

BRUNSWICK SEWER DISTRICT

RULES & REGULATIONS

as

Revised and Adopted

effective

01 December 1997

Brunswick Sewer District

10 Pine Tree Road

Brunswick, Maine 04011

BRUNSWICK SEWER DISTRICT
RULES & REGULATIONS

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BRUNSWICK SEWER DISTRICT

Rules & Regulations

Revision: 01 December 1997

The following Rules & Regulations are hereby established, which Rules & Regulations shall be considered a part of the contract between the District and every person and corporation who uses the sewers of the District, and every such person and corporation, by connecting or maintaining a connection of any premises with such sewers, shall be considered to express assent to be bound thereby.

ARTICLE I

DEFINITIONS.

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

1. "*Applicant*" shall mean any person requesting approval to discharge domestic, commercial, or industrial wastewater into facilities of the District.
2. "*BOD*" (Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of the wastewater under standard laboratory procedure in 5 days at 20⁰ C., expressed in milligrams per liter (mg/l).
3. "*Building Sewer*" shall mean the pipe which receives the wastewater from a building, extending from the walls of the building to the public sewer.
4. "*Charter*" shall mean the Charter of the Brunswick Sewer District, as established by an act of the Maine State Legislature P. & S.L. 1947 Chapter 77, and all acts additional and amendatory thereof and thereto.
5. "*Codes Enforcement Officer*" shall mean the Codes Enforcement Officer of the Town of Brunswick, or a duly authorized representative.
6. "*Director of Public Works*" shall mean the Director of Public Works of the Town of Brunswick, or a duly authorized representative.
7. "*District*" shall mean the Brunswick Sewer District according to its charter.
8. "*Domestic Wastewater*" shall mean the wastewater derived principally from sanitary conveniences in dwellings, business buildings, institutions, and the like. It should not contain groundwater, surface water, or stormwater.

9. *"E.P.A."* shall mean the Environmental Protection Agency of the U.S. Government.
10. *"Excessive"* shall mean amounts or concentrations of a constituent of a wastewater which, in the opinion of the Trustees or the Superintendent, will cause damage to any facility of the District, which will be harmful to a wastewater treatment process, which cannot be removed at the wastewater treatment plant to the degree required to meet the limiting stream classification standards of the Androscoggin River or the discharge requirements of EPA, which can constitute a nuisance, or which can otherwise endanger life, limb, or public property.
11. *"Facilities of the District"* shall mean all structures and sewers of the Brunswick Sewer District used for collecting, pumping, treating or disposing of wastewater or wastes, including all connected furnishings and appurtenances and any other machines and/or equipment used in carrying out its purposes.
12. *"Garbage"* shall mean the animal and vegetable wastes resulting from the handling, preparation, cooking, and serving of food. It is composed largely of putrescible organic matter and its natural moisture content.
13. *"Industrial Wastewater"* shall mean the wastewater in which the liquid wastes coming from an industry predominates, as distinct from domestic wastewater.
14. *"Industry"* shall mean a non-governmental establishment identified in the Standard Industrial Classification Manual, 1972, Office of Management & Budget, as amended and supplemented, under the divisions listed below, excluding those establishments which discharge only segregated domestic waste or waste from sanitary conveniences.
 - a. Division A. Agriculture, Forestry, and Fishing.
 - b. Division B. Mining.
 - c. Division D. Manufacturing.
 - d. Division E. Transportation, Communications, Electric, Gas, and Sanitary Services.
 - e. Division I. Services.
15. *"Non-Public Water"* shall mean potable water that is derived from other than a public entity, from a source that is privately owned and operated, such as a private water well.
16. *"Owner"* shall mean any person which holds title to a house, building or property which abuts any street or right-of-way in which a public sewer is located.
17. *"Person"* shall mean any individual, firm, company, corporation, association, society, group, trust, or governmental authority.
18. *"pH"* shall mean the reciprocal of the logarithm (to the base ten) of the hydrogen ion concentration in grams per liter of solution.
19. *"Plumbing Inspector"* shall mean the Plumbing Inspector of the Town of Brunswick, or a duly authorized representative.

