

# **AN ORDINANCE RELATING TO PROCEDURES FOR MAKING CONNECTIONS TO THE SANITARY SEWER SYSTEM AND LIMITS FOR POLLUTANT DISCHARGES**

The following ordinance is hereby adopted by the Town Council of the Town of Plainville pursuant to Sections 7-148 and the provisions of Chapter 474a of the Connecticut General Statutes as amended.

## **1.0 INTRODUCTION**

This ordinance established the procedures for making connections to the public sewer in the Town of Plainville sanitary sewer system. It also establishes specific limits for pollutant discharges which by their nature or by their interaction with sewage will be detrimental to the public health, cause damage to the public sewer or the water pollution control facility, pollute the waters of the State, or otherwise create a public nuisance.

This ordinance is intended to:

- (a) inform the public as to the technical and administrative procedures to be followed in obtaining connection to the Town of Plainville sanitary sewer system;
- (b) prevent the introduction of pollutants into the sanitary sewer system which will interfere with the collection and/or treatment system;
- (c) prevent the introduction of pollutants into the treatment system which will pass through the system, inadequately treated, into the waters of the State, or the atmosphere, or otherwise be incompatible with the system;
- (d) improve the opportunity to recycle and reclaim waste waters and sludges from the system.

This ordinance shall apply to the Town of Plainville and to persons outside the Town of Plainville who are users of the public sewer. Except as otherwise provided herein, the duly authorized agent or representative of the Water Pollution Control Authority of the Town of Plainville shall otherwise implement, and enforce the provisions of this ordinance.

## **2.0 DEFINITIONS.**

**2.1 ACT OR "THE ACT"** The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 USC 1251, et. seq.

**2.2 BIOCHEMICAL OXYGEN DEMAND (BOD)** is the amount of oxygen required by bacteria while stabilizing decomposable organic matter under aerobic conditions for five days. The determination of BOD shall be performed in accordance with the procedures prescribed in the latest edition of "Standard Methods for the Examination of Water and Wastewater."

**2.3 BUILDING DRAIN** means that part of the lowest horizontal piping of a building plumbing which receives the discharges from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five (5) feet (1.5 meters) outside the inner face of the building wall.

**2.4 BUILDING SEWER** means the extension from the building drain to the public sewer or other place of disposal, it may also be called a house connection.

**2.5 CATEGORICAL STANDARDS** National Categorical Pretreatment Standards or Pretreatment Standards.

**2.6 COMBINED SEWER** means a sewer intended to receive both sewage and storm or surface water.

**2.7 COMMISSIONER** means the Commissioner of Environmental Protection for the State of Connecticut.

**2.8 COMPATIBLE POLLUTANT** Biochemical oxygen demand, suspended solids, pH and fecal-coliform bacteria; plus any additional pollutants identified in the water pollution control facilities NPDES permit, where the water pollution control facility is designed to treat such pollutants and, in fact does treat such pollutants to the degree required by the NPDES permit.

**2.9 COMPOSITE SAMPLE** means a mixture of aliquot samples obtained at regular intervals over a time period. The volume of each aliquot is proportional to the discharge flow rate for the sampling interval. The minimum time period for composite sampling shall be four (4) hours.

**2.10 COOLING WATER** means process water in general used for cooling purposes to which the only pollutant added is heat and which has such characteristics that it may be discharged to a natural outlet in accordance with Federal and State laws and regulations.

**2.11 DOMESTIC SEWAGE** means sewage that consists of water and human excretions or other waterborne wastes incidental to the occupancy of a residential building or non-residential building but not wastewater from water softening equipment, commercial laundry wastewater, and blowdown from heating and cooling equipment.

**2.12 FLOATABLE OIL** is oil, fat, or grease in a physical state such that it will separate by gravity from sewage by treatment in an approved pretreatment facility.

**2.13 GARBAGE** means the animal or vegetable waste resulting from the handling, preparation, cooking or serving of foods.

**2.14 GRAB SAMPLE** A sample which is taken from a waste stream on a one-time basis with no regard to the flow in the waste stream and without consideration of time.

**2.15 HOLDING TANK WASTE** Any waste from holding tanks such as vessels, chemical toilets, campers, trailers and septage hauling trucks.

