioners under any of the provisions of these regulations for any work to be done by any such person, firm, or corporation shall be issued, nor shall a license or a renewal of a license as a Drain Layer hereunder be issued to any such person, firm, or corporation, until such default shall have been fully remedied and satisfied.

## ARTICLE VI

### Use of the Public Sewers

Section 1. No stormwater, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters shall be discharged or cause to be discharged to any sanitary sewer.

Section 2. None of the following described waters or waste shall be discharged or caused to be discharged to any public sewers:

- a. Gasoline, benzene, naptha, fuel oil, or other flammable or explosive liquid, solid, or gas.
- b. Waters or wastes containing toxic or poisonous solids, liquid, or gases in sufficient quantity either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant, including but not limited to cyanides in excess of 0.5 mg/L as CN in the wastes as "discharged to the public sewer.
- c. Waters or wastes having a PH lower than 6.5, or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewerage works.
- d. Water or wastes having a PH in excess of 10.
- e. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewerage works such as, but not limited to, stone, gravel, ashes, cinders, sand, concrete, paving materials, mud, straw, sticks, plastics, cement, mortar, shavings, metal, glass, rags, feathers, tar, plastic, cement, mortar, wood, brewery mash, unground garbage, whole blood, paunch manure, hair and fleshings, entrails, and paper dishes, cups, milk containers etc., either whole or ground by garbage grinders or any other substance detrimental to the sewers or to the operation of the sewer system.

Section 3. No person shall discharge, cause or allow to be discharged into any sewer the following described substances, materials, water, he wastes in excessive amounts or concentrations if it appears likely in the opinion of the Commissioners that such substances, materials, waters or wastes can harm either the sewers, sewage treatment process, or equipment, have an adverse effect on the receiving waters, or can otherwise endanger life, limb, public property, or constitute a nuisance.

In forming this opinion as to the acceptability of these wastes, the Commissioners shall 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 sewer, 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. Liquids or vapor having a temperature higher than one hundred fifty (150) deg. F (65 deg. C).
- b. 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) deg. F(0and65deg. C)
- c. Garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths (3/4) horsepower or greater shall be subject to the review and approval of the Commissioners.
- d. Waters of wastes containing iron, chromium, copper, mercury, zinc, and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the Commissioners for such materials.
- e. Waters or wastes containing phenols or other taste or odor producing substances, in such concentrations exceeding limits which may be established by the Commissioners as necessary, after treatment of the composite sewage, to meet the requirements of the state, federal, or other public agencies of jurisdiction for such discharge to the receiving waters
- f. Any noxious malodorous gas or substance capable of creating a public nuisance.

- g. Wastes containing caustic alkalinity, calculated as CaCO<sub>2</sub> (calcium carbonate), in excess of 75 mg/L (milligrams per liter), or in volume which may be determined by the Commissioners to be excessive.
- h. Radioactive wastes or isotopes in excessive amounts or of such half-life or concentration as may exceed limits established by the Commissioners in compliance with applicable state or federal regulations.
- i. Materials which exert or cause:
  - 1. Unusual concentrations of inert suspended solids such as, but not limited to, (fullers earth, lime slurries, and lime residues, or of dissolved solids such as, but not limited to, sodium chloride and sodium sulfate.
  - 2. Excessive discoloration such as, but not limited to, dye wastes and vegetable tanning solutions.
  - 3. Unusual BOD, COD, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.
  - 4. Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.
- j. Overflow by draining from septic tanks, cesspools, or other receptacles storing organic wastes.
- k. Wastes which contain night soil solids that are not diluted sufficiently to assure that all particles will be carried freely under all flow conditions in facilities.
- l. Steam exhausts, boiler blowoffs, sediment traps, or pipes carrying hot circulating water.
- m. Wastes having a five (5) day BOD greater than 300 mg/L o. Wastes containing more than 350 mg/L of suspended solids
- n. Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment process employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.
- o. Wastes having ammonia-nitrogen concentration greater than 1.0 mg/L as N.
- p. Wastes having a total nitrogen concentration greater than 25 mg/L.
- q. Wastes having a phosphate concentration greater than 1,0 mg/L, as P.

