Sewer Use Ordinance
for the
Town of Randolph
Randolph, Maine  04346
Project No. 29-00
April 25, 2006

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Article I. Purpose

The purpose of this ordinance is to promote the health and general welfare of the citizens of the Town of Randolph by regulating and restricting the construction and use of sewerage systems and the accumulation, transportation, treatment and disposal of sewage in such a manner that the creation of any sewerage system, whether public, private or industrial, shall not result in pollution, health hazard or other nuisance.

Article II. Scope

After the effective date of this Ordinance, any person owning any building or structure within the Town of Randolph which is the source of sewage and/or industrial wastes or who proposes to erect such building or structure within 300 feet of the sewer main must hook into the sewer system and conform to the requirements of this ordinance especially Sections 5.6 and 5.7.

Article III. Definitions

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

§ 3.0 “BOARD OF SELECTMEN” shall mean the duly elected town selectmen of the Town of Randolph.

§ 3.1 “BOD” (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20°C, expressed in milligrams per liter.

§ 3.2 “Building Drain” shall mean that part of the lowest horizontal piping of an interior building sewer system which receives the discharge from waste and other plumbing fixtures inside the walls of the building and conveys it to the building sewer, beginning eight (8) feet outside the inner face of the building wall (See Foundation Drain).

§ 3.3 “Building Sewer” shall mean the extension from the building drain to the public sewer or other place of disposal.

§ 3.4 “Categorical Pretreatment Standards” means discharge limitations for specific industrial user categories promulgated by the U.S. Environmental Protection Agency under Sections 307 of the Clean Water Act.

§ 3.5 “Combined Sewer” shall mean a sewer receiving both wastewater and storm or surface water runoff.
§ 3.6 “Developer” shall mean any person or persons who undertake to construct simultaneously or in planned sequence more than one housing unit on a given tract or land subdivision.

§ 3.7 “Easement” shall mean an acquired legal right of the specific use of land owned by others.

§ 3.8 “Engineer” shall mean the Professional Engineering firm retained as Town Engineer by the Board of Selectmen, Town of Randolph, Maine.

§ 3.9 “Floatable Oil” is oil, fat, or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. A wastewater shall be considered free of floatable oil if it is properly pretreated and the wastewater does not interfere with the collection system.

§ 3.10 "Garbage" shall mean solid wastes from the domestic and commercial preparation, cooking and dispensing of food and from the handling, storage, and sale of produce.

§ 3.11 “Hearing Board” shall mean the Zoning Board of Appeals for the Town of Randolph, Maine.

§ 3.12 “Industrial User” means any person connected to a public sewer and discharging industrial waste.

§ 3.13 “Industrial Wastes” shall mean the wastewater from industrial processes, as distinct from domestic or sanitary wastes.

§ 3.14 “Interfere” means an inhibition or disruption of the treatment works, its treatment processes or operations, or its sludge process, use or disposal which is a cause of or significantly contributes to either a violation of any requirement of the Natural Pollution Discharge Elimination System (NPDES) permit (including an increase in the magnitude or duration of a violation) or to the prevention of sewage sludge use or disposal in accordance with the following statutory provisions and regulations or permits issued thereunder (or more stringent State or local regulations): Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (more commonly referred to as the Resource Conservation and Recovery Act (RCRA) and including State Regulations contained in any State sludge management plan prepared pursuant to Subtitle D of the SWDA, the Clean Air Act, and the Toxic Substances Control Act (TSCA). A user significantly contributes to such a permit violation or prevention of sludge use or disposal in accordance with above-cited authorities whenever such user:

1. Discharges a daily pollutant loading in excess of that allowed by contract with the Town or by Federal or State law;
2. Discharges wastewater which substantially differs in nature or constituent from the user’s average discharge; or
3. Knows or has reason to know that its discharge, alone or in conjunction with discharges from other sources, would result in a permit violation or prevent sewage sludge use or disposal in accordance with the above-cited authorities as they apply to the selected method of sludge management.

§ 3.15 “LPI” shall mean Licensed Plumbing Inspector.

§ 3.16 “Maine Plumbing Code” shall mean the latest edition of the State of Maine Plumbing Codes as administered by Health Engineering.

§ 3.17 “Major Renovation” shall mean work that is more than 25% of the assessed value of the property.

§ 3.18 “Natural Outlet” shall mean any outlet including storm sewers and combined sewer overflows, into a water course, pond, ditch, lake, or other body of surface or groundwater.

§ 3.19 “Person” shall mean any individual, firm, company association, society, corporation, municipal or quasi-municipal, state, or federal agency, or other legal entity.

§ 3.20 “pH” shall mean the negative logarithm of the hydrogen ion concentration in terms of molar concentrations.

§ 3.21 “Pollutant” shall mean to include but is not limited; to dredged spoil, solid waste, junk, sewage sludge, munitions, chemicals, biological or radiological materials, oil, petroleum products or by-products, heat, wrecked, or discarded equipment, rock, sand, dirt and industrial, municipal, domestic, commercial or agricultural wastes of any kind.

§ 3.22 “Plumbing Inspector” shall mean the Plumbing Inspector of the Town of Randolph, Maine.

§ 3.23 “Private sewer” is a pipe or conduit system ranging from 4” to 6” that carries wastewater and is operated and maintained solely by the Owner of the property.

§ 3.24 “Properly Shredded Garbage” shall mean the wastes from the handling, preparation, cooking, and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one half (1/2) inch in any dimension.

§ 3.25 “Public Sewer” shall mean a sewer in which all owners of abutting properties have equal rights and is owned, operated and maintained by the Town of Randolph, Maine.