20. *"Potable Water Meter"* shall mean a water meter designed to record the amount of fresh water entering the property or structure. Whenever possible the meter shall record in one-hundred-cubic-foot increments.
21. *"Properly Shredded Garbage"* shall mean garbage that has 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 1/2-inch (1.27 centimeters) in any dimension.
22. *"Public Sewer"* shall mean a sewer in which all owners of abutting properties have equal rights, and which is controlled by the Brunswick Sewer District.
23. *"Public Water"* shall mean potable water derived from a public municipal or quasi-municipal provider such as the Brunswick-Topsham Water District.
24. *"Sewer"* shall mean a pipe or conduit for carrying wastewater, to which rain waters, surface, or ground waters are not intentionally admitted.
25. *"Shall"* is mandatory; *"May"* is permissive.
26. *"Slug"* shall mean any discharge of water or wastewater which includes a concentration of any given constituent or a quantity of flow which exceeds for any period longer than 15 minutes, more than 5 times the average 24-hour concentration or flow during normal operation.
27. *"Spill"* shall mean the release, accidental or otherwise, of any material not normally released to the facilities of the District, which by virtue of its volume, concentration, or physical or chemical characteristics, creates a hazard to the facilities, their operation, or their personnel. Such characteristics shall include but are not limited to materials or wastes listed in Article II, Sections 13 & 14 of these Rules & Regulations.
28. *"Storm Drain"* shall mean a pipe or conduit for carrying rainwater, groundwater, surface water, condensate, cooling water, or unpolluted water from any source.
29. *"Superintendent"* shall mean the Superintendent of the Brunswick Sewer District, or a duly authorized representative.
30. *"Suspended Solids"* shall mean total suspended matter that either floats on the surface of, or is in suspension in water, wastewater, or other liquids, and that is removable by laboratory filtering as prescribed in "Standard Methods for the Examination of Water & Wastewater" latest edition, and is referred to as non-filterable residue.
31. *"Town"* shall mean the Town Council of Brunswick, the Brunswick Town Manager, or their duly authorized representative.
32. *"Trustees"* shall mean the Brunswick Sewer District Board of Trustees, or their duly authorized representative.

33. "Wastes" shall mean substances in liquid, solid or gaseous form that can be carried in water.
34. "Wastewater" shall mean the spent water of a community, and may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions, together with any groundwater, surface water, and rainwater that may be present.
35. "Wastewater Treatment Plant" shall mean the Brunswick Sewer District Wastewater Treatment Plant, located on Pine Tree Road, Brunswick.

ARTICLE II

USE OF PUBLIC SEWERS.

Sec. 1 Scope.

This article regulates the use of the public sewer system and the discharge of waters and wastes into the system, and provides for penalties for violations of this article.

Sec. 2 Permit Required.

- a. No private drain or sewer shall be entered into or discharge to a public sewer or any appurtenance thereof without a plumbing permit from the Town Plumbing Inspector, and an approved entrance permit from the Brunswick Sewer District.
- b. Applications for permits to connect or disconnect with any public sewer shall be made to the Plumbing Inspector and the Brunswick Sewer District on forms prescribed and furnished by them at their offices. See also Article II, Section 3.
- c. All applicants for permits for sewer connections involving commercial or industrial wastewater, in addition to compliance with paragraphs (a.) and (b.) above, shall also file application for permit to discharge wastes to the facilities of the District. Such application shall be made to the District on forms provided by the Superintendent.
- d. All applicants for permits for sewer connections involving commercial or industrial floor drains or other non-standard wastewater, in addition to compliance with paragraphs (a.) and (b.) above, shall also file an application for a permit to discharge wastes to the facilities of the District. Such application shall be made to the District on forms provided by the Superintendent.
- e. All applications for connection or discharge to the public sewer shall, unless determined otherwise by the Superintendent, be subject to the Entrance Charge Program current at the time of application for a permit.

Sec. 3 Connection to Public Sewer.

The applicant for a building sewer permit shall notify the Superintendent when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the direction of the District.

Sec. 4 Responsibility for Connection Costs.

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 District from any loss or damage to facilities of the District that may directly or indirectly be caused by the installation of the building sewer.

Sec. 5 Building Sewer Jurisdiction.

Building sewers connected to a public sewer installed within a sewer easement of the District or beyond the property lines of private property and within any public street, alley, or right-of-way recognized by the Town are within the jurisdiction of the District, and the provisions of these Rules & Regulations apply to such building sewers.

Sec. 6 Construction Methods and Materials.

