

**Sewer Rate Ordinance
Town of Baileyville**

Whereas, the Town of Baileyville has increased its spending for sewer and wastewater treatment improvements which were mandated by the Department of Environmental Protection; and

Whereas, the Town of Baileyville is required to establish sewer rates for sewer users in order to obtain low interest bond rates from the Maine Bond Bank SRF program; and

Whereas, the low interest bonds are necessary to pay for the improvements;

~~Now therefore be it ordained by the Town Council of the Town of Baileyville.~~

Sections:

- 101 Title
- 102 Definitions
- 103 Sewer Service Charge
- 104 Sewer Service Charge Rate
- 105 Special Charge
- 106 Enforcement
- 107 Severability

Section 101: Title

This ordinance shall be known and may be cited as the Sewer Rate Ordinance of the Town of Baileyville.

Town of Baileyville, Maine
Sewer Rates Ordinance

Preamble

An ordinance to establish sewer rates based on water usage by sewer users for the purpose of operating and maintaining the sewer treatment plant and infrastructure, paying for capital improvements as mandated by DEP and obtaining a low interest rate loan from the Maine Bond Bank's SRF program.

ARTICLE 1
GENERAL ADMINISTRATION

Section 102: Definitions

B.O.D. (Denoting Biochemical Oxygen Demand): The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures in five (5) days at twenty (20) degrees centigrade, expressed in milligrams per liter, (mg/l).

Builder: Any person, persons, or corporation who undertake to construct, either under contract or for resale, any habitable building.

Public Works Director: The individual retained or designated by the manager to supervise and oversee the operation and maintenance of the municipal sewer system and treatment facilities.

Code Enforcement Officer: The individual(s) retained or designated by the Manager to enforce all provisions of this ordinance. For purposes of this Ordinance the local Plumbing inspector shall act under the authority and direction of the Code Enforcement Officer.

Contractor: Any person, firm, or corporation approved by the town Council to do work in the Town of Baileyville.

DEP: Maine Department of Environmental Protection.

Developer: Any person, persons or corporation who undertake to construct simultaneously more than one housing unit on a given tract of land subdivision.

Industrial wastes: The liquid wastes from industrial processes as distinct from sewage.

Manager: The Town Manager of Baileyville or the individual designated by the Town Council to perform this function, or the authorized deputy, agent, or representative of this individual.

Owner: Any individual, firm, company, association, society, or group having title to real property.

Person: Any individual, firm, company, association, society, or group.

Public Sewer: A sewer in which all owners of abutting property have equal rights and which is controlled by public authority.

Sanitary Sewer: A sewer which carries sewage and to which storm, surface, and ground waters are not intentionally admitted.

~~*Sewage:* A combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments, together with such incidental ground, surface, and storm water that may be present.~~

~~*Sewage Treatment Plant:* Any arrangement of devices and structures used for treating sewage and industrial wastes.~~

Sewage Works: All municipal facilities for collecting, conveying, pumping, treating, and disposing of sewage and industrial wastes.

Sewer: A pipe or conduit for carrying sewage.

Shall is mandatory; *May:* is permissive.

Standard Methods: The latest edition of the publication "Standard Methods for the Examination of Water and Wastewater", published by APHA, AWWA, and WPCF.

State Plumbing Code: The latest edition of the State of Maine Plumbing Code.

Suspended Solids: Solids that either float on the surface of, or are in suspension in water, sewage or other liquids, and which are removable by laboratory filtering in accordance with Standard Methods.

Town: The Town of Baileyville, Maine.

Town Council: The duly elected Town Council, of the Town of Baileyville, Maine or their authorized deputy or representative.

1.2 Separability

The validity 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.

1.3 Powers and Authority of Inspectors

The Code Enforcement Officer and other duly authorized employees of the town bearing proper credentials and identification shall be permitted to enter upon all properties for the

purpose of inspection, observation, and measurement sampling and testing in accordance with the provisions of this Ordinance.

1.4 Ordinance in Force

This Ordinance shall be in full force and effect from and after its passage and recording. Passed and adopted by the Town Council of Baileyville on ____ day of _____ 2008.

~~103: Sewer Service Charge~~

~~The source of a portion of the revenues for retiring debt services and for capital expenditures, operation and maintenance of the sewage works shall be a Sewer Service Charge. That portion of the Sewer charge related to capital expenditures and retirement of debt service shall be made~~
against all properties with the Sewage Works service area having or required to have sanitary facilities, whether actually connected to the public sewer system or not. The Sewage Works service area and the nature of buildings required to have sanitary facilities shall be as defined in Section 200.4 hereof. In the case of a building not connected to the Sewage Works, such charge shall be deemed a "ready to serve" charge levied to aid in defraying expense incurred in making service available to the property. In the case of a connected building not in active use or occupancy and having no discharge during a given billing period, the portion related to capital expenditures and retirement of debt service shall be regarded as a minimum charge. In the case of a connected building actively discharging to the Sewage Works for all or part of any given billing period, the charge shall be increased to include the cost of operations and maintenance of the Sewage Works. The extent that the rates will include the cost of operations and maintenance will be decided by the Town Council.