§ 3.26 “Sanitary Sewer” shall mean a sewer that carries liquid and water carried wastes from residences, commercial buildings, industrial plants and institutions together with minor quantities of ground, storm and surface waters that are not admitted intentionally.
§ 3.27 “Shall” is mandatory; “May” is permissive.

§ 3.28 “Slug” shall mean any discharge of water, or wastewater in which concentration of any given constituent or in quantity of flow exceed for any period of duration longer than 15 minutes, more than five (5) times the average 24 hour concentration of flows during normal operation or which interferes with the collection system and/or performance of the wastewater treatment works.

§ 3.29 “Slug Loading” means discharge at a flow rate or pollutant concentration that may interfere with the public sewer or wastewater treatment facilities.

§ 3.30 “Storm Drain” (sometimes termed “Storm Sewer”) shall mean a sewer, which carries storm and surface waters and drainage, but excludes sewage and industrial wastes or other than unpolluted cooling water.

§ 3.31 “Superintendent” shall mean the Superintendent of the Sewer Department or the Public Works Director of the Town of Randolph, Maine, or an authorized representative. In the case of both parties present “Superintendent” shall be the Sewer Department.

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

§ 3.33 “Town” shall mean the Town of Randolph, Maine, or its duly authorized representative.

§ 3.34 “Unpolluted Water” is water of quality equal to or better than the effluent criteria in effect or water that would not cause violation of receiving water quality standards and would not be benefited by discharge to the sanitary sewers and waste water treatment facilities provided.

§ 3.35 “Water Course” shall mean a natural or artificial channel for the passage of water either continuously or intermittently.

Article IV. Use of Public Sewers Required

Section 4.1 Prohibited Deposits in Property.

It shall be unlawful for any person to place, deposit, or permit to be deposited any human or animal excrement, garbage or other objectionable waste that presents a direct health risk on public or private property within the Town of Randolph or in any area under the jurisdiction of said Town.
Section 4.2 Prohibited Discharges.

It shall be unlawful to discharge to any natural outlet within the Town of Randolph, or in any area under the jurisdiction of any Town, any wastewater or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this ordinance. New discharges of an unpolluted nature will be prohibited unless approved by the Town.

Section 4.3 Private Systems Allowed.

Except as provided in Article V, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage.

Section 4.4 Connection Required.

The Owner(s) of all new houses, buildings, or properties used for human occupancy, employment, recreation or other purposes requiring the disposal of sewage situated within the Town and butting on any street, alley, or right-of-way in which there is located a public sanitary sewer of the Town, is hereby required at their own expense to install suitable toilet facilities therein. Such facilities must be connected directly to the proper public sewer in accordance with the provisions of this Ordinance. Any failing existing private septic systems, sewage disposal systems, pipes or drains and must comply within 30 days of the failure with the requirements of the Maine State Department of Health and Human Services (Maine Subsurface Waste Water Disposal Rules).

Article V. Private Wastewater Disposal

Section 5.1 Private Disposal Permitted.

Where a public sanitary sewer is not available under the provisions of Article IV Section 4, the building sewer shall be connected to a private disposal system complying with the requirements of the Maine State Department of Health and Human Services (Maine Subsurface Waste Water Disposal Rules) dealing with private sewage disposal and the Plumbing Code of the Town of Randolph, Maine.

Section 5.2 Permit Requirements.

Before commencement of construction of a private sewage disposal system, the Owner shall first obtain a written permit signed by the Plumbing Inspector. The type, capacities, location, and layout of a private wastewater disposal system shall comply with the State of Maine Plumbing Code, Part II – Subsurface Wastewater Disposal Regulations and the minimum lot size law (Maine Revised Statutes Annotated, Titles 12 Chapter 423-A). No private wastewater disposal system shall be permitted to discharge to any natural outlet.
Permit and inspection fees shall be paid according to the Plumbing Code Rules.

Section 5.3 Inspection Required.

The subsurface wastewater disposal system shall be inspected by the Local Plumbing Inspector (LPI) before the system can be put into service. The procedure will follow those outlined in the Maine Plumbing Code Rules.

Section 5.4 Sanitary Maintenance.

The Owner shall operate and maintain the private wastewater disposal facility in a sanitary manner at all times, at no expense to the Town. All removal or waste from the system shall be collected and deposited at a properly licensed treatment works at the expense of the Owner. At no time shall such waste be discharged into the public system.

Section 5.5 Code Enforcement Officer Authority.

No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by the Code Enforcement Officer.

Section 5.6 Connection to New Public Sewer.

When a public sewer becomes available, the private building sewer shall be connected to said sewer within 60 days, if the private system is malfunctioning, illegal, or unsanitary, as determined by the LPI. Any private wastewater facility no longer being used, shall be cleaned of sludge, and filled with suitable material or completely removed.

Section 5.7 Removal of Old System.

The contents from septic tanks of Randolph properties, boat holding tanks or RV holding tanks located anywhere in Randolph cannot be discharged to the public sewer collection system. The contents may be discharged at a properly licensed treatment facility at the expense of the Owner. Currently, Gardiner does not accept these discharges until further approval by the DEP for a Discharge Permit. Any other method of disposal will be considered an illegal discharge of wastewater.

Article VI. Building Sewers and Connections

Section 6.0 Sewer Rate Deduction.

Only sewer rate deduction will be to have an outside water meter installed by a licensed plumber at the expense of the Owner. The Owner shall pay for the inspection of the installation at the designated cost by the Town.
Section 6.1 Building Sewer Permit.

