

TITLE 19: WATER SYSTEM OPERATIONS

This Ordinance establishes the policies, rules, regulations and rates necessary to govern and operate the municipal water system of the City of St. Albans, Vermont. This ordinance supersedes all previous rules, regulations and ordinances and applies to all users regardless of the municipality in which they are located. All existing agreements between individual property owners and the City of St. Albans, Vt. shall remain in effect provided such agreement is recorded in the City of St. Albans Clerk's Office.

Section 1. Authority

This ordinance is adopted under authority granted in 24A V.S.A. Ch. 11, §§11-18(11), (12), (13), (14), (16) and 24 V.S.A. §§ 3625 and 3313.

Section 2. Definitions

- a. Board – Board of Water and Sewage Disposal Commissioners comprised of the St. Albans City Council.
- b. City and COSA – City of St. Albans.
- c. COSAWS – City of St. Albans Water System.
- d. Council – The City Council of the City of St. Albans.
- e. Department-The City of St. Albans Water Department.
- f. Easement – Refers to legal access onto another's real property for a limited use such as the installation and maintenance of facilities such as water pipes, sewers and storm drains. Similar to a Right of Way.
- g. Main – a water pipe used for the purpose of transmission or distribution of water serving more than one customer, but not a water service line.
- a. Manager – The City of St. Albans City Manager or a representative authorized by the Manager.
- h. Meter-any device for measuring the quantity of water used as a basis for determining charges for water service to a customer.
- i. Property owner – That person(s) or user identified as owner of a property by recorded deed.
- j. ROW- Right-of-Way. Refers to legal access onto local and state roads, streets and/or highways for a limited use such as the installation and maintenance of facilities such as

water pipes, sewers, and stormdrains. Similar to an easement.

- k. Service- the water pipe that runs between the COSA water main and the customer's place of consumption. A service can only serve one unit.
- l. Service Line- see "Service" for definition.
- m. Subdivision- Shall mean a tract of land, owned or controlled by a person as defined herein, which has been partitioned or is intended to be divided for the purpose of sale or lease into two (2) or more lots. A subdivision shall include any development of a parcel of land such as a commercial or industrial complex, multi-family project, planned unit development, or planned residential development.
- n. "Superintendent" - shall mean the Superintendent of Public Works of the City of St. Albans, or its authorized deputy, agent, or representative.

Section 3. General Requirements

- a. Groundwater development is prohibited within the political boundaries of the City of St. Albans.
- b. Only the Council of the City of St. Albans has the authority to change, alter or amend this ordinance.
- c. The daily operation and maintenance of the COSAWS is hereby delegated to the Manager of the City of St. Albans.
- d. No connection, new or renewal may be initiated without first having submitted and had approved a COSAWS application. Any individual who establishes a new connection to COSAWS without first having obtained written approval from the Manager or the Board will be charged with theft of service and will be prosecuted in accordance with the ordinances of the COSA and/or the laws of the State of Vermont.
- e. All COSAWS services will be metered.
- f. The costs associated with the establishing of new services, the maintenance, extension or alterations of existing services, disconnections, shut offs, etc. will be assessed in accordance with the policies established in this ordinance.
- g. The installation of a new service or renewal/alteration of an existing service will be completed in accordance with the application as approved by the Manager and/or the Board. In the event the applicant fails to comply with all conditions of the approved application the Manager and/or the Board has the authority to deny the applicant water

service.

Upon completion of installation, all service lines from the COSAWS tapped main to the property shut-off box shall become the property of COSAWS. The owner shall transfer to COSA, at the owner's expense, all easements, ROW's, etc., for the area along the service line between the COSA main and the shut-off box. This transfer shall occur prior to the installation of individual service lines. The service line from the shut-off box back to the owner's place of consumption is the property of the owner's.