*This was passed with 100% voting rates
per Bill 11*

104: Sewer Service Charge Rate

The Town Council shall establish sewage charges for the connection to and use of public sewerage facilities to be paid by every owner (of an establishment) whose building sewer connects directly or indirectly into public sewers. Such sewage charges shall be in proportion to the quantity of water supplied to every such premises, subject to just and equitable discounts and abatements in exceptional cases.

105: Special Charge

A special sewage service charge shall be established by the Town 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 whose waste disposal situation is such that it would be in the public interest to waive the basic requirements. The Town Council, after appropriate study, may from time to time establish a Special Sewer Service Charge to such 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. No such special sewer charge shall extend for more than two (2) years and such charges may be modified due to

material charges of law, charges of operating costs, or other reasonable circumstances which make the initial sewer charge unfair or inequitable in the view of the Baileyville Town Council.

An interest charge at the same rate as established by the Town Council for uncollected taxes will be made on all bills not paid prior to the due date of invoice.

106: Enforcement

~~Nuisances and violation of this ordinance shall be deemed to be a nuisance and a land use violation under rule 80K and 30-A MRSA, Section 4452.~~

~~A: Enforcement: If the Town shall find that any provision of this Ordinance is being violated, notification in writing will be sent to the person responsible for such violation, indicating the nature of the violation and ordering the action necessary to correct it, including discontinuance of illegal use of the Municipal Sewer System, and abatement of nuisance condition. A copy of such notices shall be maintained as a permanent record.~~

B: Legal Action: When the above action does not result in the correction or abatement of the violation or nuisance condition, the Town Council, after notice from the appropriate Town official, is hereby authorized to direct the Town Attorney to institute any and all actions and proceedings, either legal or equitable, including actions seeking injunctions or violations and the imposing of fines, that may be available or necessary to enforce the provisions of this ordinance in the name of the Town.

C: Penalty: Any person, including, but not limited to a landowner, a landowner's agent or a contractor, who violates any provision of this Ordinance shall be penalized in accordance with 30-A, MRSA Section 4452 as now existing or subsequently amended.

In addition, the Town of Baileyville shall be entitled to all of the relief, including its costs and legal fees as allowed by said Section 4452. Notwithstanding any provision to the contrary, including the Provision of 30-A M.R.S.A. Section 4452, as now existing or amended in the future, the Town of Baileyville shall be entitled to judgment against any violator for its costs, expert witness fees, code enforcement expenses and attorneys fees incurred in enforcing this Ordinance.

~~The Town of Baileyville shall also have the right to enforce this Ordinance through civil action, either at law or equity.~~ The enforcement provisions herein contained shall exist in addition to those which may exist under Maine Statutory law or Maine Rule or Civil Procedure 80K, or any other court rule or statutory provision.

Each and every day of violation shall constitute a new and separate offenses for which a minimum penalty of \$100.00 shall be assessed.

107: Severability

If any provision of this ordinance is determined to be invalid by a court competent jurisdiction, such decision shall not render invalid the remaining provisions.

NOTICE
BAILEYVILLE RESIDENTS

On Monday, May 12, 2008 the Baileyville Town Council adopted the Baileyville Sewer Ordinance as published in the Calais Advertiser in its May 1, 2008 issue. Copies of the ordinance are available at the Town Office at 63 Broadway in Baileyville. The following sewer rates were also adopted at that meeting:

SEWER RATE TABLE

3/4 Inch pipe for water meter

Residence rates per year

Based on gallons of water usage - Meter readings listed below will be multiplied by 100. Example: 50=5000 gals., 250=25000 gals.

