

**Town of Bridgewater  
Bridgewater, Vermont**

**ORDINANCE  
REGULATING THE USE OF  
THE BRIDGEWATER WASTEWATER FACILITIES**

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**TOWN OF BRIDGEWATER  
SEWER USE ORDINANCE**

AN ORDINANCE REGULATING THE USE OF PUBLIC AND PRIVATE SEWERS AND  
DRAINS, THE INSTALLATION AND CONNECTION OF BUILDING SEWERS, AND  
THE DISCHARGE OF WATERS AND WASTES INTO THE PUBLIC SEWER SYSTEM:  
AND PROVIDING PENALTIES FOR VIOLATION THEREOF: IN THE TOWN OF  
BRIDGEWATER, COUNTY OF WINDSOR, STATE OF VERMONT.

Be it ordained and enacted by the Selectmen of the Town of Bridgewater, State of Vermont as follows:

ARTICLE I

DEFINITIONS

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

Section 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. "COD" (denoting Chemical Oxygen Demand) shall mean the quantity of oxygen utilized in the chemical oxidation of organic and other matter under standard laboratory procedures.

Section 2. "Board" shall mean the board of sewage disposal commissioners of the Town of Bridgewater, and shall be made up of the Town of Bridgewater, Board of Selectmen, and their duly authorized agent or representative.

Section 3. "Building Drain" shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five (5) feet outside the building wall.

Section 4. "Building Sewer" shall mean the extension from the building drain to the public sewer or other place of disposal.

Section 5. "Combined Sewer" shall mean a sewer receiving both surface runoff and sewage.

Section 6. "User" shall mean a person who owns property from which sewage is discharged into the public sewer, and who is liable for the sewer user charge, and conditions relating to the use of the public sewer herein stated.

Section 6A. "Equivalent Residential Unit (ERU)" shall mean a single family user discharge of 200 gallons per day (gpd) or equivalent.

Section 7. "Garbage" shall mean solid wastes from the domestic and commercial preparation, cooking and dispensing of food, and from the handling, storage, and sale of produce.

Section 8. "Industrial Wastes" shall mean the liquid wastes from industrial manufacturing processes, trade or business as distinct from any sanitary sewage.

Section 9. "Natural Outlet" shall mean any outlet into a watercourse, pond, ditch, lake, or other body of surface or groundwater.

Section 10. "Person" shall mean any individual, firm, company, association, society, corporation, or group.

Section 11. "pH" shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

Section 12. "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 one-half (1/2) inch in any dimension.

Section 13. "Public Sewer" shall mean a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority, the Town of Bridgewater.

Section 14. "Sanitary Sewer" shall mean a sewer which carries sewage and to which storm, surface, and groundwaters are not intentionally admitted.

Section 15. "Wastewater" shall mean a combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground, surface, and storm waters as may be unintentionally present.

Section 16. "Wastewater Treatment Plant" shall mean any arrangement of devices and structures used for treating wastewater.

Section 17. "Wastewater Facilities" shall mean all facilities for collecting, pumping, treating and disposing of wastewater.

Section 18. "Sewer" shall mean a pipe or conduit for carrying wastewater.

Section 19. "Shall" is mandatory; "May" is permissive.

Section 20. "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.

Section 21. "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.

Section 22. "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.

Section 23. "Town" shall mean Town of Bridgewater.

Section 24. "Unoccupied" residence or commercial property shall mean empty or absence in excess of three months.

Section 25. "Watercourse" shall mean a channel in which a flow of water occurs, either continuously or intermittently.

Section 26. "Secretary" shall mean the Secretary of the Agency of Environmental Conservation, State of Vermont or his representatives.

## ARTICLE II

### BUILDING SEWERS AND CONNECTIONS

Section 1. No unauthorized 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 Board. Any person proposing a new discharge into the system or a substantial change in the volume or character of pollutants that are being discharged into the system shall notify the Board at least forty-five (45) days prior to the proposed change or connection.