**2.16 INCOMPATIBLE POLLUTANT** all pollutants other than compatible pollutants as defined in Section 2.8.

**2.17 INDUSTRIAL WASTEWATER** means all wastewater from industrial processes, trade, or business and is distinct from domestic sewage.

**2.18 MAY** is permissive (see "Shall").

**2.19 NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT** A permit issued pursuant to Section 402 of the Act (33 USC 1342).

**2.20 pH** means the logarithm of the reciprocal of the hydrogen-ion concentrations. The concentration is the weight of hydrogen ions, in grams, per liter of solution.

**2.21 PERSON** Any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity or any other legal entity, or

their legal representatives, agents, or assigns. The masculine gender shall include the feminine, the singular shall include the plural where indicated by the context.

**2.22 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 particle greater than 1/2 inch (1.27 centimeters) in any dimension.

**2.23 PRETREATMENT OR TREATMENT** The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutant into a water pollution control facility. The reduction of alteration can be obtained by physical, chemical or biological processes, except as prohibited by Title 40, Code of Federal Regulations, Section 403.6 (d).

**2.24 PUBLIC SEWER** shall mean a common sanitary sewer controlled by a governmental agency or public utility.

**2.25 SANITARY SEWER** means a sewer which collects and conveys domestic sewage from residences, public buildings, commercial establishments, industries, and institutions. A sanitary sewer may also collect and convey permitted industrial wastewater and unintentionally admitted ground, storm, and surface waters.

**2.26 SEPTAGE** means the liquids and solids which are removed from a tank used to treat domestic sewage.

**2.27 SEWAGE** means human and animal excretions and all domestic and such manufacturing wastes as may tend to be detrimental to the public health.

**2.28 SEWAGE COLLECTION SYSTEM** means the structures and equipment required to collect and convey sewage to the water pollution control facility.

**2.29 SHALL** is mandatory (See "May").

**2.30 SLUG** means any sudden or excessive discharge which exceeds permitted levels either in terms of pollutant concentration or instantaneous flow rate in such a manner as to adversely affect the sewage collection system and/or the water pollution control facility.

**2.31 SOLUBLE OIL** means oil which is of either mineral or vegetable origin and disperses in water or sewage at temperatures between 0° C and 65° C. For the purposes of this ordinance, emulsified oil shall be considered as soluble oil.

**2.32 STORM SEWER** means a sewer which collects and conveys storm water or groundwater.

**2.33 SUSPENDED SOLID** means the solids matter, measured in mg/liter, which may be in suspension, floatable, or settleable and is removable by laboratory filtering as prescribed in the latest edition of "Standard Methods for Examination of Water and Wastewater".

**2.34 TOXIC POLLUTANT** any pollutant or combination of pollutants listed as toxic in regulations promulgated by the Administrator of the Environmental Protection Agency under the provisions of Section 307 (a) of the Act or other Acts.

**2.35 USER** any person who contributes, causes or permits the contribution of sewage into the Town of Plainville sewer system.

**2.36 WATER POLLUTION CONTROL AUTHORITY or AUTHORITY** means the Water Pollution Control Authority of the Town of Plainville or any authorized agent or representative.

**2.37 WATER POLLUTION CONTROL FACILITY (WPCF)** means an arrangement of devices for the treatment of sewage and sludge.

**2.38 WATERCOURSE** means a natural or artificial channel for the passage of water either continuously or intermittently.

### **3.0 USE OF PUBLIC SEWERS.**

**3.1** The owner(s) of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes situated within the Town of Plainville 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 sanitary sewer of the Town of Plainville may, at the option of the Town of Plainville and at the owner(s) expense, be required to install a building sewer to connect their building drain to the public sewer in accordance with the provisions of this ordinance, within ninety (90) days after date of official notice to do so.

**3.2** It shall be unlawful for any person to construct or repair any privy, privy vault, septic tank, cesspool or other facility intended for the disposal of sewage if public sewers are available.

#### **4.0 BUILDING SEWERS AND CONNECTIONS.**

**4.1** No unauthorized person(s) shall uncover, make any connections with or opening into, use, alter, repair, or disturb any public sewer or appurtenance thereof.