1-50	\$ 50
60-100	\$100
110-150	\$150
160-200	\$200
210-250	\$250
260-300	\$300
300-500	x .750
500-1000	x .500
1000-2000	x .250
2000+	x .125

1 inch pipe

Based on gallons of water usage

0-500	\$550
500-1000	\$350
1000+	x .125

1.75 inch pipe

Based on gallons of water usage

0-500	\$600
500-1000	\$400

1.25 inch pipe

Based on gallons of water usage

0-500	\$575
500-1000	\$375
1000+	x .125

2 inch pipe

Based on gallons of water usage

0-500	\$700
500-1000	\$500

2008/2010

SEWER RATE TABLE

5/8 Inch pipe for water meter

Residence rates per year

Based on gallons of water usage

1-50	\$ 50
60-100	\$100
110-150	\$150
160-200	\$200
210-250	\$250
260-300	\$300
300-500	x .750
500-1000	x .500
1000-2000	x .250
2000+	x .125

1 inch pipe
Based on gallons of water usage

0-500	\$550
500-1000	\$350
1000+	x .125

1.75 inch pipe
Based on gallons of water usage

0-500	\$600
500-1000	\$400
1000+	x .125

1.25 inch pipe
Based on gallons of water usage

0-500	\$575
500-1000	\$375
1000+	x .125

2 inch pipe
Based on gallons of water usage

0-500	\$700
500-1000	\$500
1000-5000	x .150
5000+	x .021

2009-2010 Sewer Rate Table

0-200	\$ 50
200-300	\$150
300-400	\$250
400-500	\$350
500-1500	\$350 + .500 x over 500
1500 +	\$350 + 1000 x .500 + .250 x 1500+

**Town of Baileyville Sewer Department
Sewer Utility Expense Accounts**

Account Name	Pro Forma
Salaries and Wages - Employees	\$ 74,475
Employee Pensions & Benefits	\$ 28,742
Purchased Power	\$ 45,000
Oil	\$ 7,000
Other Utilities	\$ 2,876
Chemicals/Lab Testing	\$ 4,500
Materials & Supplies	\$ 4,450
Contractual Services - Eng	
Contractual Services - Acct	
Contractual Services - Legal	\$ -
Contractual Services - Other	\$ 15,720
Transportation Expense	\$ 3,000
Insurance - Vehicle	
Insurance - Workman's Comp & Gen. Liability	
Depreciation Expense	\$ -
Dues, Licenses and Subscriptions	\$ 3,000
Miscellaneous Expenses	\$ 1,950
maintenance & Repair	\$ 4,150
TOTAL OPERATING EXPENSES	\$ 194,863
Interest Expense	\$ 10,859
Principal Repayment	\$ 95,000
Admin	\$ 12,892
TOTAL OPERATING PLUS DEBT SERVICE	\$ 289,863

Total Operating Expenses	\$ 194,863
Capital Equipment	\$ 20,000
Amortization Expense	
Principal Expense	\$ 95,000
Interest Expense	\$ 10,859
Admin	\$ 12,892
Net Expenses	\$ 333,613
Contingency	\$ -
Revenue Requirement	\$ 333,613

**Baileyville Sewer Department
Billing Analysis and Representative Bills**

										Pro Forma		Representative Bills	
<u>Residential</u>	<u>Bills</u>	<u>Gallons</u>	<u>Rate</u>	<u>Gross</u>	<u>Minimums</u>	<u>Bills</u>	<u>Gallons</u>	<u>Rate</u>	<u>Gross</u>	<u>\$ increase</u>	<u>% increase</u>		
461.1	536	various	various	133,486	5/8"	2152	10,000	\$ 50.00	107,600				
	Usage	34,270	\$ 0.50	17,135			151,148	\$ 1.21	182,889				
			\$ 0.25	-									
				<u>150,600</u>					<u>290,489</u>	136,889	92.69%		
<u>Commercial</u>	<u>Bills</u>	<u>Gallons</u>	<u>Rate</u>	<u>Gross</u>	<u>Minimums</u>	<u>Bills</u>	<u>Gallons</u>	<u>Rate</u>	<u>Gross</u>				
461.2	35	4,153,000	Various	10,750	5/8"	100	10,000	\$ 50.00	5,000				
					3/4"	8	18,000	\$ 59.68	477				
					1"	4	30,000	\$ 74.20	297				
					1 1/2"	12	60,000	\$ 110.50	1,326				
					2"	16	100,000	\$ 158.90	2,542				
	Usage	4,940	\$ 0.50	2,470			16,740	\$ 1.21	20,255				
		19,760	\$ 0.25	4,940									
				<u>18,160</u>					<u>29,898</u>	11,738	64.64%		
<u>Industrial</u>	<u>Bills</u>	<u>Gallons</u>	<u>Rate</u>	<u>Gross</u>	<u>Minimums</u>	<u>Bills</u>	<u>Gallons</u>	<u>Rate</u>	<u>Gross</u>				
461.3	4	265,000	Various	1,300	5/8"	4	10,000	\$ 50.00	200				
					3/4"	4	18,000	\$ 59.68	239				
					1 1/2"	4	60,000	\$ 110.50	442				
					2"	4	100,000	\$ 158.90	636				
	Usage	440	\$ 0.50	220			1,760	\$ 1.21	2,130				
		120	\$ 0.25	30									
				<u>1,520</u>					<u>3,646</u>	2,126	139.85%		
<u>Governmental</u>	<u>Bills</u>	<u>Gallons</u>	<u>Rate</u>	<u>Gross</u>	<u>Minimums</u>	<u>Bills*</u>	<u>Gallons</u>	<u>Rate</u>	<u>Gross</u>				
461.4	2	114,000	Various	600	5/8"	12	10,000	\$ 50.00	600				
					3/4"	4	18,000	\$ 59.68	239				
					1 1/2"	4	60,000	\$ 110.50	442				
					2"	8	100,000	\$ 158.90	1,271				
	Usage	0	\$ 0.50	-			5,680	\$ 1.21	6,764				
		0	\$ 0.25	-									
				<u>800</u>					<u>9,316</u>	8,516	1064.48%		
TOTAL METERED REVENUES				<u>171,080</u>					<u>333,349</u>	<u>162,269</u>	<u>94.85%</u>		