No unauthorized person shall uncover, make any connection with or opening into, use, alter or disturb any public or private sewer or appurtenance thereof without first obtaining a written permit from the Town (See application in Appendix 2).

Any person proposing a new discharge into the system or a substantial change in the volume or character of pollutants that are being discharged into the system shall notify the Town at least 45 days prior to the proposed change or connection, and shall comply with Maine Revised Statutes Annotated, Title 30-A, Chapter 161, Subchapter 1, §3405.

Section 6.2 Sewer Connection Fees.

There shall be two (2) classes of building sewer permits:

a. For residential and commercial service, and
b. For service to establishments producing industrial wastes.

In either case, the owner or his agent shall make application on a special form furnished by the Town. This permit application shall be supplemented by any plan specifications, or other information considered pertinent in the judgement of the Town. A permit and inspection fee of $160 for a residential or commercial building sewer permit and $200 for an industrial building sewer permit shall be paid to the Town at the time the application is filed. A private collection system shall be assessed by the number of units in the development at the cost of $60 per unit.

Section 6.3 Installation Costs and Indemnification.

All costs and expenses incident to the installation and connection of the building sewer shall be borne by the Owner. The Owner shall indemnify the Town from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

Section 6.4 Separate Sewer Connection.

A separate and independent sewer shall be provided for every building except where one (1) building stands at the rear of another or an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley courtyard, or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer except as stated in Article XII and if approved by the Town.
Section 6.5 Old Building Sewers.

Old building sewers may be used in connection with new buildings only when they are found, by examination and test, to meet all requirements of this Ordinance. The cost of examination and testing shall be borne by the Owner and the Town must then review and approve results.

Section 6.6 Building Sewer Specification.

The following standards pertain to private sewer collection systems as well as public sewer systems. The building sewer shall be tar-coated ductile iron pipe or polyvinylchloride (PVC) pipe conforming to the following standards:

1. Ductile Iron Class 52 (all sizes)
2. PVC SDR 26 for 4"
3. PVC SDR 35 for 6" and up
4. Schedule 40 (all sizes).

a. Size of Sewer. The diameter of the building sewer shall not be less than four (4) inches nor shall the slope of the pipe be less than ¼" per foot. Six (6) inch is recommended and its slope can be 1/8" per foot.

b. Depth of Sewer. The depth of building sewers installed after the effective date of this Ordinance, shall be sufficient (4 to 5 feet deep) to afford protection from frost, but in no event shall be less than three (3) feet, and shall be insulated over the sewer pipe with 2 inches of plastic foam blue boards the whole width of the trench. The building sewer shall be laid at uniform grade and in straight alignment to the best extent possible. Changes in direction shall be made only with properly curved pipe and fittings. The ends of building sewers, which are not connected to the building drain of the structure for any reason, shall be sealed against infiltration by a suitable stopper, plug or other approved means. Installation shall conform to the Maine Plumbing Code.

c. Sewer Elevation. In all buildings, constructed after the effective date of this Ordinance, in which any building drain is too low to permit gravity flow to the public sewer, sewage or industrial wastes carried by such drain shall be lifted by approved mechanical means and discharged to the building sewer.

d. Open Trenches. All excavations required for the installation of a building sewer shall be open trench work unless otherwise approved by the Town. Pipe laying and backfill shall be performed in accordance with ASTM Standards and Water Pollution Control Facility (WPCF) Manual of Practice No. 9 stating that no backfill shall be placed until the work has been inspected by the Town.

e. Joints and Connections. All joints and connections shall be made air tight, water tight and tested. The transition joint between pipes of different materials shall be made with adapters and joint materials approved by the Town.
Premolded gasket joints shall be used and shall be neoprene compression type gaskets, which provides a positive double seal in the assembled joint. The gasket shall be a premolded, one-piece unit designed for joining the pipe material used. The assembled joint shall be sealed by compression of the gasket between the exterior surface of the spigot and the interior surface of the hub. The joint shall be assembled with special pipe coupling tools designed for that purpose. Lubricant shall be a non-toxic material, and shall not chemically attack the gasket material.

Lead and oakum joints and solvent weld joints are allowed but only installed by a licensed master plumber, and if other means are not possible.

f. Point of Connection. The connection of the building sewer into an existing public sewer shall be made at the existing public sewer. All costs and expenses incidental to the installation and connection of the entire length of 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. The method of connection of the building sewer to the public sewer will be dependent upon the type of pipe material used and in all cases shall be approved by the Town. The connection of the building sewer into the public sewer shall be made at the “Y” or “T” branch. If none is available, a connection may be made by tapping the existing sewer by a method approved by the Town.

g. Notification. The applicant for the building sewer permit shall notify the Town when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Town.

h. Institutions, Industries and Schools. When any building sewer is to serve a school, hospital, public building, complex of industrial or commercial buildings or which, in the opinion of the Town will receive sewage or industrial wastes of a volume and type which may require frequent maintenance then that sewer will be connected to the public sewer through a manhole. The Town shall determine if and where this type of connection to the public sewer is required. Connections to existing manholes shall be made as directed by the Town. If required, a new manhole shall be installed in the public sewer pursuant to Article VII, Section 3, and the building sewer connection made thereto as directed by the Town.

i. Excavations/Restoration. All excavations for building sewer installation shall be properly delineated with channelizing devices such as barricades, lights or cones meeting the Standards of the Manual of Uniform Traffic Control Devices (MUTCD). Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Town’s Street Opening Ordinance and the Director of Public Works or Town. Below is a chart on the minimum pavement thickness (adopted from Randolph Subdivision Ordinance, Page 40, 1999).
j. Pumped Systems. All pumped systems shall meet the following minimum specifications:
1. All pumped systems shall pump effluent only from 1,000-gallon (minimum) septic tanks. Pumping of raw sewage is not allowed.
2. Pipe for force main shall be a minimum of 2" diameter Schedule 40 PCS or HDPE copper tube size polyethylene.
3. A design from all pumped systems must be submitted, reviewed and approved by the Town’s engineer before constructing a pumped system connection.

k. If work in this section has been deemed private, the cost of the sewer work described shall be the responsibility of the Owner.