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 Maine State Plumbing Code or other rules and regulations of the Town and District.

Sec. 7 Connection of Old Building Sewers.

Old building sewers may be used in connection with new buildings only when they can be shown by the applicant to meet all requirements of these Rules & Regulations.

Sec. 8 Lifting of Wastewater Required.

Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any plumbing fixtures are too low to permit gravity flow to the public sewer, wastewater originating from such fixtures shall be lifted by an approved means and discharged to the building sewer.

Sec. 9 Protection & Restoration of Public Property.

All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. When it is necessary to disturb streets, sidewalks, parkways, and other public property in the course of the work, a permit is required by the Director of Public Works. The public property shall be restored in a manner satisfactory to the Town Director of Public Works.

Sec. 10 Abandonment of Service.

No person shall dismantle or move any building having a service entrance into a public sewer without first obtaining an appropriate permit from the Town Codes Enforcement Officer, and notifying the District Superintendent. Before the building is dismantled or moved, the entrance of the service into such building shall be sealed with a watertight plug. The plug shall be installed under the supervision of the Superintendent. If the building sewer is determined by the Superintendent to be unserviceable, the owner shall at the owner's expense remove such service and seal the opening at the entrance to the public sewer.

Sec. 11 Responsibility for Building Sewer Repairs and Maintenance.

All costs and expenses incident to repairs and maintenance of the building sewer from the wall of the building to the point of entrance to a public sewer shall be borne by the owner.

It is the property owner's responsibility to promptly notify the District at the first sign of a possible problem or plug-up with the property's sewer line. Unless promptly notified, the District will not be responsible for any cost or expense incurred by the owner in response to the problem or plug-up, if it is later determined that the problem or plug-up is in the public sewer.

Sec. 12 Unpolluted Water Prohibited.

No person shall discharge or cause to be discharged any rainwater, surface water, groundwater, roof runoff, subsurface drainage, cooling water, or unpolluted commercial or industrial process water, to any public sewer. Plumbing systems not meeting this requirement and which existed prior to 1964 will be allowed until the existing plumbing system is repaired or renovated making separation feasible. At such time, the unpolluted discharge shall be removed from the public sewer at the owner's expense.

Sec. 13 Harmful Waste Prohibited.

No person shall discharge or cause to be discharged into any public sewer any of the below-described substances, materials, wastes, or wastewaters:

- a. Wastewaters having a pH outside the limits required to be met by the District under its NPDES and MDEP discharge permits, or having any other corrosive property capable of causing damage or hazard to any facilities or personnel of the District.
- b. Gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas.
- c. Solid or viscous substances in such quantities or of such size to be capable of obstructing the flow in sewers, or interfering with the proper operation of the facilities of the District, such as but not limited to: ashes, bones, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.

- d. Any waters containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes, to interfere with any waste treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the Androscoggin River.

Sec. 14 Harmful Wastes Limited.

The following described substances, materials, wastes, or wastewaters shall be limited in discharges to the public sewer to concentrations or quantities which are not excessive as defined in Article I. The Superintendent may set limitations more restrictive than the limitations established below, if in the Superintendent's opinion such more restrictive limitations are necessary to meet the objectives of these Rules & Regulations.

The limitations or restrictions on materials or characteristics of wastes or wastewaters discharged to the public sewer which shall not be violated without approval of the Superintendent are as follows:

- a. Wastewater, liquid, or vapor having a temperature higher than 150° F. (65° C.).
- b. Garbage that has not been "properly shredded" as defined in Article I.
- c. Radioactive wastes or isotopes in excessive amounts or of such half-life or concentration as may exceed limits established in applicable state or federal regulations or by the District.
- d. Water or wastes which by interaction with other waters or wastes in the public sewer, release obnoxious gases or form suspended solids which interfere with or are harmful to facilities of the District or the treatment process.
- e. Wastewaters containing:
 - 1. An average concentration of suspended solids in excess of 400 mg/l, or an average concentration of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate) in excess of 600 mg/l.
 - 2. Materials which cause excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).
 - 3. An average concentration of BOD in excess of 500 mg/l, or materials which cause unusual chemical oxygen demand or chlorine requirements.
 - 4. Caustic alkalinity, calculated as CaCO₃ (calcium carbonate) in excess of 100 mg/l.
 - 5. Fats, wax, grease, or oils, whether emulsified or not, in excess of 100 mg/l, or containing substances which may solidify or become viscous at temperatures between 32° F and 150° F. (65° C.).
 - 6. Excessive amounts of iron, chromium, cadmium, copper, zinc, mercury, nickel, mineral acid, or similar objectionable or toxic substances.
 - 7. Phenols or other taste- or odor-producing substances in excessive amounts.
 - 8. Materials in such concentrations as to constitute "slugs" as defined in Article I.
 - 9. Materials which are not amenable to treatment or reduction by the wastewater treatment plant, or are amenable to treatment only to such a limited degree that the wastewater treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over the District.