- a) For service lines 1-inch diameter and smaller: The property owner is responsible for one-half (1/2) the cost of construction and maintenance from the water main to the shut-off box; the COSA is also responsible for the other one-half (1/2) of the cost of construction and maintenance. The entire cost of construction and maintenance from the shut-off box to the owner's place of consumption in the owner's responsibility. The COSA shall pay one-half (1/2) the cost of only one service from the main to the shut-off box; the property owner is responsible for the full cost of additional services.
 - b) For service lines greater than 1-inch diameter: The owner is responsible for the total cost of construction and maintenance of the entire length of the service lines.
- h. COSAWS will provide water service outside the legal limits of the City of St. Albans provided the applicant obtains approval of the Municipal Officials of the municipality in which the property is located and the applicant complies with all regulations of that municipality and the State of Vermont and provided the applicant properly adheres to the application requirement outlined herein, has their application approved by the Manager and/or the Board and agrees to pay and does pay the annual affiliation fee described herein, if applicable, to the City of St. Albans.
 - i. All water rates shall constitute a lien upon the premises to which water is delivered from date the same becomes due and until paid, and the owner of every building, premises, lot or house, shall be liable for all water delivered to or taken and used upon his premises, which lien and liability may be enforced by the City by action at law or suit to enforce such lien.
 - j. All water use rates shall be charged to owners or its designated agent, of the building(s) or premises supplied, whether used by themselves, their tenants, agents, or servants and such owners will at all times be held responsible for the same.
 - k. All rates for the use of water, as herein provided shall be due and payable to the City Treasurer's office in City Hall at the time of billing.
 - l. Seller/buyers of property shall be responsible for resolving outstanding water bills at time of transfer.

- m. COSAWS is the sole agent for the City of St. Albans water system. No individual, when installing a new main (or service), or extending an existing main (or service), shall in any manner whatsoever, commit COSAWS to providing water service to a third party.

Section 4. Service Classifications

COSAWS users will be classified in one of three categories listed below. In event an applicant's use is not listed below, the Manager will determine which category applies.

- a. Residential: All structures, regardless of the number of apartment or condominium units, and mobile homes with or without land, owner occupied or rented, the principal use being that of a residence. It includes structures which house home occupations and industries as accessory use. A residential user can be co-located in a structure with commercial and/or industrial user.
- b. Commercial/Residential: All structures which house retail store, hotels/motels, lodging houses, care homes, clinics, hospitals, offices, churches, schools, service stations, fuel distribution, funeral homes, clubs, senior citizens centers, farms, utilities, government facilities and other similar uses. Also includes mix use such as a building with commercial and residential uses.
- c. Industrial: Manufacturing Plants, creamery, grain mills, and facilities with similar uses. Typical Industrial users produce a marketable product and its manufacturing produce a wastewater that may contain domestic wastewater but typically also produces wastewater that may be chemically, biologically or otherwise contaminated or polluted in a form or concentration which would constitute a health, system, pollutional or plumbing hazard if introduced into an approved water supply.

Section 5. Water Service Charges

There are three types of water charges in the rate schedule:

- 1. Base Rate: A flat fee to cover many of the fixed expenses associated in the operations and maintenance of the COSAWS.
- 2. Use Rate: A usage rate based on metered water consumption.
- 3. Non-City Users Surcharge: A surcharge on the base rate of non-city water system users that do not participate in the affiliation fee program.

For current rates and fees refer to the COSA "Water and Wastewater Rates and Fees Summary".

Section 6. New Connections

Individuals initiating a new connection are responsible for the total cost of labor, material and machine time resulting in the tapping of the City water main to the property shut-off box and

all charges incurred from bringing the service from the shut-off box to the meter location, will be borne by the applicant. In addition, a one-time connection fee as shown in the COSA "Water and Wastewater Rates and Fees Summary" shall be assessed.

Section 7. Renewal of Service

All users will be responsible for all costs incurred for renewing services from the shut-off box to their meter and one half the total costs relative to renewing services from the main to the shut-off box.

Section 8. Excavation Fees

- a. Prior to excavation within the COSA right-of-way, the applicant shall submit the COSA excavation/Access Permit application. No unauthorized person shall uncover, excavate, make any connections with or opening into, use, alter, or disturb any public water main or appurtenance thereof without first obtaining approval from the Superintendent.
- b. Any person performing work on City public property, or in the City public Right of Way, for the purpose of installing a service line shall file with the Superintendent, or its municipal designee, evidence of adequate insurance coverage for liability and property damage. Minimum amounts of coverage shall be established by the COSA.
- c. Excavation/Access Permit: No paving of any COSA street, alley or sidewalk shall be disturbed or broken for the laying of water services without the Owner submitting an excavation access permit application, paying the associated fees and receiving a permit. Backfilling of service cuts shall be under the supervision of the Superintendent.
- d. The applicant for the excavation/access permit shall notify the Superintendent, at least five (5) days before the service line is ready for inspection and connection to the public main. The connection shall be made under the supervision of the Superintendent or its representatives.
- e. All excavations for service line installation shall be adequately guarded with barricades and lights, provided by the applicant, so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of work shall be restored in a manner satisfactory to the City.
- f. All excavations will be accomplished in accordance with the provisions of the City of St. Albans excavation ordinance. The applicant will be responsible for all fees associated with the excavation ordinance. Refer to the COSA "Water and Wastewater Rates and Fees Summary".