Section 2. There shall be two (2) classes of building sewer permits: (a) for residential and commercial service, and (b) for service to establishments producing industrial wastes. In either case, the owner or his agent shall make application on a special form furnished by the Town. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Board.

Section 3. All costs and expenses incidental to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the Town from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

Section 4 Part 1. 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, courtyard, or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.

Section 4 Part 2. A connection fee shall be assessed to all residential commercial and industrial users prior to the connection on the public system. The connection fee shall be applied toward the funding of additional wastewater treatment capacity or capital improvements for the Bridgewater facility. A connection fee for residential users shall be a minimum of \$400 per individual unit. However, when a commercial or industrial user generates a flow greater than an average single family unit in any one quarter as determined by the Board, the connection fee for commercial or industrial users shall be in proportion to their flow and strength of their flow. When strength, load and flow exceed normal levels of domestic waste an additional charge for connection fee shall be determined by the Board as they see fit. A permit/inspection fee shall be \$25 for each residential and commercial application and a \$50 permit/inspection fee shall be charged for each industrial application. These charges will be used to offset the cost of administration and the inspection of the sewer connection.

Section 5. Old building sewers may be used in connection with new buildings only when they are found, on inspection and testing by the Board, to meet all requirements of this ordinance.

Section 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 the trench, shall all conform to the standards set forth in the National Plumbing Code Handbook, and to the manufacturer's recommendations for the use and installation of their materials. Only the following kinds of pipe may be used for the building sewers: asbestos-cement pipe, cast-iron soil pipe, concrete sewer pipe, vitrified-clay pipe, PVC pipe of SDR 35 or above. In cases where a water service is in the same trench with a building sewer, the sewer service must be concrete encased or provided a proper separation distance in accordance with the latest state statutes.

Section 7. 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 sanitary sewer.

Section 8. No person shall make connection of roof downspouts, exterior foundation drains, area way 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.

Section 9. 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 Town, or the procedures set forth in appropriate specifications of the W.P.C.F. Manual of Practice No. 9. All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the Board before installation.

Section 10. The applicant for the building sewer permit shall notify the Board when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Board or its representative.

Section 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 town. All excavation work will meet VOSHA's standards.

### ARTICLE III

#### USE OF THE PUBLIC SEWERS

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

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

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

- (a) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, 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.
- (c) Any waters or wastes having a pH lower than 6.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewage works.

- (d) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, etc. either whole or ground by garbage grinders.

Section 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 Board that such wastes can harm the sewers, wastewater treatment process, or equipment, have an adverse effect on the receiving stream, or can otherwise endanger life, limb, public property, or constitute a nuisance. In forming its opinion as to the acceptability of discharges, the Board will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the treatment process, capacity of the treatment plant, degree of treatability of wastewater in the wastewater treatment plant, and other pertinent factors. The substances prohibited are:

- (a) Any liquid or vapor having a temperature higher than one hundred fifty (150)°F (65°C).
- (b) Any water or waste containing fats, wax, grease, or oils, whether emulsified or not, in excess of two hundred (200) mg/L or containing substances which may solidify or become viscous at temperatures between thirty-two (32) and one hundred fifty (150)°F (0 and 65°C).
- (c) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths (3/4) horsepower or greater shall be subject to the review and approval of the Board.
- (d) Any waters or wastes containing strong acid iron pickling wastes or concentrated plating solutions, whether neutralized or not.
- (e) Any waters or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the Board for such materials.
- (f) Any waters or wastes containing phenols or other taste or odor producing substances, in such concentrations exceeding limits which may be established by the Board as necessary, after treatment of the composite sewage to meet the requirements of the State, Federal or other public agencies having jurisdiction for such discharge to the receiving waters.

