



WAREHAM WATER POLLUTION CONTROL FACILITY

6 Tony's Lane
Wareham, Massachusetts 02571
Telephone 508-295-6144 / TTY (800) 439-2370
Fax 508-291-0155

Commercial • Industrial Sewer Connection Application

To the Town of Wareham

The undersigned, being the _____ Owner _____ Leasee _____ Tenant _____ Agent of the property located at _____, Assessor's Map _____, Lot _____, does hereby request a permit to install a(n) _____ Commercial, _____ Industrial sewer connection serving the _____ said company being engaged in _____ at the above location.
OWNER'S NAME _____

NOTE: ASSIGNED CASE NUMBERS FROM DIG SAFE & WATER DISTRICT REQUIRED

Dig Safe # _____ Water District # _____

The following shall accompany all applications

- A plan of the property showing accurately all sewers and drains now existing and all proposed connections, attached hereunto as exhibit A
- A completed industrial waste survey, if required, attached hereunto as exhibit B.
- In the case of commercial enterprises not engaged in manufacturing, a list of facilities and fixtures, location of grease traps if required, etc., attached hereunto as exhibit C.
- An Assessor's certified document verifying building size (sq. ft.) attached hereunto as exhibit D.
- The name of the firm who will perform the work covered by this permit is:

Name _____ Address _____

Drainlayer's or Master Plumber's License No. _____

"In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating 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, D.C. 20250-9410, or call (800) 795-3272 (voice), or (202) 720-6382 (TDD)."

Consideration of the granting of this permit, the applicant agrees:

- To furnish any additional information relating to the installation or use of the above sewer for which this permit is being sought as may be requested by the Board of Sewer Commissioners or its agents.
- To accept and abide by all provisions of the bylaws of the Town of Wareham and of all other pertinent bylaws, ordinances, or regulations that may be adopted in the future.
- To operate and maintain any waste pretreatment, as may be required as a condition of acceptance into the public sewer of the industrial wastes involved in an efficient manner at all times and at no expense to the town.
- To cooperate at all times with the Board of Commissioners or its' agents in their inspecting sampling or study of the industrial wastes and any facilities provided for their pretreatment.
- To notify the Board of Sewer Commissioners or its' agents immediately in the event of any modification, accident, negligence or other occurrence that occasions discharge to the public sewers of any wastes or process waters not covered by this permit.

Signed _____ Title _____ Date _____

Address _____

DO NOT WRITE BELOW THIS LINE • OFFICE USE ONLY

☐ Exhibit A ☐ Exhibit B ☐ Exhibit C ☐ Exhibit D ☐ Certification of building area
☐ Drainlayer's/Master Plumber's Bond & Insurance ☐ Street Opening Permit ☐ Nonmanufacturing - Exhibit B waived
Fee \$ _____ ☐ Check ☐ Money Order Permit No. _____ Issued _____ Expires _____
Reviewed (for Water Pollution Control) _____ Date _____
Approved _____ Date _____

Racial Status Information Block

The following information is requested by the Federal Government in order to monitor our compliance with various civil rights laws. You are not required to furnish this information, but, are encouraged to do so. The law requires that we may not discriminate based upon this information, nor whether you choose to furnish it. However, if you choose not to furnish it, under Federal regulations, we are required to note the race and sex on the basis of visual observation or surname. If you do not wish to furnish the above information, please check the box below.

I do not wish to furnish this information

☐

Race/National Origin: American Indian or Alaskan Native

Asian or Pacific Islander

White, not of Hispanic Origin

Black, not of Hispanic Origin

Hispanic Origin

Other (specify) _____

Sex:

Female

Male



WAREHAM WATER POLLUTION CONTROL FACILITY

6 Tony's Lane
Wareham, MA 02571
Telephone (508) 295-6144
Fax (508) 291-0155

Guy Campinha, Director

I _____ submit this form as written notification of the completion of the sewer installation/connection at _____ on this day _____. I certify that all conditions of the Sewer By-Laws have been complied with. Signature below will suffice as acknowledgement and understanding.