Section 6.7 Violations

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

b. Any person who shall continue any violation beyond the time limit provided, either directly or indirectly, shall be liable to pay damages to the Town of Randolph in twice the amount the Town of Randolph is damaged. These damages will be recovered using proper action; and such person, on conviction of such acts resulting in willful injury or damage, shall be punished by a fine not exceeding $500 or by imprisonment not exceeding six (6) months, or by both such fine and imprisonment. Fines and/or imprisonment is assessed and issued per violation not for all violations combined. In addition to the above, the Town of Randolph has the right to use any equitable restraint available under law against any person violating the provisions of this Ordinance.

c. Any person violating any of the provisions of this Ordinance shall become liable to the Town of Randolph for any expense loss, or damage occasioned by the Town of Randolph by reason of such violation.
Section 6.8 Legal and Illegal Pipe Connections

An illegal connection is any connection to a sanitary sewer that would allow stormwater or other waste water discharges to enter the system such as urban runoff, snowmelt runoff, groundwater, irrigation flows, water from catch basins, gutters, perimeter drains, cooling water and sump pumps.

Legal connections include but may not be limited to are kitchen sinks, bathroom fixtures, such as toilets, bathtubs, floor drains and clothes washer hookups.

Article VII. Sewer Extensions

Section 7.1 Town Extension.

Sewer extensions, including individual building sewers from the sewer to the property line, may be constructed by the Town under public contract if, in the opinion of the Selectmen, the number of properties to be served by such extension warrant its cost. Under this arrangement, the property owner shall pay for and install the building sewer from the edge of the right-of-way to his residence or place of business in accordance with the requirements of Article IV.

Property owners may propose sewer extensions within the incorporated town by drafting a written petition, signed by a majority of the benefiting property owners, and filing it with the Selectmen. The cost of such extensions may be assessed to the benefited property owners based on current construction costs determined by the Selectmen.

Section 7.2 Private Extension.

If the Town does not elect to construct a sewer extension under public contract, the property owner, builder or developer may construct the necessary sewer extension, if such extension is approved by the Selectmen in accordance with the requirements of Section 7.1. He or they must pay for the entire installation, including all expenses incidental thereto. Each building sewer must be installed and inspected as previously required and the inspection fees shall be paid. Design of sewers shall be as specified in Article VII, Section 3. The installation of the sewer extension must be subject to periodic inspection by the Town and the expenses for this inspection shall be paid by the owner, builder, or developer. The Town’s decisions shall be final in matters of quality and methods of construction. The sewer, as constructed, must pass the standard air test before it is to be used. The cost of sewer extension shall be absorbed by the developers or the property owners, including all building sewers.
Section 7.3  Design of All New Sewer Mains.

The design of all new sewer mains and service lines shall be prepared by a Maine Professional Engineer. The plans will include plan and profile of the sewer pipe. The design shall also include a complete set of specifications to accompany the plans. The design shall be reviewed and approved by the Maine DEP (See Appendix 4 – Sewer Extension/Addition Reporting Form Guidance), Code Enforcement Officer and/or Public Works Director of the Town, and the retained Professional Engineer. All designs shall conform substantially with the latest Edition of Guides for the Design of Wastewater Treatment Works as prepared by the New England Interstate Water Pollution Control Commission (NEIWPCC). The design Engineer shall provide the Town a certificate of compliance that the construction was performed according to the plans and specifications.

All testing of the sewer shall be conducted in the presence of the Town. If the installation fails any test, the source of leakage shall be found and repaired and all defective materials shall be replaced. The pipe shall then be retested. All costs of repairs and testing shall be the responsibility of the Owner at the time the work is done.

Section 7.4  Private Extension Approvals and Guarantees.

Sewer extensions constructed at the property owner's, builder's or developer's expense and within the public right-of-way, after final approval and acceptance by the Town shall become the property of the Town and shall thereafter be maintained by the Town. Said sewers, after their acceptance by the Town, shall be guaranteed against defects in materials or workmanship for 12 months. The guarantee shall be in the form of a maintenance guarantee bond in an amount not less than 10% of the Engineers estimate of the cost of the extension.

Section 7.5  Building Permit Relation.

No builder or developer shall be issued a building permit for a new dwelling or structure requiring sanitary facilities within the Town, unless a suitable and approved method of sewage disposal is proposed.

Article VIII. USE OF PUBLIC SEWERS

Section 8.1  Discharges Not Allowed in Public Sewers.

No person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water or unpolluted industrial process waters to any sanitary sewer discharging to a publicly owned sewer system. There shall be no unpolluted discharges to the sanitary sewer whatsoever.
Section 8.2 Storm Sewers.

Stormwater and all other unpolluted drainage shall be discharged to such sewers that are specifically designated as storm sewers, or to a natural outlet approved by the Town.

Section 8.3 Prohibited Waters and Wastes.