Section 4. Wastewater containing heavy metals including but not limited to cadmium, chromium, cobalt, copper, lead, mercury, nickel, selenium, tin, silver, gold, or zinc will require pretreatment before discharge to the District's system. Pretreatment shall be such as to reduce the concentration of heavy metals in the pretreatment system effluent to a level equal to or less than the solubility of the oxide or hydroxide of the heavy metal. Sludges resulting from the pretreatment process shall not be discharged to the Sewerage system. The above requirement is in compliance with the policy of the Massachusetts Division of Water Pollution Control. Stricter limits may be imposed if it is found necessary to meet Water Quality standards.

Section 5. Any industry or person discharging wastewater's directly or indirectly into District facilities that does not comply with these Rules and Regulations may be subject to direct action by the Commissioners when in the opinion of the Commissioners time is of the essence and may include the withdrawal of permission to discharge wastewater's into District facilities appurtenant thereto.

Section 6. Cost for unauthorized additional treatment in or for repairing damages to District facilities, resulting due to violation of the District Rules and Regulations, shall be reimbursed to the District by the person from which the wastewater's originated that caused the adverse effect. The amount to be reimbursed the District by that person will include not only the aforementioned costs but also the costs of ascertaining responsibilities. The Commissioners shall require reimbursement of such costs upon determination of the responsible person(s) or parties.

## ARTICLE VII

### **Pretreatment Measures and Requirements**

Section 1. If any water or wastes are discharged, or are proposed to be discharged to the public sewers, which water contain the substances or possess the characteristics enumerated in Article VI, and which in the judgment of the Commissioners 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 Commissioners may:

- a. Reject the wastes;
- b. Require pretreatment to an acceptable condition for discharge to the public sewers;
- c. Require control over the quantities and rates of discharge; and/or
- d. Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions of the Rules and Regulations.

If the Commissioners permit the pretreatment or equalization of waste flows, the design and installation of the plant and equipment shall be subject to review and approval by the Commissioners and subject to the requirements of all applicable codes, regulations, and laws.

Section 2. Persons or industries who desire to discharge industrial waste into the District facilities shall make these requests to the Commissioners. In forming these opinion as to limitations on the acceptability of any wastes, the Commissioners will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the waste water treatment process, capacity of the waste water treatment plant, degree of treatability of wastes in the sewage treatment plant, and other pertinent factors.

Furnishing required analyses, flow data, etc. shall be the responsibility of the industry where the wastes originate. The Commissioners will stipulate the minimum analyses and other data that shall be obtained and shall conduct such waste sampling and measuring programs as are required. Expenses thus incurred by the District shall be completely reimbursed by the requesting industry.

Section 3. All applications to discharge any sewage, drainage, substances, or wastes directly into any sewer under the control of the District, or tributary thereto, shall be accompanied by an agreement signed jointly by the applicant contributing such sewage, drainage, substance, or wastes, stating that the applicant in question agrees to abide by all Rules and Regulations of the District, that the applicant shall provide such works for the District, pretreatment of the waste water, drainage, substances or wastes as may be required by the District, and that the applicant shall permit duly authorized representatives of the District to enter the premises of the industry to sample and measure waste waters, as needed to check characteristics of the waste waters. Copies of all such applications are to be accompanied by a plan showing essential characteristics of all wastewater outlets, analyses of existing wastewater, and statements as to existing and expected average and maximum wastewater flows. All applications shall be accompanied by a performance bond in an amount determined by the Commissioners.

Section 4. When required by the District, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such manhole, when required, shall be accessible and safely located, and shall be constructed in accordance with plans approved by the District. The manhole shall be installed by the owner at his expense, and shall be maintained by him so as to be safe and accessible at all times.