Drain Layers Signature

The notification shall be filed with the WPCF (Water Pollution Control Facility) within Twenty-four (24) hours after the completion of the work covered in each permit. This notification should include a sketch of the work done, along with sufficient measurements to locate all components of the work installed.

This institution is an equal opportunity provider and employer.

DIVISION V

Rules and Regulations relating to the use of Public and Private Sewers and Drains, the Installation and Connection of Building Sewers, and the Discharge of Waters and Wastes into the Public Sewer System; and providing penalties and violations thereof: in the Town of Wareham, County of Plymouth, State of Massachusetts.

DIVISION V ARTICLE I DEFINITIONS

Unless the context specifically indicated otherwise, the meaning of terms used in this By-Law shall be as follows:

Section 1. BOD (denoting Bio-chemical 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°C, expressed in milligrams per liter.

Section 2. Building Drain shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning ten (10) feet (3 Meters) outside the inner face of the building wall.

Section 3. Building Sewer shall mean the extension from the building drain to the public sewer.

Section 4. Combined Sewer shall mean a sewer receiving both surface runoff and sewage.

Section 5. 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.

Section 6. Industrial Wastes shall mean the liquid wastes from industrial manufacturing processes, trade or business and distinct from sanitary sewage.

Section 7. Natural Outlet shall mean any outlet into a watercourse, ditch, lake or other body or surface or ground water.

Section 8. Person shall mean any individual, firm, company, association, society, corporation or group.

Section 9. Ph shall mean the logarithm of the reciprocal of weight of hydrogen ions in grams per liter of solution.

Section 10. 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 flow conditions normally prevailing in public sewers, with no particles greater than one-half ($\frac{1}{2}$) inch (1.27 centimeters) in any dimension.

Section 11. Public Sewer shall mean a sewer in which all owners of abutting properties have equal rights and is controlled by public authority.

Section 12. Sanitary Sewer shall mean a sewer which carries sewage and to which storm surface and ground waters are not intentionally admitted.

Section 13. Sewage shall mean a combination of the water-carried wastes from residences, business buildings, institutions and industrial establishments together with such ground, surface, and storm waters as may be present.

Section 14. Sewage Treatment Plant shall mean any arrangement of devices and structures used for treating sewage.

Section 15. Sewage Works shall mean all facilities for collection, pumping, treating, and disposing of sewage.

Section 16. Sewer shall mean a pipe or conduit for carrying sewage.

Section 17. Slug 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, or more than five (5) times the average twenty-four (24) hour concentration or flows during normal operation.

Section 18. Shall is mandatory; May is permissive.

Section 19. Storm Drain (sometimes termed "Storm Sewer") shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.

Section 20. Commissioners shall mean the Board of Selectmen of the Town of Wareham, or their authorized deputy, agent or representative.

Section 21. Suspended Solids shall mean solids that either float on the surface of, or are in suspension in water, sewage or other liquids and which are removable by laboratory filtering.

Section 22. Watercourse shall mean a channel in which a flow of water occurs, either continuously or intermittently.

Section 23. Town shall mean the Town of Wareham.

DIVISION V
ARTICLE II
USE OF PUBLIC SEWERS REQUIRED

Section 1. The owner of all houses, buildings or property used for human occupancy, employment, recreation or other purposes situated within the Town and abutting on any street, alley, or right-of-way in which there is now located or may in the future be located, a public sanitary or combined sewer of the Town, is hereby required at his expense to install suitable toilet facilities therein, and to connect such facilities and all other drains designed to carry sewage, directly with the proper public sewer in accordance with the provisions of the By-Law after reasonable notice in writing to do so by commissioners, said notice being not less than one (1) year.