Section 9. Meters

- a. To insure that consistency is maintained in measuring Owner's consumption only 5/8" meters obtained from COSAWS will be used. For services requiring meters 3/4" or larger, the meter size, type and manufacturer shall be approved by COSAWS. All water meters of all sizes will be paid by the Owners, both COSA and non-city Owners.
- b. Only COSAWS personnel, or personnel approved by the Manager or its designated representative may install, remove, replace or repair a water meter.

Section 10. Billing Procedures

- a. **Meter Reading:** The COSAWS personnel read water meters by a remote meter reading system. Meters are read on a schedule to correspond with the billing schedule presented in the COSA "Water and Wastewater Rates and Fees Summary".
- b. A periodic bill will be provided upon request. The bill will contain the prorated share of the annual base rate; a use charge based upon the meter reading, and a special handling fee. Refer to the COSA "Water and Wastewater Rates and Fees Summary".
- c. All water bills shall be considered delinquent thirty (30) days after the billing date. All water rates interest and finance charges and court costs shall be a charge and lien upon the premises to which water is delivered from the date the same becomes due and until paid, and the owner of every building, premises lot or house, shall be liable for all water delivered to or taken and used upon its premises, which lien and liability may be enforced by the COSA by action at law or suit to enforce such lien.
- d. Delinquent water bills, shall bear interest at the rate of one percent (1%) per month, or fraction thereof, for the first three months and thereafter one and one-half percent (1.5%) per month or fraction thereof, from the due date of such water bill. Such interest shall be imposed on a fraction of a month as if it were an entire month.

Section 11. Disconnection of Service

Under the statutory Uniform Water and Sewer Disconnect Procedure, water and sewer accounts which are not paid within 30 days of the date they are billed become delinquent and may be disconnected. Disconnections are subject to certain restrictions specified in the law which are set out below.

- a. **Notice Requirements:** Before disconnection can occur, the ratepayer must be given notice of delinquency and advised of the possibility of having their service interrupted. The notice must meet the following requirements:
 - i. It must be sent within 40 days after delinquency.
 - ii. It must be sent not more than 20 days, nor less than 14 days prior to the

planned disconnection of service.

iii. It must be on pink paper.

iv. It must be on the Uniform Notice Form provided for by law, informing the ratepayer of their delinquency, collection and reconnection fees, methods of arranging payment of the bill and appeal rights.

b. Restrictions: Disconnection shall not be permitted if:

- i. Aggregate delinquent bills do not exceed \$15.00.
- ii. The delinquency is based solely to a disputed portion of a charge, which is the subject of an appeal.
- iii. The delinquency is due to a failure to pay a non-recurring charge such as a deposit, special assessment or special construction charge.
- iv. The disconnection would represent an immediate and serious hazard to the health of someone within the ratepayer's household, as set forth in a physician's certificate filed with the COSAWS.
- v. The ratepayer has not been given an opportunity to enter into a reasonable agreement to pay the delinquent bill.
- vi. The ratepayer has entered into an agreement to pay the delinquent bill and is abiding by the terms of the agreement.
- vii. Adequate notice as required by law has not been given the ratepayer.

c. Disconnection Procedures

- i. If a ratepayer has received a notice of disconnection and no appeal is made or agreement reached on payment of the bill, disconnection can occur between 8:00 a. m. and 2:00 p.m. on any business day. A business day is defined as Monday through Thursday, except legal holidays when offices are not open to the public. When service is disconnected, the person making disconnection must inform a responsible adult on the premises or leave in a conspicuous and secure place notification that service has been interrupted and the procedures for reconnection.
- ii. After disconnection, restoration of service must occur within 24 hours of the request of the ratepayer when the cause of disconnection has been removed.

d. Appeals

Appeals may be made to the City Manager by a ratepayer desiring to appeal a water or sewer bill as to the proper amount of the bill or the correctness of the application of the rules and regulations.

Section 12: Protection from Damage

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 water works. Any person violating this provision shall be subject to immediate arrest under charge of unlawful mischief as set forth in Title 13, Section 3701 of the Vermont Statutes Annotated.