Section 5. All measurements, tests, and analyses of the characteristics of water and wastes to which reference is made in the Rules and Regulations shall be determined in accordance with the latest edition of "Standard Methods for the examination of Water and Wastewater," published by the American Public Health Association, as the same may be amended, revised or replaced by other publications and shall be determined at the control manhole provided, or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest



downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewerage works and to determine the existence of hazards to life, limb, and property. (The particular analyses involved will determine whether a twenty-four (24) hour composite of all outfalls of a premise is appropriate or whether a grab sample or samples should be taken). Normally, but not always, BOD and suspended solids analyses are obtained from twenty-four (24) hour composites of all outfalls whereas pH's are determined from periodic grab samples.

Section 6. In the event that no special manhole has been required by the District, samples may be taken at suitable locations within the establishment from which the wastes are being discharged. Sampling shall be carried out by accepted methods specifically designed to obtain representative samples of the total wastewater discharge and of slugs if any occur.

Section 7. Grease, oil, and sand interceptors shall be provided when, in the opinion of the Commissioners, that are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Commissioners, and shall be located so as to be readily and easily accessible for cleaning and inspection.

Section 8. Grease and oil interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, watertight, and equipped with easily removable covers which, when in place, shall be gaslight and watertight.

Section 9. Where installed, all grease, oil, and sand interceptors shall be maintained by the owner, at his expense, in continuously efficient operation at all times.

Section 10. Where preliminary treatment or flow-equalizing facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

Section 11. No statement contained in this article shall be construed as preventing any special agreement or arrangement between the District and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the District for treatment, subject to payment therefore, by the industrial concern.

## ARTICLE VIII

### **Power and Authority of Inspectors**

Section 1. The Commissioners and other duly authorized employees of the District bearing proper credentials and identification shall be permitted to enter all properties at any reasonable time for the purpose of inspection, observation, measurement, sampling, and testing in accordance with the provisions of the Rules and Regulations. The Commissioners or their representatives shall have no authority to inquire into any processes including metallurgical, chemical, oil, refining, ceramic, paper, or other industries beyond that point having a direct bearing on the kind of discharge to the sewers or waterways or facilities for waste treatment.

Section 2. While performing the necessary work on private properties referred to in Article X, Section 1 above, the Commissioners or duly authorized employees of the District shall observe all safety rules applicable to the premises established by the company and the company shall be held harmless of injury or death to the District employee and the District shall indemnify the company against loss or damage to its property by District employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be negligence or failure of the company to maintain safe conditions as required in Article IX.

Section 3. The Commissioners and other duly authorized employees of the District bearing proper credentials and identification shall be permitted to enter all private properties through which the District holds a duly negotiated easement for the purpose of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewerage works lying within said easement. All entry and subsequent work, if any, on said easement shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

## ARTICLE IX

### **Protection from Damage**

Section 1. No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, deface or tamper with any structure, appurtenance, or equipment which is a part of the sewage work. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct, fine and/or liable for damages and the reasonable Attorneys fees and expenses of the District.

## ARTICLE X

### **Use of Public Sewers Required**

Section 1. It shall be unlawful to discharge to any natural outlet within, any sewage polluted waters, except where suitable treatment has been provided in accordance with the provisions of this bylaw and the requirements of the Commonwealth of Massachusetts.

Section 2. Except as hereinafter provided, it shall be unlawful to construct or maintain in the District any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage except where no sewage facilities are available in compliance with all municipal, state and federal law.

Section 3. The owners of the houses, buildings, or other properties used for human occupancy, employment, recreation, or other purpose, situated within the District and abutting on any way in which there is located a public sewer of the District, are hereby required at their expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this bylaw within ninety (90) days after the date of official notice to do so by the Sewer Commissioner or by the applicable town board of health, provided that said public sewer is within one hundred (100) feet of the property line, unless prevented by topographical or other engineering factors as determined by the Sewer Commissioners of the District.