An owner who, having received such notice to connect, and whose property subject to such notice is then being fully serviced by a Soil Absorption System (SAS) in full compliance with 310 C.M.R. 15.000, et seq. (Title V), and all other applicable regulations, and which SAS was first the subject of a Certificate of Compliance issued pursuant to said Title V no more than sixty (60) months prior to the date of such notice to connect, may upon the owner's written notice of intent received by the commissioners, postpone the required connection to the public sewer to a date no later than sixty (60) months subsequent to the date of such notice to connect. Such postponement shall not be deemed to postpone or otherwise affect the assessment or payment of sewer betterments applicable to such property (Article 12 of the October 25, 2004 Annual Town Meeting; Approved by Attorney General December 23, 2004).

Section 2. Sewer Construction in New Developments:

1. The Developer of any subdivision which is within a reasonable distance of an existing sewer shall connect the subdivision into the proper sewer. The cost of the sewer connection to the existing sewer will be borne by the Developer. A reasonable distance shall be determined by the size, nature, and location of the subdivision in relation to its proximity to the existing sewer.

2. When a Developer installs sewers in proposed streets or right-of-ways in anticipation of the extension of an existing sewer the cost of the building connections shall be borne by the Developer and such subdivisions will not be assessed by the Town.

3. The design of any proposed sewer construction under this section must be approved by the Commissioners prior to issuance of permit.

4. When the design of any proposed sanitary sewer includes any appurtenances, such as, but not limited to, pumps, grinder pumps, air ejector or packaged treatment systems, such appurtenance shall be subject to the prior approval of the Commissioners, provided all requirements contained in Section 2.5 are strictly adhered to.

5. All appurtenances as outlined in Section 2.4 shall be subject to the prior approval of the Commissioners or their duly authorized agent(s) prior to the submission of any plans for the sanitary sewer. Requests for approval must contain all information regarding project flow,

loadings and other information deemed necessary by the Commissioners to conduct their review. The request must also contain specifications and drawings indicating the type of equipment proposed

6. All sewer construction under this Article which includes any items defined by Section 2.4 shall provide for a reliable emergency power source to the equipment necessary for the continuation of service. In the case of installations of less than 500 gallons per day, sufficient storage capacity or a minimum of two (2) days use may be substituted for the emergency power source.

7. The owner of all such appurtenances, in order to assure the proper operation and long term maintenance of the same, shall be required to provide the Commissioners with a current signed agreement, on a yearly basis or longer term, with a reputable firm or person qualified in such operation and maintenance, to provide such maintenance. An annual report of the maintenance performed shall be submitted to the Commissioners by the owner or it's contractor on or before January 15th of each year. Under no conditions shall the Town assume any responsibility for the proper operation or maintenance of any privately owned system.

8. A fee, as set by the Commissioners, shall be charged for the connection of any appurtenances as outlined in Section 2.4. The fee shall be based on the proposed daily flow capacity of the facilities installed and any other factors related to the sewer service provided by the Town, including but not limited to Administrative expenses.

9. In developments served by any owner installed appurtenances, the owner shall apply for individual house connection permits as issued by the Town. The town shall issue said permits at no charge and shall fully inspect each connection, provided that the application complies with the provisions of this By-Law and other pertinent regulations and provided that the fee, as set in Section 2.8 has been paid in full. In the event that a connection is made solely by gravity means, then all normal permits and fees shall apply.

10. Any proposed development for commercial or industrial use shall be required, at the time of filing a proposal or request for approval, to specify the proposed use and type of discharge of the occupants or if unknown at the time of proposal, as soon as available thereafter. It shall remain the obligation of the owner and user of said units to report to the Commissioners any use or discharge which may require further treatment or study. Failure to provide accurate information regarding said use and discharge may be grounds to deny a proposal or request for approval or to commence an enforcement action or impose penalties pursuant to Article IX.