Except as hereinafter provided, no person shall discharge or cause to be discharged, any of the following described waters or wastes to any public sewer:

a. Any liquid or vapor having a temperature higher than 104 degrees F.
b. Any waters or wastes which contain grease or oil or other substances that will solidify or become discernibly viscous at temperatures between 32 and 104 degrees F.
c. Any waters or wastes containing fats, grease, or oils, whether emulsified or not, exceeding an average of 50 parts per million (417 pounds per million gallons) of soluble matter.
d. Any gasoline, benzene, naphtha, fuel oil, mineral oil, or other flammable or explosive liquid, solid or gas.
e. Any noxious or malodorous gas such as hydrogen sulfide, sulfur dioxide or nitrous oxide or other substance, which either singly or by interaction with other wastes is capable of creating a public nuisance or hazard to life or of preventing entry into sewers for their maintenance and repair.
f. Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of 3/4 horsepower or greater shall be subject to the review and approval of the Town.
g. Any ashes, cinder, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastic, cardboard, wood, manure, hair and fleshings, entrails, lime slurry, lime residues, beer or distillery slops, whey, chemical residues, paint residues, cannery waste, bulk solids, or any other solid or viscous substance capable of causing obstruction to the flow of the sewers or other interference with the proper operation of the sewage works.
h. Any waters or wastes, acid and alkaline in reaction, having corrosive properties capable of causing damage or hazard to structures, equipment and personnel of the sewage works. Free acids and alkalies must be neutralized, at all times, within a permissible pH range of 6.0 to 9.0.
i. Any cyanides, in excess of 2 parts per million by weight as cyanide.
j. Any toxic radio-active isotopes, without a special permit.
k. Any waters or wastes that for a duration of 15 minutes have a concentration greater than 5 times that of "normal" sewage as measured by suspended solids and B.O.D. and/or which is discharged continuously at a rate exceeding 1,000 gallons per minute will only be accepted by special permit by the Town and Gardiner Wastewater. Normal sewage shall be construed to fall within the following ranges:

<table>
<thead>
<tr>
<th>Constituents</th>
<th>Permissible Range</th>
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<tbody>
<tr>
<td>Suspended Solids</td>
<td>180 to 350 ppm</td>
</tr>
<tr>
<td>B.O.D.</td>
<td>140 to 300 ppm</td>
</tr>
<tr>
<td>Chlorine Requirements</td>
<td>5 to 15 ppm</td>
</tr>
</tbody>
</table>

l. Any storm water, roof drains, floor drains, spring water, cistern or tank overflow, footing drain, discharge from any vehicle wash rack or water motor, or the contents of any privy vault, septic tank or cesspool, or the discharge or effluent from any air conditioning machine or refrigeration unit except as provided in Article VIII, Section 1.

m. No person shall discharge or cause to be discharged any waters or wastes containing a toxic or poisonous substance, a high chlorine demand or suspended solids in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals or create any hazard in the receiving waters or the effluent of the publicly owned sewage treatment plant serving the Town. Such toxic substances shall be limited to the average concentrations listed hereinafter in the sewage as it arrives at the treatment and at no time shall the hourly concentration at the sewage treatment plant exceed three times the average concentration. If concentrations listed are exceeded, individual establishments will be subject to control by the Engineer in volume and concentration of wastes discharged.

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<thead>
<tr>
<th>Limits of Toxic Substances in Sewage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Iron, as Fe</td>
</tr>
<tr>
<td>Chromium, as CR (Hexavalent)</td>
</tr>
<tr>
<td>Copper, as Cu</td>
</tr>
<tr>
<td>Chlorine requirements</td>
</tr>
<tr>
<td>Penol</td>
</tr>
<tr>
<td>Cyanide, as CN</td>
</tr>
<tr>
<td>Cadmium, as Cd</td>
</tr>
<tr>
<td>Zinc, as ZN</td>
</tr>
<tr>
<td>Nickel</td>
</tr>
<tr>
<td>5.0 ppm</td>
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<tr>
<td>3.0 ppm</td>
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<tr>
<td>1.3 ppm</td>
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<tr>
<td>15.0 ppm</td>
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<tr>
<td>10.0 ppm</td>
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<tr>
<td>0.5 ppm</td>
</tr>
<tr>
<td>8.5 ppm</td>
</tr>
<tr>
<td>0.5 ppm</td>
</tr>
<tr>
<td>1.0 ppm</td>
</tr>
</tbody>
</table>
Section 8.4 Grease, Oil, and Sand Separators.

Grease, oil and sand separators shall be provided when the above set limits for those substances are exceeded or when, in the opinion of the Town or authorized representative of the Town, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, and other harmful ingredients; except that such separators shall not be required for private living quarters or dwelling units. All separators shall be of a type and capacity approved by the Town or authorized representative of the Town, and shall be located as to be readily and easily accessible for cleaning and inspection. The separators/interceptors shall comply with the requirements of the Maine Plumbing Code Part II.

Grease and oil interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperatures. They shall be of substantial construction, watertight, and equipped with easily removable covers which when bolted in place shall be gas-tight and watertight.

Section 8.5 Maintenance.

Where installed, all grease, oil and sand interceptors shall be maintained by the owner, at his expense, in continuously efficient operation at all times and shall be readily accessible and open to inspection by the Town at any time.

Section 8.6 Special Wastes.

The admission into the public sewers of any waters or wastes having:

a. A 5 day Biochemical Oxygen Demand greater than 300 Parts per million or
b. containing more than 350 parts per million of suspended solids, or
c. containing more than 15 parts per million of chlorine requirement or
d. containing any quantity of substances having the characteristics described in Article VIII, Section 3 or
e. having an average daily flow greater than 2% of the average daily sewage flow of the Town.

