



TOWN OF WALPOLE

BOARD OF SEWER & WATER COMMISSIONERS

RULES AND REGULATIONS

BOARD OF SEWER & WATER COMMISSIONERS
RULES & REGULATIONS

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<u>DRAINAGE</u>	This section is not part of these regulations at this time.	Previous regulations are included in pages 51-58	

ARTICLE I SEWER INTRODUCTION

SEWER INTRODUCTION

SECTION A	<u>PURPOSE</u>
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PURPOSE

To establish a fair and equitable method of administering an assessment and user charge to all properties receiving benefit or advantage from public sewerage construction.

SECTION B	<u>AUTHORITY</u>
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AUTHORITY

Chapter 83, Section 14, General Laws, Commonwealth of Massachusetts which

.....gives Towns the authority to assess owners of land who receive benefit from the sewer construction, a proportional charge for the benefits received from construction of a sewerage system.

Chapter 120, Acts 1930, of the Commonwealth of Massachusetts as amended by Chapter 547, Acts 1978 that says in part:

“the Town shall, by vote, determine what proposition of the cost of the said system or systems of sewerage and sewage disposal the Town shall pay in accordance with the provisions of Section 23 of Chapter 83 of the General laws.”

Article 38, of the Town of Walpole Adjourned Town Meeting of March 2, 1931 that says in part:

“... The Town pays one-half the cost of the sewerage system, and the other one-half of the cost of said sewerage system be assessed on the persons or properties benefited thereby.”

Chapter 172, Acts 1977, of the Commonwealth of Massachusetts that says in part:

“...The Town of Walpole, acting through its Board of Sewer & Water Commissioners, may provide that assessment...shall be made...at a rate based upon a uniform unit method.”

ARTICLE II

SEWER DEFINITIONS

SECTION A

EXPLANATION

For the purpose of these regulations, the following words and phrases shall have the meanings indicated.

Section A-1

Commercial Use

Premises used for financial gain, such as business or industrial use, but excluding residential uses and related accessory uses.

Section A-2

Common Sewer

Sewer used by more than one residence.

Section A-3

Easement Main

The line serving as a conduit for sanitary sewage that is located within an easement on public or privately owned lands.

Section A-4

Force Main

A line providing a connection from a pumping station to a trunk or sewer main.

Section A-5

Frontage

Street frontage as measured along the exterior street line abutting the sewer main from one side of the lot to the other. On corner lots, frontage shall be measured by one-half the length of the arc connecting the two streets, plus the remainder of the street frontage on the longer side of the lot abutting the sewer improvement.

Section A-6

General Benefit Facilities

Improvements such as pumping stations, trunks, force or easement mains which provide benefit or advantage to an area exceeding that served by special benefit facilities.

Section A-7

Inflow Dish

A tool that is placed on a manhole frame under the cover to reduce water from entering during rain events through manhole covers.

Section A-8

Multi-Family Dwelling Unit

Premises with three or more single-family units with one sewer service connection.

Section A-9

Potential Residential Lot

A parcel of land which, to a depth of 200 feet from the street line, either meets or can be subdivided so as to meet the applicable

minimum frontage and area zoning requirements such that a dwelling unit can be built upon the lot as a matter of right.

Section A-10

Semi-Public Lot

Premises of private, non-profit organizations such as schools, hospitals and religious institutions.

Section A-11

Sewerage Construction Project

May include one or more construction contracts.

Section A-12

Sewer Extension

Means the construction of a sewer line together with appurtenant works that is connected to the Town of Walpole sewer system and services two (2) or more buildings or properties.

Section A-13

Sewer Main

The line, with a public or private way, serving as conduit for sanitary sewage from the lateral lines from each individual property.

Section A-14

Sewer Service Connection

The extension of the particular sewer from the foundation wall to its junction with the sewer main or with a private sewer serving the purpose of a sewer main.

Section A-15

Sewer Unit

Assessment or entrance fee equivalent, corresponding to a single family dwelling, as established by these regulations.

Section A-16

Single Family Dwelling Unit

One or more rooms providing a unit for complete living facilities for one family or its equivalent, including cooking, eating, sleeping, living and toilet facilities with one sewer service connection.

Section A-17

Special Benefit Facilities

The Sewer Main to which a lateral line from an abutting property can be connected.

Section A-18

Trunk Main

The line serving as a conduit for sanitary sewage from a number of sewer mains and lateral lines.

Section A-19

Two Family Dwelling Unit

Premises with two single-family dwelling units with one sewer service connection.

Section A-20

Unit Method

A means, by which costs for special benefit facilities shall be apportioned, based on the total number of existing and potential sewer units served.

Section A-21

Zoning By-Law

The Zoning By-Laws in effect in the Town of Walpole at the time the sewerage assessment is levied.

ARTICLE III

SEWER ASSESSMENT

SECTION A

COST APPORTIONMENT—UNIFORM UNIT METHOD

The Board of Sewer & Water Commissioners of the Town of Walpole shall assess public sanitary sewerage construction costs to all properties receiving benefit from the sewer on the basis of the unit method as hereinafter described. All costs for the design and construction of general benefit facilities may be separated from special benefit facilities costs. The total assessment for a particular sewerage construction project shall be equal to 75% of the entire project cost for all facilities unless noted otherwise. The project cost shall include total costs of engineering survey and design, construction, resident engineering, and all related contingencies, less all State and Federal aid received.

Sewerage construction costs may be divided between the total number of existing and potential sewer units to be served after having proportioned the cost of special and general benefit facilities. Each sewer unit shall be equal to a single-family dwelling unit. Potential sewer units shall be calculated on the basis of zoning then in effect. Existing and potential multi family, commercial, industrial and semi-public uses shall be converted into sewer units on the basis of general residence single family dwelling unit equivalents.

A portion of costs of the general benefit facilities may be apportioned by the uniform unit method on all developed and undeveloped areas to receive benefit or advantage within the pumping district or combination of districts. The cost of the general benefit facilities, attributable to undeveloped land not abutting a sewer street, may not be assessed until properties are serviced by public sewerage. The proportional cost of the special benefit and general facilities may be assessed against all properties abutting a sewer street. For the purposes of these regulations, only land area within two hundred (200) feet of the street line abutting a sewer street within six months after the completion of the improvement. In the order of assessment, they shall designate as the owner of each parcel the person who was liable to assessment, therefore on the proceeding January 1st under the provision of Chapter 59, of the General Laws.

SECTION B

SEWER UNIT ESTABLISHMENT

For assessment purposes, all properties receiving benefit from the sewerage system shall be converted into sewer units; land areas or buildings previously assessed or charged a sewer entrance fee shall not be included when establishing the sewer units.

Section B-1

Residential District Zones

- a. A single-family dwelling unit shall comprise a sewer unit.
- b. A two family dwelling unit shall comprise two sewer units.
- c. A multi family dwelling unit (three or more families) shall comprise the number of sewer units obtained, (i.e., a four family equates four units).
- d. Potential residential lots, as well as all lots having existing commercial or semi-public uses shall be converted into sewer units on the basis of the maximum number of buildable lots obtainable using the applicable minimum frontage and area requirements as in the Zoning By-Laws, and each lot comprising a sewer unit.

Section B-2

Non-Residential District Zones

- a. All residential property shall be converted to sewer units as though the property were in a General Residence District Zone.
- b. All non-residential property shall be converted to sewer units on the basis of the maximum number of buildable residential lots obtainable using the applicable minimum frontage area requirements as in the General Residence Zone. Each lot thus obtained shall comprise a sewer unit.

SECTION C

SEWER ENTRANCE AND FEES

The purpose of this section of the regulations is to establish a fair and equitable method of charging entrance fees to all properties receiving benefit from a connection to the public sanitary sewer system. These regulations supersede all previous sewer entrance fee regulations.

Any owner of property, which has been assessed a sewerage benefit assessment who wishes to connect to the sanitary sewer main shall upon application for connection to the sanitary sewer pay an entrance, as per the current fee schedule. Any owner of property which has not been assessed a sewerage benefit or is not assessable for any reason, shall pay an additional fee as per the current fee schedule, per sewer service connection for connecting to the sanitary sewer main.

Section C-1

**Installation & Inspections of All Sanitary
Sewers, Including Service Connections**

- a. All sanitary sewer installations and service connections shall be completed by a duly licensed drain installer and all cost for such installation will be the responsibility of the developer or property owner.
- b. No sanitary sewers or service connections are to be constructed prior to the issue of all necessary permits, licenses, and payments for such permits, licenses and connection fees have been received by the Sewer Department.
- c. All installations are required to be inspected prior to backfilling and further tests may be required if deemed necessary such as in a case of a common sewer.
- d. All installations, materials and slopes are to be in accordance with the current practices as established by the Department of Public Works.
- e. All sewer mains shall be inspected in the presence of the Town, by use of a **video surveillance camera**. A video copy of such inspection shall be provided to the Town. Any defects in the piping system shall be repaired to the satisfaction of the Town. Such inspection shall be conducted after backfilling of the sewer main and completion of all other adjacent utilities, and thirty (30) days prior to bond release.
- f. All excess material including dirt, loose concrete, bricks, grit, stones and any other material, shall be removed from all manholes and sewer mains prior to final acceptance by the Engineer.

Section C-2

National Pretreatment Standards

- a. All users of the sewer system shall comply with the most stringent of National Pretreatment Standards as set forth by the EPA, state or local requirements or limits contained in 360 CMR 10.024.

ARTICLE IV

ANNUAL USER CHARGES

SECTION A

PURPOSE

Every person, estate or corporation who enters his particular sewer into the common sewer shall pay a Sewer Use Charge.

Section A-1

Categories of Users and Use Charges

There shall be two categories of sewer users as follows:

- a. Domestic and Commercial

*All users of the sewer system who discharge less than 25,000 gallons per day into the sewer system shall be classified as domestic and commercial users.

*The Domestic and Commercial Use Charge will be based on eighty percent (80%) of the annual water usage at a rate as per the current fee schedule.

*Domestic Use Charge for properties not serviced by a metered water source will be charged in accordance with the average water use X (times) 80%. Average use is 125 gallons per day per person residing within the property as based on Town census from the previous year. Domestic private water supplies shall have a town meter installed for the purpose of determining a sewer charge. This should be completed by January 1, 2014.

*Billing will be made on a frequency set up in the current fee schedule, and the charges based on the actual or estimated water usage for the preceding billing period.

b. Industrial

*The Industrial Use Charge shall be based on actual sewage discharge at the rate of the current fee schedule.

* All Industrial Users shall install metering devices at the expense of the Industrial user, to measure and record the discharge of wastewater into the sewer system. Each Industrial User shall be responsible for the proper operation, maintenance and accuracy of said metering device. Said devices will be tested yearly and calibrated for accuracy and proof of such accuracy shall be promptly given to the Commission.

*Each Industrial User will furnish the Commission, by the tenth of each month, with a monthly discharge report for the preceding month. The monthly report shall contain, at a minimum, a tabulation of maximum, minimum and total daily flow with an explanation of any changes. The Town of Walpole, as agent for the Commission or his representatives, will have free access to the property of each Industrial User to read wastewater discharge meters, as required and to verify the accuracy of said meters.

*Billing to Industrial Users will be made on a frequency set up in the current fee schedule.