11. The Town reserves the right to full control of flow from any appurtenance installed into the public system. A shut-off device, approved by the Commissioners or their agent(s) shall be installed at the entry point to the public system. A shut-off key or similar device shall be provided to the Commissioners or their agent(s). The owner shall assure that the device is always operational and accessible. In the event that any shut-down of the system is required, then advance notice shall be given, if possible, to all affected systems prior to shut-down. The owner or their agent(s) shall provide the Commissioners or their agent(s) with the names and telephone numbers of two (2) separate contacts who have control over said appurtenances. Proper disposal of any sewage which backs-up or overflows shall remain the responsibility of the owner, with no costs or loss of revenue to be incurred by the Town or Commissioners. (Article 30 of Annual Town Meeting held on May 7, 1996; Approved by Attorney General July 30, 1996).

DIVISION V
ARTICLE III
BUILDING SEWERS AND CONNECTIONS

Section 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 Commissioners. Any person proposing a new discharge into the system or a substantial change in the volume or character of pollutants that are being discharged into the system shall notify the Commissioners at least forty-five (45) days prior to the proposed change or connection.

Section 2. There shall be two (2) classes of building sewer permits: (a) for residential and commercial service, and (b) for service to establishments, which may or may not produce industrial wastes. (Article 30 Annual Town Meeting held on May 7, 1996; Approved by Attorney General July 30, 1996).

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 judgement of the Commissioners. The Board of Selectmen shall establish permit and inspection fees which shall be paid to the Town at the time the application is filed.

Section 3. All costs and expenses incident to the installation and connection 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.

Section 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 sewer and other exceptions may be allowed only by special permission granted by the Commissioners together with a properly executed easement, where applicable, recorded with the Plymouth County Registry of Deeds.

Section 5. Old building sewers may be used in connection with new buildings only when they are found, on examination and tested by the Commissioners, to meet all requirements of this By-Law.

Section 6. The size, slope, alignment, materials of construction of a building sewer, and the methods used in excavating, placing of the pipe, jointing testing, and backfilling the trench, shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the Town. In the absence of code provisions or in amplification thereof the materials and procedures set forth in appropriate specifications of the A.S.T.M. and W.P.C.F. Manual of Practice No.9 shall apply. No backfill shall be placed until the work has been inspected by the Commissioners.

Section 7. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer. No water operated ejector shall be used.

Section 8. No person shall make connection of roof downspouts, exterior foundation drain, areaway drains, or other sources of surface runoff or ground water to a building sewer or building drain which is in turn connected directly or indirectly to a public sanitary sewer.

Section 9. The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the Town, or the procedures set forth in appropriate specifications of the A.S.T.M. and the W.P.C.F. Manual of Practice No.9. All such connections shall be made gas tight and watertight.

Section 10. The applicant for the building sewer permit shall notify the Commissioners when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Commissioners.

Section 11. All excavations for building sewer installations 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 the manner satisfactory to the Town.

Section 12. Plumbers or Drain Layers shall report to the Board of Sewer Commissioners in writing in full description within twenty-four hours, the finding by them of all obstructions in connections or the presence therein, if found, of any substance prohibited by this regulation. Failure to do so report shall render the plumber and/or drain layer whether firm or corporation, liable to the penalty of a fine of not more than Twenty (\$20) Dollars for each failure to so report. Finding substances prohibited by 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.

DIVISION V
ARTICLE IV
LICENSING OF DRAIN LAYERS

Section. 1. Plumbers and drain layers of established reputation and experience will be licensed by the Commissioners as master drain layers authorized to perform work, subject to compliance with the following requirements:

- (a) The Board of Selectmen/Sewer Commissioners shall have the authority to establish license fees for sewer drain layers. (Article 12 of April 23, 1990. Town Meeting; Approved by Attorney General October 1, 1990).
- (b) If approved by the Commissioners, applicants for licenses shall file with the Commissioners a proper and acceptable Performance and Guarantee Bond in the amount of \$5,000.00 which shall remain in full force and effect for a period of one year from the date of application.
- (c) Applicants for licenses, after approval by the Commissioners, shall file with the Commissioners a Certificate of Insurance in the sums of \$50,000/\$100,000 to cover Public Liability and a Certificate of Insurance in the sum of \$25,000 covering Property Damage. 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 year from the date of approval. Said insurance shall indemnify the Commissioners and the Town of

Wareham 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.