Shall be subject to the review and approval of the Engineer. Where necessary, in the opinion of the Engineer, the Owner shall provide, at his expense, such preliminary treatment to:

1. reduce the Biochemical Oxygen Demand to 300 parts per million and the suspended solids to 350 parts per million by weight, or
2. (2) reduce the Chlorine requirements to 15 Parts Per million, or
3. reduce objectionable characteristics or constituents to within the maximum limits provided for in Section 8.3, or
4. control the quantities and rates of discharge of such waters or wastes. Plans, specifications, and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the Engineer, and no construction of such facilities shall be commenced until these approvals are obtained in writing. Failure to comply with one or more of the remedial procedures as required by the Engineer will constitute a violation of this ordinance.

New installation or major renovations of a restaurant or other facilities with a kitchen serving more than 15 people per day on a year round or seasonal basis, shall require that an external grease trap shall be installed. The size and installation shall conform to the Maine Plumbing Code requirement.

Section 8.7 Maintenance of Pretreatment Facility.

Where preliminary treatment is required by the Town and Gardiner Wastewater for any waters or wastes, they shall be maintained continuously in a satisfactory and effective operation by the Owner at his expense.

Section 8.8 Control Manhole.

When required by the Engineer, the owner of any property served by a building sewer carrying industrial wastes shall install a suitable control manhole in the building sewer to facilitate observation, sampling, and measurement of the wastes. Any sampling or measurement required by the Town will be at the Owner’s expense whether or not the Owner or Town does the sampling.

A manhole, when required, shall be accessible and safely located, and shall be constructed in accordance with plans approved by the Engineer. 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 8.9 Measuring and Testing.

Measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in Sections 8.3 and 8.6, shall be determined in accordance with "Standard Methods for the Examination of Water and Sewage," upon suitable samples taken at control manhole provided for in Section 8.8. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected.
Section 8.10 Special Agreements.

No statement contained in this article shall be construed as preventing any special agreement or arrangement between the Town and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the Town for treatment, subject to payment therefore by the industrial concern. Special agreements as such shall be reviewed, approved and negotiated by the City of Gardiner or a designated representative for the capacity and cost.

Section 8.11 Point of Application.

All of the preceding standards are to apply at the point where the industrial wastes are discharged into the public sanitary sewerage system and any chemical or mechanical corrective treatment required must be accomplished to practical completion before the wastes reach that point. The laboratory methods used in the examination of all industrial wastes shall be those set forth in the latest edition of “Standard Methods for the Examination of Water and Sewage,” published by the American Public Health Association. However, alternate methods for the analysis of industrial wastes may be used subject to mutual agreement between the Town Council and the producer of such wastes. The frequency and duration of the sampling of any industrial waste shall not be less than once every three (3) months for a 24-hour period. However, more frequent and longer periods may be required at the discretion of the Selectmen.

Article IX. Protection from Damage

Section 9.1 Malicious Conduct

No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is a part of the sewage works. Any person violating this provision shall be subject to immediate arrest under charge of vandalism.

Section 9.2 Certificates of Insurance.

A contractor must present a certificate of insurance showing minimum liability coverage of $100,000/$300,000 for bodily injury and a $25,000 limit for property damage including collapse and underground coverage before a permit will be issued for construction of building sewers or sewer extensions. Sewer extensions may require higher coverage if so recommended by the Town or authorized representative of the Town.
Article X. Miscellaneous Industrial Pretreatment Requirements

Section 10.1 Local Compliance.

All persons discharging wastes into a publicly owned sewage system shall comply with applicable requirements of federal and state industrial pretreatment regulations and the rules and regulations of the Gardiner Waste Water Treatment Facility.

Section 10.2 Federal and State Compliance

Industrial users shall comply with federal and state general pretreatment standards and applicable categorical pretreatment standards. Such compliance with categorical standards shall be achieved within three (3) years of the date such standard is effective, unless a shorter compliance time is specified, but in no case later than July 1, 1984.

Section 10.3 Suspension of Service

The Town authorized representative may, after formal notice to the public sewer user, immediately halt or prevent any discharges of pollutants appearing to present an imminent endangerment to the health and well being of persons or the environment or which may threaten to interfere with operation of the public sewer or wastewater facilities.

In the case of noncompliance enforcement actions, it is the Town authorized representative right to serve notice of violation, gain entry on private property to halt discharge blockage of a public sewer, or demand a specific action by the discharger to cease.

Section 10.4 Investigative Authority

The Town shall investigate instances of noncompliance with industrial pretreatment standards and requirements, as requested by the Gardiner Waste Water Treatment Facility.

Section 10.5 Industrial Permit

Within 180 days after the effective date of a categorical pretreatment standard, existing industrial users are subject to such standards and shall submit to the Town; an application for a categorical permit containing information required under applicable federal and state industrial pretreatment regulations. Such information, as a minimum, shall include:

- the name and address of the facility, including the name of the operators and owners;
- a list of all environmental permits held by or for the facility;
- a brief description of the nature, average rate of production, and Standard Industrial Classification of the operations carried out at such facility;
- a schedule of actions to be taken to comply with the categorical standards;
- information showing the measured average daily and maximum daily flow, in gallons per day, to the public sewer from regulated process streams and from other streams;
- an identification of the industrial pretreatment standards applicable to each regulated process; and
- an analysis identifying the nature, concentration and quantity of pollutants in the discharge to establish whether pretreatment is necessary.

The Town may require additional information to be included in such application.