Sec. 15 Control of Wastewater Strength.

If any wastewaters or wastes are discharged, or are proposed to be discharged, to the public sewers containing excessive substances or possessing characteristics included but not limited to those listed in Article II, Section 14, the Trustees may do any or all of the following:

- a. Reject the wastewaters or the wastes.
- b. Require that pretreatment of wastewaters or wastes be provided to modify them to an acceptable condition for discharge to the public sewer.
- c. Require control over the quantities and rates of discharge of the wastewaters or the wastes.
- d. Require payment to cover the added costs of handling and treating the wastes under the provisions of Article III, Sections 6 & 7.

Sec. 16 Waste Characteristic Change.

Any person proposing a substantial change in the volume or character of wastewater that is being discharged into a public sewer shall notify the Superintendent at least 45 days prior to the proposed change.

Sec. 17 Septic Tank Waste.

No person shall discharge or cause to be discharged into any public sewer, wastes from septic tanks, holding tanks, or other private sewage disposal systems, except as specifically authorized by the Trustees.

Sec. 18 Potable Water Meter Required.

All new connections to the public sewer shall incorporate a potable water meter, which shall be the basis for determining the actual quantity of water supplied to the property, and the resulting sewer user charge. Property not metered from a public water supply shall install the potable water meter at the point where the non-public water supply enters the building. The potable water meter shall be of a type approved by the District. Installation of the meter shall be inspected and approved by the Superintendent prior to use.

Sec. 19 Interceptors Required.

Grease, oil and sand interceptors shall be provided when, in the opinion of the Trustees 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 Superintendent, and shall be located as to be easily accessible for cleaning and inspection. Grease, oil, or sand interceptors shall be installed and maintained continuously in effective operating order by the owner at the owner's expense. The Superintendent shall have the right to inspect such interceptors in accordance with Article II, Section 25.

Sec. 20 Control Structure Required.

When required by the Trustees, the owner of property served by a public sewer carrying wastes shall install a suitable control structure and wastewater flow-measuring and monitoring device to carry out the purpose of these Rules & Regulations. Such structure and measuring devices shall be constructed in accordance with plans submitted to and approved by the Superintendent. The structure and flow-measuring device shall be installed and maintained continuously in effective operating order by the owner at the owner's expense.

Sec. 21 Preliminary Treatment Facilities Required.

When required by the Trustees, the owner of any property served by a public sewer shall provide preliminary treatment facilities to carry out the purpose of these Rules & Regulations. Applications for permit to install pretreatment facilities are to be accompanied by plans, specifications and other pertinent information, which must be approved by the Superintendent prior to discharging into facilities of the District. All preliminary treatment facilities shall be installed and maintained continuously in effective operating order by the owner at the owner's expense.

Sec. 22 Monitoring of Commercial and Industrial Wastes.

All commercial and industrial users discharging into a public sewer shall perform such monitoring of their discharge as the Superintendent may reasonably require. Such monitoring of commercial and industrial wastes may include flow, suspended solids, pH, and BOD, and/or any other physical or chemical parameter that may be excessive.

All measurements, tests and analyses shall be determined in accordance with the "*Standard Methods for the Examination of Water and Wastewater*", latest edition. Sampling location, times and frequency are to be determined on a case-by-case basis, subject to the approval of the Superintendent. The industry shall keep records of such monitoring, and the records shall be made available upon request by the Superintendent or other agencies having jurisdiction over discharges to the Androscoggin River.

The District may conduct such monitoring of any wastewater discharged to its facilities as it deems appropriate, under its commercial and industrial waste discharge pretreatment program.

Sec. 23 Special Agreement with Industry.