- (g) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Board in compliance with applicable State or Federal regulations.
- (h) Any waters or wastes having a pH in excess of 9.5.
- (i) Materials which exert or cause:
  - (1) Unusual concentrations of inert suspended solids (such as, but not limited to, Fullers earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate).
  - (2) Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).
  - (3) Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the wastewater treatment facility, may cause the effluent limitations of the discharge permit to be exceeded.
  - (4) Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.
  - (5) Under no circumstances shall any septic tank dumpage be accepted in the wastewater facilities.
- (j) Water or wastes containing substances which are not amenable to treatment or reduction by the wastewater treatment processes employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

Section 5. If any waters or wastes are discharged, or any proposed to be discharged to the public sewers, which waters contain the substance or possess the characteristics enumerated in Section 4 of this Article, and which in the judgment of the Board, may have a deleterious effect, upon the wastewater facilities, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Board may:

- (a) Reject the waters or liquid 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 Board permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Board and subject to the requirements of all applicable codes, ordinances, State laws and regulations, and the municipal discharge permit. Further, such pretreatment installations must be consistent with the requirements of any State pretreatment permit issued to the industry.

Section 6. Grease, oil and sand interceptors shall be provided when, in the opinion of the Board, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Board and shall be located as to be readily and easily accessible for cleaning and inspection.

Section 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.

Section 8. When required by the Board, 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 accessible and safely located, and shall be constructed in accordance with plans approved by the Board. The manhole shall be installed by the owner at his expense, and shall be maintained by him so as to be safe and accessible at all times.

All industries discharging into a public sewer shall perform such monitoring of their discharges as the Board may reasonably require, including installation, use and maintenance of monitoring equipment, keeping records and reporting the results of such monitoring to the Board. Such records shall be made available upon request by the Board or other agencies having jurisdiction over discharging to the receiving waters. Where industrial pretreatment permits are issued by the State of Vermont, monitoring records must also be submitted to the Secretary in accordance with such permit. Records of any monitoring will be supplied by the Board to the Secretary on request.

Section 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-hour composites of all outfalls whereas pH's are determined from periodic grab samples.

Section 10. That any industry held in violation of the provisions of this ordinance may have its disposal authorization terminated by the Board.

Section 11. No statement contained in this article shall be construed as preventing any special agreement or arrangement between the Town and any industrial concerns whereby an industrial waste of unusual strength or character may be accepted by the town for treatment, subject to payment therefore, by the industrial concern.

Section 12. Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage. Provided that such agreements do not contravene any requirements of existing Federal laws and are compatible with any user charge and industrial cost recovery system in effect.

Section 13. The owner of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes situated within the Town 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 or combined sewer of the Town, is hereby required at their 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, provided that said sewer is within two hundred (200) feet (61 meters) of the property line of the property wherein lies the structure to be served, unless undue hardship would result, in which case the property owner should request in writing to the Board a deferral of this requirement. Property owners that are in violation of Article IX, Sections 1 and 2, of this Ordinance shall have up to ninety (90) days after the public sewer becomes available, to connect such facilities into the public sewer. All other property owners shall have up to one year after the sewer works becomes operational, to connect such facilities to the public sewer.

#### ARTICLE IV

#### PROTECTION FROM DAMAGE

Section 1. No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is a part of the sewage works. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct, and subject to the penalties set forth under Vermont Law and appropriate Town Ordinances.

## Chapter 97 - Sewage System

### Section

- 3501 Definitions
- 3502 Powers
- 3503 Contracts for service
- 3504 Charges, lien
- 3505 [Repealed]
- 3506 Commissioners
- 3507 Duties
- 3508 Construction

### §3501 Definitions

The following words and phrases, as used in this chapter, shall have the following meanings:

- (1) "Domestic sewage" or "house sewage" is sanitary sewage derived principally from dwellings, business buildings and institutions.
- (2) "Industrial wastes" or "trade wastes" are liquid wastes from industrial processes, including suspended solids.
- (3) "Sanitary sewage" is used water supply commonly containing human excrement.
- (4) "Sanitary treatment" shall be an approved method of treatment of solids and bacteria in sewage before final discharge.
- (5) "Sewage" is the used water supply of a community, including such groundwater, surface and storm water as may be mixed with these liquid wastes from the community.
- (6) "Sewage system" shall include such equipment, pipe line system and facilities as are needed for and appurtenant to the disposal of sewage and waters, as defined herein, including a sewage treatment plant and separate pipe lines for storm, surface, and subsurface waters.
- (7) "Storm water" or "storm sewage" is the excess water from rainfall or continuously following therefrom.
- (8) "Surface water" is water other than storm water flowing on or over the surface of the ground.

