

# Regulating The Use Of Public And Private Sewers & Drains

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TOWN OF EAST WINDSOR

The following ordinance was adopted at a Special Town Meeting duly warned and held on June 16, 1982. Said ordinance shall become effective fifteen (15) days from the publication thereof.

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: AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF: IN THE TOWN OF EAST WINDSOR, COUNTY OF HARTFORD, STATE OF CONNECTICUT BE IT ORDAINED AND ENACTED BY SPECIAL TOWN MEETING OF THE TOWN OF EAST WINDSOR, STATE OF CONNECTICUT AS FOLLOWS:

## Article 1

### Definitions

1. Town shall mean the Town of East Windsor, County of Hartford, State of Connecticut
2. Water Pollution Control Authority shall mean the Water Pollution Control Authority of the Town of East Windsor, as created by the town meeting of September 15, 1966, and with all of the powers, purposes and objectives set forth in Chapter 103 of the General Statutes of the State of Connecticut Revision of 1958, and amendments thereto, or its authorized deputy, agent, or representative.
3. 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.
4. Building Drain shall mean that part of the lowest horizontal piping of a drainage system which received the discharge from soil and sanitary waste pipes inside the walls of the building and conveys it to the building sewer, beginning five (5) feet outside the inner face of the building wall.
5. Building Sewer shall mean the extension from the building drain to the public sewer or other place of disposal.
6. Combined Sewer shall mean a sewer receiving both surface runoff and sewage.
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.

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

9. Cooling Water shall include clean waste water from air conditioning, industrial cooling, condensing and similar apparatus and from hydraulically powered equipment. In general, cooling water will include only water which is sufficiently clean and unpolluted to admit it to be discharged, without treatment or purification, into any natural open stream or watercourse without offense.

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

11. Person shall mean any individual, trustee, firm, company, partnership, association, society, corporation, or group.

12. PH shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter solution.

13. 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 ( ) inch in any dimension.

14. Public sewer shall mean a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.

15. Lateral shall mean that portion of the Building Sewer that extends from a private property line to the point of connection on the public sewer.

16. Private Property Line shall mean the street line where such line has been legally established, otherwise it shall be a line generally parallel to and five (5) feet distant away from the edge of the pavement abutting the property.

17. Sanitary Sewer shall mean a sewer which carries sewage and to which storm, surface, and ground waters are not intentionally admitted.

18. Sewage shall mean a combination of the water-carried wastes from residences, business buildings, institutions and industrial establishments.

19. Sewage Treatment Plant shall mean any arrangement of devices and structures used for treating sewage.

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20. Sewage Works shall mean all facilities for collecting, pumping, treating and disposing of sewage.
21. Sewer shall mean a pipe or conduit for carrying sewage.
22. Shall is mandatory; May is permissive
23. 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 of flows during normal operation.
24. 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.
25. 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.
26. Watercourse shall mean a channel in which a flow of water occurs, either continuously or intermittently.

## Article II

### Use of Public Sewers Required

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 Town of East Windsor, or any area under the jurisdiction of said town, any human excrement, garbage or other objectionable waste.

Sec. 2. It shall be unlawful to discharge to any natural outlet within the Town of East Windsor, or in any area under the jurisdiction of said town, any sewage or other polluted waters, except where suitable treatments 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, cesspool, 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 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 sewer of the town, 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 by the Water Pollution Control Authority to do provided that said public sewer is within one hundred (100) feet of the property line.

### Article III

#### Private Sewage Disposal

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

Sec. 2. Before commencement of construction of a private sewage disposal system, the owner shall first obtain a written permit signed by the Water Pollution Control Authority or other designated town authority. The application for such permit shall be made on a form furnished by the town, which the applicant shall supplement by any plans, specifications, and other information as are deemed necessary by the Water Pollution Control Authority. A permit and inspection fee as determined by the Water Pollution Control Authority or other town authority, shall be paid to the town at the time the application is filed.

Sec. 3. A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the Water Pollution Control Authority. They shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the Water Pollution Control Authority when the work is ready for final inspections, and before any underground portions are covered. The inspection shall be made within forty-eight (48) hours of the receipt of notice of the Water Pollution Control Authority.