**4.2** Any person proposing a new discharge into the public sewer system or a substantial change in the volume or character of pollutants that are being discharged into the public sewer system shall notify the duly authorized agent or representative of the Water Pollution Control Authority of the Town of Plainville at least forty-five (45) days prior to the proposed change or connection.

**4.2 (a)** A person intending to connect a building drain from his property to the public sewer shall first obtain a permit to connect from the duly authorized agent or representative of the Water Pollution Control Authority of the Town of Plainville. The application shall be made on forms provided by the duly authorized agent or representative of the Water Pollution Control Authority of the Town of Plainville, and it shall be accompanied by a sketch or plan showing the proposed installation in sufficient detail to enable the duly authorized agent or representative of the Water Pollution Control Authority of the Town of Plainville to determine that the proposed installation meets the requirements of this regulation and other applicable specifications, codes, and laws. The application shall be signed by the owner of the premises to be served or his authorized agent and by the qualified contractor (see Section 4.11) who has been chosen to perform the work of installing and connecting the building drain to the public sewer. Upon approval of the application and plan, a permit shall be issued to have the work performed by the stated contractor. In the event the premises changes ownership before the work is completed, or if another contractor is chosen to perform or finish the work, the original permit becomes void, and a new permit must be obtained by the new parties in interest.

**4.2 (b)** A connection to the public sewer will be made only after the buildings plumbing has been approved by the Town/City Building Inspector in order to insure that minimum standards are met for the installation. No trench containing a building drain or connection to the sanitary sewer shall be backfilled until the duly authorized agent or representative of the Water Pollution Control Authority of the Town of Plainville has completed an inspection of and approved the work. The water level in the trench shall be maintained at a level below the sewer connection before the cap is removed and while the connection is being made and until such time as it has

been inspected, approved and backfilled. The contractor shall notify the duly authorized agent or representative of the Water Pollution Control Authority of the Town of Plainville 24 hours before starting any work authorized under this permit.

**4.2 (c)** Permits to connect to the public sewer may be revoked and annulled by the duly authorized agent or representative of the Water Pollution Control Authority of the Town of Plainville for such cause and at such time as (he) may deem sufficient and the Town of Plainville as a consequence of said revocation or the cause thereof. All other parties in interest shall be held to have waived the right to claim damages from the Town of Plainville or its Agents on account of such revocation.

**4.3** All costs and expenses incidental to the installation and connection of the building sewer shall be borne by the owner(s). The owner(s) shall indemnify the Town of Plainville from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

**4.4** 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 public sewer is available or can be constructed to the rear building through an adjoining alley, court yard, or driveway, the building sewer that provides service for the building which fronts on the public sewer may be extended to the rear building and the whole considered as one building sewer; but the Town of Plainville does not and will not assume any obligation or responsibility for damage caused by or resulting from any such aforementioned connection.

**4.5** Existing building sewers may be used in connection with new buildings only when they are found, on examination and test by the duly authorized agent or representative of the Water Pollution Control Authority of the Town of Plainville to meet all requirements of this ordinance.

**4.6** 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 and trench and connection of the building sewer to the public sewer shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the Town of Plainville. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the ASTM and WPCF Manual of Practice No. 9 shall apply.

**4.7** Whenever practicable, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer. Duplex lift systems shall be provided for commercial and industrial buildings.

**4.8** No person(s) shall make connection of roof downspouts, foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sewer.

**4.9** 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 of Plainville.

**4.10** No building sewer shall be constructed within 25 feet of a water supply well. If a building sewer is constructed within 25-75 feet of water supply well, it shall be constructed in accordance with all applicable guidelines promulgated by the Commissioner.

**4.11** All building sewers shall be installed by a drain layer who possesses a valid license issued under Chapter 393 of the Connecticut General Statutes as amended.

## **5.0 DISCHARGE LIMITATIONS REGARDING THE USE OF PUBLIC SEWERS.**

**5.1** No person shall discharge or cause to be discharged any unpolluted waters such as stormwater, groundwater, roof runoff, subsurface drainage, or cooling water to any sanitary sewer.

**5.2** Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers and discharged to a watercourse in accordance with all applicable State and Federal laws and regulations.