## ARTICLE XI

### Sewer Charges

The District has established the following procedures in order to recover the costs of constructing, and maintaining sewage work. These costs shall be recovered by collection of betterment assessments, sewer connection fees, sewer user charges and re-entrance & annexation fees.

Section 1. Betterment Assessment. A sewer betterment assessment is a tax that can be assessed by municipalities to properties that have been "bettered" by the construction of a public sewer. Service by a public sewer is an improvement over on-site wastewater disposal (i.e. septic systems, etc.). Therefore, when a municipality constructs public sewers, the value of those properties abutting the sewer line are said to have been improved or "bettered". In Massachusetts, sewer betterments are governed by Chapters 80 and 83 (excluding Sections 1 and 2 of Chapter 80) and are under the jurisdiction of the Department of Revenue. Sewer betterment assessments are monies intended to pay back all or a portion of the debt service of the "local share" of the sewer construction and associated engineering capital costs. There are two (2) basic methods for calculating sewer betterment assessments the "fixed uniform rate" method and the "uniform unit" method. The Cherry Valley Sewer District's Board of Commissioners approved the "uniform unit" method which defines each property as a number of "sewer units" and divided the assessment costs by the total number of sewer units included in the project. A "sewer unit" is defined as a single family residence. Therefore, a two-family residence would be equal to two (2) sewer units, three-family to three (3) sewer units, etc. Commercial, industrial and vacant properties are calculated into "single family equivalents" to include them in the assessment. Typically, this is done by calculating average water usage for developed properties and by determining intensity of future use, zoning and developable area for undeveloped properties. The sewer betterment assessment is a one time tax that can be paid in one lump sum or apportioned up to a maximum of thirty (30) years. The assessing body can establish a set period of time for the apportionment (which may simplify the billing process over allowing the property owners to choose a time period) Apportioned assessments can be charged an interest rate of up to two (2) percent higher than the rate of borrowing used to fund the sewer project. The initial billing is sent by the assessing body (District Commissioners) in a notice separate from the property tax bill. Each property owner shall be given thirty (30) days in which to pay in full with no interest. Those property owners who do not pay within this time can have their assessments apportioned with interest added each year on the unpaid balance. The annual apportionments are added by the town assessor's office to the property tax bill. A lien is placed on the properties electing to apportion the assessment over time. A lien is created by recording the listing of unpaid betterments at the Worcester County Registry of Deeds. This filing entitles the Town with the appropriate mechanism to assess and collect the sewer betterment. The lien is discharged when the assessment is paid in full or will expire automatically two years after the final payment is made. The timing of the assessment of betterments usually coincides with the project's completion. However, sewers do not necessarily have to be on line prior to issuing the assessments. Once the costs to be included are known and the construction is complete enough that the improvement is imminent, sewer betterments can be issued. The Massachusetts Department of Revenue states "a sewer is a public work of such permanent character that its discontinuance is unlikely and therefore, it is the construction of the sewer and the potential for sewer service that increases the value or use of abutting or nearby properties, not the actual connection'. Sewer "betterments" are only assessed to properties abutting public sewer lines. There are other properties that may also receive benefit from these facilities' for example, developments connecting through private easements or through private sewer extensions. The Cherry Valley Sewer District has established a provision in their local rules and regulations to include these properties in the calculation for capital cost recoupment. This is accomplished by imposing through the district fee schedule(s) as cited in sections 2, 3 and 4. These fees are calculated as the sewer betterments would have been if the property abutted the public sewer line. Payment of these fees is required at the time of connection to the public sewer system and is generally not apportioned. Abatements and Deferrals under Massachusetts General Laws (Chapter 80, Section 5) establish a timetable within which grievances and requests for abatements must be filed. A property owner must file a petition for abatement within six (6) months after the assessment notices have been sent. The Sewer Commission has four (4)

months to act on the petition and then must notify the owner within ten (10) days of making their decision whether the request was granted or denied. A deferral of betterment principal and interest can be granted to eligible property owners who are receiving deferral of their property taxes Under Chapter 59, Section 5, Clause 41A from the Leicester Board of Assessors. When a complete deferral is granted, the sewer betterment assessment is postponed until property ownership is transferred, at which time, the original principal, plus interest, is due and payable in full. Another type of deferral is allowed on vacant, undeveloped property. If this deferral is granted, the property owner must pay a 4% interest charge annually and pay the principal, in full, within 3 months after the land is built on.