Section 10.6 Reporting Requirements

Within 90 days after the date of final compliance by existing industrial users with applicable categorical pretreatment standards, or in the case of a new source, following commencement of the introduction of wastewater into the public sewer, industrial users shall submit to the Town; a report indicating the nature and concentration of pollutants in the discharge from the regulated process(es) governed by pretreatment standards and the average and maximum daily flow for these process units. Such report shall state whether the applicable pretreatment standards are being met on a consistent basis, and if not, what additional operation and maintenance practices or pretreatment is necessary. Such industrial users shall submit to the Town during the months of June and December unless required more frequently. A report indicating the nature and concentration of pollutants in the discharge shall be written up and any additional requirements for such report may be imposed by the Town.

Section 10.7 Notice of Change

Industrial users shall give written notice to the Town and the Gardiner Waste Water Treatment Facility at least 45 calendar days before making significant changes in the nature, quantity, or rate of discharge of industrial waste.

Section 10.8 Notice of Slug Loading

Industrial users shall immediately notify the Town and the Gardiner Waste Water Treatment Facility of any slug loading discharge by such user.
Section 10.9 Reports by Industrial Users

All reports submitted by industrial users under this Article shall be signed by an authorized representative. An authorized representative may be:

- a principal executive officer of at least a level of vice president, if the industrial user is a corporation; or
- a duly authorized representative of either of the individuals designated above, if such representative is responsible for the overall operation of the subject facility.

Section 10.10 Record Keeping

Industrial users subject to the reporting requirements under this Article shall maintain records of all information resulting from any monitoring activities required to prepare such reports. Such reports include for each sample:

- the date, exact place, method, and time of sampling and the names of person or persons taking the sample;
- the dates analyses were performed;
- who performed the analyses;
- the analytical techniques and methods used; and
- the results of such analyses.

Such records shall be maintained for a minimum of three (3) years and shall be made available for inspection and copying by the Town and the Gardiner Waste Water Treatment Facility.

Section 10.11 Public Access to Records

Information and data submitted to the Town and the Gardiner Waste Water Treatment Facility under this Article relating to wastewater discharge characteristics shall be available to the public without restriction. Other such information shall be available to the public at least to the extent provided by 40 CFR Section 2.302.

Section 10.12 Exclusion of Wastes for Reasons

The Town may temporarily exclude from the public sewer, industrial wastes from one or more industrial users, whether pretreated or not, if necessary or helpful in determining the effects of such wastes upon the public sewer or Gardiner Waste Water Treatment Facility.
Article XI. Public Works Authorities

Section 11.1 Access to Property.

The Public Works Director, the Engineer, and any duly authorized employees of the Town bearing proper credentials and identifications shall be permitted to enter all properties for the purpose of inspection, observation measurement, sampling and testing, in accordance with the provisions of this ordinance.

Section 11.2 Access to Easements.

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

Article XII. Hearing Board

Section 12.1 Hearing Board Designated.

The zoning board of appeals shall serve as a hearing board for this chapter for arbitration of differences between the Public Works Director and sewer users on matters concerning interpretation and execution of the provisions of this chapter by the public works Public Works Director. The cost of the arbitration will be divided equally between the Town and the sewer user.

Section 12.2 Board’s Jurisdiction and Powers.

The Zoning Board of Appeals shall have the following powers and duties to be exercised only upon written appeal by a party aggrieved by a decision of the Public Works Director, the Town Code Enforcement Officer and/or the Plumbing Inspector to the extent that such decision arises from requirements of this Chapter:

a. To determine whether the decisions of the Officers are in conformity with the provisions of this Chapter and to interpret the meaning of this Chapter in cases of uncertainty;

b. To grant variances from the terms of the Chapter where there is no substantial departure from the intent of the Chapter and/or where necessary to avoid undue hardship. A projected expenditure of an amount exceeding 15 percent of the assessed value of the buildings on the land to be served by the public sewer shall be considered a prima facie evidence of undue hardship; and
c. To permit an exception to this Chapter only when the terms of the exception have been specifically set forth by this Chapter.

d. Such exceptions and variances shall be granted only in compliance with applicable state and federal statute and regulation.

Section 12.3 Public Hearing; Notice.

A public hearing shall be held within 30 days of date that an appeal is filed. Public notice shall be given to the Town Office and to the newspaper of general circulation serving the Randolph area at least seven (7) days in advance of the hearing. Appellant shall be charged full cost of notification for the public hearing. The amount shall be paid to the Treasurer prior to publishing the notification of the public hearing.

Section 12.4 Written Decision.

A decision in writing shall be given to the appellant within nine (9) days of the hearing.

Article XIII. Sewer Service Charges

Section 13.1 Sewer Service Charges.

The source of not less than 90% of the revenues needed for retiring debt services, capital expenditures, operation and maintenance of the public sewerage works shall be Sewer Service Charges.

Section 13.2 Readiness to Serve Charges.

Sewer Service Charge rates including readiness to serve charges shall be determined by the Selectmen. This charge will be billed on a quarterly basis throughout each calendar year.

Section 13.3 Amendment to Charge.

The Selectmen reserves the right from time to time, to change Sewer Service Charges originally or previously assigned to any property owner.

Section 13.4 Payment Terms.