30
50
60
70

*Additional bills will be added to the rate structure in 2010/2011

Calculation of Percent Increase	
Revenue Requirement	333,613
Divided by:	171,080
Equals:	1.95004
95.00% over 2009 sewer fees	

**Baileyville Sewer Department
Operating Statement**

	Pro Forma
Utility Operating Income	
Operating Revenues	333,349
Operating Expenses	194,863
Capital Equipment	20,000
Utility Operating Expenses	214,863
Total Utility Operating Income	118,486
Other Income and Deductions	
Other Income:	
Other Non-Utility Income	
Interest Income	
Revenues from Merchandising, Jobbing Deductions:	-
Debt Retirement Provision	95,000
Admin on Debt	12,892
Total Other Income and Deductions	(107,892)
Interest Expense	10,859
Total Interest Expense	10,859
Net Income (for rates)	(264)

Town of Baileyville

Baileyville, Maine

Sewer Department

Effective: August 1, 2010

Baileyville Sewer Department

QUARTERLY RATES FOR WASTEWATER TO METERED CUSTOMERS

Available:

To all metered customers for domestic, commercial, governmental or industrial use.

	Quarterly Rate:		Monthly Rate:	
	Gallons	Minimum	Gallons	Minimum
5/8 inch	10,000	\$ 50.00	3,333	\$ 16.67
3/4 inch	18,000	\$ 59.68	6,000	\$ 19.89
1 inch	30,000	\$ 74.20	10,000	\$ 24.73
1 1/2 inch	60,000	\$ 110.50	20,000	\$ 36.83
2 inch	100,000	\$ 158.90	33,333	\$ 52.97
3 inch	200,000	\$ 279.90	66,667	\$ 93.30
4 inch	300,000	\$ 400.90	100,000	\$ 133.63
6 inch	600,000	\$ 763.90	200,000	\$ 254.63
8 inch	1,200,000	\$ 1,489.90	400,000	\$ 496.63

Additional:

Charge for each additional 1,000 gallons \$ 1.21

Terms of Payment:

Billing may be either monthly or quarterly at the option of the Town. Bills are due and payable upon presentation.

Minimum charges and excess used over the minimum charge allowance, are billed in arrears.

Effective: August 1, 2010

ARTICLE III

Private Sewage Disposal

SECTION 301. Where a public sanitary sewer is not available under the provisions of Section 204, the building sewer shall be connected to a private sewage disposal system complying with the requirements of the Maine State Department of Health and Welfare, dealing with septic tank installations.

SECTION 302. At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in Section 204, direct connection shall be made to the public sewer in compliance with this local law, and any septic tanks, cesspools and similar private sewage disposal facilities shall be abandoned and filled with suitable material.

SECTION 303. No statement contained in the article shall be construed to interfere with any additional requirements that may be imposed by the authorized representative of the Maine State Department of Health and Welfare.

ARTICLE IV

Building Sewers, Connections, and Fees

SECTION 401. No person shall uncover, make any connections with or opening into use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Town Council.

SECTION 402. There shall be two (2) classes of building sewer permits: (1) for residential and commercial service, and (2) for service to establishments producing industrial wastes. In either case, the Owner or his agent shall make application on a special form furnished by the Town. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Engineer. A permit, tap-in, and inspection fee of \$25.00 dollars for a single residential permit, plus \$5.00 dollars for each additional living unit incorporated in the same residential structure shall be paid to the Town at the time an application is filed; provided, however, that no more than four (4) living units may be connected to a single tap. The Town Council shall fix a permit, tap-in and inspection fee for each commercial, industrial, or other nonresidential building, after recommendations of the Engineer based on the size and nature of the operation proposed in such commercial, industrial or other non-residential building as compared to the demands of a single residential structure.

