

## ARTICLE 2 SEWER USE

### Sec. 3-201 Definitions

1. ASTM shall mean American Society for Testing Materials.
2. Basic Charge shall mean the charge per living unit for debt service which shall equal the total outstanding debt or future indebtedness of the Town for construction of sewers heretofore or hereafter constructed by the Town divided by the total number of living units (Par 25). The basic charge shall also include an administrative cost which shall be the cost per living unit for all operation costs which are not directly related to the maintenance and repair of the physical structure of the sewerage works heretofore and hereafter constructed by the Town divided by the total number of living units which are accessible to the Town sewer according to Section 3-203.
3. Black Waste Water shall mean wastewater containing human excrement, feces, and/or urine.
4. Board of Selectmen shall mean the duly elected Board of Selectmen of the Town of Farmingdale, Maine.
5. Board of Sewer Appeals or Appeals shall mean that Board appointed according to Chapter 2 of this Ordinance.
6. BOD (Abbreviation for biochemical oxygen demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures as prescribed in "Standard Methods for the Examination of Water and Wastewater" in five (5) days at 20 degrees C) expressed in milligrams per liter.
7. Builder shall mean any person, persons or corporation who undertakes to construct, either under contract or for resale, any habitable building.
8. Building Drain shall mean that part of the lowest horizontal piping of a drainage system which receives the gray wastewater and black wastewater inside the wall of the building and conveys it to the building sewer, beginning eight (8) feet outside the inner face of the building wall.
9. Building Sewer shall mean the extension from the building drain to the public sewer or other place of disposal, also called house connection.
10. Categorical Industrial User shall have the same meaning as defined in the National Pretreatment Standards promulgated by the Environmental Protection Agency under 40 C.F.R. Chapter I, subchapter N, which specifies quantities or concentrations of pollutant properties which may be discharged or introduced in a municipally owned wastewater facilities by specific industrial discharges.
11. Cleanout shall mean a means for inserting cleaning tools, for flushing or for inserting an inspection light into sewers at bends.
12. Chlorine Demand shall mean that amount of chlorine required to destroy all pathogenic organisms present on the final effluent from the treatment plant.
13. Combined Sewer shall mean a sewer receiving both sanitary wastewater and storm or surface water.
14. Contractor shall mean any person, firm or corporation approved by the Board of Selectmen to do work on sewage works or storm drains in the Town of Farmingdale.
15. Developer shall mean any person, persons, or corporation who undertakes to construct

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simultaneously or in planned sequence more than one housing unit on a given tract or land subdivision.

16. Easement shall mean an acquired right for the specific use of land owned by others.
  17. Engineer shall mean the Professional Engineer or Professional Engineering Firm retained by the Town of Farmingdale.
  18. EPA shall mean the United States Environmental Protection Agency.
  19. Floating Oil is fats, wax, grease or oils, whether emulsified or not, in a physical state such that it will separate from wastewaters by appropriate pretreatment facilities.
  20. Garbage shall mean solid wastes from the domestic and commercial preparation, cooking, and dispensing of food, and from the handling, storage, and sale of produce.
  21. Gray Waste Water shall mean all domestic liquid wastes exclusive of Black Waste Water.
  22. ICR shall mean Industrial Cost Recovery.
  23. Incompatible Pollutant shall mean any pollutant other than biochemical oxygen demand, suspended solids, excessive pH, coliform bacteria or additional pollutants not identified or authorized in the discharge license or permit, which the treatment works were not designed to treat and do not remove to a substantial degree; or such substances which cause or exert excessive dissolved oxygen demand or chlorine demand.
  24. Industrial User shall mean:
    - A. Any categorical industrial user or non-categorical industrial user that (i) discharges 25,000 gallons per day or more of processed wastewater, (ii) contributes processed wastewater which makes up 5% or more of the average dry weather hydraulic or organic capacity of the municipal treatment plant operated by the City of Gardiner, or (iii) has a reasonable potential, in the opinion of the City of Gardiner as the operator of the wastewater treatment plant, to adversely affect treatment plant operation as a result of such matters as inhibition, pass through, sludge contamination or endangerment of city employees, which wastewater is identified in the Standard Industrial Classification Manual, 1972, Office of Management and Budget, as amended and supplemented under one of the following divisions:
      - Division A. Agriculture, Forestry, and Fishing.
      - Division B. Mining.
      - Division D. Manufacturing.
      - Division E. Transportation, Communications, Electric, Gas, and Services.
      - Division I. Services.
- 1) In determining the amount of a user's discharge for purposes of industrial cost recovery, the Town will exclude domestic wastes or discharges from sanitary conveniences.
  - 2) After applying the sanitary waste exclusion in subparagraph (1) of this paragraph, dischargers in the above divisions that have a volume exceeding 25,000 gpd or the weight of biochemical oxygen demand (BOD) or suspended solids (SS) equivalent to that weight found in 25,000 gpd of sanitary waste are considered industrial users. Sanitary wastes, for purposes of this calculation

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of equivalency, are the wastes discharged from residential users. The Town, with the Regional Administrator's approval, shall define the strength of the residential discharges in terms of parameters including, as a minimum, BOD and SS per volume of flow.