Section 13: Powers and Authority of Inspectors

- a. The Superintendent and other duly authorized employees of the COSA bearing proper credentials and identification shall be permitted to enter all private properties through which the COSA 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 water 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.
- b. While performing the necessary work on private properties the Superintendent or duly authorized employees of the City 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 City employees and the City shall indemnify the company against loss or damage to its property by City employees and against liability claims and demands for personal injury or property damage asserted against the company except as such may be caused by negligence or failure of the company to maintain safe conditions as required by State law.
- c. Notwithstanding any of the foregoing provisions, the City may institute any appropriate action including injunction or other proceeding to prevent, restrain or abate violations hereof.

Section 14: Penalties

- a. Any person found to be violating any provision of this ordinance shall be served by the City 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.
- b. Any person who shall continue any violation beyond the specified time limit and upon conviction of a misdemeanor thereof shall be fined for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.
- c. Any person violating any of the provisions of this ordinance shall become liable to the City for any expense, loss, or damage occasioned the City by reason of such violation.
- d. Notwithstanding any of the foregoing provision, the COSA may institute any appropriate action including injunction, or other legal proceeding to prevent, restrain or abate violations hereof, and any other legal and equitable relief to seek compensatory damages & compensation for other fees & expenses as provided in this Ordinance.

Section 15. Miscellaneous Provisions

- a. Temporary Service: Contractors may obtain temporary water service from COSAWS by requesting such in letter form addressed to the City Manager, North Main Street, St. Albans, Vermont. The request should indicate: contractor's name; property location, property owner, type of service desired, and period of time. All costs associated with
- b. Service extensions: No property owner may extend an existing service to any other structure located on his property without first having obtained written authority from COSAWS.
- c. Charge for Shutting off and Turning on Water: Any water user requesting COSAWS to shut off or turn on a water service shall be assessed a fee. Refer to the COSA "Water and Wastewater Rates and Fees Summary".
- d. All users are responsible for -notifying COSAWS whenever their meter is broken or malfunctions. If the meter has been damaged by neglect of the user, the user will be charged the cost of a replacement meter.

Section 16. Validity.

- a. All other water ordinances or parts of water ordinances in conflict with this ordinance herewith are hereby repealed.
- b. 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.
- c. This Ordinance may be amended at any time by the COSA as provided by law.

TITLE 9: WASTEWATER SYSTEM OPERATIONS

This Ordinance establishes the policies, rules, regulations and rates necessary to govern and operate the municipal wastewater system of the City of St. Albans, Vermont. This ordinance supersedes all previous rules, regulations and ordinances and applies to all users regardless of the municipality in which they are located. All existing agreements between individual property owners and the City of St. Albans, Vt. shall remain in effect provided such agreement is recorded in the City of St. Albans Clerk's Office.

Be it ordained and enacted by the Council of the City of St. Albans, State of Vermont as follows:

Section 1. Definitions

- a. "BOARD" shall mean the Council of the City of St. Albans, acting as Board of Water and Sewage Disposal Commissioners under 24 V.S.A., Section 3614.
- b. "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 degrees C, expressed in milligrams per liter.
- c. "Building Drain" shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five (5) feet outside the inner face of the building wall.
- d. "Building Sewer" shall mean the extension from the building drain to the public sewer or other place of disposal.
- e. "City" or "COSA" shall mean City of St. Albans.
- f. "Combined Sewer" shall mean a sewer receiving both surface runoff and sewage.
- g. "Committed Reserve Capacity" is the total wastewater flow (gallons per day) from all project/buildings approved by the BOARD and/or the DEC for discharge to the WWTF, but not yet discharging at the time of the committed reserve capacity calculation.
- h. "Connection Fee" shall mean a fee imposed on applicants for the municipality's cost of performing, supplying materials, supervising, inspecting, and administering a connection to the sewage system including any necessary sewer service.
- i. "DEC" and DEPARTMENT" shall mean the Vermont Department of

Environmental Conservation.