**5.3** No user shall contribute or cause to be contributed, directly or indirectly, any pollutant or wastewater which will interfere with the operation or performance of the WPCF. These general prohibitions apply to all such users of a WPCF whether or not the user is subject to National Categorical Pretreatment Standards or any other Federal or State Pretreatment Standards or requirements. A user shall not contribute the following substances to any WPCF:

**5.3 (a)** Any liquids, solids or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any other way to the WPCF or to the operation of the WPCF.

At no time, shall two successive readings on an explosion hazard meter, at the point of discharge into the sewage collection system (or at any point in the system) be more than five percent (5%) nor any single reading over ten percent (10%) of the Lower Explosive Limit (LEL) of the meter.

**5.3 (b)** Solids or viscous substances which may cause obstruction to the flow in a sewer or other interference with the operation of the WPCF, including substances such as, but not limited to, grease, garbage with particles greater than one-half inch (1/2") in any dimension, animal guts or tissues, paunch, manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastics, gas, tar, asphalt residues, residues from refining or processing of fuel or lubricating oil, mud or glass grinding or polishing wastes.

**5.3 (c)** Any sewage having a pH lower than (5.5) or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the WPCF. The upper limit of pH for any industrial wastewater discharge shall be established under the dischargers State Discharge Permit.

**5.3 (d)** Any sewage containing toxic pollutants in sufficient quantity, either singly or by interaction with other pollutants, to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, or plant life, create a toxic effect in the receiving waters of the WPCF, or to exceed the limitations set forth in a "Categorical Pretreatment Standard." A toxic pollutant shall include but not be limited to any pollutant identified pursuant to Section 307 (a) of the Act.

**5.3 (e)** Any noxious or malodorous sewage, gases, or solids which either singly or by interaction with other sewage are sufficient to prevent entry into the public sewers for their maintenance and repair.

**5.3 (f)** Any sewage which, by interaction with other sewage in the public sewer releases obnoxious gases, forms suspended solids which interfere with the collection system, or creates a

condition which may be deleterious to structures and treatment processes or which may cause the effluent limitations of the WPCF's NPDES Permit to be exceeded.

**5.3 (g)** Any substance which may cause the WPCF's effluent or any other product of the WPCF such as residues, sludges, or scums, to be unsuitable for reclamation process where the WPCF is pursuing a reuse and reclamation program. In no case, shall a substance discharged to the WPCF cause the facility to be in non-compliance with sludge use or disposal criteria; guidelines, or regulations developed under Section 405 of the Act; any criteria, guidelines or regulations affecting sludge use or disposal developed pursuant to the Resource Conservation Clean Air Act, the Toxic Substances Control Act, or State criteria applicable to the sludge management method being used.

**5.3 (h)** Any substance which will cause a WPCF to violate its NPDES Permit or the receiving water quality standards.

**5.3 (i)** Sewage containing substances which are not amenable to treatment or reduction by the wastewater treatment process employed, or are amenable to treatment only to such degree that the water pollution control facility effluent cannot meet the limits stipulated in the Town of Plainville's NPDES Permit.

**5.4** The following described substances, materials, waters, or waste shall be limited in discharges to public sewers to concentrations or quantities which will not harm either the sewers, water pollution control facility, will not have an adverse effect on the receiving stream, or will not otherwise endanger public property or constitute a nuisance. The Commissioner may set lower limitations if more severe limitations are necessary to meet the water quality standards of the receiving stream. The limitations or restrictions on materials or characteristics of sewage discharged to the public sewer are as follows:

**5.4 (a)** Sewage having a temperature higher than 150°F (65°C).

**5.4 (b)** Sewage containing fat, wax, grease, petroleum, or mineral oil, whether emulsified or not, in excess of one hundred (100) mg/l with floatable oil not to exceed twenty (20) mg/l or containing substances which may solidify or become viscous at temperatures between thirty-two (32) and one hundred-fifty (150) degrees F. (0 and 65 degrees C).

**5.4 (c)** Any garbage that has not been properly shredded (see Section 2.23). Garbage grinders may be connected to sanitary sewers from homes, hotels, institutions, restaurants, hospitals,

catering establishments, or similar places where garbage originates from the preparation of food in kitchens of the purpose of consumption on the premises or when served by caterers.

**5.4 (d)** Any sewage containing odor-producing substances exceeding limits which may be established by the Commissioner.