B. Any nongovernmental user of a publicly owned treatment works which discharges wastewater to the treatment works which contains toxic pollutants or poisonous solids, liquids, or gases in sufficient quantity either singly or by interaction with other wastes, to contaminate the sludge of any municipal systems, or to injure or to interfere with any sewage treatment process, or which constitutes a hazard to humans or animals, creates a public nuisance, or creates any hazard in or has an adverse effect on the waters receiving any discharge from the treatment works.

C. All commercial users of an individual system constructed with grant assistance under section 201(h) of the Federal Pollution Control Act and this subpart.

25. Industrial Wastes shall mean the liquid wastes from industrial manufacturing processes, trade, or business as distinct from sanitary sewage. An industry is considered to be a major contributing industry when it: (1) has a flow of 25,000 gallons per average work day; (2) has a flow greater than five percent of the flow carried by the public sewer receiving the wastes; (3) has in its wastes a toxic or incompatible pollutant as defined by Federal or State laws or regulations; or (4) has a significant impact, either singly or in combination with other contributing industries, to the public sewers, treatment plant, or on the quality of effluent from the treatment works.

26. Living Unit shall be defined by way of example and not limited to the following:

A. A single family residential home shall be one unit.

B. A duplex residential home shall be two units.

C. A residential apartment house or apartment building shall be one unit for each family rent.

D. A mobile home park shall be one unit for each mobile home.

E. A commercial establishment shall be considered one unit for each twelve employees.

F. A motel shall be considered one unit for each three renting units.

G. A school shall be considered one unit for each twenty-five students.

H. A factory shall be considered one unit for each twelve employees.

I. A self-service Laundromat shall be considered 1.3 units for each washer.

J. A restaurant shall be considered one unit for each ten seats.

K. A church shall be considered one unit for each 75 pew seats.

L. A camp ground shall be considered one unit for each three spaces.

M. A nursing or rest home, boarding home or morning house shall be considered one unit for every three licensed beds at the home.

N. Others to be established by the Town of Farmingdale on an individual basis. Any fractional units will be rounded off to the nearest unit.

27. MDEP shall mean Maine Department of Environmental Protection.

28. Natural Outlet shall mean any outlet into a watercourse, pond, ditch, lake, or other body of surface or ground water.

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29. Treatment charge shall be determined by the annual budget figure for City of Gardiner sewage treatment charges to the Town of Farmingdale divided by the estimated total annual cubic feet of water that all Farmingdale sewer users will use. In determining the treatment charge, there shall be a rate of 1,800 cubic feet of water per quarter for each living unit connected to the Town sewer which rate shall apply to sewer users whose main supply of water is derived from sources other than the Gardiner Water District and the actual rate of water usage based upon the Gardiner Water District's billing information shall be used in determining the treatment charge for each living unit connected to the Town sewer which derived its water from the Gardiner Water District. When a single building contains two or more living units and the water usage is measured by a single meter, one treatment charge shall be calculated and billed for all of the living units in that building.
30. Owner shall mean any individual, firm, company, association, society, person or group having title to real property.
31. Person shall mean any individual, firm, company, association, society, corporation, or group.
32. pH shall mean the reciprocal of the logarithm of the weight of hydrogen ions in grams per liter of solution.
33. Pretreatment shall mean treatment from sources before introduction into the Town of Farmingdale municipal sewer based upon local, State or Federal requirements and local conditions, also called preliminary treatment.
34. Properly Shredded Garbage shall mean the wastes from the preparation, cooking, and dispensing of foods that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half (1/2) inch (1.27 centimeters) in any dimension.
35. Property Line shall mean the established right-of-way limits of any public or private road or street or the common ownership dividing line between two abutting properties, if the building sewer is to connect with the public sewer in a public street. "Property Line" shall mean the edge of a sewer right-of-way in those instances where the building sewer connects to the public sewer in a right-of-way.
36. Public Sewer shall mean a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.
37. Right-of-Way shall mean the established limits of an approved street or highway.
38. Sanitary Sewer shall mean a sewer which carries sewage and to which storm, surface, and ground waters are not intentionally admitted.
39. Sewage shall mean a combination of the water carried wastes (Black Waste Water and Gray Waste Water) from residences, business buildings, institutions and industrial or commercial establishments.
40. Sewage Works or Treatment Works shall mean all facilities for collecting, pumping, treating, and disposing of sewage.
41. Sewer Committee shall mean that committee appointed by the Board of Selectmen according to provision of Section 3-202.
42. Sewer Inspector shall mean appointed Sewer Inspector, or designated individual, for the Town of Farmingdale, Maine.
43. Shall is mandatory; "May" is permissive.