Sec. 4. 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 Connecticut and any ordinance adopted by the Town. No septic tank or cesspool shall be permitted to discharge to any natural outlet.

Sec. 5. At such time as a public sewer becomes available to a property served by a private sewage disposal system as provided in Article II, Section 4, application shall be made for a written permit pursuant to Article IV, Section I, within 14 days after receipt of a notice to connect and a direct connection shall be made to the public sewer within 90 days after receipt of notice to connect in compliance with this ordinance, and any septic

tanks, cesspools, and similar private sewage disposal facilities shall be cleaned and filled with suitable material as directed by the Water Pollution Control Authority.

Sec. 6. The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the town.

Sec. 7. No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by the health officer or any other ordinance duly adopted by the town.

#### Article IV

#### Building Sewers and Connections

Sec. 1. No person shall uncover, make any connection with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Water Pollution Control Authority.

Sec. 2. There shall be two (2) classes of building 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 Water Pollution Control Authority. A permit and inspection fee may be charged and shall be paid to the town at the time the application is filed.

Sec. 3. All costs and expenses incident 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.

Sec. 4. A separate and independent building sewer shall be provided for every building; except that 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.

Sec. 5. Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Water Pollution Control Authority, to meet all requirements of this ordinance.

Sec. 6. The Water Pollution Control Authority shall from time to time establish standard requirements or specifications to regulate the sizes, materials, methods and workmanship to be used in the construction of sewers, drains, house connections and other similar work and appurtenances thereto connected or intended to be connected or to discharge, directly or indirectly into any public sewer or drain of the Town of East Windsor. Such standard requirements shall provide minimum requirements as to size, depth, slope or rate of grade for such pipes, shall regulate the kinds of pipe, fittings, methods of laying, jointing, materials used, manner of connecting to pre-existing sewers and drains, and general considerations as to location and other pertinent features. Any such requirements or specifications as the same may from time to time be amended, as hereby made a part of this ordinance. The above requirements or specifications shall act as extensions of any local building code or plumbing code if they exist.

Sec. 7. No building sewer shall be constructed within 25 feet of a water supply well. If a building sewer is connected within 25-75 feet of a water supply well it shall be constructed in accordance with all applicable guidelines promulgated by the Authority.

Sec. 8. 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 a means approved by the Water Pollution Control Authority and discharge to the sanitary sewer at the owners expense.

Sec. 9. No person shall make connection of roof down spouts, interior or exterior 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. 10. From the public sewer. At the time of initial construction, a lateral will be placed extending to the property line of each existing building from which a building sewer is to be connected. Subject to sound engineering practices, the location of such lateral shall be at the discretion of the property owner.

Sec. 11. The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code if they exist or other applicable rules and regulations of the town, or the procedures set forth by the Water Pollution Control Authority. All such connections shall be made gas tight and watertight. Any deviation from the prescribed procedures and materials must be approved by the Water Pollution Control Authority before installation.

Sec. 12. The applicant for the building sewer permit shall notify the Water Pollution Control Authority when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the direct supervision of the Water Pollution Control Authority.

Sec. 13. 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.

Sec. 14. The Water Pollution Control Authority shall have authority to vary the requirements of this ordinance with respect to the connection of the building sewer to the public sewer, when in its judgment, enforcement of such requirements would result in an undue burden or unnecessary hardship on a individual property owner or owners, provided however, that the property owner(s) makes an independent connection to the public sewer on some street other than the one on which his property abuts or makes a joint connection with one or more other property owners. Any such exceptions shall be subject to the following conditions:

- a) the locations, grade and construction of the building sewer must be approved by the Water Pollution Control Authority.
- b) building sewers across property of others must be pursuant to easements approved by the Authority and duly recorded
- c) all cost of such building sewers and easements including maintenance and repairs will be borne by the property owner(s), and
- d) the exception may be terminated by the Water Pollution Control Authority at any time upon giving 60 days notice if the continued use of such sewer creates an unsanitary condition, if for any reason such building sewer is not adequately maintained and repaired in accordance with the requirements of this ordinance, or the easements under which such building sewers are maintained are lawfully terminated.