SECTION 403. A separate and independent building sewer shall be provided for every building except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway. The building sewer from the front building may be extended to the rear building and the whole considered as one building sewer. Where building sewers are to serve multiple dwelling structures, there shall be provided at least one (1) separate building sewer for each group of four (4) living units.

SECTION 404. Existing building sewers may be used in connection with new buildings only when they are found on examination and test by the Superintendent to meet requirements of this local law.

SECTION 405. The building sewer shall be tar-coated, extra heavy cast iron soil pipe, conforming to ASTM Specification A74, and American Standards Association (ASA) Specification A-40.1 Building sewer pipe shall have a maximum length of 5 feet between joints.

SECTION 406. The size and slope of the building sewer shall be subject to the approval of the Superintendent, but in no event shall the diameter be less than four (4) inches, nor shall the slope of the pipe be less than one-eighth (1/8) inch per foot.

SECTION 407. Whenever possible the building sewer shall be brought to the building at an elevation below the basement floor. No building sewer shall be laid parallel to and within three (3) feet of any bearing wall, which might thereby be weakened. The depth shall be sufficient to afford protection from frost, but in no event shall be less than three (3) feet. The building sewer shall be laid at uniform grade and in straight alignment insofar as 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.

SECTION 408. In all buildings 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.

SECTION 409. All excavations required for the installation of a building sewer shall be open trench work unless otherwise approved by the Superintendent. Pipe laying and backfill shall be performed in accordance with Sections 3 through 6 of ASTM Specification C12 except that no backfill shall be placed until the work has been inspected and except that trench width measured at the top of the installed pipe shall not exceed twenty-four (24) inches.

SECTION 410. All joints and connections shall be made gas-tight and watertight. No cement joints will be permitted.

Cast iron pipe joints shall be firmly packed with oakum or hemp and filled with molten lead not less than one (1) inch deep. Lead shall be run in one pouring and caulked tight. No paint, varnish, or other coatings shall be permitted on the jointing material until after the joint has been tested and approved. The transition joint between cast iron pipe and other pipe materials shall be made with adapters and joint materials approved by the Superintendent.

Pre-molded gasket joints for hub and plain end cast iron pipe may be used if approved by the Superintendent, and shall be a neoprene compression-type gasket which provides a positive double seal in the assembled joint. The gasket shall be a pre-molded, one-piece unit designed for joining the cast iron hub and plain end soil pipe and fittings. 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 following the manufacturer's recommendations using acceptable lubricant and special pipe-coupling tools designed for that purpose. The plain spigot end shall be forced into the hub end of the pipe for the full depth of the hub itself. Lubricant shall be a bland, flax-base, non-toxic material and shall not chemically attack the gasket material.

SECTION 411. The connection of the building sewer into an existing public sewer shall be made at the property line. Except as provided under section 502 and 503, if the portion of the building sewer located in the street or right-of-way has not previously been provided, such will be constructed from the existing public sewer to the property line by the Town Department of Public Works upon submittal of a proper request by the property owner and upon deposit of the estimated cost thereof. All costs and expense incident 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 (at the property line) will be dependent upon the type of pipe material used and in all cases shall be approved by the Superintendent of Public Works.

SECTION 412. The applicant for the building sewer permit shall notify the Superintendent when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Superintendent or his representative.

When trenches are opened for the laying of building sewer pipes, such trenches shall be inspected by the Superintendent before the trenches are filled; and the person performing such work shall notify the Superintendent when the installation of the building sewer is completed. The filling of a trench before inspection is made will subject person to whom a permit is issued to a penalty of \$25.00 for each offense.

SECTION 413. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Town.

SECTION 414. When any building sewer is to serve a school, hospital, or similar institution or public building or is to serve a complex of industrial or commercial buildings, or which, in the opinion of the Superintendent, will receive sewer or industrial wastes of such volume or character that frequent maintenance of said building sewer is anticipated, then such building sewer shall be connected to the public sewer through a manhole. The Superintendent 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 Superintendent. If required, a new manhole shall be installed in the public sewer pursuant to Section 504, and the building sewer connection made thereto as directed by the Superintendent.

SECTION 415. Where permitted by the plumbing code or other appropriate laws or regulations of the State of Maine, other types of material and construction methods may be used notwithstanding any provisions of this ordinance to the contrary.

ARTICLE V Sewer Extensions

SECTION 501. All extensions to the sanitary sewer system owned and maintained by the Town shall be properly designed in accordance with the Recommended Standards for Sewage Works, as adopted by the Great Lakes-Upper

Mississippi River Board of State Sanitary Engineers. Plans and specifications for sewer extensions shall be submitted to and approval obtained from the Engineer before construction may proceed. The design of sewers must anticipate and allow for flows from all possible future extensions or developments within the immediate drainage area.