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44. Sludge shall mean any discharge of water, sewage, or industrial waste which, in concentration of any given constituent or in sufficient quantity of which, exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration or flows during the normal operation.
45. Storm Drain (sometimes termed "Storm Sewer") shall mean a pipe which carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.
46. Suspended Solids shall mean solids that either float on the surface of or are in suspension in water.
47. Town shall refer to and include the entire corporate limits of the Town of Farmingdale. For the purpose of this article it shall be interpreted to mean the Town of Farmingdale as represented by the Board of Selectmen.
48. Town Way means the entire width between boundary lines of a road, highway, parkway, street or bridge used for vehicular traffic on a way which is owned and maintained by the state, county or municipality over which the general public has a right to pass.
49. Wastewater Treatment Facility shall mean any arrangement of devices and structures used for treating sewage.
50. Watercourse shall mean a channel in which a flow of water occurs, either continuously or intermittently.
51. WPCF shall mean Water Pollution Control Federation.

## **Sec. 3-202 Sewer Committee**

1. Creation and Appointment. The establishment of a Sewer Committee is hereby authorized. The members of the Committee shall be appointed by the Board of Selectmen. They shall be residents of the Town of Farmingdale. In accordance with the laws of the State of Maine, the following provisions shall apply:
  - A. The Committee shall consist of five members.
  - B. The term of office of members shall be three years.
  - C. No municipal officer shall be a member or alternate member of the Sewer Committee.
  - D. When there is a permanent vacancy, the Board of Selectmen shall appoint a person to serve for the unexpired term.
  - E. The Sewer Committee shall elect a Chairman and a Vice Chair from its own membership annually in the month of April.
  - F. The Sewer Committee shall serve as advisers to the Board of Selectmen on all matters relating to the operation of the Town sewers and shall perform such other ministerial functions and duties as shall be designated from time to time by the Board of Selectmen.

## **Sec. 3-203 Use of Public Sewers Required**

1. It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the Town or in any area under jurisdiction of said Town, any human or animal excrement, garbage, or other objectionable waste. The term "Unsanitary manner" shall not include reasonable

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spreading of animal excrement or other fertilizer in farming or animal husbandry operations.

2. It shall be unlawful to discharge to any natural outlet within the Town, or in any area under the jurisdiction of said Town, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this article and the requirements of the State of Maine.
3. Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage, except where no sewage facilities are available.
4. The owner of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes requiring the disposal of sewage situated within the Town and abutting on any street, alley, or right-of-way in which there is located a public sanitary sewer of the Town is hereby required at his expense to install suitable plumbing facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this article, within ninety (90) days after date of official notice to do so, provided that said public sewer or any exterior drainage facility connected thereto is located within one hundred fifty (150) feet of the building or exterior drainage facility on any lot or premises which abuts and is served by such public sewer.

## **Sec. 3-204 Subsurface Wastewater Disposal**

1. Where a public sanitary sewer is not available under the provisions of Section 3-203, Paragraph 4, the building sewer shall be connected to a subsurface wastewater disposal system complying with the State of Maine Plumbing Code, Part II Subsurface Wastewater Disposal Regulations.
2. Before commencement of construction of a subsurface wastewater disposal system the owner shall first obtain a written permit signed by the Local Plumbing Inspector (LPI). The application for such permit shall be made on a form furnished by the Town, which the applicant shall supplement by any plans, specifications, and other information as are deemed necessary by the Plumbing Inspector. A permit and inspection fee shall be paid at the time the application is filed. The amount of this fee shall be set annually by the state of Maine.
3. A permit for a subsurface wastewater disposal system shall not become effective until the installation is completed to the satisfaction of the Plumbing Inspector. He or she shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the Plumbing Inspector when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within 24 hours of the receipt of notice by the Plumbing Inspector.
4. The owner shall operate and maintain the subsurface wastewater disposal facility in a sanitary manner at all times, at no expense to the Town.
5. At such time as a public sewer becomes available to a property served by a subsurface wastewater disposal system, a direct connection shall be made to the public sewer in compliance with Section 3-203, Paragraph 4, and any septic tank, and similar subsurface wastewater disposal facility shall be abandoned, cleaned of sludge, and filled with suitable material, or completely removed.
6. No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by the Health Office or Town Plumbing Inspector.