ARTICLE V

INFLOW/INFILTRATION REMOVAL

SECTION A

INSTALLATIONS AND CONNECTIONS

No person(s) shall make connection of roof downspouts, foundation drains, sump pumps, area drains, or other sources of surface runoff or groundwater to a building sewer or building drain, which in turn is connected directly or indirectly to the public sewer. Any persons found discharging any material from said sources shall be subject to penalties as set forth in these regulations. The Board or his representative reserves the right to inspect any property to confirm that there are none of the aforementioned unauthorized connections to the public sewer.

SECTION B

DISCHARGE RESTRICTIONS

No person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted process water to any Sanitary Sewer.

SECTION C

STORM SEWER & NATURAL OUTLET DISCHARGE

Stormwater and other unpolluted drainage shall be discharged to such Public Sewers as are specifically designated as Storm Sewers, or to a Natural Outlet approved by the Board. Industrial cooling water or unpolluted process waters may be discharged, on approval of the Board, to a Storm Sewer or Natural Outlet.

SECTION D

REGULATION FOR SEWER PRIVILEGE FEES RELATED TO INFLOW/INFILTRATION

Definitions:

Applicant

Shall mean the entity or individual applying for a permit issued by the Board of Sewer and Water Commissioners to connect to the Town sewerage system.

Board

Shall mean the Town of Walpole Board of Water and Sewer Commissioners.

Infiltration

Shall mean water other than wastewater that enters any sanitary sewer (including building sewers) from the ground through means which include, but are not limited to, defective pipes, pipe joints, service connections, or manholes. Infiltration does not include, and is distinguished from, inflow.

Infiltration and Inflow (I/I)

Shall mean the quantity of water from both infiltration and inflow.

Inflow

Shall mean precipitation or surface runoff that enters a sanitary sewer through direct and indirect sources such as downspouts, catch basins, area

drains, sump pumps, subsurface drains, interconnections between sanitary sewers and storm drains, etc.

Superintendent Shall mean the Sewer and Water Superintendent of the Department of Public Works.

Section 1 – I/I Mitigation Requirements

- A. The permit issued by the Board to connect to the Town sewerage system shall require the Applicant to be responsible for compliance with the Town’s infiltration/inflow (“I/I”) mitigation program as described herein, unless such compliance is assumed by the Board.
- B. For all residential properties and all non-residential properties, all new connections to the public sanitary sewer and all existing connections where the property is completely or substantially reconstructed, I/I for each unit shall be removed from the sanitary sewer at the ratio and rate as per the most recent fee schedule of the Sewer & Water Commissioners.

Unless responsibility is assumed by the Board, any person or entity changing, altering, repairing, adding to or improving their residential property or their non-residential property in any way that may impact the public sewer system, or any person or entity seeking to add wastewater to an existing non-residential sewer connection or a residential sewer connection shall remove and/or pay for the removal of the number of gallons of I/I from the sewer system, as per the most recent fee schedule of the Sewer & Water Commission for each 1 gallon of wastewater flow requested in the application for sewer service (Title 5 (310 CMR 15) shall be used to determine flow rates). Infiltration measurement and removal percentages shall be in accordance with the Massachusetts Department of Environmental Protection’s Guidelines for Performing Infiltration/Inflow Analyses and Sewer System Evaluation Surveys.

The Superintendent may determine that sources of infiltration and inflow are not appropriate for removal at the time of the permit or request, and may assess the monetary mitigation in lieu of actual I/I removal. Alternatively, a combination of I/I removal and monetary mitigation may also be requested by the Superintendent.

Any infiltration/inflow removed from the sewer system as part of the infiltration/inflow requirements of this section shall be verified by a pre-rehabilitation and post-rehabilitation evaluation and testing program approved by the Superintendent and adequate to demonstrate compliance with the removal requirements of these regulations. Any I/I removed from the sewer system as part of I/I monetary mitigation may not be applied to future removal requirements without the written authorization of the Superintendent.

Section 2 – Monetary Mitigation Requirements

When monetary mitigation is assessed by the Superintendent, the I/I Mitigation Requirements shall be administered in accordance with the following provisions:

- (a) Monetary mitigation chargeable by the Town for I/I Mitigation and payable by the applicant shall be determined by the Superintendent. The I/I Mitigation monies shall be deposited in a Performance Deposit Account established pursuant to the provisions of G.L. c. 44, §53G½ to be used only for improvements to the public sewer and drainage systems to accomplish the objectives stated in this section, as determined by the Superintendent and approved by the Town Auditor.
- (b) The Superintendent shall maintain the authority to determine how much monetary mitigation is required prior to issuance of a permit. The Superintendent shall also maintain the authority to require payment of security by the applicant in the form of a bond as deemed satisfactory by the Town or cash to be held in a Performance Deposit Account established pursuant to G.L. c. 44, §53G ½. The funds deposited into said Performance Deposit Account shall be maintained as security to guarantee adequate removal of I/I by the applicant. If security is required by the Superintendent, the applicant shall execute a security contract in a form as provided by the Town establishing the terms under which the Town shall maintain the security in the Performance Deposit Account.

SECTION E

INFLOW DISHES

Section E-1

Installation

For the initial installation and any time the inflow dish needs to be re-installed the following instructions must be followed:

1. The manhole must be measured to get the EXACT dimensions of the manhole to ensure the Inflow dish is the correct size and works properly.
2. The manhole frame shall be cleaned of all dirt and debris before placing the manhole insert on the rim.
3. The manhole insert shall be fully seated around the manhole frame rim to prevent water from infiltrating between the cover and the manhole frame rim.

ARTICLE VI

GREASE TRAPS

A grease trap shall be required on sewer lines into which animal and/or vegetable fats may be discharged.

An approved interior or exterior interceptor trap shall be installed in the waste line leading from sinks, drains, or other fixtures in such establishments as restaurants, cafeterias, hotels or others where grease can be introduced into the sewer system. The Commission or their designee shall make determination as to whether or not a trap is required. All required grease traps shall be the type and capacity as required within the Massachusetts Plumbing Code 248 CMR 2.08.

Grease traps shall be readily accessible for inspection and cleaning and shall be maintained in accordance with 310 CMR 15.06 (13) (DEP), so as to provide proper and effective operation. Any and all maintenance as well as associated costs shall be the sole responsibility of the owner or authorized user. Maintenance of such trap shall be recorded on the grease control log provided by the Commission. The Sewer & Water Commission shall have the right to inspect facilities at any time in accordance with Article VIII of the Sewer Use Ordinance and any facility found to be in noncompliance of this regulation shall be subject to fines and/or other administrative penalties, up to and including termination of service to the premises.

ARTICLE VII

RIGHT TO ENTER AND INQUIRE

The Sewer & Water Commission and their duly authorized agents, bearing proper credentials and identification shall be permitted to enter, at reasonable times, all properties connected with the Public Sewers for the purposes of inspection, observation, measurement, sampling, and testing, all in accordance with the provisions of these Regulations. They may inquire into any processes including metallurgical, chemical, oil refining, ceramic, paper, plating, or other industrial activity that contribute waters or wastes to the Public Sewer, but shall not order or demand information concerning any patented process or trade secret beyond that necessary to determine the kind, source, and amount of sewage discharge from the industrial or commercial plant to the Public Sewers.

ARTICLE VIII

MISCELLANEOUS

SECTION A

ABATEMENTS RELATIVE TO SEWER CHARGES

It is expressed policy of the Board of Sewer & Water Commissioners that before consideration will be given to any request for abatement, the disputed bill must be paid in full except in those cases where a clear cut error was made during billing.

SECTION B

COST OF CLEANING SEWER SERVICE CONNECTIONS

It is the policy of the Board of Sewer & Water Commissioners that the cost of cleaning sewer service connections be borne by the property owner served by the connection. The Town will only maintain sanitary sewer mains located in streets.

SECTION C

CHANGES IN RULES & REGULATIONS

These rules and regulations may be rescinded or modified or added to by the Commission at any time when, in their opinion, such action is for the best interest of the Town of Walpole.

ARTICLE I

SEPTAGE FACILITY DEFINITIONS

Section A-1

Facility Operator

Shall mean the operator of the septage facility or his authorized representative.

Section A-2

Hauler

Shall mean any person or firm who contracts for the pumping transport and disposal of septage, and has a Septage Handlers Permit issued by the local Board of Health and a license issued by the Sewer & Water Commission.

Section A-3

pH

Shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams in a molar solution. (Measurement of Acidity)

Section A-4

Industrial/Commercial Wastes

Shall mean the liquid or solid wastes from industrial, manufacturing or processing trades or business, even if emanating from a residence as distinct from sanitary wastes.

Section A-5

Sanitary Wastes

Shall mean septage discharged from sanitary conveniences such as toilets, urinals, sinks, showers, household laundries and kitchens. It shall be free of industrial wastes, grease or toxic material, though it may emanate from industrial or commercial establishments.

Section A-6

Septage

Shall mean the waste as described in Section A-5 that originates from holding tanks such as septic tanks and cesspools.

Section A-7

Septage Receiving Facility or Facility

Shall mean the "Walpole Septage Receiving Facility".

Section A-8

Shall

Means mandatory.

ARTICLE II

HOURS AND PROCEDURES FOR DISCHARGE

SECTION A

ALLOWABLE DISCHARGE

All septage shall be discharged under the conditions of the rules and regulations herein provided, under the guidance of the Facility Operator, and only by Haulers possessing a Septage Handlers Permit issued by the Town of Walpole, Board of Health, MWRA and users license issued by the Sewer & Water Commission. No load will be accepted until the following criteria is met:

1. **Records**

A septic disposal record form provided by the Town of Walpole will be legibly “**Completed**” by the hauler showing all information on such.

2. Samplings

The hauler will provide a sample of the load, drawn in the presence of the operator for the purpose of testing it for acceptance.

3. Spillage

Once accepted by the operator, the hauler will discharge as directed by the operator of the facility. Any septage spilled will be hosed down by the hauler.

4. Measuring Device

No hauler may use the facility unless their truck is equipped with an acceptable measuring device.

SECTION B

ALLOWABLE DISCHARGE, HOURS & TRUCK ROUTE

Septage originating within the Town of Walpole or any community within the designated MWRA service area with which an intermunicipal agreement is in place, will be accepted between the hours of 8:00 A.M. and 2:30 P.M.; Monday through Friday, excepting legal holidays. All haulers utilizing the facility will enter and exit Robbins Road from Route 27 (Elm Street) – **ONLY**. **Any and all waste pumped shall be disposed of at the facility not more than three (3) days after the pumping date.** In the event after hour emergency facility service is required, the following procedure shall apply:

1. The hauler must contact the Walpole Police Department at least 1.5 hours prior to arrival at the facility, at 668-1095.
2. The Police Department will in turn, contact the appropriate Town Employee or official as designated by the emergency call list.
3. At this point, all normal hour rules and regulations apply, excepting the fee (see the current fee schedule).

ARTICLE III

UNACCEPTABLE MATERIALS

SECTION A

RIGHT OF REJECTION

The operator of the facility reserves the right to reject a load for a discharge to the facility for reasons including, but not limited to the conditions below. If in the opinion of the operator, the load contains materials which are not within these established guidelines or it is not amenable to the facility or will not meet the requirements of other agencies having jurisdiction over the discharge to the sewer system, the load shall not be accepted.