- j. "Development" means the construction if improvements on a tract of land for any purpose, including, but not limited to, residential, commercial, or industrial activity.
- k. "Development Wastewater Flow" is the flow resulting from full use of the development at its buildout capacity, which flow shall be calculated using flow quantities, from the DEC Environmental Protection Rules (EPR's), Chapter 1, as promulgated at the time a connection permit application is made.
- l. "Discharge Permit" shall mean a permit issued by the DEC pursuant to authority granted in 10 V.S.A., Chapter 47.
- m. "Force Main" shall mean the pressurized sewer pipe that a sewage pumping system discharges into. The force main transports the pressurized sewage to a gravity receiving structure such as a sewer manhole or open surface tank or structure.
- n. "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.
- o. "Industrial Wastes" shall mean the liquid wastes from industrial manufacturing processes, trade or business as distinct from sanitary sewage.
- p. "Initiate Construction" means the following: for building development – completion of construction of all foundations, framing, siding and roofs.
- q. "Low Pressure Sewer" shall mean the sewer pipe that receives ground-up raw wastewater from a grinder-pump, pump station or discharge from a septic tank and transports the pressurized wastewater to an unpressurized wastewater structure such as a gravity sewer or an open tank.
- r. "Manager" shall mean the City Manager of the City of St. Albans. Appointed representative of the Mayor and City Council with powers as designated within the City Charter, Section# 9.
- s. "Natural Outlet" shall mean any outlet into a watercourse, pond, ditch, lake, or other body of surface or groundwater.
- t. "Owner" shall mean any person, who owns or possesses any property connected to the municipal wastewater collection system or proposes to connect to the municipal wastewater system as applicant.

- u. "Permitted Wastewater Flow" is the maximum WWTF flow authorized in the DEC issued Discharge Permit on an annual average (365 day average) basis.
- v. "Person" shall mean any individual, firm, company, association, society, corporation, group, institution, partnership, government entity or other entity.
- w. "PH" shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.
- x. "Plant", see WWTF.
- y. "Private Sewage System or Facilities" shall mean all facilities for collecting, pumping, treating, and disposing of sewage that is not owned or operated by the City of St. Albans.
- z. "Properly Shredded Garbage" shall mean the wastes from the preparation, cooking, and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particles larger than one half (1/2) inch (1.27 centimeters) in any dimension.
- aa. "Public Sewage System or Facilities" shall mean all facilities for collection, pumping, treating and disposing of sewage and is controlled, owned and operated by the City of St. Albans.
- bb. "Reserve Capacity" shall mean the WWTF permitted wastewater discharge flow minus the actual WWTF wastewater average daily flow during the preceding 12 months.
- cc. "Sanitary Sewage" shall mean wastewater of the same character and range of strength as expected from residential uses: homes, apartments, and mobile homes.
- dd. "Sanitary Sewer" shall mean a sewer which carries sewage and to which storm, surface, and groundwater's are not legally admitted.
- ee. "Secretary" shall mean the Secretary of the Agency of Environmental Conservation, State of Vermont or its representatives.
- ff. "Sewage" shall mean a combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground surface, and storm waters as may be present.
- gg. "Sewage Treatment Plant" shall mean any arrangement of devices and structures used for treating sewage. See WWTF.

- hh. "Sewage Works" shall mean all facilities owned and operated by the City of St. Albans for collecting, pumping, treating and disposing of sewage.
- ii. "Sewer" shall mean a pipe or conduit, including manholes, for carrying sewage.
- jj. "Sewer Service Area" is constituted by the geographical area of the City of St. Albans as of the effective date of this ordinance or as the aforesaid geographical area may from time to time be altered. Although not part of the sewer service area, existing collection lines owned by the City of St. Albans, but which are located outside of the City of St. Albans, will be maintained in the same manner as collection lines within the sewer service area.
- kk. "Shall" is mandatory, "May" is permissive.
- ll. "Slug" shall mean any discharge of water, sewage, or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration or flows during normal operation.
- mm. "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.
- nn. "Superintendent" shall mean the Superintendent of Public Works of the City of St. Albans, or his authorized deputy, agent, or representative.
- oo. "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.
- pp. "Watercourse" shall mean a channel in which a flow of water occurs, either continuously or intermittently.
- qq. "WWTF" shall mean the municipal Wastewater Treatment Facility owned by the City of St. Albans. See Sewage Treatment Plant.
- rr. "WWTF Flow" is the metered wastewater passing through the treatment facility in gallons per day on an annual average basis (365 day average) as reported by the DEC.

Section 2. Abbreviations

For the purpose of this ORDINANCE, the following abbreviations shall have the meaning ascribed to them under this ARTICLE. References to standards of the following organizations shall refer to the latest edition of same.

ANSI shall mean American National Standards Institute.