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## **Sec. 3-205 Building Sewers and Connections**

1. No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Sewer Inspector. Any person proposing a new discharge into the system or a substantial change in volume or character of pollutants that are being discharged into the system shall notify the Sewer Inspector at least forty-five (45) days prior to the proposed change or connection, and shall comply with Maine Revised Statutes Annotated, Title 38, Chapter 3, Subchapter I, § 361. All pollutants other than normal sewage must meet the discharge requirements of the Town of Farmingdale and the City of Gardiner. Notification of such pollutants must be made to the Sewer Inspector and the appropriate official of the City of Gardiner at least forty-five (45) days prior to the start of discharge.
2. There shall be two (2) classes of building sewer permits: (a) for residential and commercial service, and (b) for service to establishments producing industrial wastes. In either case, the owner or his agent shall make application on a special form furnished by the Town. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Sewer Inspector or the Board of Selectmen. A permit and inspection fee for residential, commercial and industrial building sewer permits shall be paid to the Town at the time the application is filed. The amount of this fee shall be determined periodically, after a public hearing, by the Board of Selectmen. Reference Appendix 1 (page iii) for Fee Schedule. Reference Appendix A of this Article for Application Form.
3. All costs and expense incident to the installation, connection and testing of the building sewer shall be borne by the owner. The owner shall indemnify the Town from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.
4. A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.
5. Existing building sewers may be used in connection with new buildings only when they are found, on examination and test by the Town, to meet all requirements of this article.
6. The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling the trench, shall all conform to the requirements of the Town of Farmingdale General Sewer Specifications. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate current specifications of the A.S.T.M. and current W.P.C.F. Manual of Practice shall apply.
7. Whenever possible, it is recommended that 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 at no cost to the Town.
8. No persons shall make connections of roof drains, downspouts, foundation drains, areaway drains, sump pumps or other sources of surface runoff or ground water, to a

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building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.

9. The connection of the building sewer into the public sewer shall be by and under the direction of the Town of Farmingdale and the owner of the building sewer connected to the public sewer shall be liable to reimburse the Town for the costs and expenses which it incurs in making the connection to the public sewer. All such connections shall be made gaslight and watertight. Any deviation from the prescribed procedures and materials must be approved by the Board of Selectmen.
10. The applicant for the building sewer permit shall notify the Sewer Inspector when the building sewer is ready for inspection and connection to the public sewer.
11. Excavations. The applicant is advised to review the Farmingdale Opening Permit Ordinance.
12. The Town shall be responsible for the maintenance and replacement of the Public Sewers. The owner(s) shall be responsible for maintenance and replacement of the Building Sewer.
13. Pipe and fittings to be used in the Building Sewer shall be minimum 4-inches in diameter and the same material as the public sewer.
14. In general, Building Sewers will not be allowed to have more than four (4) angle points or a total angular deviation of 180 degrees; unless granted a variance by the Board of Selectmen. Cleanouts shall be installed at each deflection and every one hundred (100) feet in length.
15. All pipe and fittings shall be laid to a minimum slope of 1/4 inch per foot unless otherwise approved by the Town.
16. The depth of building sewers shall be sufficient to afford protection from frost, but in no event shall be less than three (3) feet to the crown of the pipe. The building sewer shall be laid at uniform grade and in straight alignment insofar as possible.
17. Line and grade of the pipe and fittings shall be controlled by the use of a transit or laser beam for this purpose.
18. Changes in direction shall be made only with properly curved pipe and fittings. The ends of building sewers which are not connected to the building drain of the structure for any reason, shall be sealed against infiltration by a suitable stopper, plug, or other approved means.
19. The trenches shall be excavated from the end of the existing sewer service to its point of connection to the building plumbing outlet. Pipe and fittings laid in trench shall not be backfilled until the work is inspected by the Sewer Inspector.
20. When any building sewer is to serve a school, hospital, or similar institution or public building, or to serve a complex of industrial or commercial buildings, or which, in the opinion of the Board of Selectmen will receive sewage or industrial wastes of such volume or character that frequent maintenance of said building sewer is anticipated, then such building sewer shall be connected to the public sewer through a manhole. The Board of Selectmen shall determine if and where this type of connection to the public sewer is required. Connections to existing manholes shall be made as directed by the Board of Selectmen. If required, a new manhole shall be installed in the public sewer pursuant to Article III, Section 3-308 of the Town of Farmingdale General Sewer Specifications.