1. Improper origin and identification of the source(s) or contents.
2. Inability of the facility to properly handle the load.
3. The septage contains any constituents or has any characteristics of waste other than those of “domestic”.
4. The septage has a pH of lower than 5.5 or higher than 12.0.
5. The septage contains toxic or poisonous solids, liquids or gases either singly or by interaction with other wastes; including but not limited to solvents, resins, paint, gasoline, fuel oil or other toxic materials.
6. The septage contains solid or viscous substances in such quantities or size so as to be capable of obstructing the flow or otherwise impeding the proper operation of the facility, such as but not limited to grease, sand, mud or unground garbage.

ARTICLE IV

LICENSING AND PERMITS

SECTION A

LICENSE ISSUER

No hauler shall utilize the Town of Walpole Facility unless duly licensed by the Town of Walpole, Sewer & Water Commission.

SECTION B

LICENSING REQUIREMENTS

No hauler will be issued a license by the Sewer & Water Commission until a valid Septage Handlers Permit is issued by the local Board of Health. Copies of the Board of Health permit and inspection sheet must be forwarded to the Sewer & Water Commission before issuance of the users license. A copy of the valid registration and insurance certificate for each vehicle to be utilized will be forwarded to the Sewer & Water Commission.

SECTION C

EFFECTIVE DATE OF LICENSES

User permits must be obtained by January 1 of each year and are normally effective until January 1 of the following year, unless otherwise specified by the Sewer & Water Commission, or unless revoked or suspended by the Town of Walpole.

SECTION D

INSURANCE REQUIREMENTS

All of the below, is the minimum insurance liability required:

1. **Workman’s Compensation Insurance** as required by Massachusetts general Laws.
2. **Bodily Injury Insurance** covering the operation of registered motor vehicles whether owned, leased or rented by the hauler in the amount of at least \$250,000 for injuries including accidental death to any one person and subject

3. **Property Damage Insurance** covering the operation of registered motor vehicles whether owned, leased or rented by the hauler in an amount not less than \$500,000.
4. **Non Ownership Automobile Liability Insurance** covering bodily injuries and property damage in the amounts required above.
5. **All applicable Massachusetts laws regarding septic haulers will apply.**

SECTION A MEASUREMENT

SECTION B

SECTION C NON-OPERATING HOURS SERVICE

SECTION D VIOLATION OF RULES AND REGULATIONS

ARTICLE I GOVERNING THE USE OF PUBLIC SEWERS

SECTION A	AUTHORITY
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ARTICLE II

DEFINITIONS

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

Section A-1	<p><u>Act</u> The Federal Water Pollution Control Act Amendments of 1972, Public Law 92-500, as the same shall be amended from time to time.</p>
Section A-2	<p><u>Agent</u> The Agent for the Sewer & Water Commissioners or his authorized representatives.</p>
Section A-3	<p><u>Board</u> The Board of Sewer & Water Commissioners of the Town of Walpole.</p>
Section A-4	<p><u>Board of Health</u> The Board of Health of the Town of Walpole.</p>
Section A-5	<p><u>BOD</u> (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in 5 days at 20 degrees C, expressed in milligrams per liter.</p>
Section A-6	<p><u>Building Drain</u> 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 4 feet (1.25 meters) outside the inner face of the building wall.</p>
Section A-7	<p><u>Building Sewer</u> The extension from the building drain to the public sewer or other place of disposal.</p>
Section A-8	<p><u>Combined Sewer</u> A sewer receiving both surface runoff and sewage.</p>
Section A-9	<p><u>Finance Director</u> The Finance Director of the Town of Walpole.</p>
Section A-10	<p><u>Garbage</u></p>

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

Section A-11

Guest House

Any private dwelling in which one or more rooms are rented.

Section A-12

Health Agent

The duly authorized agent of the Board of Health.

Section A-13

Hotel

Any building having fourteen or more rooms available for hire or rent.

Section A-14

Incompatible Pollutant

Any pollutant other than biochemical oxygen demand, suspended solids, pH, coliform bacteria, or additional pollutants identified in the permit, which the treatment works were not designed to treat and do not remove to a substantial degree.

Section A-15

Industrial Waste

The liquid wastes from industrial manufacturing processes, trade, or business as distinct from sanitary sewage.

Section A-16

Major Contributing Industry

An industry which falls into one or more of the following categories:

1. Has a flow of 50,000 gallons or more per average work day.
2. Has a flow greater than 5% of the flow carried by the municipal system receiving the waste.
3. Has in its waste, a toxic pollutant in excessive amounts as defined in standards issued under Section 307 (a) of the Act.
4. Has a significant impact, either singly or in combination with other contributing industries, on a publicly owned treatment works or on the quality of effluent from the treatment works.

Section A-17

MWRA

The Massachusetts Water Resource Authority.

Section A-18

Natural Outlet

Any outlet into a watercourse, pond, ditch, lake or other body of surface or groundwater.

Section A-19	<p><u>Person</u> Any individual, firm, company, association, society, corporation, partnership, or group.</p>
Section A-20	<p><u>pH</u> The logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.</p>
Section A-21	<p><u>Properly Shredded Garbage</u> The wastes from the preparation, cooking, and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing public sewer, with no particle greater than ½ inch (1.27 centimeters) in any dimension.</p>
Section A-22	<p><u>Public Sewer</u> A sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.</p>
Section A-23	<p><u>Residence</u> A complete living unit whether a home, an apartment, or one unit of a duplex house or tenement.</p>
Section A-24	<p><u>Sanitary Sewer</u> A sewer which carries sewage and to which storm surface and groundwaters are not intentionally admitted.</p>
Section A-25	<p><u>Septage</u> The liquid and solid wastes of sanitary sewage origin that are removed from a cesspool, septic tank or similar receptacle.</p>
Section A-26	<p><u>Sewage</u> A combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground, surface, and stormwaters as may be unintentionally present.</p>
Section A-27	<p><u>Sewage Treatment Plant</u> Any arrangement of devices and structures used for treating sewage.</p>
Section A-28	<p><u>Sewage Works</u> All facilities for collecting, pumping, treating, and disposing of sewage.</p>
Section A-29	<p><u>Sewer</u> A pipe or conduit for carrying sewage.</p>

Section A-30

Shall

Is Mandatory; (“May” is permissive).

Section A-31

Slug

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 15 minutes, more than five times the average 24 hour concentration of flows during normal operation.

Section A-32

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 when discharge of such cooling water into the storm drain is approved by the Board of Sewer & Water Commissioners.

Section A-33

Suspended Solids

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 A-34

Town

Meaning the Town of Walpole.

Section A-35

Watercourse

A channel in which a flow of water occurs, either continuously or intermittently.

ARTICLE III

BUILDING SEWER & CONNECTIONS

SECTION A

UNAUTHORIZED USE

No unauthorized persons 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 Agent. “Any person proposing a new discharge into the system or a substantial change into the volume or character of pollutants that are being discharged into the system or a substantial change in the volume or character of pollutants that are being discharged into the system shall notify the Agent at least 45 days prior to the proposed change or connection.”

SECTION B

TWO SEWER BUILDING PERMIT CLASSES

There shall be two classes of building sewer permits: (1) for residential and commercial service, and (2) 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 judgement of the Agent.

SECTION C COSTS

All costs and expenses incidental 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 D INDEPENDENT BUILDING SEWERS

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.

SECTION E OLD BUILDING SEWERS

Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Agent, to meet all requirements of this Ordinance.

SECTION F INSTALLATION REQUIREMENTS

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 State of Massachusetts and Town of Walpole 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 ASTM and WPCF Manual of Practice No. 9 shall apply.

SECTION G ELEVATIONS OF SEWER

Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.

SECTION H ILLEGAL CONNECTIONS

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

SECTION I CONFORMING REQUIREMENTS

The connection of the building sewer into the public sewer shall conform to the requirement of the State of Massachusetts and the Town of Walpole building and plumbing code or other rules and regulations of the Town or procedures set forth in appropriate specifications of the ASTM and WPCF Manual of Practice No. 9. All such connections shall be made gas tight and watertight. Any deviation from the prescribed procedures and materials must be approved by the Agent before installation.

SECTION J BACKFILLING REQUIREMENTS

The applicant for the building sewer permit shall notify the Agent, prior to backfilling, that the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Agent or his representative.

SECTION K EXCAVATION PROTECTION

Any excavation for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the works shall be restored in a manner satisfactory to the Agent.

ARTICLE IV USE OF THE PUBLIC SEWERS

SECTION A UNACCEPTABLE WATER FOR SANITARY SEWER

No person shall discharge or cause to be discharged any storm water, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process water.

SECTION B DESIGNATED SEWERS

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 a natural outlet approved by the Agent.

Industrial cooling water, or unpolluted industrial process waters may be discharged, on approval of the Agent to a storm sewer, combined sewer, or natural outlet.

SECTION C ILLEGAL WATER & WASTE DISCHARGE

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

*Any gasoline, benzene, naphtha, fuel oil, crude oil, lubricating or other flammable or explosive liquid, solid, or gas.

*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, constituent a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving water of the sewage treatment plant.

*Any waters or wastes having a pH lower than 5.5 or higher than 12.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.

*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, ash, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, bones, hair and fleshing, entrails and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.

SECTION D

PROHIBITED SUBSTANCES

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 Agent 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 his opinion as to the acceptability of these wastes, the Agent will give consideration to such factors as the quantities of subject wastes in relation to the flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant, and other pertinent factors. The substances prohibited are:

*Any liquid or vapor having a temperature higher than 104° F (40° C).

*Any water of waste containing 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 104° F (0° and 40° C).

*Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of $\frac{3}{4}$ horsepower

(0.76 hp metric) or greater shall be subject to the review and approval of the Agent.

*Any waters or wastes containing strong acid iron pickling wastes, or concentrated plating solutions whether neutralized or not.

*Any wastes exerting an excessive chlorine requirement, to such degree that any such waste received in the composite sewage at the sewage treatment works exceeds the limits established by the Agent for such materials.

*Any waters or wastes containing phenols or other taste or odor producing substances, in such concentrations exceeding limits which may be established by the Agent as necessary, after treatment of the composite sewage to meet the requirements of the State, Federal, MWRA, or other public agencies or jurisdiction for such discharge to the receiving waters.

*Any radioactive wastes or isotopes of such half-life or concentrations attainable by acceptable control technology including but not limited to: ammonia, cyanides, herbicides, pesticides, sulfates and chlorides. In no case, however, shall allowable non-metal concentrations be higher than those concentrations allowed by applicable State or Federal law.

*Materials which exert or cause:

3. Unusual concentrations of inert suspended solids (such as, but not limited to, Fuller earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium sulfate).
4. Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).
5. Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the treatment works.
6. Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein:

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

*Water or wastes containing amounts of toxic or objectionable metals in excess of the concentrations attainable, by acceptable control technology including, but not limited to the following:

Antimony	Chromium	Nickel
Arsenic	Copper	Selenium
Barium	Iron	Silver
Beryllium	Lead	Tin
Boron	Manganese	Zinc
Cadmium	Mercury	

In general, wastes containing the above metals shall be treated to reduce their concentrations to the minimum levels attainable by chemical precipitation processes or other equally effective methods. In no case, however, shall allowable metal concentrations be higher than those concentrations allowed by applicable State and Federal law.

*Sludges or deposited solids resulting from an industrial or pretreatment process.

SECTION E DILUTION

The attainment of specific levels for discharge to municipal sewers by dilution in the treatment shall be prohibited.