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

Section 2. All licenses expire one year from the date of issuance thereof and no licenses are transferable. (Article 30 of Annual Town Meeting held on May 7, 1996; Approved by the Attorney General July 30, 1996).

Section 3. The Commissioners reserve the right to revoke any licenses if any provision of said license is violated.

Section 4. 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 house drain during the course of the work.

Section 5. All licensees shall give written notification of the completion of the work with certification that all conditions of the Sewer By-Law have been complied with. The notification shall be filed with the Commissioners within twenty-four (24) hours after the completion of the work covered in each permit. This notification shall include a sketch of the work done. The sketch will show sufficient measurements to locate all components of the work installed.

DIVISION V ARTICLE V USE OF THE PUBLIC SEWERS

Section 1. No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof runoff, subsurface drainage, uncontaminated cooling water of unpolluted industrial process waters to any sanitary sewer.

Section 2. Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers or to natural outlet approved by the Commissioners. Industrial cooling water or unpolluted process waters may be discharged, on approval of the Commissioners to a storm sewer, combined sewer, or natural outlet.

Section 3. No person shall discharge or cause to be discharged any of the following described waters or wastes into any public sewers:

(a) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas.

(b) Any waters or wastes containing toxic or poisonous solids, liquids or gasses in sufficient quantity, either singly or by interaction with other wastes, so as to injure or interfere with any sewage treatment process, or which will 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 having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewage works.

(d) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to, ashes, fleshing, entails and paper dishes, cups, milk containers, etc.

Section 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 Commissioners that such wastes can harm either the sewers, sewage treatment process, or equipment, have an adverse effect on the receiving stream, or can otherwise endanger life, limb, public property, or constitute a nuisance. In forming their opinion as to the acceptability of these wastes, the Commissioners will give consideration to such factors as quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant, and other pertinent factors. The substances prohibited are:

- (a) Any liquid or vapor having a temperature higher than one hundred fifty degrees (150°F-65°C).
- (b) Any water or waste containing fats, wax, grease, or oils, whether emulsified or not in excess of one hundred (100mg/l) or containing substances which may solidify or become viscous at temperatures between thirty-two degrees (32°F) and one hundred fifty degrees (150°F-0 and 65°C).
- (c) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipment with a motor of three-fourth (3/4) horsepower (0.7 hp metric) or greater shall be subject to the review and approval of the Commissioners.
- (d) Any waters or wastes containing strong acid iron pickling wastes, or concentrated plating solutions whether neutralized or not. Any waters or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewage treatment plant exceeds the limits established by the Commissioners for such materials.
- (e) Any waters or wastes containing phenols or other taste or odor producing substances, in concentrations which exceeds maximum limits which may be established by the Commissioners, after treatment of the composite sewage in order to meet the requirements of the State, Federal or other public agencies or jurisdiction for such discharge to the receiving waters.
- (f) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Commissioners in compliance with applicable State or Federal regulations.

Any waters or wastes having a pH in excess of 9.5.

(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 tanning solutions.)
- (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.

- (j) Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

Section 5. If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in Section 4 of this Article, and which in the judgment of the Commissioners may have a deleterious effect upon the sewage works, processes, equipment, or receiving water, 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 waste not covered by existing taxes sewer charges.

If the Commissioners permit the pretreatment of equalization of waste flows the design and installation of the plants and equipment shall be subject to the review and approval of the Commissioners and subject to the requirements of all applicable codes, By-Laws and laws.

Section 6. Grease, oil, and sand interceptors shall be provided when, in the opinion of the Commissioners they are necessary for the proper handling of liquid wastes containing grease in excessive amount, 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 as to be readily and easily accessible for cleaning and inspection.