### **Sec. 3-206 Use of the Public Sewers**



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1. The Sewer Inspector or the Board of Selectmen may require a user of sewer services to provide information needed to determine compliance with this article. These requirements may include:
  - A. Wastewaters discharge peak rate and volume over a specified time period.
  - B. Chemical analyses of wastewaters.
  - C. Information on raw materials, processes, and products affecting wastewater and volume and quality.
  - D. Quantity and disposition of specific liquid, sludge, oil solvents, or other materials important to sewer use control.
  - E. A plot plan of sewers on the user's property showing sewer and pretreatment facility location.
  - F. Details of wastewater pretreatment facility location.
  - G. Details of systems to prevent and control the losses of materials through spills to the public sewer.
2. No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewers.
3. Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers or to a natural outlet approved by the Town. Industrial cooling water or unpolluted process waters may be discharged, on approval of the Board of Selectmen, to a storm sewer or natural outlet; and the discharge shall comply with Maine Revised Statutes Annotated, Title 38 Chapter 3, § 413.
4. No person shall discharge or cause to be discharged the following described substances, materials, waters, or wastes if it appears likely, in the opinion of the Board of Selectmen, that such wastes can harm either the sewer, sewage treatment process, or equipment; have an adverse effect on the receiving stream; or can otherwise endanger life, limb, public property, or constitute a nuisance. In forming their opinion as to the acceptability of these wastes, the Board of Selectmen will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant, and other pertinent factors including State, Federal and City of Gardiner regulations and requirements concerning wastewater pretreatment and treatment. The substances prohibited are:
  - A. Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas.
  - B. Any waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant.
  - C. Any waters or wastes having a pH lower than 5.5, or in excess of 9.5, or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.
  - D. Solid or viscous substances in quantities or of such size capable of causing

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obstruction to the flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and flashings, entrails, paper dishes, cups, milk containers, diapers, etc., either whole or ground by garbage grinders.

- E. Any wastes or waters with a dissolved oxygen concentration less than two (2.0)mg/1 at twenty-four(24) degrees C (75° F)
- F. Any liquid or vapor having a temperature higher than one hundred forty (140) degrees F (60°C) or any heated waters or pollutants in such quantities that the temperature at the sewage treatment plant influent exceeds one hundred and four degrees (104°F) (40°C).
- G. Any water or waste containing floating oil, fats, wax, grease, or oils, whether emulsified or not, in excess of one hundred (100) mg/1 or containing substances which may solidify or become viscous at temperatures between thirty-two (32) and one hundred forty (140) degrees (0 and 60 degrees C).
- H. Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths (3/4) horsepower (0.76 hp metric) or greater shall be subject to the review and approval of the Board of Selectmen.
- I. Any waters or wastes containing strong acid iron pickling wastes or concentrated plating solutions, whether neutralized or not.
- J. Any waters or wastes containing iron, chromium, copper, zinc or similar objectionable, toxic or incompatible wastes, or substances or wastes exerting an excessive chlorine or dissolved oxygen requirements to such a degree that any such material received in the composite sewage at the treatment works exceeds the limits established by the Town or the requirements of the State, Federal, City of Gardiner, or other public agencies or jurisdiction for such material, or to such a degree that any such material discharged to the system, either singly or in combination with other wastes that cause directly or indirectly any deleterious effects to the system.
- K. Any waters or wastes containing phenols or other taste-or-odor-producing substances in such concentrations exceeding limits which may be established by the Board of Selectmen, after treatment of the composite sewage, to meet the requirements of the State, Federal, City of Gardiner, or other public agencies or jurisdiction for such discharge to the receiving waters, or before treatment where such substances may cause a nuisance or health problem or cause deleterious effects directly or indirectly to the system.
- L. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits in compliance with applicable State or Federal regulations.
- M. Materials which exert or cause:
  - 1) Unusual concentration of inert suspended solids (such as, but not limited to, fuller's earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate).
  - 2) Excessive discoloration (such as, but not limited to, dyes, wastes and vegetable tanning solutions).