## History

Source V.S: 1947 § B9S9 1947 No. 51 § 1

### § 3502 Powers

A municipal corporation may construct, maintain, operate and repair a sewage system and take, purchase, and acquire, in the manner hereinafter mentioned, real estate and easements necessary for its purposes, and enter in and upon any land for the purpose of making surveys, and lay pipes and sewers and connect the same as may be necessary to convey sewage and other waters to an outfall or treatment plant.

## History

Source V.S. 1947 § 3970 1947 No. 51 § 2

Cross references. Extension of sewer system, approval by water resources board required, see § 1217 of Title 10.

### 3503 Contracts for service

Such municipal corporation may contract with the state, the federal government or any appropriate agency thereof, any town, city or village, any corporation and individuals to make disposal of domestic or storm water sewage for such other towns, city, village, corporation or individuals.

## History

Source V.S. 1947 § 3971 1947 No. 51 § 3

### 3504 Charges, lien

The property owner or group of property owners using the sewage system shall be liable for the rent fixed as provided by sections 3507 and 3615 of this title. The charges, rates or rents for such sewage system shall be a lien upon the real estate furnished with such service in the same manner and to the same effect as taxes are a lien upon real estate under Section 5061 of Title 32.

### History

Source V.S. 1947 § 3972 1947 No. 51 § 4

(Revision Note: Reference to Section "3610" of this title was changed to "3615" to conform reference to renumbering of such section. )

§ 3505 Repealed 1959 No. 207 § 3

### History

Provisions of former § 3505 are now set out in § 3613 of this title.

Former § 3505 related to acquisition of property and bonds, and was derived from V.S. 1947, § 3973; 1947, No. 51 § 4.

§ 3506 Commissioners

The selectmen of a town, the trustees of a village, the prudential committee of a fire or lighting district, or the mayor and board of aldermen of a city, shall constitute a board of sewage system commissioners.

### History

Source V.S. 1947 § 3974 1947 No. 51, § 6.

## MUNICIPAL AND COUNTY GOVERNMENT

§ 3507 Duties

Such sewage system commissioners shall have the supervision of such municipal sewage system and shall make and establish all needed rates for rent, with rules and regulations for its control and operation. Such commissioners may appoint or remove a superintendent at their pleasure. The rents and receipts for the use of such sewage system shall be used and applied to pay the interest and principal of the sewage system bonds of such municipal corporation as well as the expense of maintenance and operation of the sewage system.

## History

Source V.S. 1947 § 3975 1947 No. 51 § 7

### § 3508 Construction

Sections 3603-3610-3613, 3615, 3617 and 3618 of this title relating to entry on lands, compensation, record, bonds, rents, ordinances and meetings are adopted as a part of this chapter as fully as though herein set forth. -Amended 1959, No. 207, § 1.

## History

Source V.S. 1947 § 3976 1947, No. 51 § 8

(Revision Note: References to sections "3606-3605", "3608", "3610", "3612" and "3613" of this title were changed to "3603-3610", "3613", "3615", "3617" and "3618" to conform references to renumbering of such sections.

Amendments - 1959. Inserted reference to § 3608 and the word "bonds."

## ARTICLE V

### POWERS AND AUTHORITY OF INSPECTORS

Section 1. The Board and other duly authorized employees or contractors of the Board bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this ordinance. The Board or its representatives shall have no authority to inquire into any processes including metallurgical, chemical, oil, refining, ceramic, paper, or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for wastes treatment.

Section 2. The Board and other duly authorized employees or contractors of the Board bearing proper credentials and identification shall be permitted to enter all private properties through which the Town holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewage works lying within said easement.