Section 7. Where preliminary treatment of 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 8. When required by the Commissioners, 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 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 Commissioners. 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 9. All Measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this By-Law shall be determined in accordance with the latest edition of "Standard Methods for Examination of Water and Wastewater," published by the American Public Health Association and shall be determined at the control manhole provided, or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works

and to determine the existence of hazards to life, limb and property. (The particular analysis involved will determine whether a twenty-four (24) hour composite of all outfalls of a premise is appropriate or whether a grab sample should be taken. Normally, but not always, BOD and suspended solids analysis are obtained from 24-hour composites of all outfalls whereas pH's are determined from periodic grab samples.) (a) All industries discharging into a public sewer shall perform such monitoring of their discharges as the commissioners 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 Commissioners. Such records shall be made available upon request by the Commissioners to other Agencies having jurisdiction over discharges to the receiving waters."

DIVISION V ARTICLE VI USAGE FEES

Usage fees will be determined by the Commissioners prior to each billing period for the following categories: Residential, commercial, industrial, nightsoil disposal and all other categories as may be found by the Commissioners to be necessary.

DIVISION V ARTICLE VII PROTECTION FROM DAMAGE

Section 1. No unauthorized person shall maliciously, willfully, or negligently, break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is part of the sewage works. Any person violating this provision shall be subject to immediate arrest and prosecution under the charge of malicious destruction to property, Chapter 266, Section 127, of the General Laws of the Commonwealth, or any other law, or By-Law that may be applicable.

DIVISION V ARTICLE VIII POWERS AND AUTHORITY OF INSPECTORS

Section 1. The Commissioners and other duly authorized employees of the Town bearing proper credentials and identification shall be permitted to enter all properties for the purpose of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this By-Law. 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 and source of discharge to the sewers or waterways of facilities for wastes treatment.

Section 2. The Commissioners and other duly authorized employees of the Town bearing proper credentials and identification shall be permitted to enter all private properties through which the Town holds a duly recorded easement for the purpose of, but not limited to, inspection, observation, measurement, sampling, repairs, and maintenance of any portion of 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 recorded easement pertaining to the private property involved.

DIVISION V ARTICLE IX PENALTIES

Section 1. The Commissioners or their agent(s) shall have the authority to enforce this By-Law and its regulations, permit or licenses issued thereunder by violation notices, administrative orders, enforcement orders, and/or civil and criminal court actions. The Commissioners or their agent(s) may issue a violation notice or administrative or enforcement order stating the nature of a violation and providing a period of time for the satisfactory corrections thereof. Failure to correct the violation within said period of time shall constitute a violation of the By-Law which may be punished as set forth herein.

Section 2. Any person who violates any provision of this By-Law shall be punished by a fine of \$300.00. In addition, pursuant to General Laws, Chapter 83, 10, as same may be amended, any person who violates any provision of this By-Law or a regulation issued by the Town or Commissioners, shall be liable for a civil penalty of not more than five thousand dollars (\$5,000.00). Each day or portion thereof during which a violation continues shall constitute a separate offense, and each provision of this By-Law or regulation violated shall constitute a separate offense.

Section 3. Any person who violates any of the provisions of this By-Law or regulation, permit, license, notice or administrative or enforcement order issued thereunder shall be liable to the Commissioners and town for any expense, cost, loss, or damage, including but not limited to limited to administrative, attorneys' and engineering fees, incurred by the Commissioners or Town by reason of such violation.

Section 4. As an alternative to civil or criminal prosecution, the Commissioners or their agent(s) or the Town Police or any other person designated by the Town as having police powers, as enforcing persons under this By-Law, may enforce this By-Law or regulation, permit, license, notice or order issued thereunder, pursuant to the non-criminal disposition statute, General Law, Chapter 40, 21D and the Town's non-criminal disposition By-Law, Division IX, Article I, Section 2, of the Town's General By-Laws. Non-criminal enforcement of this By-Law may involve the following penalties:

First Offense:	\$200.00
Second Offense:	\$250.00
Third and subsequent Offenses:	\$300.00

(Article 30 of Annual Town Meeting held May 7, 1996; Approved by Attorney General July 30, 1996).