Section 2. Sewer Application Fee, Sewer Inspection Fee, Sewer Connection Fee. Assessments known as Sewer Application Fee, Sewer Inspection Fee, Sewer Connection Fee are three separate fees associated with the application, inspection and connection process as defined in Sections 1, 3, 4 and 5. Said fees are fixed when the Building Sewer Application is filed and therefore are considered grandfathered, however, said application and fees shall be forfeited and become null and void upon the transfer of real estate. No other owner is entitled to any portion of said fees (or any other compensation) even if the sewer connection that they have installed is used by others.

Section 3. Building Sewer Application Fee. An assessment, known as the Building Sewer Application Fee as set forth in the District's Fee Schedule (as included in the appendix herein and publicly posted) which may be revised from time to time by the Board of Sewer Commissioners, for the completion and submittal of the Building Sewer Application for installation of the building sewer from the public sanitary sewer to the property line. Said fee is payable in full at the time of filing the Building Sewer Application.

Section 4. Building Sewer Inspection Fee. An assessment, known as the building Sewer Application Fee, as set forth in the District's Fee Schedule (as included in the appendix herein and publicly posted) which may be revised from time to time by the Board of Sewer Commissioners, for the construction oversight relating to the installation of the building sewer from the public sanitary sewer to the property line. Said fee is payable in full at the time of filing the Building Sewer Application.

Section 5. Sewer Connection Fee. An assessment, known as the sewer connection fee as set forth in the District's Fee Schedule (as included in the appendix herein and publicly posted) which may be revised from time to time by the Board of Sewer Commissioners for the installation of the building sewer from the public sanitary sewer to the property line. Said fee is payable in full at the time of filing the Building Sewer Application.

- a. The sewer connection fee shall be paid prior to the installation of the building sewer to the property line as accepted by the District.
- b. Whenever a building sewer is larger than six (6) inches in diameter, the Commissioners shall be empowered to charge a larger connection fee to cover such additional costs as may be incurred over and above the fee hereinbefore set forth.
- c. The assessment fees noted herein are those in effect at the time of this publication and may not reflect future charges to be made by the District in its assessment policy.

Any changes, revisions, modifications or alterations of the Sewer Application Fee, Sewer Inspection Fee and Sewer Connection Fee, including any alteration in the date said payments are due shall require a written request made to the Commissioners and determination by the Commissioners shall be in their sole and unfettered discretion and any such change, revision, modification or alteration from this policy must be in writing from the Commissioners.

Section 6. Sewer User Charge. A fee known as a sewer user charge, to be established by the Commissioners shall be charged against each structure connected to the sanitary sewer system for the operation and maintenance of the sewage works. The user charges in effect at the time of this publication may not reflect future charges to be made by the District in its sewer user charge policy. Those classifications are as follows:

- a. Basic Charge - Established annually by the Commissioners and shall consist of the total annual cost to the District for the operation and maintenance of sewage works, amortization of debts, and other costs incurred by the District less assessments, charges, and fees, as collected.
- b. Flow Charge - Established annually by the City of Worcester for transportation costs and the Upper Blackstone Water Pollution Abatement District for treatment costs.