SECTION 502. 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 Town Council, the number of properties to be served by such extension warrants its cost. Under this arrangement the property owner shall pay for and install the building sewer from the property line 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 owners, and filing it with the Town Council. The cost of such extensions may be assessed to the benefited property owners in any manner determined by the Town Council and in accordance with applicable state laws.

SECTION 503. 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 Town Council in accordance with the requirements of Section 501. He or they must pay for the entire installation, including all expenses incidental thereto. Each building sewer installed must be installed and inspected as previously required and the inspection fees shall be paid. Design of sewers shall be as specified in Section 504. The installation of the sewer extension must be subject to periodic inspection by the Engineer and the expenses for this inspection shall be paid for by the owner, builder or developer. The Engineer's decisions shall be final in matters of quality and methods of construction. The sewer, as constructed, must pass the exfiltration test required in Section 505 before it is to be used. The cost of sewer extension thus made shall be absorbed by the developers or the property owners, including all building sewers.

SECTION 504. Sewer design shall be in accordance with the following provisions. Pipe material shall be either asbestos-cement conforming to ASTM Specification C-428, Type 11; extra-strength vitrified clay conforming to ASTM Specification C-200; reinforced concrete conforming to ASTM Specification C-76; or Schedule 40 p.v.c. sewer pipe or equivalent (amended 11/23/1981). No standard strength clay pipe or non-reinforced concrete pipe shall be used. Minimum internal pipe diameter shall be eight (8) inches. Joints for each kind of pipe shall be designed and manufactured such that "O" ring gaskets of the "snap-on" type are employed. Gaskets shall be continuous, solid, natural or synthetic rubber and shall provide a positive compression seal in the assembled joint such that the requirements of Section 505 are met. Joint preparation and assembly shall be in accordance with the manufacturer's recommendations. Wye branch fittings shall be installed for connection to building sewers in accordance with Section 403. Trench widths as measured just above the crown of the pipe shall not exceed the following:

Pipe Diameter	Trench Width
8"	3' - 0"
10"	3' - 0"
12"	3' - 1"
14"	3' - 4"

If the trench widths are found, during field inspection, to exceed the limits in the above table, the sewer pipe shall be encased with a minimum of 6 inches of concrete. Pipe shall be firmly and evenly bedded on a minimum of 6 inches of screened gravel with stone size not exceeding 1-inch. Pipe thickness and field strength shall be calculated on the following criteria:

Safety Factor	1.9
Load Factor	1.7
Weight of Soil	120lbs./cu. ft.
Wheel Loading	16,000 lbs.

Utilizing the above information, design shall then be made as outlined in Chapter IX of the Water Pollution Control Federation Manual of Practice No. 9, "Design and Construction of Sanitary and Storm Sewers".

Manholes shall be constructed at all changes in slope or alignment or at intervals not exceeding 400 linear feet. The manholes shall be constructed with a poured 3,000 psi concrete base 12 inches thick, steel trowled concrete or mortar bench walls and inverts, and precast 4-foot diameter concrete manhole barrel sections with concentric tapered top sections, as specified by ASTM C-478. The manhole frame and cover shall be the standard design of the Town and shall be set with no less than two courses of brick underneath to allow for later adjustment in elevation. All joints shall be sealed against infiltration. Manholes shall be constructed with steps or ladder rungs.

SECTION 505. All sewers shall satisfy requirements of a final exfiltration test before they will be approved and sewage flow accepted from them by the Town. This test consists of filling the pipe with water to provide a head of at least five (5) feet above the top of the pipe or five (5) feet above groundwater, whichever is higher, at the highest point of the pipe line under test, and then measuring the loss of water from the line by the amount which must be added to maintain the original level. In this test, the line must remain filled with water for at least twenty-four (24) hours prior to the taking of measurements. Exfiltration shall be measured by the drop of water level in a standpipe with closed bottom end, or in one of the sewer manholes available for convenient measuring.

When a standpipe and plug arrangement is used in the upper manhole of a line under test, there must be some positive method of releasing entrapped air in the sewer prior to taking measurements. The test length intervals for either type of test shall be as ordered or approved but in no event shall they exceed 1,000 feet. In the case of sewers laid on steep grades, the length of line to be tested may be limited by the maximum allowable internal pressure on the pipe and joints at the lower end of the line. The test period, wherein the measurements are taken, shall not be less than two (2) hours in either type of test.

The total leakage of any section tested shall not exceed the rate of 100 gallons per mile of pipe per 24 hours per inch of nominal pipe diameter. For purposes of determining the maximum allowable leakage, manholes shall be considered as sections of 48-inch diameter pipe, five (5) feet long. The equivalent leakage allowance shall be 4.5 gallons per manhole per 24 hours, for 48-inch diameter manholes. If leakage exceeds the specified amount, the necessary repairs or replacements required shall be made to permanently reduce the leakage to within the specified limit, and the tests shall be repeated until the leakage requirement is met.