**5.4 (e)** Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Commissioner in compliance with all applicable State and Federal regulations.

**5.4 (f)** Materials which exert or cause:

**5.4 (f)-1** Unusual concentrations of inert suspended solids (such as, but not limited to, sodium chloride and sodium sulfate).

**5.4 (f)-2** Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).

**5.4 (f)-3** Unusual BOD, chemical oxygen demand or chlorine demand in such quantities as to constitute a significant load on the water pollution control facility.

**5.4 (f)-4** Unusual volume of flow or concentrations of wastes constituting a "slug" as defined in Section 2.31.

**5.4 (g)** Overflow from holding tanks or other receptacles storing organic wastes.

**5.4 (h)** Sewage with a concentration of pollutants in excess of the following limits:

<u>Pollutant</u>	<u>Concentration: parts/million</u> <u>(mg/l)</u>
Arsenic as As	0.05
Barium as Ba	5.0
Boron as Bo	5.0
Cyanides as CN (amendable)	0.1
Fluoride as F	20
Chromium (Total)	1.0

Chromium (Cr +6)	0.1
Magnesium as Mg	100
Manganese as Mn	5.0
Copper as Cu	1.0
Zinc as Zn	1.0
Cadmium	0.1
Lead	0.1
Tin	2.0
Silver	0.1
Mercury	0.01
Nickel	1.0

Note: All metals are to be measured as total metals.

**5.5** In accordance with Section 25-54i of the Connecticut General Statutes as amended, a permit from the Commissioner of Environmental Protection is required prior to the initiation of a discharge of any of the following wastewaters to a public sewer:

- (a) Industrial wastewater of any quantity.
- (b) Domestic sewage in excess of 5,000 gallons per day through any individual building sewer to a public sewer.

A potential discharger must submit a permit application to the Department of Environmental Protection not later than 90 days prior to the anticipated date of initiation of the proposed discharge.

**5.6** If any sewage is discharged or is proposed to be discharged to the public sewers which contains the substances or possesses the characteristics enumerated in Section 5.4 of this Ordinance, and which in the judgement of the Commissioner may have a deleterious effect upon the wastewater facilities, processes, equipment, or receiving waters, or which otherwise may create a hazard to life or constitute a public nuisance, the Commissioner may in accordance with Section 25-54i(b) of the Connecticut General Statutes as amended:

- (a) Reject the discharge of 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.

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

**5.7** The duly authorized agent or representative of the Water Pollution Control Authority of the Town of Plainville shall have the right to reject the discharge of any wastes; or, require more stringent effluent limitations than required by the users Section 25-54i permit, the decisions of the Commissioner notwithstanding.

**5.8** Grease, oil and gross particle separators shall be provided when, in the opinion of the Commissioner they are necessary for the proper handling of sewage containing floatable grease in excessive amounts, as specified in Section 5.4 (b), or any flammable wastes, sand, or other harmful substances; except that such separators shall not be required for private living quarters or dwelling units. All separators shall be of a type and capacity approved by the Commissioner, and shall be located as to be readily and easily accessible for cleaning and inspection. In the maintaining of these separators, the owner(s) shall be responsible for the proper removal and disposal by appropriate means of the captured material and shall maintain records of these dates, and means of disposal which are subject to review by the Commissioner. Any removal and hauling of the collected materials shall be performed by a waste disposal firm which possesses a valid permit from the Commissioner under Section 25-54h of the Connecticut General Statutes, as amended.

**5.9** Where pretreatment or flow-equalizing facilities are provided or required for any sewage, they shall be maintained continuously in satisfactory and effective operation by the owner(s) at his expense.

**5.10** When required by the Commissioner, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable structure together with such necessary meters and other appurtenances in the building sewer to facilitate observations, sampling, and measurement of the wastes. Such structure, when required, shall be accessible and safely located and shall be constructed in accordance with plans approved by the Commissioner. The sampling

structure shall be located at a point along the industrial waste stream where a representative sample of the industrial wastewater may be obtained prior to its being diluted by domestic sewage in the building sewer. The structure 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.

**5.11** All industries discharging into a public sewer shall perform such monitoring of their discharge as required by the Commissioner in any State Discharge. Permit issued pursuant to Section 25-54i of the Connecticut General Statutes, as amended, including, but not limited to, installation, use, and maintenance of monitoring equipment, keeping records and reporting the results to the Commissioner. Such records shall be made available upon request of the Commissioner or the Authority.