ASME shall mean American Society of Mechanical Engineers. ASTM shall mean American Society for Testing and Materials. AWWA shall mean American Water Works Association.

COSA shall mean City of St. Albans.

CS shall mean Commercial Standards.

GPD shall mean gallons per day.

MGD shall mean million gallons per day.

mg/L shall mean milligrams per liter.

NPC shall mean National Plumbing Code.

PPM shall mean parts per million.

WEF shall mean Water Environment Federation.

WPCF shall mean Water Pollution Control Facility.

WWTF shall mean Wastewater Treatment Facility.

Section 3. Use of Public Sewers Required

- a. It shall be unlawful to discharge to any natural outlet within the City of St. Albans, or in any area served by said City, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this ordinance and the laws and regulations of the State of Vermont.
- b. Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage.
- c. The owner of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated within the City and abutting on

any street, alley, or right of way in which there is now located or may in the future be located a public sewer, is hereby required at his expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this ordinance, within ninety (90) days after date of official notice to do so, provided that said public sewer is within one hundred (100) feet of the building requiring connection. The provisions of this section are also substantiated in the City Ordinances under the minimum housing standards.

Section 4. Building Sewer and Connections

- a. No unauthorized person shall uncover, excavate, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining approval from the Superintendent. 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 Superintendent at least seven (7) days prior to the proposed change or connection.
- b. Any person performing work on City public property, or in the City public Right of Way, for the purpose of installing a building sewer shall file with the Superintendent, or its municipal designee, evidence of adequate insurance coverage for liability and property damage. Minimum amounts of coverage shall be established by the COSA.

Section 5. Building Sewer Permit

- a. There shall be one building sewer permit for all three user types: (a) residential (b) commercial/residential, and (c) industrial. The owner or his agent shall make application on a special form furnished by the City. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Superintendent. The application fee shall be paid to the City at the time the application is filed. Refer to the COSA Schedule of Rates and Fees.
- b. No paving of any COSA street, alley or sidewalk shall be disturbed or broken for the laying of sewer services without the Owner submitting an excavation access permit application, paying the associated fees and receiving a permit. Backfilling of service cuts shall be under the supervision of the Superintendent.
- c. All costs and expense incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the City from any loss or damage that may directly or indirectly be occasioned by the installation of a building sewer.
- d. Upon the completion and restoration of the City street opening, construction undertaken as described by the permit and the satisfactory inspection thereof by the City Manager or its Agent, the City Treasurer shall return to the owner the balance

of funds, if any. If funds are still owed to the City, the City Treasurer will bill the owner for the same.

- e. 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, in which the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.
- f. Existing private building sewers may be used in connection with new buildings only when they are found, on examination and test by the Superintendent, to be of acceptable size, condition and adequate for long term use. Costs examination by the City shall be borne by the Owner of said private sewer.
- g. 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 requirement of the building and plumbing code or other applicable rules and regulations of the City. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the current A.S.T.M. Manuals of Practice and/or State rules and regulations.
- h. 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, and to provide frost protection, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.
- i. No person shall make connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain, cellar drains, basement sumps, which in turn is connected directly or indirectly to a public sanitary sewer. All such connections which exist shall be disconnected by the Owner at its expense before connection of the building sewer to the COSA sewer.
- j. The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the City, or the procedures set forth in appropriate current specifications of the A.S.T.M. the WEF, Manuals of Practice and/or State rules and regulations. All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the Superintendent before installation.