SECTION 506. All sewer extensions constructed at the property owners, builders or developers expense, after final approval and acceptance by the Engineer, 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 eighteen (18) months. The guarantee shall be in a form provided for by the Town. At the sole discretion of the Town a completion bond or certified check may be demanded as part of the guarantee. Any sewer extension not formally adopted by the Town shall be constructed, maintained and repaired by the affected property owner, from the property utilizing the Town Sewer to the junction point in the main line. All repair work done, in whole or in part, in the Town right-of-way shall be inspected by the office of the Town Engineer before refilling, to insure that any repair is properly performed. Where it can reasonably be shown that damage has occurred to the private sewer line because of street construction or re-construction, the repairs shall be at the expense of the Town (amended 11/23/1981).

SECTION 507. 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 waste disposal is proposed. All new developments shall be provided with an approved system of sanitary sewers.

ARTICLE VI

Use of the Public Sewers

SECTION 601. No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof runoff, subsurface, drainage, cooling water or unpolluted industrial process water to any sanitary sewer.

SECTION 602. Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers, or to a watercourse approved by the Superintendent. Industrial cooling water or unpolluted process waters may be discharged, upon approval of the Superintendent, to a storm sewer, or natural outlet.

SECTION 603. 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 150 degrees Fahrenheit (65 degrees Centigrade.)
- (b) Any waters or wastes which contain grease or oil or other substance that will solidify or become discernibly viscous at temperatures between 32 and 150 degrees Fahrenheit.
- (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) ether soluble matter.
- (d) Any gasoline, benzine, 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 inter-action 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 ¾ horsepower or greater shall be subject to the review and approval of the Superintendent.
- (g) Any ashes, cinder, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastic, cardboard, wood, paunch manure, hair and fleshings, entrails, lime slurry, lime residues, beer or distillery slops, Whey, chemical residues, paint residues, cannery wastes, 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 alkalines must be neutralized, at all times, within a permissible pH range of 6.0 to 9.5.
- (i) Any cyanides, in excess of 2 parts per million by weight as CN.
- (j) Any long half-life (over 100 days) of toxic radio-active isotopes, without a special permit.
- (k) Any waters or wastes that for a duration of 15 minutes has 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 except by special permit. Normal sewage shall be construed to fall within the following ranges:

<u>Constituents</u>	<u>Permissible Range</u>
Suspended Solids	180 to 350 ppm
B.O.D.	140 to 300 ppm
Chlorine Requirements	5 to 15 ppm

- (l) Any storm water, roof drain, 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.
- (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 Town’s sewage treatment plant. Such toxic substances shall be limited to the average concentrations listed hereinafter in a 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 waste discharged.

SECTION 603. (m) Continued --

Limits of Toxic
Substances in Sewage

Iron, as Fe.....	5.0 ppm
Chromium, as Cr (hexavalent).....	3.0 ppm
Cooper, as Cu.....	1.0 ppm
Chlorine Requirements.....	15.0 ppm
Penol.....	10.0 ppm
Cyanide, as Cn.....	0.5 ppm
Cadmium, as Cd.....	0.5 ppm
Zinc, as Zn.....	0.5 ppm
Nickel.....	1.0 ppm

SECTION 604. Grease, oil and sand interceptors shall be provided when the above set limits for those substances are exceeded or when, in the opinion of the Engineer, 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 interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Engineer, and shall be located as to be readily and easily accessible for cleaning and inspection.

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 water-tight.

SECTION 605. 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 Superintendent of Public Works at any time.

SECTION 606. 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 Section 603, or (e) having an average daily flow greater than 2 0/0 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 as may be necessary to, (1) reduce the Bio-chemical Oxygen Demand to 300 parts per million and the suspended solids to 350 parts per million by weight, or (2) reduce 15 parts per million, or (3) reduce objectionable characteristics or constituents to within the maximum limits provided for in Section 603, or (4) control and 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 said approvals for 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 local law.

SECTION 607. Where preliminary treatment of flow equalizing facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the Owner at his expense.

SECTION 608. 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. Such manhole, when required, shall be accessibly 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 609. All measurements, tests, and analysis of the characteristics of waters and wastes to which reference is made in Sections 603 and 606, shall be determined in accordance with "Standard Method for the Examination of Water and Sewage", upon suitable samples taken at control manhole provided for in Section 608. 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 610. 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 therefor by the industrial concern.

