

ORDINANCE

AN ORDINANCE REGULATING THE USE OF PUBLIC AND PRIVATE SEWERS AND DRAINS PRIVATE SEWAGE DISPOSAL, THE INSTALLATION AND CONNECTION OF BUILDING SEWERS, AND THE DISCHARGE OF WATERS AND WASTES INTO THE PUBLIC SEWER SYSTEM(S): AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF: IN THE VILLAGE OF RICHMOND, COUNTY OF CHITTENDEN, STATE OF VERMONT.

The Legislative Body of the Village of Richmond hereby ordains:

ARTICLE 1

DEFINITIONS

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

- Sec. 1. "BOD" (denoting Biochemical Oxygen Demand) shall mean the quantity of Oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20° C expressed in milligrams per liter.
- Sec. 2. "Building Drain" shall mean that part of the lowest horizontal piping of a drainage system which received 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 (1.5 meters) outside the inner face of the building wall.
- Sec. 3. "Building Sewer" shall mean the extension from the building drain to the public sewer or other place of disposal, including any portion thereof, within public rights-of-ways or easements, meaning in general the sewer line from the building to a collector or trunk sewer main.
- Sec. 4. "Combined Sewer" shall mean a sewer receiving both surface runoff and sewage.
- Sec. 5. "Garbage" shall mean solid wastes from the domestic and commercial preparation, cooking, and dispensing of food, and the handling storage, and sale of produce.
- Sec. 6. "Industrial Wastes" shall mean the liquid wastes from industrial manufacturing processes, trade or business as distinct from sanitary sewage.
- Sec. 7. "Natural Outlet" shall mean any outlet into a water-course, pond, ditch, lake or other body of surface or groundwater.
- Sec. 8. "Person" shall mean an individual, firm, company, association, society, corporation or group.
- Sec. 9. "P.H." shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.
- Sec. 10. "Public Sewer" shall mean a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.
- Sec. 11. "Sanitary Sewer" shall mean a sewer in which carries sewage and to which storm, surface and groundwaters are not intentionally admitted.
- Sec. 12. "Sewage" shall mean a combination of the water carried wastes from residences, business buildings, institutions and industrial establishments, together with such ground, surface and stormwaters as may be present.
- Sec. 13. "Sewage Treatment Plant" shall mean any arrangement of devices and structures used for treating sewage.
- Sec. 14. "Sewage Works" shall mean all facilities for collecting, pumping, treating and disposing of sewage.
- Sec. 15. "Sewer" shall mean a pipe or conduit for carrying sewage.
- Sec. 16. "Shall" is mandatory; "May" is permissive.
- Sec. 17. "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.
- Sec. 18. "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.
- Sec. 19. "Legislative Body" shall mean the trustees of the Village of Richmond.
- Sec. 20. "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.
- Sec. 21. "Watercourse" shall mean a channel in which a flow of water occurs, either continuously or intermittently.

ARTICLE 11

Sec. 1. It shall be unlawful for any person to place, deposit or permit to be deposited in any unsanitary manner on public or private property within the area served by the public sewer of the Village of Richmond, or in any area under the jurisdiction of said area served by the public sewer of the Village of Richmond, any human or animal excrement, garbage or other objectionable waste.

Sec. 2. It shall be unlawful to discharge to any natural outlet within the area served by the public sewer of the Village of Richmond, or in any area under the jurisdiction of said area served by the public sewer of the Village of Richmond, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this ordinance.

Sec. 3. Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cess pool or other facility intended or used for the disposal of sewage.

Sec. 4. The owner of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes situated within the area served by public sewer of the Village of Richmond and abutting any street, alley or right-of-way in which there is now located or may in the future be located a public sanitary or combined sewer of the area served by the public sewer of the Village of Richmond, 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, unless specifically exempted from this provision by the Legislative Body.

ARTICLE 111

Private Sewage Disposal

Sec. 1. Where a public sanitary or combined sewer is not available under the provisions of Article 11, Section 4., the building sewer shall be connected to a private sewage disposal system complying with the provisions of this article.

Sec. 2. The type, capacities, location and layout of a private sewage disposal system shall comply with all recommendations of the bureau of Environmental Sanitation of the Department of Health. No septic tank or cesspool shall be permitted to discharge to any natural outlet.

Sec. 3. At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in Article 111, Section 4, a direct connection shall be made to the public sewer in compliance with this ordinance, and any septic tanks, cesspools, and similar private sewage disposal facilities shall be abandoned and filled with suitable material.

Sec. 4. The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the Village.

Sec. 5. No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by the health officer.

Sec. 6. When a public sewer becomes available, the building sewer shall be connected to said sewer within ninety (90) days and the private sewage disposal system shall be cleaned of sludge and filled with clean bank-run gravel or dirt.

ARTICLE 1V

Building Sewers and Connections

Sec. 1. No unauthorized person shall uncover, make any connections or opening into, use, alter or disturb any public sewer or appurtenance thereof, without first obtaining permission from the Legislative Body.