All sewer charges shall be committed to the Treasurer of the Town for collection on a quarterly basis and shall be due and payable, on or about as follows:

<table>
<thead>
<tr>
<th>Sent</th>
<th>Received</th>
</tr>
</thead>
<tbody>
<tr>
<td>December 15</td>
<td>January 15</td>
</tr>
<tr>
<td>March 15</td>
<td>April 15</td>
</tr>
<tr>
<td>June 15</td>
<td>July 15</td>
</tr>
<tr>
<td>September 15</td>
<td>October 15</td>
</tr>
</tbody>
</table>
There shall be a lien on real estate served or benefited by a municipal sewer and sewer disposal system to secure the payment of service charges duly established hereunder which shall take precedence over all other claims on such real estate excepting only claims for taxes. The Treasurer of the municipality shall have the same authority and power to collect such service charges as are granted by Title 38, Section 1208, to treasurers of sanitary sewer districts. In addition to the lien established hereby, the Town may maintain a civil action against the party so charged, for the amount of said sewer charge in any court competent to try the same, and in such action may recover the amount of such charge with legal interest from the date of said charge and costs as well as any additional legal costs involved in such recovery.

Section 13.5 Late Charges.

A late charge of $2.00 will be added to each Sewer User bill remaining unpaid 30 days after the billing date. Each quarter a balance remains unpaid an additional $2.00 will be added.

Section 13.6 Interest Charge.

Interest shall be paid at the same rate as established by the Selectmen for uncollected taxes on all sewer bills not paid and upon which procedure for imposing a lien has been initiated.

Section 13.7 Special Charge.

A special Sewer Service Charge shall be established for any industrial firm or organization who, by virtue of the volume, strength or unusual characteristic of their waste alone, would overload or upset the capacity or efficiency of the sewerage works or any part thereof if such waste entered the public sewer, or those waste disposal situation is such that it would be in the public interest to waive the basic requirements. The Selectmen, after appropriate study, and advice, shall establish a Special Sewer Service Charge to the industrial firm by separate agreement with said firm. The applicable portions of the preceding sections as well as the equitable rights of the public shall be the basis for such an arrangement.

Section 13.8 Debt Service Charge.

“Debt Service Charge” shall mean the charge per living unit for debt service, outside the Town boundary, but utilizing Town sewer system. This will equal the total outstanding debt or future indebtedness of the Town for construction of sewers heretofore or hereafter constructed by the Town, divided by the total number of living units.
Section 13.9 Living Unit.

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

a. A single-family residential home = 1 unit.
b. A duplex residential home = 2 units.
c. A residential apartment house or apartment building = 1 unit/family.
d. A mobile home park = 1 unit/mobile home.
e. Hotel and motel = 1 unit/3 bedrooms.
f. Factories or plants = 1 unit/12 employees.
g. Rooming or boarding houses, nursing or rest homes = 1 unit/3 beds.
h. Self service laundries = 1 unit/washer.
i. Restaurants = 1 unit/10 seats.
j. Service stations = 1 unit/5 islands.
k. Stores = 1 unit/2500 sq. ft.
l. Assembly halls/public buildings = 1 unit/88 seats.
m. Churches = 1 unit/60 pews.
n. Schools = 1 unit/20 students.
o. Other units may be established by the Randolph Wastewater Committee.
p. Fractional units are rounded off to the nearest whole number, and no user will be charged for less than one unit.

Article XIV. Penalties

Section 14.1 Nature of Violation.

Any person found to be violating any provision of this ordinance except Article IX, Section 1 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 14.2 Penalty.

Any person, individual, firm, corporation, or partnership that fails to comply with the provisions of this ordinance other than those provisions pertaining to the payment of charges for services established herein, shall be guilty of disorderly conduct and shall be subject to fine not exceeding $500 dollars for each offense. The continued violation of any provision of any section of this ordinance, other than those pertaining to the payment of charges for services-established herein, shall constitute a separate offense for each and every day such violation of any provision hereof shall continue.
Section 14.3 Additional Action.

The proper authorities of the Town, in addition to other remedies, may institute any appropriate action or proceedings including an injunction to prevent such unlawful use, construction or repair of cesspools, septic tanks, sewage disposal systems, pipes or drains in order to restrain, correct or abate such violation and to prevent the occupancy of any building structure or land where such violations occur.

Section 14.4 Recovery of Expenses.

Any person violating any of the provisions of this ordinance shall become liable to the Town for any expenses, loss, or damage occasioned the Town by reason of such violation.

Article XV. Validity

Section 15.1 Conflicts

Whenever a provision of this Ordinance conflicts with or is inconsistent with another provision of this Ordinance or of any other Ordinance, regulation or statute from any jurisdiction, the more restrictive provision shall control.

Section 15.2 Severability.

The invalidity of any section, clause, sentence, or provision of this ordinance shall not affect the validity of any other part of this ordinance, which can be given effect without such invalid part or parts.

Article XVI – Ordinance in Force

Section 16.1 Ordinance in Force

a. This Ordinance shall be in full force and effect from and after its passage, approval, recording, and publication as provided by laws. Passage and approval of this ordinance is intended to replace and repeal any previous ordinances with regard to Sewer Use adopted by the Town of Randolph.

b. Passed and adopted by the Board of Selectmen, Town of Randolph, State of Maine, on the 25th day of April, 2006, by the following:

Selectperson: _______________________________ _______________________________
______________________________ _______________________________
______________________________ _______________________________

Approved this 25th day of April, 2006

Attest: Lynn R. Mealey, Town Clerk

Signed: _______________________________
The Town of Randolph, Maine:

The undersigned being ________________________________

(Owner, Lessee, Tenant, etc.)

of the property located at ________________________________
does hereby request a permit to ________________ an industrial sewer connection

(Install, use)

sewer connection serving the at ________________________________

(Name of Company)

which company is engaged in ________________________________ at said location.

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

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

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

Date: __________________________ Signed __________________________

(Fee: $ ________ )

(Address of Applicant)

$______________ Inspection fee paid __________________________

(Certification by Town Clerk)

Application approved and permit granted:

Date: __________________________

Signed __________________________

(Town Clerk)