SECTION 611. All of the preceding standards are to apply to all wastes as 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 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 months for a 24-hour period. However, more frequent and long periods may be required at the discretion of the Town Council.

ARTICLE VII

Protection from Damage

SECTION 701. No person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface or tamper with any structure appurtenance, or equipment which is part of the Town sewerage works. Such person shall, upon conviction, be subject to a fine not exceeding One Hundred Dollars or may be otherwise punished as State law provides.

SECTION 702. A Contractor must present a certificate of insurance showing liability insurance before a permit will be issued for construction of building sewers, sewer extensions, or private sewage disposal.

ARTICLE VIII

Powers and Authority of Inspectors

SECTION 801. The Superintendent, the Engineer, and other duly authorized employees of the Town bearing proper credentials and identifications shall be permitted to enter upon all properties for the purpose of inspection, observation, measurement sampling and testing, in accordance with the provisions of this ordinance.

ARTICLE IX

Penalties

SECTION 901. Any person found to be violating any provision of this ordinance except Section 701 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 902. Any person, firm, corporation, or partnership, who fails to comply with the provisions of this ordinance other than those provisions pertaining to the payment of charges for services established herein, shall, upon conviction, be subject to a fine not exceeding one Hundred 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, upon conviction, be subject to a fine not exceeding one Hundred 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 903. As an alternative, upon violation of this ordinance, 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 maintenance of cesspools, septic tanks, sewage disposal systems, pipes or drains to restrain, correct or abate such violation to prevent the occupancy of any building structure or land where said violations of this ordinance are found.

SECTION 904. Any person violating any of the provisions of this ordinance shall become liable to the Town for any expense, loss, or damage occasioned the Town by reason of such violation.

ARTILCE X

License

SECTION 1101. Each and every plumber, contractor or excavator or other person, firm or corporation other than the property owner himself, will be required to have a license issued by the Town before he will be permitted to do any work in the Town insofar as this Ordinance is concerned.

SECTION 1102. As part of the application for license to do work in the Town, the applicant will present a license bond written by an indemnity or bonding company lawfully doing business in the State of Maine, in a form provided by the Town Council.

SECTION 1103. If in the opinion of the Town Council of the Town, the work performed by the contractor within the Town violates the provisions of this ordinance or any other ordinance of the Town, or if the contractor's work is in the opinion of the Town Council, sub-standard, then in that event, the Town Council may revoke the license for the contractor to do work in the Town.

ARTICLE XI

SECTION 1201. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 1202. The validity 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 XII Ordinance in Force

SECTION 1301. This ordinance shall be in full force and effect from and after its passage, approval and recording. It shall be published in full once in the Calais Advertiser the week following its adoption.

**Policy of Baileyville Town Council
Town Purchased Sump Pumps**

Whereas the Town of Baileyville purchased sump pumps and paid to install said pumps in homes in Woodland village, and

Whereas the pumps have all now operated past their warranted life, and

Whereas the arrangement between the Town and the owners of the real estate where the pumps were installed was that the owner of the real estate was to provide electric power to operate the pump within their real estate, and

Whereas upon initial purchase and installation the policy of the Town and the understanding between the Town and the owners of the involved real estate was that after the one year warrantee period the pumps would be the responsibility of the real estate owners, then

Now it is resolved by the Town Council of Baileyville that their policy has been and going forward remains to be that the town will not incur costs to maintain or operate the sump pumps.

Policy adopted and restated as addendum to Sewer Ordinance on August 12, 2013 by majority vote of the Baileyville Town Council.

Town of Baileyville
Ordinance Amendment
Sewerage Ordinance
Article IV, Sections 402 and 412

This amendment will:

1) Remove all mention of or setting of sewer system connection and inspection fees from this Ordinance and move the setting of fees for connection to, inspection of, permits therefor and penalties for filling trenches before final inspection to the Town of Baileyville Fee Schedule as set from time to time by the Baileyville Town Council, and

2) Restate the policy through Ordinance that if a private contractor is permitted to construct an entry or repair a connection to the public sewer that all costs for such work are to be borne by the property owner served by that private line to the public sewer. Private contractors will not be allowed to make such connections or repairs before posting a bond and insurance certificates with the Town. Further, if the Town constructs a sewer line from the primary public/main sewer toward a private property, within the public right of way, to be used as a connection to the public sewer system the entire cost of that construction will be repaid to the Town by the property owner being served. If such costs remain unpaid for a period of time the Town will file a lien against the served property. Once built a private sewer line within the public right of way will be maintained by the Town but all costs to maintain the sewer connecting line to the public/main sewer on or under private land will be at the sole cost of the private property owner.

First reading, September 8, 2014, with passage to public hearing and second reading at Baileyville Council meeting September 22, 2014.

Third reading and adoption October 14, 2014