#### Section 7. Re-entrance and Annexation Fees

- a. Re-entrance Fees - Owners of real estate in areas previously located within the district boundaries under chapter 729 of the acts of 1963, if not serviced by a suitable means of sewerage disposal, may reenter the district upon satisfactorily complying with the provisions as cited within chapter 33; section 16; of the acts of 1998.
- b. Fees Associated with Re-entry - Owners of real estate reentering the district shall pay no fee for reentry, however, they shall bear all associated costs including but not limited to permit and connection fees, City of Worcester connection and transportation fees, Upper Blackstone Water Pollution Abatement District entrance and treatment fees, engineering; design, review, management and construction oversight fees, legal costs, MA DEP and US EPA applications, reviews and permitting fees; installation of pipes and other equipment, and alterations to the existing sewerage system necessitated by the reentry.
  - The City of Worcester Connection and Transportation Fees are revised annually and approved by the Worcester City Council.
  - The Upper Blackstone Water Pollution Abatement District Entrance and Treatment Fees are revised annually and approved by the Upper Blackstone Water Pollution Abatement District Board of Directors.
- c. Upon the successful implementation of the reentry process and full operation of the sewerage system; said owners of real estate shall pay for all district costs as detail in the district's "Sewer Use Charge" fee schedule.
- d. Annexation Fees - Owners of real estate in areas not previously located within the district boundaries under chapter 729 of the acts of 1963, and not otherwise serviced by a suitable means of sewerage disposal, may be included in the district upon satisfactorily complying with the provisions as cited within chapter 33; section 17; of the acts of 1998.
- e. Fees associated with Annexation Owners of real estate annexation the district shall bear all costs associated with the annexation, including but not limited to district entrance fees, permit and connection fees, City of Worcester connection and transportation fees, Upper Blackstone Water Pollution Abatement District entrance and treatment fees, engineering; design, review, management and construction oversight fees, legal costs, MA DEP and US EPA applications, reviews and permitting fees; installation of pipes and other equipment, and alterations to the existing sewerage system necessitated by the annexation.
  - The City of Worcester Connection and Transportation Fees are revised annually and approved by the Worcester City Council.
  - The Upper Blackstone Water Pollution Abatement District Entrance and Treatment Fees are revised annually and approved by the Upper Blackstone Water Pollution Abatement District Board of Directors.

Upon the successful implementation of the annexation process and full operation of the sewerage system; said owners of real estate shall pay for all district costs as detail in the district's "Sewer Use Charge" fee schedule.

## ARTICLE XII

### Penalties

Section 1. Any person found to be violating any provisions of the Rules and Regulations except Article VIII shall be served by the District with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

Section 2. Any person who shall continue any violation beyond the time limit provided for an Article XII, Section 1, shall be guilty of a misdemeanor, and on conviction thereof; **shall be fined in accordance with the provisions set forth in MGL Chapter 83, Section 10 allowing for fines up to five thousand dollars (\$5,000.00) for each violation.** Each day in which any such violation shall continue shall be deemed a separate offense.

Section 3. Any person violating any of the provisions of the Rules and Regulations shall become liable to the District for any expense, loss, or damage, including but not limited to, Attorneys fees and expenses occasioned or incurred by the District by reason of such violation.



## **ARTICLE XIII**

### **Validity**

Section 1. The invalidity of any section, clause, sentence, or provisions of the Rules and Regulations shall not affect the validity of any other part of the Rules and Regulations which can be given effect without such invalid part or parts.

Section 2. The Commissioners may waive any of the requirements of the Rules and Regulations whenever they determine that strict compliance therewith is not required in the public interest.

Section 3. If any provisions of the Rules and Regulations or the application thereof to any person or circumstances shall for any reason be held invalid, the remainder of the Rules and Regulations or the application of such provisions to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

Section 4. The Rules and Regulations may be added to, modified, or amended from time to time.

**ARTICLE XIV**

**Rules and Regulations in Force**

Section 1. These Rules and Regulations shall be in force and effect from and after its passage, approval, recording, and publication as approved by law

Section 2. Passed and adopted by the Commissioners of the Cherry Valley Sewer District this \_\_\_\_\_ day of \_\_\_\_\_ by the following vote:

Ayes - 3 votes, Unanimous

Nays - None

Approved this \_\_\_\_\_ day of

\_\_\_\_\_  
Donald G. Manseau, Chairman

\_\_\_\_\_  
Victor M. Taylor, Commissioner

\_\_\_\_\_  
Michael L. DellaCava, Sr., Commissioner

Attest:

\_\_\_\_\_  
Michael F. Knox, District Clerk

**NONDISCRIMINATION STATEMENT**

"In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discrimination on the basis of race, color, national origin, sex, age, or disability. (Not all prohibited bases apply to all programs.)