No statement contained in these Rules & Regulations shall be construed as preventing any special agreement or arrangement between the District and any industry, whereby an industrial waste of unusual strength or character may be accepted by the District for treatment, provided that such agreements do not contravene any requirements of existing federal laws, and are compatible with the user charge and all other District programs and policies currently in effect.

Sec. 24 Tampering Prohibited.

No person other than an authorized representative of the District shall open, close or otherwise tamper with any of the maintenance holes, pump stations, or other facilities of the District.

Sec. 25 District Access to Sewered Property.

The Superintendent shall have the right at all reasonable hours to free entry to any property connected with the public sewer for the purpose of examining the property and sewer connections, to determine the purposes for which the sewer is used and the proper sewer use charges, and to enforce these Rules & Regulations.

Sec. 26 Liability for Violations.

Any person violating any of the provisions of these articles shall become liable to the District for any expense, loss or damage to the District caused by such violation.

Sec. 27 Notice of Violation Required.

Any person found to be in violation of any provision of this article shall be served by the District with a written notice stating the nature of the violation and providing a reasonable time limit, as determined by the Trustees, for the satisfactory correction thereof. The offender shall, within the period of time stated in the notice, permanently cease all such violations. Otherwise the District may correct such violation and charge all expenses thereof to the violator.

Sec. 28 Fine.

Any person who shall continue any violation beyond the time limit provided for in Article II, Section 27 shall be liable to the District in an amount of one hundred dollars (\$ 100.00) per diem until such violation is corrected or abated.

ARTICLE III

SEWER USER CHARGE.

Sec. 1 User Charges Established.

Each person discharging wastewater to a public sewer shall be subject to a sewer user charge. The user charge shall be based on the quantity, strength, and characteristics of the wastewater discharged to the public sewer.

The Trustees shall, after public notice and hearing, establish user charges and a Schedule of Rates for all uses of the facilities of the District, as provided in this article and in the District Charter.

The current Schedule of Rates, which is published separately, shall be considered an integral part of these Rules & Regulations.

Sec. 2 Metered Sewer Users.

Charges for sewered properties where potable water is derived from metered sources shall be established for the actual quantity of water supplied, as determined by the water meter readings obtained, except that the Trustees shall adjust the amount of wastewater where it can be determined by the Trustees that the amount of wastewater is greater than or less than the amount of metered potable water supplied. See Rate Schedule I.

Adjustments for metered water not entering a public sewer may be granted if requested by the user and if warranted in the opinion of the Superintendent. Adjustments shall be in accordance with the current Sewer Use Billing Adjustment Policy adopted by the Trustees, which is published separately, and which shall be considered an integral part of these Rules & Regulations.

Sec. 3 Unmetered Sewer Users.

Charges for sewered properties where potable water is derived from unmetered sources, shall be established such that these charges are consistent with charges for similar properties with metered potable water. These charges shall be based on an estimated amount of wastewater from each type of plumbing fixture connected to the public sewer. See Rate Schedule II.

Sec. 4 Roof Drains, Catch Basins and Cellar Drains.

Charges for sewered properties which have existing roof drains, catch basins, cellar drains, or other sources which discharge unpolluted wastewater into the public sewer system shall be based on the estimated amount of wastewater which enters the public sewer from these sources. See Rate Schedules III and IV.

Sec. 5 Septic Tank Waste.

Charges for septic tank waste and holding tank waste shall be based on the cost of handling and treating such waste. See Rate Schedule V.

Sec. 6 Surcharge Limits.

Where the strength or characteristics of wastewater accepted into the public sewer exceeds limits set by the Trustees, a surcharge shall be added to the normal user charges. Surcharge rates for suspended solids and BOD shall be applied in accordance with the Schedule of Rates currently in effect, when their average concentration exceeds the following limits:

- a. Suspended Solids 300 mg/l
- b. Biochemical Oxygen Demand 300 mg/l

The Trustees may adjust these limits, and set limits for other wastewater characteristics as necessary.

Sec. 7 Industrial Waste.

Charges for industries using the public sewer shall be established as provided in Article III, Section 6.

Sec. 8 Water not Entering Public sewer.

No sewer rate shall be charged for water metered by a meter which is installed and maintained at the owner's expense and metering water not entering the public sewer.

Sec. 9 Rates Due From Owner.