- k. The applicant for the building sewer permit shall notify the Superintendent at least five (5) days before the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Superintendent or its representatives.
- l. All excavations for building sewer installation shall be adequately guarded with barricades and lights, provided by the applicants, so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of work shall be restored in a manner satisfactory to the City.
- m. Clean outs shall be installed where the distance from the building to the main sewer is greater than one hundred (100) feet or where bends greater than forty-five (45) degrees are used in the building sewer. Clean outs shall be made by installing a "Y" and one-eighth (1/8) bends of the same diameter as the building sewer. The clean outs shall ordinarily be installed at the point of connection between the building sewer and the outside part of the house plumbing system, at curbs on the building sewer and on the straight part of the house sewer to the main sewer. The clean out shall be brought up from the building sewer to four (4) inches (10.2 c.m.) below ground level and be properly capped. Locations of all clean outs shall be recorded with three (3) ties and turned over to the Superintendent.
- n. Before any portion of the existing plumbing system outside the building is connected to the building sewer, the owner shall prove, to the satisfaction of the Superintendent, that it is clean and conforms in every respect to the ORDINANCE and that all joints are watertight.
- o. Where pipe is installed for building sewer, such work shall be performed by a plumber approved by the Superintendent.
- p. The Superintendent shall apply appropriate tests to the pipes and the plumber and contractor, at their own expense, shall furnish all necessary tools, labor, materials, and assistance for such tests and shall remove or repair any defective materials when so ordered by the Superintendent.
- q. The contractor shall not block any driveway, street, road or railroad at any time without permission of the Superintendent and other controlling agencies. Every effort shall be made to permit the movement of vehicular traffic at all times. Whenever it becomes necessary to cross or interfere with roads, walks, or drives, whether public or private, the Contractor shall maintain, at his own expense, and subject to the approval of the Superintendent, safe bridges or other means of egress.
- r. Maintenance of all private sewage facilities including, but not limited to, (1) house plumbing systems, (2) building sewers to the main sewer, (3) house connections,

(4) sewers and (5) appurtenances shall be the responsibility of the Owner, at his or her expense. The Owner shall be solely responsible for continually maintaining such facilities in satisfactory operating condition. Maintenance shall include, but not limited to, (1) maintaining flow, (2) clearing obstructions, (3) maintaining all joints gas and water-tight, (4) repair or replace collapsed, deteriorated or defective materials, and (5) all other work which is necessary and essential to maintaining proper operation and preserving the structural integrity and water-tightness of the system.

Section 6: Use of Public Sewers

- a. 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 or existing combined sewer.
- b. Stormwater 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 Superintendent and the State of Vermont. It is the responsibility of the Owner to obtain that State of Vermont approval that the discharge is in compliance with the current Vermont Stormwater discharge rules. Industrial cooling water or unpolluted process waters may be discharged, on approval of the Superintendent and the State of Vermont, to a storm sewer, combined sewer, or natural outlet.
- c. No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:
 - a. Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solids, or gas, new or used.
 - b. Any waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant, including but not limited to cyanides in excess of two (2) mg/L as CN in the wastes as discharged to the public sewer.
 - c. Any waters or wastes having pH lower than (8.0) or higher than 9.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewage works.
 - d. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works, such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, etc. either whole or ground by garbage grinders.

- d. No person shall discharge or cause to be discharged the following substances, materials, waters, or wastes if it appears likely in the opinion of the Superintendent 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 Superintendent will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant, and other pertinent factors. The substances prohibited, are:
- i. Any liquid or vapor having a temperature higher than one hundred fifty (150) degrees) F.
 - ii. Any water or waste containing fats, wax, grease, or oils, whether emulsified or not, in excess of one hundred (100) mg/L or containing substances which may solidify or become viscous at temperatures between thirty-two (32) and one hundred fifty (150) F.
 - iii. Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths (3/4) horsepower or greater shall be subject to the review and approval of the Superintendent.
 - iv. Any waters or wastes containing strong acid iron pickling wastes, or concentrated plating solutions whether neutralized or not.
 - v. Any waters or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the Superintendent for such materials.
 - vi. Any water or wastes containing phenols or other taste or odor-producing substances, in such concentrations exceeding-limits which may be established by the Superintendent as necessary, after treatment of the composite sewage, to meet the requirements of the State, Federal, or other public agencies of jurisdiction for such discharge to the receiving waters.
 - vii. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Superintendent in

compliance with applicable State or Federal regulations.

viii. Materials which exert or cause:

1. Unusual concentrations of inert suspended solids (such as but not limited to, Fullers earth, Lime slurriers, and Lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate).
 2. Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).
 3. Unusual BOD chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works, such as but not limited to milk products.
 4. Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.
- e. Water or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.
- f. If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in Section 4 of this Article, and which in the judgment of the Superintendent, may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Superintendent may:
- (a) Reject the wastes,
 - (b) Require pretreatment to an acceptable condition for discharge to the public sewers,
 - (c) Require control over the quantities and rates of discharge, and/or,
 - (d) Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges.
- g. If the Superintendent permits the pretreatment or equalization of waste flows, the design, plans, specifications and any other pertinent information relating to proposed equipment and facilities; shall be submitted for the approval of the Superintendent and the DEC and no construction of such facilities shall be

commenced until said approvals are obtained in writing. Further, pretreatment facilities must be consistent with the requirement of any State pretreatment permit issued to the industry.