SECTION F AGENTS OPTION

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 D of this Article, and which in the judgment of the Agent, 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 Agent may:

*Reject the wastes.

*Require pretreatment including storage facilities, or flow equalization necessary to reduce or eliminate the objectionable characteristics or substances so that the discharge will not violate these rules and regulations.

*Require control over the quantities and rates of discharge, and/or

*Take such other remedial action as may be deemed to be desirable or necessary to achieve the purpose of this Ordinance.

If the Agent permits the installation of equipment for equalization of waste flows, the design and installation of the plants equipment shall be subject to the review and approval of the Agent and subject to the requirements of all applicable codes, ordinances and laws.

SECTION G

TRAPS AND SEPARATORS

Garages and other gasoline using establishments where gasoline is used or where wastes containing grease in excessive amounts or any flammable wastes, sand, or other harmful ingredients can be discharged and are connected with municipal sewer, shall be provided with a suitable trap or separator. All traps or separators shall be of a type and capacity approved by the Board and shall be located so as to be readily and easily accessible for cleaning and inspection.

SECTION H

PRETREATMENT/FLOW-EQUALIZING FACILITIES

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

SECTION I

CONTROL MANHOLES & METERS

When required by the Agent, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters, and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such manhole, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by Agent. 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 J

SAMPLING TESTS

All measurements, tests, and analyses of the characteristics of water and wastes to which reference is made in this ordinance shall be determined in accordance with the latest edition of "Standard Methods for the examination of Water and Wastewater", published by the American Public Health Association, 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 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 a premise is appropriate or whether a grab sample or samples should be taken. Normally but not always BOD and suspended solids analyses are obtained from 24-hour composites of all outfalls whereas pH's are determined from periodic grab samples).

*All industries discharging into a public sewer shall perform such monitoring of their discharges as the Agent 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 Agent. Such records shall be made available upon request by the Agent to other Agencies having jurisdiction over discharges to the receiving waters.

ARTICLE V

INDUSTRIAL USE OF THE PUBLIC SEWERS

SECTION A

PURPOSE

The purpose of this section of the Ordinance is to provide for the use of the publicly owned sewerage facilities by industries located within the area served by the Town of Walpole Sewage Works without damage to the physical facilities, without impairment of their normal function of collecting and discharging domestic wastewaters and without the discharge by the publicly owned sewage works of pollutants which would be in violation of its permitted discharge under the applicable rules and regulations of the MWRA, and State and Federal regulatory agencies.

SECTION B

JOINT DISCHARGE PERMIT REQUIRED

All major contributing industries proposing to connect or to discharge into any town sewer must obtain a joint discharge permit from the MWRA and the Town of Walpole. All existing major contributing industries connected to or discharging to a town sewer must obtain a wastewater discharge permit within 90 days of the effective date of this Ordinance.

SECTION C

DISCHARGE COMPLIANCE REQUIREMENTS

In order to effectively administer and enforce the provisions of these regulations, the Agent may ask any discharger to comply with any or all of the following requirements:

1. Discharge Reports

*The Agent may require discharge reports, including but not limited to questionnaires, technical reports, sampling reports, test analyses, and periodic reports of wastewater discharge.

*When a report filed by a user pursuant to this section is not adequate in the judgement of the Agent, he may require the user to supply such additional information as he deems necessary.

*The discharge report may include, but not be limited to, nature of the process, volume and rates of wastewater flow, elements, constituents, and characteristics of the wastewater together with any information required in an application for a wastewater discharge permit.

2. Monitoring Programs

*The Agent may require of users such technical or monitoring programs, including the submission of periodic reports, as he deems necessary, provided that the burden, including costs of

such programs and reports shall bear a reasonable relationship to the need for the report and the benefits to be obtained therefrom. The discharger shall pay the applicable charge for the monitoring program, in addition to the sewage disposal and other charges established by the Town.

*The monitoring program may require the discharger to conduct a sampling and analysis program of a frequency and type specified by the Agent to demonstrate compliance with prescribed wastewater discharge limits. The discharger may either:

- a. Conduct his own sampling and analysis program provided he demonstrates to the Agent that he has the necessary qualifications and facilities to perform the work; or
- b. Engage a private laboratory, approved by the Agent.

SECTION D

TRADE SECRETS

When requested by the user furnishing a report or permit application or questionnaire, the portions of the report, or other document, which might disclose trade secrets or secret processes shall not be made available for inspection by the public but shall be made available to governmental agencies for use in making studies; provided, however, that such portions of a report, or other document, shall be available for use by the Town or the State or any State agency in judicial review or enforcement proceedings involving the person furnishing the report.

SECTION E

RESPONSIBILITY OF ACCIDENTAL DISCHARGE

If an accidental discharge of prohibited or regulated pollutants to the sewerage facilities should occur, the industrial facility responsible for such discharge shall immediately notify the Agent so that corrective action may be taken to protect the sewerage facilities. In addition, a written report addressed to the Agent detailing the date, time and cause of the accidental discharge, the quantity and characteristics of the discharge and corrective action taken to prevent further discharges, shall be filed by the responsible industrial facility within thirty (30) days of the occurrence of the accidental discharge.

SECTION F

NON-COMPLIANCE LIST

The Board will publish no less often than annually, in the Walpole Times, a list of industrial users who were not in compliance with applicable pretreatment requirements during the previous 12 months and a summary of control action taken by the Town of Walpole.

ARTICLE VI

USER CHARGES

SECTION A

CHARGES AND PAYMENTS

A user charge for the use of the public sewer shall be paid to the Town of Walpole. This charge shall be levied against any and all persons owning lots or premises served by the sewer system at least annually or more frequently at the discretion of the Board. The charge shall constitute a lien upon each and every lot or premises so benefited or served, shall have priority over any other claims except claims for taxes, and may be enforced and collected by the Finance Director of the Town of Walpole as provided by law.

ARTICLE VII

PROTECTION FROM DAMAGE

SECTION A

WILLFUL VIOLATION OF WORKS

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 sewerage works. Any person violating this provision shall be subject to immediate arrest and punishable by law.

ARTICLE VIII

POWERS AND AUTHORITY OF INSPECTORS

SECTION A

AUTHORITY TO ENTER PROPERTY

The MWRA, the Agent, the Health Agent or other duly authorized persons 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 Ordinance. The MWRA, the Agent, the Health Agent, or his representative 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 wastes treatment.

SECTION B

PRIVATE PROPERTY CONDITIONS

While performing the necessary work on private properties referred to in Article VIII, Section A above, the MWRA, the Agent, the Health Agent or other duly authorized persons shall observe all safety rules applicable to the premises established by the company and the company shall be held harmless for injury or death to the town employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in Article IV, Section D*.

SECTION C

EASEMENT ENTRANCE

The MWRA, agent, and other duly authorized persons bearing proper credentials and identification shall be permitted to enter all private properties through which the town holds a duly negotiated easement for the purpose of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the 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.

ARTICLE IX **PENALTIES**

SECTION A **NOTICE OF VIOLATION**

Any person found to be violating any provision of this Ordinance except Article VII shall be served by the Town with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

SECTION B **GUILT**

Any person who shall continue any violation beyond the time limit provided for in Article IX, Section A, shall be guilty of a misdemeanor, and on conviction thereof, shall be fined an amount as per the current fee schedule, for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.

SECTION C **LIABILITY**

Any person violating any of the provisions of this Ordinance shall become liable to the town for any expense, loss, or damage occasioned the town by reason of such violation.

ARTICLE X **VALIDITY**

SECTION A **CONFLICT OF ORDINANCES**

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION B **INVALIDITY**

The invalidity of any section, clause, sentence, or provision of this Ordinance which can be given effect without such invalid part or parts.

SECTION C **ESTABLISHED REGULATIONS OF MWRA**

No provision in this sewer use ordinance shall contravene nor render ineffective any lawfully established rules and regulations of the Massachusetts Water Resource Authority, Sewerage Division.

ORDINANCE IN FORCE

SECTION A

EFFECTIVENESS

This Ordinance shall be in full force and effect from and after its passage, approval, recording, and publication as provided by law.

SECTION B

ADOPTION

Passes and adopted by the Board of Sewer & Water Commissioners, the Town of Walpole, State of Massachusetts on the 26th day of November, 1980, by the following vote:

AYES 4

NAYS 0

SECTION C

VOTE

Passed and adopted by the Board of Sewer & Water Commissioners, the Town of Walpole, State of Massachusetts, as amended on the 18th day of November, 1991, by the following vote:

AYES 5

NAYS 0

ARTICLE I

WATER INTRODUCTION

SECTION A

PURPOSE

The following regulations and all subsequent changes or amendments and additions thereto shall be considered part of the agreement of the Town of Walpole, with ever consumer. Violation of any of these regulations shall be deemed sufficient cause for shutting off the water supply of the offender. The consumer agrees not to supply water to any person or building without permission of the Board of Sewer & Water Commissioners, hereinafter called the Commissioners.

ARTICLE II

WATER DEFINITIONS

SECTION A

EXPLANATION

For the purpose of these regulations, the following words and phrases shall have the meanings indicated.

Section A-1

Approved Backflow Prevention (BFPD) and Double Check Valve (DCV)

Shall mean a device or method that is on the DEP approved list of BFPD's and DCV's.

Section A-2

Consumer

The term “consumer” shall mean the individual, firm or corporation whose name the Water Department has on its books as the party who has applied for water service or any individual, firm, or corporation who, in fact, uses the water service of the Town of Walpole.

Section A-3

Cross Connection

As defined in DEP’s 310 CMR, 22.22; shall mean any actual or potential connection between a distribution pipe of potable water from a public water system and any waste pipe, soil pipe, sewer, drain, or other unapproved source. Without limiting the generality of the foregoing, the term “cross connection” shall also include any by-pass arrangements, jumper connections, removal section, swivel or changeover connection and other temporary or permanent connection through which backflow can or may occur.

Section A-4

Main

A main is a supply pipe, from which building connections are made.

Section A-5

Private System

Any portion of a water and/or plumbing system not under the complete control of the Town.

Section A-6

Public System

Portion of the water system owned, maintained and under the control of the Town.

Section A-7

Service

A service is the pipe running from a Town owned water main to a structure.

Section A-8

Service Piping

The piping between the Town owned water main and the water main inside the structure.

ARTICLE III

GENERAL PROVISIONS

SECTION A

APPLICATION FOR WATER SERVICE

Section A-1

Application Purpose

All applications for introduction of Town water to private premises, shall be made at the Office of the Water Department by the owner of the property or by the person to be charged therefore, or by his duly authorized agent. The applications must be made upon the blank form furnished by the Department and shall fully state the purpose for which it is to be used.

Section A-2

Application for Use Greater Than 100,000 Cubic Feet

Application for water service in which the expected use is greater than 100,000 cubic feet per year will be required to obtain a special permit from the Commissioners prior to acceptance of said application.

SECTION B

AVAILABILITY OF SERVICE

The acceptance of an application will be contingent upon the existence of a water main in the public way or in a private way or other property upon which the property to be served abuts.

SECTION C

RESPONSIBILITY FOR CHARGES

Consumers of water will be charged with and held responsible for all water passing through their service pipe until such time as they shall notify the Water Department at its office, in writing, that they no longer desire the use of water and in case of the sale of the property such notice shall give the name of the new owner. All water passing through a meter must be paid for whether used or wasted.