All rates are due from the owner of the property served by the public sewer, and such owner shall be held responsible.

Sec. 10 Rates Due Quarterly.

All rates shall be due and payable to the District quarterly. Failure of the user to receive a bill does not relieve the user of the obligation of its payment.

Sec. 11 Late Payment or Non-Payment of Rates.

A late payment charge may be applied to rate bills which remain unpaid for longer than 30 days after the billing date. The late charge shall be one-and-one-half percent (1.5 %) per month of the unpaid balance, but not less than \$ 2.00 per bill. The District may also record a lien against the property at the Cumberland County Registry of Deeds to secure payment of rates in accordance with the Charter. Such a lien constitutes a mortgage having priority over all other mortgages except those of taxes, and said mortgage automatically forecloses after 18 months after date of recording if not paid.

ARTICLE IV

SEWER ENTRANCE AND EXTENSION POLICIES.

The cost of capital improvements to the facilities of the District made necessary by increased use must be allocated evenly, fairly and equitably among those users creating the demand. For any private sewer entering the District system, or for any increased use, pursuant to Section 26 (1.) of the Charter an entrance charge will be paid into a separate and distinct fund, to be known as the "Entrance Charge Fund", with the proceeds in this fund to be applied solely towards the overall capital and facility-related costs, and towards financing the necessary improvements to the District's facilities, so as to maintain the current excess capacity achieved by prudent planning.

Sec. 1 Entrance Charge Established.

The purpose of this charge is to insure that new users and current users with change of use or increased flows bear a proportionate share of the cost of capital expenditures necessary to replace and upgrade the sewer facilities within the District's boundaries, in order to maintain the excess capacity and to protect the public health and welfare.

The current Schedule of Entrance Charges adopted by the Trustees, which is published separately, and which may be amended by them from time to time, shall be considered an integral part of these Rules & Regulations.

Sec. 2 Use of Entrance Charge Funds.

Funds collected for entrance charges shall be used solely for the purpose of acquiring, equipping and/or making capital improvements necessary to serve growth, along with all costs related thereto, including but not limited to the engineering, legal and financial costs of facilities under the jurisdiction of the District.

Sec. 3 Entrance Charge Due and Payable.

The entrance charge shall be calculated at the time of application for permit to connect, on the basis of the current Schedule of Entrance Charges.

The entrance charge shall be due and payable by the property owner or agent at the time the permit is issued.

Sec. 4 Extensions of the Public Sewer System.

These Rules & Regulations shall apply to all extensions of the existing public sewer system, including those which are in existing or proposed rights-of-way of the Town of Brunswick, or in existing or proposed easements held by the Brunswick Sewer District.

Sec. 5 Sewer Extension Criteria and Standards.

Criteria and standards of extensions of the existing public sewer system will be determined by the District based on:

- a. the current Collection & Pumping System Facilities Study Report adopted by the Trustees;
- b. the current Facilities Extension Policy adopted by the Trustees;
- c. District design and construction standards and specifications;
- d. industry design and construction standards and specifications;

each of which shall be considered an integral part of these Rules & Regulations.

Sec. 6 Planning of Sewer Extensions.

District long-range planning will be accomplished so as to reflect policies stated in the Town of Brunswick Comprehensive Plan.

The District will work closely with the Town Public Works Department so as to coordinate sanitary sewer facilities installation with other public works.

Sec. 7 Consultation on Sewer Extension.

Prior to authorizing any sewer extension, except by specific state or federal mandate, the Trustees shall notify the Town Council and consult with the Town Planning Board in order to assure conformity with their comprehensive plans and other public policies relating to growth and development. The Trustees shall publish notice of the proposed action in a newspaper with general circulation in the District, no less than seven (7) days prior to the meeting at which they will take final action on authorization of the extension.

Sec. 8 Public Hearing on Sewer Extension.

A public hearing shall be held prior to authorizing the extension of an existing sewer line or the construction of a new sewer line, by a distance equal to 500 feet or more within any 3-year period. If the public health and welfare of the community, as determined by the Town Health Officer, might be adversely affected by delay, the hearing may be waived.