- h. Grease, hair and sand interceptors shall be provided when, in the opinion of the Superintendent they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Superintendent, and shall be located as to be readily and easily accessible for cleaning by the Owner and inspection by the Superintendent.
- i. Grease and oil interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, watertight and equipped with easily removable covers which, when bolted in place, shall be gastight and watertight.
- j. Where installed, all grease, oil, hair and sand interceptors shall be maintained by the owner, at his expense, in continuously efficient operation at all times. Materials collected shall not be reintroduced into the public sewerage system.
- k. 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.
- l. When required by the Superintendent, the owner of any property serviced by such 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 accessible and safely located, and shall be constructed in accordance with plans approved by the Superintendent. 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. All industries discharging into a public sewer shall perform such monitoring of their discharges as the Superintendent may reasonably require, including installation, use and maintenance of monitoring equipment, keeping records and reporting the results of such monitoring to the Superintendent. Such records shall be made available upon request by the Superintendent to other agencies having jurisdiction over discharging to the receiving waters. When industrial pretreatment permits are issued by the State of Vermont, monitoring records must also be submitted to the Secretary in accordance with such permit. Records of any monitoring will be supplied by the Superintendent to the Secretary on request.

- m. All measurements, tests, and analyses of the characteristics of waters 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 considered to be the nearest manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb, and property. The particular analyses involved will determine whether a twenty-four (24) hour composite of all outfalls of 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.
- n. That any industry held in violation of the provisions of this ORDINANCE may have its disposal authorization terminated.
- o. No statement contained in this Article shall be construed as preventing any special agreement or arrangement between City and any industrial concern whereby an industrial waste or unusual strength or character may be accepted by the City for treatment, subject to payment therefore, by the industrial concern. Provided that such agreements do not contravene any requirements of existing Federal Laws and are compatible with any user charge and industrial cost recovery system in effect.

Section 8. Protection from Damage

No unauthorized person shall maliciously, 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 unlawful mischief as set forth in Title 13, Section 3701 of the Vermont Statutes Annotated.

Section 9. Powers and Authority of Inspectors

- a. The Superintendent and other duly authorized employees of the City 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 Superintendent or his representatives shall have no authority to inquire into any processes including metallurgical, chemical, oil, refining, ceramic, paper or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment.

- b. While performing the necessary work on private properties referred to in Article VII, Section 1 above, the Superintendent or duly authorized employees of the City 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 City 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 V, Section 8.
- c. The Superintendent and other duly authorized employees of the City bearing proper credentials and identification shall be permitted to enter all private properties through which the City 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.
- d. Notwithstanding any of the foregoing provisions, the City may institute any appropriate action including injunction or other proceeding to prevent, restrain or abate violations hereof.

Section 10. Penalties

- a. Any person found to be violating any provision of this ordinance except Article VI shall be served by the City 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.
- b. Any person who shall continue any violation beyond the time limit provided for in Article VIII, Section 1, shall be guilty of a misdemeanor, and on conviction thereof shall be fined for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.
- c. Any person violating any of the provisions of this ordinance shall become liable to the City for any expense, loss, or damage occasioned the City by reason of such violation.
- d. Notwithstanding any of the foregoing provision, the COSA may institute any appropriate action including injunction, or other legal proceeding to prevent, restrain or abate violations hereof, and any other legal and equitable relief to seek compensatory damages & compensation for other fees & expenses as provided in

this Ordinance.

Section 11. VALIDITY

- a. All ordinances or parts of ordinances in conflict with this ordinance herewith are hereby repealed.
- b. 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.
- c. This Ordinance may be amended at any time by the COSA as provided by law.

Section 12. Wastewater User Charge, Rates, and Fees

- a. There are three types of wastewater charges in the rate schedule:
 1. Base Rate: A flat fee to cover many of the fixed expenses associated with the operations and maintenance of the WWTF.
 2. Use Rate: A usage rate based on metered water consumption to cover the operating costs of the WWTF.
 3. Non-City Users Surcharge: A surcharge on the non-city wastewater system users applicable only to those users who do not participate in the affiliation fee program.
- b. The Sewer User Charge Rates and Fees shall be adjusted either up or down by the City Council from time to time to reflect the anticipated cost of the operation and maintenance of the City of St. Albans Sewer System. For current rates and fees refer to the COSA "Water and Wastewater Rates and Fees Summary".