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- 3) Unusual BOD, chemical oxygen demand, 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.
- N. Any water or wastes having five (5) day BOD greater than 300 milligrams per liter.
- O. Any water or wastes containing more than 350 milligrams per liter of suspended solids.
- P. Any water or wastes which, by interaction with other water or wastes in the public sewer system, releases obnoxious gases, form suspended solids which interfere with the collection system, or create a condition deleterious to structures and wastewater treatment processes.
- Q. Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.
5. If any waters or wastes are discharged, or are proposed to be discharged, to the public sewers containing the substances or possessing the characteristics enumerated in Paragraph 4 of this Section, and which, in the judgment of the Board of Selectmen and the City of Gardiner 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 Board of Selectmen may:
- A. Reject the wastes;
  - B. Require pretreatment to an acceptable condition for discharge to the public sewer;
  - 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.
  - E. If the Board of Selectmen permits the installation of equalization of waste flows or other pretreatment, the design and installation of the plants and equipment shall be subject to the review and approval of the Board of Selectmen and subject to the requirements of all applicable codes, ordinances, and laws.
6. 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.
7. Grease, oil, and sand interceptors shall be provided when, in the opinion of the Board of Selectmen, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Board of Selectmen and the City of Gardiner, and shall be located so as to be readily and easily accessible for cleaning and inspection. Grease and oil interceptors shall be constructed of impervious material capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, watertight, and equipped with easily removable covers which, when bolted in place, shall be gaslight sod watertight. In the maintaining of these interceptors, the owner(s) shall be responsible for the proper removal and disposal of the captured material, and shall maintain records of the dates and means of disposal which are subject to review by

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the Board of Selectmen and the City of Gardiner. Any removal and hauling of the collected materials performed by the owner(s) personnel must be performed by a currently licensed waste disposal firm. The new interceptor shall be installed externally from the building and before the sewer pipe enters the public sewer pursuant to Section 19 of the Town of Farmingdale General Sewer Specification.

8. When required by the Board of Selectmen, the owner of any property serviced by a building sewer or private sewer carrying industrial wastes shall install a suitable control manhole, together with such necessary meters and other appurtenances, in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such manhole, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the Board of Selectmen. 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.
9. All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this article shall be determined in accordance with the latest edition of "Standard Methods for Examination of Water and Wastewater," published by the American Public or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb and property. (The particular analyses involved will determine whether a twenty-four (24) hour composite of all outfalls of the premises is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from 24-hour composites of all outfalls, whereas pH's are from periodic grab samples.)
  - A. All industries discharging into a public sewer shall perform such monitoring of their discharges as the Board of Selectmen and/or other duly authorized employees of the Town may reasonably require, including installation, use, and maintenance of monitoring equipment, keeping records and reporting the results of such monitoring to the Board of Selectmen. Such records shall be made available upon request by the Board of Selectmen to other agencies having jurisdiction over discharges to the receiving waters.
  - B. When determined by the Board of Selectmen that reported analyses of waters and wastes are inaccurate or non-representative, the Town may perform analyses and the cost of same will be borne by owner of industry.
10. The Town, with the advice of a Consulting Engineer, and in accordance with any rules, regulations or ordinances of Gardiner, shall determine the quantity and quality of all industrial wastes which can be properly taken into the sewerage system and treated at the wastewater treatment facility, in addition to the sanitary wastes.
11. No statement contained in this article shall be construed as preventing any special agreement or arrangement between the Town or other public agencies or jurisdiction and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the Town or other public agencies or jurisdiction for treatment, subject to payment and special treatment requirements therefor, by the industrial concern. The Town or other public agencies or jurisdiction may issue official Pretreatment Discharge Permits which will specify the characteristics of the wastes or waters to be discharged to the public sewers, and other conditions on monitoring, rate of discharge and other items, to any major contributing industry or other entity

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discharging to the system, either directly or indirectly, provided that such agreements do not contravene and requirements of existing Federal Laws and are compatible with any User Charge and Industrial Cost Recovery System in effect.