Sec. 2. All costs and expenses incident to the installation, connection, maintenance and repair of the building sewer shall be borne by the owner. The owner shall indemnify the Village from any loss or damage that may directly or indirectly be occasioned by the installation, connection, maintenance and repair of the building sewer.

Sec. 3. A separate and independent building sewer shall be provided for every building, except where one building stands at the rear of another or an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, 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.

Sec. 4. Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the

Sec. 5. The size, slope, location, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the Village and shall also conform to the rules and requirements of the Legislative Body. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the A.S.T.M. and W.P.C.F. Manual of Practice No. 9 shall apply, and are hereby incorporated by reference.

Sec. 6. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.

Sec. 7. No person shall make connection of roof downspouts, exterior and interior foundation drains, areaway drains or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.

Sec. 8. 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 Village, and shall also conform to the rules and requirements of the Legislative Body, or the procedures set forth in appropriate specifications of the A.S.T.M. and the W.P.C.F. Manual of Practice No. 9, and such connections shall be made gas tight and water tight. Any deviation from the described procedures and materials must be approved by the Legislative Body before installation.

Sec. 9. No sewer connection shall be opened, no pipe laid, and no joints made except under the inspection of the Legislative Body or their duly authorized representative.

Sec. 10. Any work not conforming to the provisions of Sec. 5 & 8 shall be removed at the cost of the property owner.

Sec. 11. 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 Village.

ARTICLE V.

USE OF THE PUBLIC SEWERS

Sec. 1. No person shall discharge or cause to be discharge any storm water, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer.

Sec. 2. 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 Legislative Body. Industrial cooling water or unpolluted process waters may be discharged, on approval of the Legislative Body, to a storm sewer, combined sewer, or natural outlet.

Sec. 3. No person shall discharge or cause to be discharged any of the following described wastes or waters to any public sewers:

(a) Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas.

(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 discharged to the public sewer.

(c) Any waters or wastes having a pH lower than 5.5 or having any other corrosive property capable of causing danger 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 grinder.

Sec. 4. No person shall discharge or cause to be discharged the following described substances, materials, waters or wastes if it appears likely in the opinion of the Legislative Body that such wastes

and subject to the requirements of all applicable codes, ordinances and laws.

Sec. 6. Grease, oil and sand interceptors shall be provided when, in the opinion of the Legislative Body, 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 located as to be readily and easily accessible for cleaning and inspection.

Sec. 7. 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.

Sec. 8. When required by the Legislative Body, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such manhole, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the Legislative Body. 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.

Sec. 9. 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 downstream 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 hr. composites of all outfalls whereas PH's are determined from periodic grab samples.

Sec. 10 No statement contained in this article shall be construed as preventing any special agreement or arrangement between the Village and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the Village for treatment, subject to payment therefor, by the industrial concern.

ARTICLE V1

Protection from Damage

Sec. 1. No authorized person shall maliciously, wilfully, 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 article, on conviction thereof, shall be fined in the amount not exceeding \$100 for each violation.

ARTICLE V11

Powers and Authority of Inspectors

Sec. 1. The Legislative Body and other duly authorized employees of the Village bearing proper credentials and identification shall be permitted to enter all properties for purposes of inspection, observation, measurement, sampling and testing in accordance with the provisions of this ordinance. The Legislative Body or its representatives shall have no authority to inquire into any processes including metal-lurgical, 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.

Sec. 2. The Legislative Body and other duly authorized employees of the Village bearing proper credentials and identification shall be permitted to enter all private properties through which the Village holds an 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 easement pertaining to the private property involved.

ARTICLE V111

Penalties

Sec. 1. Any person found to be violating any provision of this ordinance, except Article V1, shall be served by the Village 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.

Sec. 2. Any person who shall continue any violation beyond the time limit provided for in Article V111, Section 1, shall be guilty of a misdemeanor, and on conviction thereof, shall be fined in the amount not exceeding \$1,000 for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.

Sec. 3. Any person violating any of the provisions of this ordinance shall become liable to the Village for any expense, loss or damage occasioned the Village by reason of such violation.

ARTICLE 1X

Validity

Sec. 1. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Sec. 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.

ARTICLE X

Assessment of Charges

Sec. 1. The Legislative Body shall have the authority to establish reasonable charges for the use of sewers.

Sec. 2. Sewage assessments shall be made on a quarterly basis on the first day of each calendar quarter. Quarterly assessments shall be payable on or before the 15th day following the date of invoice. A five (5) per cent penalty shall be added to all assessments not paid on or before the 15th day following the date of invoice. The Legislative Body may shut off and terminate the supply of water to any person whose assessment is not paid on or before the 30th day following the date of invoice. In addition to the foregoing, the normal cutoff and turn on charges of the Village Water Department, together with all other expenses incurred by the Village, shall be assessed to the property owner.

ARTICLE XI

Ordinance in Force

Sec. 1. This ordinance shall take effect from its passage.

Accepted and placed on file: August 14, 1972.

Lyman N. Phelps

Robert E.L. Colburn

Neil A. Sherman
Village Trustees