SECTION D

UNUSUAL CONSTRUCTION

Owners of property desiring any unusual construction, alterations, or attachments connected with the water supply must submit plans and specifications for the same to the Commissioners for their inspection and approval or disapproval, and for their determination as to whether the same are permissible. The Commissioners will determine the terms, charges and conditions under which their use will be allowed.

SECTION E

TOWN TO HAVE FREE ACCESS TO PREMISES

No alterations shall be made in any of the pipes or fixtures inserted by the Town except by its agents who shall have free access at all times to the premises supplied to ascertain the quantity of water used, the manner of its use and whether there has been any waste, and for the purpose of determining by survey of the premises whether a cross connection or any violation of the regulation exists.

SECTION F CONDITIONS FOR SERVICE

The Town does not guarantee constant pressure or uninterrupted service, nor does it assure the consumer either a full volume of water or the required pressure necessary to effectually operate hydraulic elevators, sprinkler systems, or other appliances, the same being subject to all the variable conditions that may take place in the use of water from the Town mains.

SECTION G NO LIABILITY FOR INTERRUPTIONS

No consumer will be entitled to damages, or to have any portion of payment refunded, for any interruption of supply occasioned either by accident to any portion of the works, or by shutting off for the purpose of additions or repairs to the works, or by the stoppage or shortage of supply due to causes beyond the control of the Department, such as excessive drought, excessive use of and waste of water by other consumers, or by leaks or defects in the pipes of appliances owned by a consumer or other consumers.

SECTION H NO LIABILITY FOR DIRTY WATER

The Town will not be responsible for damages caused by discolored and/or dirty water.

SECTION I NO LIABILITY FOR CONSUMER'S PIPES

The Town assumes no liability for conditions which exist in consumer's pipes.

SECTION J NO LIABILITY FOR COLLAPSED BOILERS ETC.

The Department reserves the right at any time, without notice, to shut off the water in the mains for purposes of making repairs, extensions or for other necessary purposes. Persons having boilers or other appliances on their premises depending on the pressure in the pipes to keep them supplied with water are hereby **CAUTIONED** against danger from these sources, and are required to protect themselves against such danger. In any event, it is expressly stipulated that the Department will not be liable for any damage resulting from water having been cut off, either through accident or necessity.

SECTION K NO LIABILITY FOR WATER SHUT OFF

When it becomes necessary to shut off the water from any section of the Town because of an accident or for the purpose of making changes or repairs, the Department will endeavor to give timely notice to as many of the consumers affected thereby as time and the character of the repairs or accident will permit, and will, so far as practicable, use its best efforts to prevent inconvenience and damage arising from any such cause but failure to give such notice will not render the Department responsible or liable for any damages that may result from the shutting off of water or any coincident conditions.

SECTION L

RIGHT TO RESTRICT THE USE OF WATER

The Commissioners have the right to restrict the use of water during dry seasons or under any other emergency condition. (Reference Chapter 554 of the Town of Walpole By Laws).

SECTION M

AIR CONDITIONERS

All air conditioners, dehumidifiers, and similar equipment shall use air-cooled condensers where practicable. If water-cooling is necessary, the system shall be closed or use a cooling tower approved by the Commissioners.

SECTION N

WATER ENTRANCE FEES & UNIT ESTABLISHMENT

Any owner of property who wishes to connect to the water main shall upon application for connection to the watermain pay an entrance fee per unit, as per the current fee schedule. All properties receiving benefit from the water system shall be converted into water units.

Section N-1

Residential District Zones

- a. A single family dwelling unit shall comprise a water unit.
- b. A two family dwelling unit shall comprise two water units.
- c. A multi family dwelling unit (three or more families) shall comprise the number of water units obtained, (i.e. four family equates four units).

ARTICLE IV

WATER MAINS, SERVICE PIPES, & FIXTURES

SECTION A

WATER MAINS

Section A-1

Town Accepted Ways, State and Federal Highways

The Water Department shall maintain water mains at its own expense.

Section A-2

Subdivisions

Water mains in a subdivision shall be of the size and material specified by the Commissioners and the expense of laying said water main shall be borne by the developer.

Section A-3

Private Ways

Extensions of the water main through private ways or grounds shall in no case be made unless the owners thereof execute a proper guaranty and waiver that the Town shall have the right of

permanent occupation, free from all damages and acts of interference, and securing to the Department the right of entrance at all times for purposes of inspection and maintenance. It shall be agreed that no person or corporation shall interfere with hydrants, valves or other structures installed or maintained as appurtenant to said water main installed therein shall pass to the Town of Walpole without further action and without payment to the owners of the fee in such street.

Section A-4

Installation, Inspection and Testing

All water mains shall be installed and disinfected in accordance with specifications established by the Commissioners. All installations shall be inspected by the Water Department or Engineering Department and must be approved by said department. All water mains shall be subject to hydrostatic tests (pressure and leakage_ in accordance with the American Water Works Association (AWWA) standards. A letter must be submitted by a registered professional engineer or certified testing company to the Water Department certifying that the water mains have met the above standards.

Section A-5

Certified Testing Company or Firm

Hydrostatic tests are to be performed by an individual or firm which has been certified by the Town of Walpole, Commissioners as competent to perform the hydrostatic testing on water mains.

SECTION B

SERVICE PIPES

Section B-1

Size of Service Pipes

The minimum service piping shall be ¾” for a single-family residence, and one inch (1”) for new construction. Service piping for other types of services shall be determined by the Commissioners. No other size pipe shall be used without the written approval of the Commissioners.

Section B-2

Material

Service piping shall be of the material and quality established by the Commissioners.

Section B-3

Service Pipe

Service pipes from the Town water main to the structure including a corporation and curb stop will be installed by a licensed drain layer. The consumer shall bear all cost of the installation including shut off valves on both sides of the water meter. Any service line 100’ or more in length will require a meter vault as outline in Article V, Section F, under outside meters.

- Section B-4 **Extra Large or Special Service Pipe**
Any consumer requiring, because of special conditions in connection with use of water, a service pipe between the main and the Town property line which is of a different type or larger than one inch (1") shall be at the expense of the consumer.
- Section B-5 **All Service Pipes to Be Inspected**
All new and/or repaired service pipes must be inspected by the Water Department or Engineering before covering the trench. All pipes and trenches shall meet the approval of the Water Department.
- Section B-6 **Charges of Repairs**
The pipe from the curb box to the building is the property of the consumer, and all repairs to the same must be made at the consumer's expense within 10 working days upon notification.
- Section B-7 **Right To Repair Service Pipes**
The service pipes between the street line and the foundation may be repaired or re-laid by the Department when deemed necessary for the protection of the water supply and the cost of the same charged to the consumer.
- Section B-8 **Irregular Service**
Services for other than permanent structures, or which are used only a part of the year shall, at the option of the Commissioners, be put in at the expense of the consumer.
- Section B-9 **One Service to Each Premise**
Except by special consent of the Commissioners, only one service connection will be made for the same premises. However, where standby or emergency services are requested, the same shall be metered and the expense of installation and maintenance of the service pipe shall be at the expense of the consumer.
- Section B-10 **No Pipes Furnished In Winter**
No new services or main extensions will be allowed during the period from December 1 to April 1 except in cases as the Commissioners shall deem emergencies.
- Section B-11 **Service Pipe Trenches**
Service pipes shall not be placed within 3 feet laterally of other utilities except under special conditions and with the approval of the Commissioners. The Water Department will not be responsible for damage to other utilities laid within 3 feet laterally of a water

service pipe. Sewer pipes at least 18" below the water pipe and 3' laterally distant. In such case, said sewer pipe must be cast iron with pressure joints. All applicable State Plumbing Codes and Public Health Laws shall be adhered to.

Section B-12

Material on Private Premises

All fittings supplied by the Department to the consumer, shall be billed to the consumer.

Section B-13

Temporary Service from Adjacent Premises

When permission to open a permanently paved street is refused by the Road Commissioners or for any physical reason it is impossible to open a street and applicant requests that water be furnished temporarily from an adjacent service, the same may be done at the expense of the consumer if considered practicable by the Commissioners.

Section B-14

Water Waste

Consumers must keep their water pipes and fixtures in good repair and protected from frost at their own expense. Consumers will be held responsible for any damage resulting from their failure to do so. Consumers shall prevent any waste of water.

SECTION C

HYDRANT, SPRINKLER SYSTEM, FIRE SERVICE

Section C-1

Hydrants and Sprinkler Systems

Users of water for manufacturing or domestic purposes may erect hydrants on their grounds or standpipes in or on their buildings with or without sprinkler systems to be used only as protection against fire. In no case shall water be taken from such hydrants, standpipes or sprinkler systems for manufacturing or other purposes unless properly metered, or supplied through a separate meter and service connection with the street main. No person, except a fireman at fires, shall open operate or tamper with any fire hydrant directly connected to the Town system of mains, whether on public or private property, without permission in writing from the Commissioners or duly authorized Agent. No person, without similar permission, shall open, close or operate any valve or stop attached to the Town system of mains or service pipes.

Section C-2

Use of Fire Hydrants

The use of fire hydrants, Town and private, is restricted to members of the Fire Department, and to employees of the Water Department. Other persons may use the fire hydrants only with the

specific permission of the Commission and after the installation of a meter.

Section C-3

Standby Fire Protection

The Water Department will furnish standby fire protection service in accordance with rates and charges specified in the current fee schedule. All equipment for this purpose shall be installed entirely at the expense of the consumer and with the approval of the Water Dept. Such pipes must not be used for the supplying of water for any other purposes and must be so arranged that easy inspection can be made by the Water Dept. Whenever it is considered necessary for the protection of the water supply and in the interest of the Town of Walpole, the department shall have the right to require the installation of meters, alarms or other accessories. The installation and upkeep of such equipment shall be at the consumer's expense.

Section C-4

Testing Fire Systems

No water shall be taken or used through private fire systems for the purpose of testing, unless the Department issues a special permit. Such test must be conducted under the supervision of the Department.

SECTION D

INSPECTION

The Town Administrator, acting as agent of the Commissioners, and/or his agents shall have free access to all premises with water to examine the pipes and fixtures and to ascertain the quantity of water used and the manner of its use.

ARTICLE V

METERS

SECTION A

TYPE METER FURNISHED BY WATER DEPARTMENT

The Water Department will furnish one appropriately sized meter (depending on the application) to each consumer and shall test it in accordance with the schedule adopted by the Commission.

SECTION B

SIZE AND METHOD OF METERING

The proper size, type and brand of meter and the method of metering required for any given service shall be approved by the Commissioners or their duly authorized agent.

SECTION C

METER INSTALLATION

An approved stop valve shall be installed near the outlet of the meter by the consumer, at his expense, to permit removal of the meter without backflow from the building water pipes.

SECTION D

CONSUMERS TO PAY FOR METER REPAIRS

All repairs resulting from damage to meters from freezing, hot water, or external causes shall be charged to the consumer. No sale or other transfer of title of property in the Town of Walpole shall bar the Water Department in the collection of any balance due for meter repairs.

SECTION E

METER NOT TO BE MOVED OR BY-PASSED

All Town owned meters, including those installed on hydrants, shall be set by an employee of the Water Department or an approved designee, and **shall not** be removed, by-passed, tampered with or otherwise disturbed so as to prevent normal function, except under the direction of the same. The owner of any premise or hydrant at which any meter, whether privately or Town owned, is found to have been removed, by-passed or otherwise tampered with, **will be** assessed a fine in accordance with the current fee schedule, unless such was performed under the direction of the Commission or its designee.