## ARTICLE VI

### PENALTIES

Section 1. Any person found to be violating any provision of this ordinance except Article IV 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 2. Any person who shall continue any violation beyond the time limit provided for in Article VI, Section 1, shall be guilty of a misdemeanor, and on conviction thereof shall be fined in the amount not exceeding \$100.00 for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.

Section 3. Any person violating any of the provisions of this ordinance shall become liable to the city or town for any expense, loss, or damage occasioned the city or town by reason of such offense.

Section 4. Notwithstanding any of the foregoing provisions, the Board may institute any appropriate action including injunction or other proceeding to prevent, restrain or abate violations hereof, and in the case of emergency situations when, in the Board's determination, violations of the provisions of this Ordinance may cause damage to human life or public property, the Board shall have the power to take whatever action necessary to correct such violations.

## ARTICLE VII

### VALIDITY

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

Section 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.

Section 3. These rules may be amended at any time by the Bridgewater Board of Selectmen as provided by law.

## ARTICLE VIII

### RATES, METERS, PAYMENT

Section 1. A user charge shall be assessed against each consumer connected to the public sewer and such charge shall be used for the payment of the projected annual wastewater facilities operation and maintenance expenses as determined by the Board.

Section 2. The annual charge will be set by the Board for Equivalent Residential Units (ERUs). Charges for houses, apartments, laundries, schools, offices, stores, churches, clubs, restaurants, bed and breakfast establishments, animal care and boarding facilities, industries, residential care facilities, and boarding houses shall be based on number of employees, occupancy, or estimated volume of wastewater discharge as determined by the Board and as contained in the following Table 1. The Board reserves the right to adjust the annual charges as the operational and maintenance expenses and the number of users increase or decrease.

TABLE 1		
User Category	ERU	Comment
Unoccupied Residence	0.3	Qualifies for Abatement or as established by the Board
Unoccupied Commercial Property (Connected)	0.5	Charge in lieu of reconnection fee
Single Family Residence	1.0	
Multi-family	★	Or as established by the Board
Apartment Complex	1.0 per apart- ment	Or as established by the Board
Bed & Breakfast	1.5	Or as established by the Board
Office Complex	0.5	Per 10 employees
Mall Commercial Shops	2.5	With toilet facilities for transient shoppers
Industrial Complex	★	As established by the Board via monitoring
Laundry	★	As established by the Board
Resident Care Facility	3.0	Or as established by the Board
Restaurant (Cooking) Restaurant (No cooking)	★	As established by the Board depending on seating capacity and hours of operation

Section 3. Users, after notification of their user charge, shall have fourteen (14) days from the date of notification, to appeal to the Board the determination of their charge. The burden of proof as to number of apartments, boarders, employees, or restaurant capacity shall rest with the user.

Section 4. The Board shall have the right to meter the consumption of water by any commercial establishment, if in the Board's determination the nature of the business of that establishment results in an above average flow of sewage into the public sewer. In the case of commercial establishments, above average shall mean above 20 gallons per employee per day. The user charge shall be computed in a manner that assumes that the distribution of the cost of operation and maintenance of the treatment works shall be in proportion to such users contribution to the total wastewater loading of the sewage works. The following shall apply when meters are used in measuring water consumption:

- (a) Meters will be installed to measure the incoming water supply of the building.
- (b) All meters shall be and remain the property of the Town.
- (c) The Board reserves the right at any time to substitute the metering service, and install a new meter.
- (d) All meters will be set by an authorized plumber at a location determined by the Board, and after a meter has been set, it shall not be moved or disturbed except by written permission from the Board.
- (e) If a meter malfunctions and fails to register, the consumer will be charged during said failure at the average daily consumption as shown by the meter when it was in operation during a comparable period.
- (f) In case of damage to a meter by reason of any act or omission of the consumer, the consumer shall pay the Town the cost of its repair upon presentation of itemized bills, and in the case of theft or disconnection of said meter, the consumer shall pay the Town the full value thereof to replace said meter.

Section 5. The user charge will be billed to the owner of the property, or his legal agent, on either an annual, semi-annual or quarterly basis when approved by the Board of Selectmen. Payments shall be made to the Town Treasurer within thirty (30) days of the date of the bill or when indicated on the bill as the due date.