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, DC 20250-9410, or call (800) 795-3272 (voice), or (202) 720-6382 (TDD)."

**APPENDIX**

**PRIVATE SEWAGE DISPOSAL APPLICATION**

To the Cherry Valley Sewer District:

The undersigned, being the \_\_\_\_\_ of  
(Owner, Owner's Agent)

the property located at \_\_\_\_\_  
(Number) (Street) (Town)

does hereby request a permit install sanitary sewage disposal facilities to serve the \_\_\_\_\_

\_\_\_\_\_  
(Residence, Commercial Building, etc.)

1. The proposed facilities include: \_\_\_\_\_

\_\_\_\_\_ to be constructed in complete accordance with the plans and specifications attached hereunto as Exhibit "A".

2. The area of the property's \_\_\_\_\_ square feet

3. The name and address of the person or firm who will perform the work is \_\_\_\_\_

4. The maximum number of persons to be served by the proposed facilities is \_\_\_\_\_

5. The locations and nature of all sources of private or public water supply and gas lines within one hundred (100) feet of any boundary of said property are shown on the plan attached hereto as Exhibit "B".

In consideration of the granting of this permit, the undersigned agrees:

1. To furnish any additional information relating, to the proposed work that shall be requested by the Commissioners.
2. To accept and abide by all provisions of the District Rules and Regulations and off all other pertinent regulations that may be adopted in the Future.
3. To operate and maintain the wastewater disposal facilities covered by this application in a sanitary manner at all times, in compliance with all requirements of the District and at no expense to the District.
4. To notify the appropriate department of the respective town at least twenty-four (24) hours prior to commencement of the work proposed, and again at least twenty-four (24) hours prior to the covering of any underground portion of the installation.

Date: \_\_\_\_\_

Signed: \_\_\_\_\_  
(Applicant)

\_\_\_\_\_  
(Address of Applicant)

\$ \_\_\_\_\_ Inspection fee paid

\_\_\_\_\_  
(Certification by Cherry Valley Sewer District Commissioners)

Application approved and permit issued:

Date: \_\_\_\_\_

Signed: \_\_\_\_\_

"This institution is an equal opportunity provider, and employer."

**INDUSTRIAL SEWER CONNECTION APPLICATION**

To the Cherry Valley Sewer District: The undersigned, being the \_\_\_\_\_  
\_\_\_\_\_ of the property located at \_\_\_\_\_  
\_\_\_\_\_ does hereby request a permit to \_\_\_\_\_  
Industrial sewer connection serving the \_\_\_\_\_  
which company is engaged in \_\_\_\_\_  
at said location.

1. A plan of the property showing accurately all sewers and drains now existing is attached hereunto as Exhibit "A".
2. Plans and specifications covering any work proposed to be performed under this permit are attached hereunto as Exhibit "A".
3. A complete schedule of all process waters and industrial wastes produces or expected to be produced at said property, including a description of the character of each waste, the daily volume and maximum rates of discharge, and representative analyses, is attached hereunto as Exhibit "C".
4. The name and address of the person or firm who will perform the work covered by this permit is \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

In consideration of the granting this permit the undersigned agrees:

1. To furnish any additional information relating to the installation or use of the industrial sewer for which this permit is sought as may be requested by the Cherry Valley Sewer District.
2. To accept and abide by all provisions of the Rules and Regulations of the Cherry Valley Sewer District, and of all other pertinent rules or regulations that may be adopted in the future.
3. To operate and maintain any waste pretreatment facilities as may be required as a condition of the acceptance into the public sewer of the industrial wastes involved, in an efficient manner at all times, and at no expense to the District.
4. To cooperate at all times with the Cherry Valley Sewer District and its representatives in their inspecting, sampling and study of the industrial wastes, and any facilities provided for pretreatment.
5. To notify the Cherry Valley Sewer District immediately in the event of any accident, negligence, or other occurrence that occasions discharge to the Public sewers or any wastes or process waters not covered by this permit.