SECTION F

OUTSIDE METERS

If it is necessary to set a meter outside the buildings, it shall be placed in a vault of suitable size and construction, as approved by the Commission or their designee.

SECTION G

TOWN'S RIGHT TO CHANGE METERS

If, in the opinion of the Commissioners, a meter does not fit the conditions of the service installation, the Department has the right to require the change of such meter.

SECTION H

AUXILIARY METERS

Where the supply of water through a service is covered by a single meter, the Department will read only this meter. If additional or auxiliary meters are needed for showing subdivisions of such supply, they may be furnished and installed at the expense of the consumer, who must assume all responsibility of reading and maintaining the same.

SECTION I

REPAIR OF METER

The Department shall have the right to remove, repair or replace any of its meters at any time it deems necessary. The Department shall have the right to require any meter to be removed, repaired or replaced at any time it deems fit to at the expense of the consumer. All meter installations on services which cannot be shut off for meter repairs shall be equipped with a by-pass at the expense of the consumer.

SECTION J

ACCESS TO METERS

It shall be the duty of all consumers to see that meters on service connections shall be readily accessible at all times to the Commissioners, their duly authorized Agent and employees of the

Water Department. Failure to remove any obstruction which prevents access to the meter within three days after being notified by the Department will cause the water to be shut off from the premises and it will not again be turned on until all obstructions are removed, and all regulations complied with and all expense for shutting off and turning on the water paid.

SECTION K TESTING METERS BY REQUEST

The accuracy of all town owned meters on any premise will be tested by the Department upon written request of the owner, who shall pay in advance a fee to cover the cost of the test. If, on such test the meter is found to register outside of the standards established by the AWWA, the meter will be repaired and the fee will be refunded and the water bill for the current period will be adjusted in accordance with the result of the test; if, however, it appears that the person was charged, or has paid for less water than he should have been charged with or should have paid for, he shall forthwith be charged with the proper additional amount and shall pay the same, together with the expense of the examination and test, to the Town.

SECTION L WATER METER TESTING REGULATIONS

It is required that all privately-owned meters be tested for accuracy in accordance with the meter-testing schedule as currently approved by the Board of Sewer & Water Commissioners of the Town of Walpole.

SECTION M MORE THAN ONE PARTY ON A SERVICE

In existing cases where two or more accounts are supplied with water from the same service pipe, if any one of the parties fails to pay water charges when due, or to comply with any rule of the Water Department, the Department has the right to turn off the water from the whole service until such charges are paid, or the rules strictly complied with.

SECTION N COLLECTIONS OF MISCELLANEOUS WATER CHARGES

All bills for labor or material on consumers' property and charges for shutting off or turning on water will be subject to the same conditions as bills for water and the water will be shut off for failure to pay all such bills under the same procedure as for nonpayment of water bills.

SECTION O NO BUSINESS WITH DELINQUENTS

No person who owes an overdue bill for water charges shall be entitled to the further use of water at the same or any other premises until such water charges are paid in full, including all assessed costs.

SECTION P ALL METERED WATER TO BE PAID FOR

All water passing through a meter must be paid for whether used or wasted.

**SECTION Q WHEN METER OR METER EQUIPPED WITH TRANSMITTER
SATELLITE IS OUT OF ORDER**

If a meter gets out of order or fails to register, the consumer will be charged at the average consumption as shown by the meter when in order during the previous twelve-month period. In a case of the meter continues to register and the transmitter system fails, all charges will be based on the actual reading recorded on the meter. If a discrepancy occurs between the transmitter and the actual meter then the actual meter reading will be used for billing.

SECTION R NO RIGHT TO FURNISH WATER TO OTHER PREMISES

A consumer of water by meter may use it for any and all purposes on his own premises, but will not be permitted to supply the premises of another person. In special emergencies, the Water Commissioners may direct the provision of water to an adjacent premise or premises.

SECTION S WATER FROM NON-METERED SOURCE

All water for any purpose shall be drawn from a metered service if available. If necessary to draw water from a non-metered source, an application for a temporary permit shall be filed with the Water Department Office and a charge shall be payable at that time. Said application is subject to review and approval of the Commissioners or their authorized Agent.

SECTION T PAYMENT OF BILLS

Bills for the use of water shall be payable within 28 days of issue and will be issued as per the most recently adopted policy of the Board of Sewer & Water Commissioners. A water charge becomes a lien on the real estate if not paid when due, and additional costs may be incurred (effective May 1, 1957).

ARTICLE VI CROSS CONNECTIONS

SECTION A PROTECTION

No water service connection to any premises shall be allowed unless such connection is protected from causing contamination or pollution created by backflow or back siphonage, to any potable water system whether public or private. Such protection shall be achieved through the installation, utilization and maintenance of an approved backflow prevention method. Said installation shall be made in accordance with 310 CMR 22:22.

SECTION B NOTIFICATION OF REQUIREMENT

If, in the judgement of the Commission or their agent, a backflow prevention device is required at any such connection, the Commission or their agent shall give written notice to the owner. Such devices must be installed, detailing the type of device and the process of permitting as required. The owner of the notice shall, within 30 days install such approved devices at his own expense. The Commission must be notified within 14 days that the work has been completed.

SECTION C

INSTALLATION OF SERVICE LINE DEVICE

In the case where a premise contains cross connections or piping arrangements, deemed by the Commission or their agent, to be in correctable or uncontrollable, or if entry to any portion of said premise is not readily accessible, the Commission or their agent for reasons of not being able to ascertain whether or not a cross connection exists, may determine that the public water system will be protected against backflow by the installation of an approved backflow prevention device in the service line, (containment) at the owner's expense.

SECTION D

INSPECTIONS AND TESTING

It shall be the responsibility of the owner of any premise where backflow prevention devices are installed to have certified inspections and operational tests made at least once annually. The Water Division of the Department of Public Works or their designated representative will conduct testing on these devices twice a year. The charge for the device testing will be in accordance with the current schedule, as determined by the Board of Sewer & Water Commissioners. In any case, where the Commission or their agent determines the hazard to be great enough, they may require testing and inspections at more frequent intervals. The Commission shall notify the owner in advance of such testing.

SECTION E

DEFECTIVE OR FAILED DEVICES

Devices failing a test or found to be defective, shall be overhauled, repaired or replaced by a plumber or fire sprinkler contractor licensed by the Commonwealth of Massachusetts. Such devices must also be re-inspected within two weeks of the initial inspection date.

SECTION F

EXCLUSIONS

All presently installed, previously approved devices that have been properly maintained, and achieve the results described shall, except for the inspection and maintenance requirements, be excluded from the requirements of these regulations, provided the Commission is assured that they will satisfactorily protect the systems as required. If the existing device is relocated from its present location or requires more than minimum maintenance, or the Commission determines that the frequency of maintenance constitutes a hazard to health, the unit shall be replaced by an approved backflow prevention device, in accordance with these regulations.

SECTION G

REMOVAL, BYPASS, OR ALTERATION

In no case shall a backflow prevention device be removed, bypassed, or otherwise altered without the written consent of the Commission. Any and all plumbing modifications must be approved by the Plumbing Inspector for the Town of Walpole.

SECTION H

VIOLATION OF REGULATIONS

Failure, refusal or inability to install and maintain such devices shall constitute a violation of these regulations and create grounds for the termination of water service to the premise. In the event an extension of time is required to plan and install said devices, the owner shall request the extension, in writing, to the Commission for approval, at which time it may or may not be granted.

SECTION I

AUTHORITY

Any further authority relative to cross connection control, not herein provided, will be derived from Public Law 93-253, the Safe Drinking Water Act of 1974 and Massachusetts Regulation: 310 CMR 22:22.

ARTICLE I

DRAINLAYERS REQUIREMENTS

Any company or subcontractor working on the Town of Walpole, water, sewer or drainage pipes **must** be a licensed drainlayer.

SECTION A

LICENSING REQUIREMENTS

Drainlayers, registered plumbers and competent contractors shall be licensed by the Director of Public Works or his agent, as licensed drainlayers, authorized to perform work in the Town of Walpole, subject to compliance of all related rules and regulations.

SECTION B

APPLICATION REQUIREMENT

It is required that all persons, firm or corporations, who engage in the business of drainlaying within the Town of Walpole, apply for drainlayer's license in the form as presented within this regulation.

SECTION C

TERM AND FEE OF LICENSE

If a license is issued to any person, firm or corporation to install drains within the Town, the license is not transferable and will expire on December 31, of the year issued. The fee for renewal shall be as per the current fee schedule and shall be due and payable to the Town of Walpole on or before the date of issue. Fees will be refunded in full to the applicant if his application is refused.

SECTION D

INSURANCE

Applicants for licenses, after approval by the Director of Public Works, or his agent shall file with the Superintendent of Water and Sewer, a certificate of insurance as per the current fee schedule. In addition, a certificate of insurance covering Workman's Compensation shall be file, all of which shall remain in full force and effect for a period of at least one-year from date of approval. Said insurance shall indemnify the Town of Walpole against any and all claims, liability or action

for damage incurred in or in any way connected with the performance of the work by a licensed drainlayer, and for or by reason of any acts or omissions of said licensed drainlayer in the performance of his work.

SECTION E BONDING

In addition, the licensed drainlayer shall file with the Town administrator, proper and acceptable performance and guaranty bond, as per the current fee schedule, to guaranty the satisfactory completion of his work. The bond to be posted will be one with adequate sureties or other security (such as deposit of a bankbook, etc.) which shall be satisfactory to the Department of Public Works or his agent. The bond shall remain in full force and effect for a period of one year from the date of application

SECTION F POWERS OF THE TOWN OF WALPOLE

The Director of Public Works or his agent shall have the power to revoke licenses if any provisions of these rules and regulations are violated. Drainlayers license may be suspended immediately by the Director of Public Works or the Superintendent of Sewer and Water, such suspension may be appealed to the Sewer & Water Commission.

SECTION G INFLOW DISH REQUIREMENTS

All drainlayers must be aware of the proper installation and maintenance rules of inflow dishes if one needs to be removed and re-installed during construction. Refer to Sewer: Article V, Section E for proper procedure.

SECTION H WORK COMPETENCE

All licensed drainlayers are required to give personal attention to all installations and shall employ only competent workers. All requirements within the application form will be adhered to by all applicants.

GENERAL RULES

ARTICLE I CONTRACTS, CONTRACT AMENDMENTS OR EXTENSIONS

Any contract or contract amendments or extensions for projects for which more than \$25,000 will be expended, over the life of the project, from funds provided for through sewer and water rates (including but not limited to the annual operating budget, capital expenditures authorized by Town Meeting, interest or debt service, sewer and water surplus, connection fees, or inflow and infiltration funds) shall be submitted to the Board of Sewer and Water Commissioners for approval before submission to the Board of Selectmen for final approval and execution. Without this approval from the Board of Sewer and Water Commissioners for any contract or contract amendments entered into after April 20, 2001, no funds shall be expended which were derived directly or indirectly from sewer and water rates. In the event of an emergency, the Superintendent of Sewer and Water may

act with the concurrence of one Sewer and Water Commissioner, but only to the extent necessary to address the emergency condition.