**5.12** All measurements, tests, and analyses of the characteristics of sewage to which reference is made in this ordinance shall be determined in accordance with the latest edition of "Standard Methods for Examination of Water and Wastewater," published by the American Public Health Association. Sampling methods, location, times, durations, and frequencies are to be determined on an individual basis subject to the stipulations and general conditions of the discharger's State Discharge Permit.

**5.13** No statement contained in this article shall be construed as preventing any special agreement or arrangement between the Town of Plainville Water Pollution Control Authority and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the Town of Plainville Water Pollution Control Authority for treatment, provided that such agreements do not contravene any requirements of existing State or Federal Regulations and are compatible with any User Charge in effect.

**5.14** Upon the promulgation of the Federal Categorical Pretreatment Standard for a particular industrial subcategory, the Federal Standard, if more stringent than limitations imposed under this ordinance for sources in that subcategory shall supersede the limitations imposed under this ordinance.

**5.15** No user shall increase the use of process water in an attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in the Federal Categorical Pretreatment Standards, or in any specific pollutant limitations which may be developed by the Commissioner.

**5.16** Each user shall provide protection from accidental discharge of prohibited materials or other substances regulated by this ordinance. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the owner or user's own cost and expense. The Commissioner may require that plans showing facilities and operating procedures be submitted for review and approval prior to construction of the facilities.

**5.16 (a)** Within five (5) days following an accidental discharge, the user shall submit to the Authority and the Commissioner, a detailed written report describing the cause of the discharge and the measures to be taken by the user to prevent similar future occurrences. Such notification shall not relieve the user of any expense, loss, damage, or other liability which may be incurred as a result of damage to the WPCF, fish kills, aquatic plants, or any other damage to persons or property; nor shall such notification relieve the user of any fines, civil penalties, or other liability which may be imposed by this ordinance or other applicable law.

**5.16 (b)** A notice shall be permanently posted on the user's bulletin board or other prominent place advising employees whom to call in the event of a dangerous discharge. Employers shall insure that all employees are advised of the emergency notification procedure.

## **6.0 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 sewage collection system or water pollution control facility.

## **7.0 POWERS AND AUTHORITY.**

**7.1** The duly authorized agent or representative of the Water Pollution Control Authority of the Town of Plainville 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.

**7.2** While performing the necessary work in private properties referred to in Section 7.1, the superintendent or duly authorized employees of the Town of Plainville shall observe all safety rules applicable to the premises established by the user. The user shall be held harmless for injury or death to the Town of Plainville employees and the Town of Plainville shall indemnify the user against loss or damage to its property by the Town of Plainville employees and against liability claims and demands for personal injury or property damage asserted against the user and

growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the user to maintain safe conditions as required in Section 5.10.

**7.3** The duly authorized agent or representative of the Water Pollution Control Authority of the Town of Plainville bearing proper credentials and identification shall be permitted to enter all private properties through which the Town of Plainville holds a duly negotiated easement for the purposes of 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.

## **8.0 PENALTIES.**

**8.1** Any person found to be in violation of any provisions of this ordinance, except Section 6.0, shall be served by the Town of Plainville 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.

**8.2** Any person who continues any violation beyond the time limit provided for in Section 8.1, shall be guilty of a misdemeanor, and on conviction thereof shall be fined in the amount not exceeding one hundred (\$100) dollars for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.

**8.3** Any person who is found to be in violation of any of the provisions of this ordinance shall become liable to the Town of Plainville for any expense, loss or damage occasioned the Town of Plainville by reason of such violation.

**8.4** Any person who is found to be in violation of Section 25-54i of the Connecticut General Statutes as amended shall be subject to a monetary penalty or forfeiture under Section 25-54q of the statutes.

## **9.0 VALIDITY.**

**9.1** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**9.2** 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.

**10.0 ORDINANCE IN FORCE.**

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

**10.2** Passed and adopted by the Town Council of the Town of Plainville, State of Connecticut on the First day of June, 1981, by the following vote: 7 votes in favor, 0 votes opposed.

Amended by Town Council March 15, 1982