Section 6. All bills remaining unpaid after the due date shall be assessed and 8% tax collector's fee plus interest charges of 1% during the first three (3) months and 1.5% thereafter. Such unpaid bills together with penalty and interest charges shall be collected according to all procedures allowed for in V.S.A. 32 and shall be a lien upon the real estate being served.

Section 7. Abatement. When premises are unoccupied for a minimum of three consecutive months during any 12 month billing period, the owner may petition the Commissioners/Selectmen for the abatement of the operation and maintenance charges associated with flow-related costs (0.30 ERU). The amount of the operation and maintenance charge abated shall be in proportion to the number of weeks during the annual billing period which the premises were not occupied, and the Commissioners/Selectmen shall grant such petition where they are reasonably convinced of the truth of the assertion of no water flow and nonoccupancy. The Commissioners/ Selectmen may require the assertion of no water flow to be proven by the installation of a curb stop or other approved meter device at the expense of the person wishing the abatement. In order to be eligible for abatement, the petition referred to herein must be filed with the Town Clerk within sixty (60) days of the beginning of the abatement period. All expenses to abate charges shall be at the expense of the owner wishing abatement.

Section 8. When an industry in Town requests a permit from the Board for discharging industrial waste into the public sewage works, and if the Board grants such a permit, the Board will adopt a separate rate structure for industrial waste. Factors such as strength, composition, volume and delivery flow rate characteristics shall be considered in the rate structure determination, and it will be billed separately as a surcharge. In lieu of quarterly billing, an industry may petition the board for a yearly set assessment based on an annual review of the industry's operation and wastewater discharges. This billing period on an annual user assessment will be on a monthly basis unless otherwise approved by the Board..

## ARTICLE IX

### PRIVATE (RURAL) SEWAGE DISPOSAL

Section 1. It shall be unlawful for any persons to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the Town or in any area under the jurisdiction of said Town, any human excrement, garbage, or other objectionable waste.

Section 2. It shall be unlawful to discharge to any natural outlet within the Town, or in any area under the jurisdiction of said Town, any sewage or other polluted waters, with the subsequent provisions of this ordinance.

Section 3 Where a public sanitary or combined sewer is not available under the provisions of Article III, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this article.

Section 4. Before commencement of construction of a private sewage disposal system, the owner shall first obtain a written permit signed by the Board, which the applicant shall supplement by any plans, specifications, and other information as deemed necessary by the Board.

Section 5. A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the Board. He shall be allowed to inspect the work at any stage of construction and in any event, the applicant for the permit shall notify the Board when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within 24 hours of the receipt of notice by the Board.

Section 6. The type, capacities, location and layout of a private sewage disposal system shall comply with all recommendations of the Department of Public Health of the State of Vermont.

Section 7. At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in Article IX, 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.

Section 8. The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the Town.

Section 9. No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by the Health Officer.

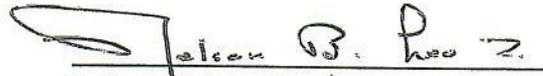
Section 10. When a public sewer becomes available, the building sewer shall be connected to said sewer within ninety (90) days, unless otherwise provided in this Ordinance, and the private sewage disposal system shall be cleaned of sludge and filled with clean, bank-run gravel or dirt.

ARTICLE X

ORDINANCE IN FORCE

Section 1. This Ordinance shall be published in The Vermont Standard on October 8, 1998 and posted in five conspicuous places in the Town of Bridgewater within fourteen (14) days after adoption by the Board of Selectmen of the Town of Bridgewater, Vermont, and shall become force and effect 60 days after such adoption.

Passed and adopted by the Board of Selectmen of the Town of Bridgewater this 22<sup>nd</sup> day of September, 1998.

  
Nelson B. Lee, Jr.  
Chairman

  
Steve Tarleton

  
Sherry Phelps

Board of Selectmen  
Town of Bridgewater, Vermont