The agent for the Board of Sewer and Water Commissioners shall include as a standard provision in any contract or contract amendment for more than \$500,000, a requirement for a monthly written status report from the contractor(s) to the Board of Sewer and Water Commissioners and a presentation to the Board of Sewer and Water commissioners at least every three months until the work is completed. For contracts under \$500,000, there shall be a requirement for a bi-monthly written status report from the contractor(s) and a presentation to the Board of Sewer and Water Commissioners at any time upon their request.

Amendments to Board of Sewer & Water Rules and Regulations

Amendment #1

ARTICLE III

GENERAL PROVISIONS

SECTION N

WATER ENTRANCE FEES & UNIT ESTABLISHMENT

Any owner of property who wishes to connect to the water main shall upon application for connection to the watermain pay an entrance fee per unit, as per the current fee schedule. All properties receiving benefit from the water system shall be converted into water units.

Section N-1

Residential District Zones

- a. A single family dwelling unit shall comprise a water unit.
- b. A two family dwelling unit shall comprise two water units.
- c. A multi family dwelling unit (three or more families) shall comprise the number of water units obtained, (i.e. four family equates four units.)

**Adopted April 24, 2000
Vote 3-0**

Amendment #2

Board of Sewer & Water Commissioners Rules & Regulations

GENERAL RULES

ARTICLE I

CONTRACTS, CONTRACT AMENDMENTS OR EXTENSIONS

Any contract or contract amendments or extensions for projects for which more than \$25,000 will be expended, over the life of the project, from funds provided for through sewer and water rates (including but not limited to the annual operating budget, capital expenditures authorized by Town Meeting, interest or debt service, sewer and water surplus, connection fees, or inflow and infiltration funds) shall be submitted to the Board of Sewer and Water Commissioners for approval before submission to the Board of Selectmen for final approval and execution. Without this approval from the Board of Sewer and Water Commissioners for any contract or contract amendments entered into after April 20, 2001, no funds shall be expended which were derived directly or indirectly from sewer and water rates. In the event of an emergency, the Superintendent of Sewer and Water may act with the concurrence of one Sewer and Water Commissioner, but only to the extent necessary to address the emergency condition.

The agent for the Board of Sewer and Water Commissioners shall include as a standard provision in any contract or contract amendment for more than \$500,000, a requirement for a monthly written status report from the contractor(s) to the Board of Sewer and Water Commissioners and a presentation to the Board of Sewer and Water commissioners at least every three months until the work is completed. For contracts under \$500,000, there shall be a requirement for a bi-monthly written status report from the contractor(s) and a presentation to the Board of Sewer and Water Commissioners at any time upon their request.

**Adopted April 19, 2001
Vote 3-0**

Amendment #3

ARTICLE II

SEWER DEFINITIONS

Section A-7

Inflow Dish

A tool that is placed on a manhole frame under the cover to reduce water from entering during rain events through manhole covers.

**Adopted January 28, 2008
Vote 4-0**

Amendment #4

ARTICLE V

INFLOW/INFILTRATION REMOVAL

SECTION A

INSTALLATIONS AND CONNECTIONS

No person(s) shall make connection of roof downspouts, foundation drains, sump pumps, area drains, or other sources of surface runoff or groundwater to a building sewer or building drain, which in turn is connected directly or indirectly to the public sewer. Any persons found

discharging any material from said sources shall be subject to penalties as set forth in these regulations. The Board or his representative reserves the right to inspect any property to confirm that there are none of the aforementioned unauthorized connections to the public sewer.

**Adopted January 28, 2008
Vote 4-0**

Amendment #5

ARTICLE V INFLOW/INFILTRATION REMOVAL

SECTION E INFLOW DISHES

Section E-1 Installation

For the initial installation and any time the inflow dish needs to be re-installed the following instructions must be followed:

4. The manhole must be measured to get the EXACT dimensions of the farm to ensure the Inflow dish is the correct size and works properly.
5. The manhole frame shall be cleaned of all dirt and debris before placing the manhole insert on the rim.
6. The manhole insert shall be fully seated around the manhole frame rim to prevent water from infiltrating between the cover and the manhole frame rim.

Adopted January 28, 2008 Vote 4-0

Amendment #6

ARTICLE I DRAINLAYER REQUIREMENTS

SECTION G INFLOW DISH REQUIREMENTS

All drainlayers must be aware of the proper installation and maintenance rules of inflow dishes if one needs to be removed and re-installed during construction. Refer to Sewer: Article V, Section E for proper procedure.

**Adopted January 28, 2008
Vote 4-0**

Amendment #7

Section A-12

Sewer Extension

Means the construction of a sewer line together with appurtenant works that is connected to the Town of Walpole sewer system and services two (2) or more buildings or properties.

Adopted June 9, 2014

Amendment #8

SECTION D

REGULATION FOR SEWER PRIVILEGE FEES RELATED TO INFLOW/INFILTRATION

Definitions:

Applicant

Shall mean the entity or individual applying for a permit issued by the Board of Sewer and Water Commissioners to connect to the Town sewerage system.

Board

Shall mean the Town of Walpole Board of Water and Sewer Commissioners.

Infiltration

Shall mean water other than wastewater that enters any sanitary sewer (including building sewers) from the ground through means which include, but are not limited to, defective pipes, pipe joints, service connections, or manholes. Infiltration does not include, and is distinguished from, inflow.

Infiltration and Inflow (I/I)

Shall mean the quantity of water from both infiltration and inflow.

Inflow

Shall mean precipitation or surface runoff that enters a sanitary sewer through direct and indirect sources such as downspouts, catch basins, area drains, sump pumps, subsurface drains, interconnections between sanitary sewers and storm drains, etc.

Superintendent

Shall mean the Sewer and Water Superintendent of the Department of Public Works.

Section 1 – I/I Mitigation Requirements

- C. The permit issued by the Board to connect to the Town sewerage system shall require the Applicant to be responsible for compliance with the Town's infiltration/inflow ("I/I") mitigation program as described herein.

- D. For ~~all residential properties with two or more residential units~~ (amended June 24, 2019) and all non-residential properties, all new connections to the public sanitary sewer and all existing connections where the property is completely or substantially reconstructed, I/I shall be removed from the sanitary sewer at the ratio and rate as per the most recent fee schedule of the Sewer & Water Commissioners.

Any person or entity changing, altering, repairing, adding to or improving their residential property ~~with two or more units~~ (amended June 24, 2019) or their non-residential property in any way that may impact the public sewer system, or any person or entity seeking to add wastewater to an existing non-residential sewer connection or a residential sewer connection where there are ~~2 or more units~~, (amended June 24, 2019) shall remove and/or pay for the removal of the number of gallons of I/I from the sewer system, as per the most recent fee schedule of the Sewer & Water Commission for each 1 gallon of wastewater flow requested in the application for sewer service (Title 5 (310 CMR 15) shall be used to determine flow rates). Infiltration measurement and removal percentages shall be in accordance with the Massachusetts Department of Environmental Protection's Guidelines for Performing Infiltration/Inflow Analyses and Sewer System Evaluation Surveys.

The Superintendent may determine that sources of infiltration and inflow are not appropriate for removal at the time of the permit or request, and may assess the monetary mitigation in lieu of actual I/I removal. Alternatively, a combination of I/I removal and monetary mitigation may also be requested by the Superintendent.

Any infiltration/inflow removed from the sewer system as part of the infiltration/inflow requirements of this section shall be verified by a pre-rehabilitation and post-rehabilitation evaluation and testing program approved by the Superintendent and adequate to demonstrate compliance with the removal requirements of these regulations. Any I/I removed from the sewer system as part of I/I monetary mitigation may not be applied to future removal requirements without the written authorization of the Superintendent.

Section 2 – Monetary Mitigation Requirements

When monetary mitigation is assessed by the Superintendent, the I/I Mitigation Requirements shall be administered in accordance with the following provisions:

- (c) Monetary mitigation chargeable by the Town for I/I Mitigation and payable by the applicant shall be determined by the Superintendent. The I/I Mitigation monies shall be deposited in a Performance Deposit Account established pursuant to the provisions of G.L. c. 44, §53G½ to be used only for improvements to the public sewer and drainage systems to accomplish the objectives stated in this section, as determined by the Superintendent and approved by the Town Auditor.
- (d) The Superintendent shall maintain the authority to determine how much monetary mitigation is required prior to issuance of a permit. The Superintendent shall also maintain the authority to require payment of security by the applicant in the form

of a bond as deemed satisfactory by the Town or cash to be held in a Performance Deposit Account established pursuant to G.L. c. 44, §53G ½. The funds deposited into said Performance Deposit Account shall be maintained as security to guarantee adequate removal of I/I by the applicant. If security is required by the Superintendent, the applicant shall execute a security contract in a form as provided by the Town establishing the terms under which the Town shall maintain the security in the Performance Deposit Account.

Adopted March 27, 2017
Vote 4-0-0

Amendment #9

ARTICLE _____

SECTION _____ NEW RESIDENTIAL CONSTRUCTION FIXTURE REQUIREMENTS

Any residential structure that is constructed after January 1, 2018 and will be connected to Walpole's municipal water supply shall have toilets that are 1.28 gallons per flush maximum. They shall also have bathroom and kitchen faucets that are equipped with 1.5 gpm maximum aerators. Shower heads shall also have a maximum output of 1.5 gpm.

Adopted August 14, 2017 Vote 4-0-1

Amendment #10

ARTICLE _____

SECTION _____ IRRIGATION REQUIREMENTS

Irrigation systems connected to the municipal water supply shall be prohibited unless designed and constructed by a licensed and insured company. All systems shall be equipped with rain and moisture sensors.

Adopted August 14, 2017 Vote 5-0-0

Amendment #11

ARTICLE _____

SECTION _____ DEAD END WATER SERVICE LINES

Water services connected to dead end lines shall not exceed 100 feet in length.

Adopted August 14, 2017 Vote 4-0-1

Amendment #12

ARTICLE _____

SECTION _____ WATER MAIN EXTENSIONS TO NEW SUBDIVISIONS

No water main shall be extended into any subdivision or other property until the proposed roadway or proposed area of installation is at rough grade elevation. Water mains shall have 5 feet (60") of cover.

Adopted August 14, 2017 Vote 5-0-0

Amendment #13

ARTICLE _____

SECTION_____ WATER MAIN LENGTH AND LOOPING REQUIREMENTS

Any water main extension shall, at a minimum extend to the end of lot frontage however it shall not exceed 750 feet in length without being looped.

Adopted August 14, 2017 Vote 5-0-0

****THIS SECTION (DRAINAGE) IS NOT PART OF THE SEWER & WATER COMMISSION'S RULES AND REGULATIONS AT THIS TIME.***

ARTICLE I DRAINAGE INTRODUCTION

SECTION A PURPOSE

The purpose of this regulation is to provide, without expense to the public, for the temporary detention and gradual release of surface water on land which is intended to be developed, in order to prevent flooding of public streets and public and private properties caused by the overflow of water detention facilities.

ARTICLE II DEFINITIONS

SECTION A EXPLANATION

As used these regulations, the following words and phrases shall have the following meanings unless the context clearly indicates a different meaning.