Sec. 9 Sewer Extension to Serve Existing Development.

a. Scope:

This section applies to construction of all extensions, additions, upgrades, and expansions of public sewer facilities constructed to serve existing developments or subdivisions.

b. District May Construct:

The District may construct new sewer facilities to serve existing development or subdivisions, if so requested in writing by proposed users within the development or subdivision, or on the advice of the Town Public Health Officer or an appropriate environmental agency, that such construction is in the best interest of public health, safety, or welfare.

c. Those Benefitting Responsible for Costs:

All costs related to construction shall be paid by proposed users benefiting from the new sewer facilities, as set forth in Section 34 of the Charter. Such costs include, but are not limited to:

1. plan review, revision, and approval, and any studies performed in connection therewith;
2. actual costs of project construction;
3. inspection and testing;
4. administrative, engineering, legal, and other costs;
5. costs associated with changes to existing District facilities necessary to provide service to the development.

d. Trustees to Determine Eligibility:

The Trustees shall determine what portions of the construction costs can be funded by the District, in accordance with the District Charter and Rules & Regulations.

e. Hardship, District May Participate:

In the event that public sewer is installed on District initiative for reasons of public health, safety, or welfare, and the property owner's share of the cost of construction would create undue hardship on the property owner, as determined by the District, then the District may choose to contribute.

f. Future Connection of Non-Participating Property:

Non-participating properties that later connect to a public sewer extended to serve existing development after the sewer has been installed will be assessed as if an original participant.

- g. Sewer Extension to Serve Mixed Existing and New Development:

In the event a proposed sewer line extension involves both existing development and proposed development or subdivision, details of the construction and financing shall be determined on a case-by-case basis.

Sec. 10 Sewer Extension to Serve New Development.

- a. Scope:

This section applies to construction of all extensions and additions of public sewer facilities, including facilities privately constructed to serve proposed developments and subdivisions and intended to be assumed by the District.

- b. Developer to Submit Plans.

The Developer shall submit plans for the proposed facilities to the Town Planning Board for its approval in accordance with Town ordinances and applicable state agency law, rules, and regulations. During this process, the Superintendent shall review and approve or reject the design of the proposed facilities. However, such approval shall not constitute authorization to construct, which shall be separately sought, and which shall be governed by Article IV Section 10 f of the these rules.

- c. District to Determine Installation:

The proposed facilities, at the District's discretion, may be installed by the District or its subcontractor. In appropriate circumstances, the District may authorize the Developer to use its employees or subcontractor in construction.

- d. Developer Responsible for Costs:

The Developer shall bear all costs related to construction of the proposed facilities, and shall reimburse the District for all costs, both direct and indirect, incurred by the District in connection with such construction, including but not limited to:

1. plan review, revision, and approval, and any studies performed in connection therewith;
2. actual costs of project construction;
3. inspection and testing;
4. administrative, engineering, legal, and other costs;
5. costs associated with changes to existing District facilities necessary to provide service to the development.

e. Trustees to Determine Eligibility:

In the event the District requires changes to the design of the proposed facilities specifically to accommodate future expansion areas, the Trustees may contribute accordingly, to the extent permitted by the Charter.

f. Developer to Obtain Authorization to Construct.

The Developer shall obtain authorization to construct the facilities from the Trustees prior to commencing construction. Such request must be submitted to the Superintendent at least thirty (30) days before a regular meeting of the Trustees to be considered at that meeting.

g. District to Approve Construction:

When the construction is not performed by the District or its subcontractor, the District may review and observe, with the right of approval, the work of the Developer.

No waste shall be allowed into the public sewer system from a new sewer facility until its installation has been inspected and approved by the Superintendent.

h. Developer to Warrant Construction:

All new sewer facility shall undergo a warranty period for a length of time as determined by the Superintendent. During the warranty period, ownership and responsibility for operation and maintenance and all costs associated therewith shall remain with the Developer.

Following completion of the warranty period and correction of any defects, the Developer may request the District to accept ownership of the new sewer facility (see Article IV, Section 11). Request for acceptance shall made by the Developer in writing.

All entrance charges and sewer user charges derived from the new sewer facilities during the warranty period shall remain the sole property of the District.

Sec. 11 District to Own Facilities.

The Brunswick Sewer District, being the appropriate entity to own, operate, and maintain the public sanitary sewer facilities, to include but not limited to lines, maintenance holes, pump stations, treatment plants, and sludge utilization and disposal facilities, such facilities shall become the property of said District after its acceptance by the Trustees.