## Sec. 3-207 Sewer Extensions

1. All extensions to the sanitary sewer system owned and maintained by the Town shall be properly designed by a Registered Professional Engineer in accordance with the current edition of the Design and Construction of Sanitary and Storm Sewers, ASCE Manuals and Report on Engineering Practice - No. 37 (WPCF Manual of Practice No. 9), and the Town of Farmingdale Standard Sewer Specifications. Plans and specifications for sewer extensions shall be submitted to and approval obtained from the Board of Selectmen and the Sewer Inspector before construction may proceed. The design of sewers must anticipate and allow for flows from all possible future extensions or developments within the immediate drainage area.
2. Sewer extensions, including individual building sewers from the sewer to the property line, may be constructed by the Town under public contract if, in the opinion of the Board of Selectmen, the number of properties to be served by such extension warrants its cost and if the treatment plant has the capacity to handle said extension. Under this arrangement the property owner shall pay for and install the building sewer from the public sewer to his residence or place of business in accordance with the requirements of Section 3-205. Property owners may propose sewer extensions within the incorporated Town by drafting a written petition, signed by a majority of the benefiting property owners, and filing it with the Board of Selectmen. The cost of such extensions may be assessed to the benefited property owners in any manner determined by the Board of Selectmen.
3. If the Town does not elect to construct a sewer extension under public contract, the Property Owner, Building Contractor or Developer may construct the necessary sewer extension, if such extension is approved by the Board of Selectmen and the Sewer Inspector in accordance with the requirements of Paragraph 1 of this Section. He or they must pay for the entire installation, including all expenses incidental thereto. Each building sewer installed must be installed and inspected as previously required in Paragraph 5 below and the inspection fees paid. Design of sewers shall be as specified in Paragraph 1 of this Section. The installation of the sewer extension must be subject to inspection by the Town or its representative. The expenses for this inspection shall be paid for by the Owner, Building Contractor, or Developer. The Town or its representatives' decisions shall be final in matters of quality and methods of construction. The sewer, as constructed, must pass a leakage test before it is to be used. The leakage test must meet the requirements of the Farmingdale Standard Sewer Specifications. The total cost of a sewer extension thus made shall be absorbed by the Developer or the Property Owner, including all building sewers.
4. After the completion of all sewers, and before final acceptance, as-built drawings shall be furnished to the Town consisting of a set of reproducibles consistent with the drafting material, scale, etc., of the Town.
5. All work shall comply with all Federal, State, and local laws, ordinances and regulations.
6. All sewer extensions constructed at the expense of Property Owner, Building Contractor or Developer, after final approval and acceptance by the Town, shall become the property of the Town and shall thereafter be maintained by the Town. Said sewers, after their acceptance by the Town, shall be guaranteed by the Property

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Owner, Building Contractor or Developer against defects in materials or workmanship for twelve (12) months. The guarantee shall be in a form prescribed by the Town. At the sole discretion of the Town, a maintenance bond or certified check may be demanded as part of the guarantee.

7. No builder or developer shall be issued a building permit for a new dwelling or structure requiring sanitary facilities within the Town, unless a suitable and approved method of sewage disposal is proposed.
8. Construction of any sewer extensions cannot begin until the plans and specifications have been approved by the Maine Department of Environmental Protection.

## **Sec. 3-208 Protection from Damage**

1. 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 sewage works. Any person violating this provision shall be subject to immediate arrest under charge of criminal mischief as set forth in Maine Revised Statutes Annotated, Title 17-A, Chapter 33, § 806.
2. A contractor must present a certificate of insurance showing suitable liability insurance before a permit will be issued for construction of building sewers or sewer extensions.

## **Sec. 3-209 Board of Sewer Appeals**

1. Board of Appeals as defined in Chapter 4 Article 7 is designated as the Board of Sewer Appeals.

## **Sec. 3-210 Powers of Authority of Inspectors**

1. The Board of Selectmen shall appoint one or more sewer inspectors to carry out the enforcement of the provisions of this article. The certificate of appointment shall specifically authorize the administration and enforcement of this article.
2. The compensation for duties performed by the sewer inspector under this article shall be determined from time to time by the Board of Selectmen and shall be paid from revenues derived from inspection fees collected pursuant to this article.
3. No permits shall be granted by the sewer inspector unless prior approval has been given by the Board of Selectmen if such approval is required by this article.
4. The sewer inspector with respect to the duties and authority in this article shall be under the control of the Board of Selectmen. The Board of Selectmen may establish administrative procedures and coordinate their activities and the activities of all other town officials involved in the administration of this article.
5. The Sewer Inspector may be the code enforcement officer and/or the Plumbing Inspector of the Town and certification under Title 22 of the Maine Revised Statutes shall not be a prerequisite for appointment of the Sewer Inspector.
6. The Sewer Inspector bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this article. The Sewer Inspector shall have no authority to inquire into any processes including metallurgical, chemical, oil, refining, ceramic, paper, or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment.
7. While performing the necessary work on private properties referred to Paragraph 6, the Sewer Inspector shall observe all safety rules applicable to the premises established

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by the company, and the company shall be held harmless for injury or death to the Town employees and the Town shall indemnify the company against loss or damage to its property by town employee 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 caused by negligence or failure of the company to maintain safe conditions as required in Section 3-206, Paragraph 8.

8. The Sewer Inspector bearing proper credentials and identification shall be permitted to enter all private properties through which the Town holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewage works lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

## **Sec. 3-211 Penalties**

1. Any person found to be violating any provision of this Article except Section 3-208 shall be served by the Sewer Inspector or the Board of Selectmen 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.
2. Any work performed without a Road Opening Permit, or any other violation of this Ordinance, shall be punishable in accordance with 30-A M.R.S.A. Section 4452 and may be subject to penalties of not less than \$100 nor more than \$2500 per violation for each day that the violation continues.
3. Any person violating any of the provisions of this article shall become liable to the Town for any expense, loss or damage occasioned the Town by reason of such violation.
4. Notwithstanding any of the foregoing provisions, the Town may institute any appropriate action including injunction or other proceedings to prevent, restrain or abate violation hereof.