- | | |
|-------------|---|
| Section A-1 | <u>Board</u>
The Board of Sewer & Water Commissioners of the Town of Walpole |
| Section A-2 | <u>Construction</u>
Any clearing, earth removal, excavation, filling, or erection of structures in connection with the development of a lot. |
| Section A-3 | <u>Lot</u>
Any lot, tract or parcel of land used or intended to be used for one or more building sites, parking, or driveway or for any improvements in connection thereto. |
| Section A-4 | <u>Surface Water</u>
Water occurring on the surface of the land from natural causes whether falling directly on the land or flowing into the land. |
| Section A-5 | <u>Water Detention Facility</u> |

Any man made pipe, ditch, swale, depression, watercourse, pond, culvert, outlet or other facility designed to hold surface water, control the flow of surface water, retain surface water, and including any part of such facility.

ARTICLE III APPLICABILITY

SECTION A LOT APPLICABILITY

Except where otherwise specified, these regulations shall apply to all lots on which provisions for water detention facilities are proposed.

ARTICLE IV APPROVAL REQUIREMENTS

SECTION A WATER DETENTION APPROVAL

After the effective date of these regulations, no construction shall commence on any lot on which water detention facilities are approved by the Board in accordance with these regulations.

SECTION B NECESSARY INFORMATION FOR APPROVAL

Applications for approval of water detention facilities shall be submitted to the Board and shall contain all plans, specifications, documents, and other information necessary for the Board to reasonably determine whether the provisions of these regulations have been followed.

SECTION C RIGHT FOR CONDITIONAL APPROVAL

Within thirty (30) days of receipt of an application for approval of a water detention facility, unless otherwise extended by mutual consent of the Board and the applicant, the Board shall approve, modify and approve, or disapprove said application and shall state in writing said conditions of approval or the specific reasons for disapproval, as the case may be, and the applicant shall be so notified.

ARTICLE V DESIGN SPECIFICATIONS

SECTION A LAYOUT

All proposed water detention facilities shall be laid out to the satisfaction of the Board, which will require provision of such facilities and arrangement thereof as, in its opinion, are necessary to:

Section A-1 **Adequate Drainage**
Insure adequate drainage of all low points along all streets.

Section A-2 **Excess Groundwater**
Intercept excessive groundwater in the subsoil along all streets.

Section A-3

Lot Preparation and Grading

Insure that the rates of runoff from the site after development of the subdivision do not exceed the rates of runoff before development, for the 24-hour storms for both the 10 and 100 year frequencies. Runoff methodologies should be based on Soil Conservation Service (SCS) methods or other equivalent hydrologic computational techniques.

Section A-4

Stormwater Runoff

Intercept stormwater runoff along all streets at intervals reasonably related to the extent and grade of the area drained.

Section A-5

Unimpeded Flow

Permit unimpeded flow of all natural watercourses.

SECTION B

ACCOMMODATIONS

Water detention facilities shall be designed to accommodate all stormwater runoff currently flowing onto the site, as well as the stormwater runoff which may be expected to flow onto the site under conditions of full development of the water shed permitted under the Zoning Bylaw in effect at the time of the submission of the application for approval. Drainage calculations shall be prepared by a Registered Professional Engineer and shall be submitted to the Planning Board for review and approval.

SECTION C

USE OF NATURAL AREAS

Use of natural areas to control, mitigate, and/or alter rates of runoff is preferred. When such areas are utilized, their existing vegetation shall be left undisturbed to the maximum extent that is practicable, as approved by the Town Engineer. However, if such natural drainage areas are insufficient or nonexistent, other methods of controlling runoff including, but not limited to detention basins and stormwater infiltration pits may be considered. Newly constructed drainage areas shall be planted with trees, shrubs, and other vegetation necessary to stabilize any slopes and to facilitate percolation of stormwater. A landscape plan shall be prepared which shows proposed vegetation and existing vegetation to be saved. Newly constructed drainage areas shall be designed to be as maintenance free and aesthetically pleasing as is practicable.

SECTION D

LOCATION

Detention basins shall, to the maximum extent possible, be located outside of wetlands. A basin may be constructed in a wetland providing that the applicant receives approval from the Conservation Commission. The design of the detention basin, other than those approved to be located within a wetland, shall meet the following standards:

Section D-1

Basin Floor

The floor of the basin shall remain dry except during periods of storm events.

Section D-2

Bottom Elevations

The bottom elevation of the basin shall be at least two feet above the seasonal high groundwater table and above bedrock.

Section D-3

Bottom Pitch

The bottom of the basin shall pitch a minimum of ¼ inch per foot toward the outlet.

Section D-4

Dike Construction

The material used for the dike construction shall be specified and a cross section detail provided. The dike shall provide for suitable access for equipment necessary for maintenance of the basin. Side slopes of the basin shall be no steeper than 3:1.

Section D-5

Easements

Drainage easements shall be provided to include all of the detention basins and its appurtenant structures. At a minimum the easement shall extend twenty feet from the toe of the basin slope, and there shall be a minimum twenty-foot wide access easement from the nearest public way.

Section D-6

Operation and Maintenance Plan

An operation and maintenance plan shall be prepared as part of the design of the basin. The plan shall include the types of maintenance normally required and the frequency of necessary inspection maintenance activities. Sediment monitoring and removal shall be part of the maintenance plan. The plan shall be submitted to the Board for approval.

Section D-7

Outlet Structure

The outlet structure shall be as maintenance free as possible and designed to prevent debris from plugging the outlet structures. Details of the outlet structure shall be shown on the plans.

Section D-8

Precedence of Construction

The construction of the detention basin shall precede all other construction, excepting that clearing which is necessary for access to the basin site.

Section D-9

Private Property

The proposed basin shall be located entirely on private property and the maximum extent possible on one lot.

Section D-10

Spillways

An emergency spillway shall be provided to allow release of runoff for the storm frequency greater than the 100-year storm. Spillways shall be constructed of properly sized stone carefully placed and hand chinked. Spillway details shall be shown on the plans.

SECTION E

STORMWATER RECHARGE SYSTEMS

The design of infiltration pits (stormwater recharge systems) shall at a minimum meet the following standards:

Section E-1

Access Requirement

An access way with a heavy-duty lockable cover shall be provided for all infiltration pits.

Section E-2

Aggregate Fill Material

The aggregate fill material for the infiltration shall consist of a clean aggregate with a maximum diameter of 3" and a minimum diameter of 1½". The maximum allowance void space for the aggregates shall be forty percent (40%).

Section E-3

Bottom of Infiltration Pit

The bottom of the infiltration pit shall be a minimum of two (2) feet above the season high groundwater table and bedrock. Subsurface exploration shall be conducted within the areas of the proposed infiltration structures to estimate the infiltration capacity of the soil material.

Section E-4

Drainage Easements

Drainage easements shall be provided to include all of the infiltration pit and its appurtenant structures. The easement shall extend twenty feet around the infiltration pit, and there shall be a twenty-foot wide access easement from the nearest public way.

Section E-5

Filter Fabric Requirement

A filter fabric shall be placed between the excavation and the stone aggregate.

Section E-6

Operation and Maintenance Plan

An operation and maintenance plan shall be prepared as part of the design of the infiltration pit. The plan shall include the types of maintenance normally required and the frequency of monitoring and removal shall be part of this plan. The plan shall be submitted to the Board for approval.

Section E-7

Private Property

The proposed infiltration pit shall be located entirely on private property and to the maximum extent possible on one lot.

Section E-8

Stormwater Runoff Infiltration

The infiltration of stormwater runoff shall not cause any adverse effects of seepage zones on nearby building foundations, roads, and other structures.

SECTION F

CATCH BASINS

Catch basins, with granite curb inlets, will be required on both sides of the roadway on continuous grades at intervals of not more than three hundred (300) feet, at all low points in the grade, and at the point of curvature and point of tangency for the curves at all intersecting streets.

SECTION G

DRAIN PIPES

All drainpipes shall be a straight line and grade. At every change in direction or grade, a manhole shall be provided.

SECTION H

DISPOSAL OF SURFACE WATER

Provision for the adequate disposal of surface water intercepted or collected by catch basins shall be made in such manner that no flow will be conducted over Town ways, or over the land of other unless an easement in proper form is obtained permitting such drainage.

SECTION I

PROPER CONNECTIONS

Proper connections shall be made with the existing public drainage system. Where adjacent property is not subdivided, provision shall be made for extension of the system by continuing appropriate drains to the exterior boundaries of the property, at such size and grade as will allow for their proper projection.

SECTION J

SUBSOIL DRAIN REQUIREMENTS

The Board may also require provision for subsoil drains, along or near the edge of the traveled way (in addition to the trunk line system) wherever, in its opinion, ground water conditions in the subsoil warrant such drains.

SECTION K

REINFORCEMENT

All drainpipes shall be reinforced concrete pipes having a minimum diameter of twelve (12) inches. It shall be laid on a slope of not less than one-half of one percent (0.5%).

SECTION L

DRAINAGE OUTFALL

No drainage outfall shall discharge below the high water line of a stream, swamp, or body of water.

SECTION M HEADWALL

A suitable headwall shall be provided at the outfall end of all drains

SECTION N DRAIN MANHOLES

All drain manholes over five (5) feet in depth shall be provided with suitable steps.

SECTION O BELL ENDS

No bell ends are to be laid in manholes or catch basins.

SECTION P GRATES

Suitable grates are to be installed at the discharge or inlet end of all drains eighteen (18) inches in diameter or larger.

SECTION Q SUMPS

All catch basins are to be constructed with sumps having a minimum depth of three (3) feet.

SECTION R CAPACITY

The closed storm drain system shall be of adequate capacity to accommodate flows from a ten-(10) year storm at a minimum. The calculations used to determine the size of pipes, structures and culverts in the drainage system shall be based on the rational method, and shall be submitted to the Board for review and approval.

ARTICLE VI CONSTRUCTION INVOLVING MORE THAN ONE LOT

SECTION A JOINT APPROVAL

The owner(s) of any two or more lots may apply jointly for approval of a water detention plan involving more than one lot. No construction shall be commenced under any joint plan until the owners of all lots affected have entered into a mutual agreement, approved by the Board, running with the land, for joint maintenance of the water detention facility and until the maintenance agreement and all easements needed to effectuate the plan have been executed and recorded in the Norfolk County Registry of Deeds. If the land included under a water detention plan involving more than one lot is held under common ownership, the owner shall impose a covenant on the land obligating all future owners to maintain the water detention facility for their mutual benefit.

The provisions of this section shall not apply to those water detention facilities shown on a Definitive Plan duly approved by the Planning Board after March 1, 1991.

ARTICLE VII **MAINTENANCE**

SECTION A **RESPONSIBILITY OF EACH OWNER**

Each owner of each lot on which any water detention facility is constructed under these regulations shall be deemed the owner of such facility and is required to keep such facility in working order and in good repair, and may take no steps to cause such facility to malfunction or cease to operate. The provision of this section shall not apply to those water detention facilities shown on a Definitive Plan duly approved by the Planning Board after March 1, 1993.

ARTICLE VIII **NO WARRANTY**

SECTION A **RESPONSIBILITY OF EACH OWNER**

The Board of Sewer & Water Commissioners, in adopting the specifications hereunder and in approving any water detention facility in accordance with these regulations makes no warranty of any kind in connection with any approved water detention facility constructed.

ARTICLE IX **PENALTY**

SECTION A **FINE**

Any person, firm or corporation violating any provision of these regulations are separable and the invalidity of any one of these regulations shall not affect the validity of the remaining regulations.