Date: \_\_\_\_\_ Signed: \_\_\_\_\_

\$ \_\_\_\_\_ Inspection fee paid \_\_\_\_\_

Application approved an permit granted:

Date: \_\_\_\_\_ Signed: \_\_\_\_\_

NONDISCRIMINATION STATEMENT

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To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, DC 20250-9410, or call (800) 795-3272 (voice), or (202) 720-6382 (TDD)."

# Cherry Valley Sewer District

## Application for Connection of Building Sewer

Application/Owner Name

Signature of Owner

Mailing Address

Service Address

Map/Parcel #

Owner's Telephone #

Name of Licensed Drainlayer/Contractor

Telephone #

**Connection Type:** Gravity \_\_\_\_\_

Pump \_\_\_\_\_

**Building Type:** \_\_\_\_\_  
Residential

\_\_\_\_\_  
Commercial

\_\_\_\_\_  
Industrial

**Projected Flow:** \_\_\_\_\_  
GPD 110 GPD per bedroom or Title V estimated flows

**Application Fee:** \_\_\_\_\_  
(\$250.00)

**Connection Fee:** \_\_\_\_\_  
(\$8,000.00 per living unit)  
(for new construction only)

**Total Paid:** \_\_\_\_\_

**Inspection Fee:** \_\_\_\_\_  
(\$50.00)

Applicant hereby agrees to comply with all Cherry Valley Sewer District Rules and Regulations governing the use of public sewers within the District. Permit(s) shall be valid for a period of one (1) year from the date of authorization. All fees are non-refundable after expiration of permit.

Connection and inspection fees are due and payable upon completion of "Application for Connection of Building Sewer."

Signature of Owner or Authorized Agent

Date

Title

Dig Safe #

(Over)

THE FOLLOWING DISCLOSURE NOTICE CAN BE USED WHEN COLLECTING RACIAL/SEX DATA FOR CIVIL RIGHTS MONITORING PURPOSES

In order to comply with Title VI of the Civil Rights Act of 1964, certain data must be gathered by all recipients of federal financial assistance. The following disclosure should appear in the monitoring section of the application form, which usually is placed after the applicant's signature. If a separate document is used for monitoring information, the disclosure should appear immediately above the request for monitoring information.

"The following is requested by the US Government in order to monitor Cherry Valley Sewer District's compliance with the Title VI of the Civil Rights Act of 1964 and other federal laws that prohibit discrimination against applicants on the basis of race, national origin, and sex. You are not required to furnish this information, but are encouraged to do so. This information will not be used in evaluating your application or to discriminate against you in any way. Should you not provide the requested information, an employee or representative of the program for which you are applying is required to complete the information based upon "visual observation."

I do not wish to furnish this information

Race/National Origin

- American Indian or Alaskan Native
- Black, not of Hispanic Origin
- Asian or Pacific Islander
- Hispanic
- White, not of Hispanic Origin

Sex

Male                       Female

NONDISCRIMINATION STATEMENT

"In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discrimination on the basis of race, color, national origin, sex, age, or disability. (Not all prohibited bases apply to all programs.)

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, DC 20250-9410, or call (800) 795-3272 (voice), or (202) 720-6382 (TDD)."

Rural Development is an Equal Opportunity Lender.  
Complaints of Discrimination should be sent to: Secretary of Agriculture, Washington, DC,

# CHERRY VALLEY SEWER DISTRICT

## FEE STRUCTURE

SEWER CONNECTION  
APPLICATION FEE: \$ 250.00

INSPECTION FEE: \$ 50.00

CONNECTION FEE: \$8,000.00  
per living unit (as of 2-26-04)