## **Sec. 3-212 User Charge**

1. The treatment charge and basic charge shall be known collectively as the user charge which shall be set semi-annually by the Selectmen of the Town.
2. Treatment charges and basic charges will be computed and billed quarterly.
3. All user charges are due from the owner of the premises and the owner shall be held responsible. The Town may if requested by both the owner and the occupant, send the bill to the occupant.
4. All user charges shall be due and payable at the Town Office quarterly and are considered to be in arrears for lien and penalty purposes 30 days after the date of each quarterly billing statement.
5. A penalty per living unit shall be assessed and payable for the failure to pay any sewer user charges within 30 days after the date of the quarterly billing statement. An additional penalty per living unit shall be assessed and payable each quarter or part of a quarter that any sewer user charge remains unpaid after the quarter in which said user charge was billed to the sewer user. All penalties assessed under this section shall be determined periodically by the Board of Selectmen at a level so that said penalties do not exceed the maximum penalty then provided under state law and

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regulation for delinquent real estate taxes and sewer user charges. Reference Appendix 1, 'Fee Schedule', "Sewer Delinquent Fee" for the established fee (page iii).

6. When the customer's credit is, or becomes impaired, the Town may require a deposit to guarantee payment of current bills, such deposits not to exceed the amount of an estimated billing period.
7. All fees and penalties rates established in these regulations are subject to periodical adjustments by the Town to reflect cost of services rendered.
8. **Partial Abatement.** A partial abatement of a sewer usage charge may be considered by the Town if it may be documented that substantial metered fresh water may not have entered the sewer system and criteria established by the town has been followed. The criteria noted below are intended for a single family structure. Other alternatives may be considered but on an individual basis.
9. Necessary criteria to be considered for partial abatement:
  - A. Amount of fresh water has been documented by metered flow.
  - B. Amount of water not entering the sewer system, for the same structure as noted for fresh water, has been established by metered flow.
  - C. No abatement shall be considered if prior user charges for the same structure are in arrears unless the Sewer Committee determines that extenuating circumstances would justify such abatement.
  - D. No abatement shall be considered if tax payments for the same structure are in arrears.
  - E. A minimum abatement of \$5 for a calendar year is necessary for consideration.
  - F. The "Application for Abatement of Sewer User Charge" shall be completed and submitted in a timely manner. Reference Appendix B of this Article (page ???).
  - G. The maximum period for which an abatement will be granted at any time is for four (4) quarters within the same calendar year immediately prior to the present calendar year.
  - H. By requesting to participate in this program, the Sewer Inspector or the Chairman of the Sewer Committee is authorized to enter the applicable premises at any time during normal working hours to evaluate the method of identifying the separation of water usage or confirm actual meter readings.
  - I. The Sewer Committee reserves the right to have an applicant confirm meter readings of the device utilized at scheduled Sewer Committee meetings or an informal meeting.
  - J. The Town of Farmingdale reserves the right to refuse consideration of an abatement request if established procedures are not followed or if an abuse of the program has been documented.
  - K. The determination of any abatement shall be determined by the Farmingdale Sewer Committee based on available information.
  - L. Any abatement shall be credited to the next sewer bill.
10. **Elimination of Unit.** A living unit within a structure may be eliminated from established sewer usage charges. To qualify for this exemption, all water fixtures must be removed from the living unit and no fixtures replaced. Any request to have the sewer rate reduced by this procedure shall be confirmed by the Sewer Inspector. Any inspection by the Sewer Inspector shall be at the property owner's expense at the



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established rate. No action shall be implemented concerning the reduction in sewer charges until the Town has received full payment of all outstanding sewer and/or inspection charges.

11. Structure Demolition. The Sewer Inspector shall be notified prior to the demolition of a structure which has (or has had) water fixtures or the removal of a mobile structure intended as a living unit. The Sewer Inspector shall confirm that the waste line leading to the public sewer has been adequately and permanently capped. The inspection shall be at no cost to the property owner. Should the line to the sewer be covered over without the knowledge of the Sewer Inspector, the property owner is subject to all costs incurred to confirm adequate and necessary procedures have been implemented plus any costs incurred by the Sewer Inspector.

## **Sec. 3-213 Validity**

1. All ordinances or parts of ordinances in conflict herewith are hereby repealed.
2. The invalidity of any section, clause, sentence, or provision of this article shall not affect the validity of any other part of this article which can be given effect without such invalid part or parts.

Effective: March 8, 1980

Revised: June 28, 2014