## Article V

### Use of the Public Sewers

Sec. 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.

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2. No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer:

- a) any gasoline, benzene, naphtha, fuel oil, kerosene, alcohol, 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 5.5, or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works; and
- d) any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, woods, paunch manure, or any other solid or viscous substance capable of causing obstruction to the flow in sewers or other interferences with the proper operation of the sewerage system.

3. No person shall discharge or cause to be discharged the following described substances, materials, waters, or wastes if, in the judgment of the Water Pollution Control Authority, it appears likely that such wastes can harm the sewers, sewage treatment process, or equipment, have an adverse effect on the receiving stream, or can otherwise endanger life, limb, public property, or constitute a nuisance. In making a judgment as to the acceptability of these wastes, the Water Pollution Control Authority will give consideration to factors including, but not limited to, the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treat ability of wastes in the sewage treatment plant, and other pertinent factors. The substances prohibited are:

- a) any liquid or vapor having a temperature higher than one hundred fifty (150) oF (65°C);
- b) any water or wastes containing fats, wax, grease, or oils, whether emulsified or not, in excess of one hundred (100) mg/l or containing substances which may solidify or become viscous at temperatures between thirty-two (32) and one hundred fifty (150) oF (0 and 65°C);

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c) any garbage that has not been properly shredded.

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, and similar objectionable or toxic substances, or wastes exerting an excessive chlorine requirement, to such a degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the Water Pollution Control Authority 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 Water Pollution Control Authority as necessary, after treatment of the composite sewage, to meet the requirements of the state, federal, or other public agencies of jurisdiction for such discharge to the receiving waters;

g) any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Water Pollution Control Authority in compliance with applicable state or federal regulations;

h) any waters or wastes having a pH in excess of 9.0;

i) materials which exert or cause; 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); excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions); unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works; and unusual volume or concentration of wastes constituting slugs as defined herein.

j) waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot

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meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

k) Sewage with a concentration of pollutants in excess of the following limits:

Pollutant Concentration: parts/million(Mg/L)

Arsenic as As 0.05

Barium as Ba 5.0

Boron as B 5.0

Cyanides as CN (amenable) 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 to be measured as total metals

Sec. 4. If any waters or wastes are discharged, or are proposed to be discharged into the public sewers, which waters contain the substances or possess the characteristics enumeration in Section 3 of this article, and which in the judgment of the Water Pollution Control Authority may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Water Pollution Control Authority may:

a) reject the wastes,

b) require pretreatment to an acceptable condition for discharge to the public sewers

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c) require control over the quantities and rates of discharge, and/or

d) require payment to cover the added costs of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions of Section 9 of this article. If the Water Pollution Control Authority 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 Water Pollution Control Authority.

Sec. 5. In accordance with Section 25-541 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 waste waters 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 ninety (90) days prior to the anticipated date of initiation of the proposed discharge.

Sec. 5a. Grease, oil, and sand interceptors shall be provided when, in the judgment of the Sewer Commission, they are found 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.

Sec. 5b. All such interceptors shall be of a type and capacity approved by the Sewer Commission with the following requirements:

1) As pertains to businesses serving meals to the public, the grease trap or interceptor shall be located in close proximity to the kitchen facilities as is practical so as to be readily and easily accessible for cleaning and inspection;

2) The grease trap or interceptor shall be a gasketed lightweight cover which will permit easy removal of grease;

3) The grease trap or interceptor shall be insect and vermin proof;

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4) The outlets to said grease trap or interceptor shall be so constructed as to permit drawing of liquid from the bottom of the tank;

5) Said tank shall have a net capacity of two and one-half (2 ) gallons per meal served. The size of said tank shall be based on the seating capacity of the business.

Sec. 6. 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 users own cost and expense. The Authority may require that plans showing facilities and operating procedures be submitted for review and approval prior to construction of the facilities.

Sec. 7. When preliminary treatment of flow-equalizing facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense unless the Water Pollution Control Authority deems continued operation necessary.

Sec. 8. When required by the Water Pollution Control Authority, the owner of any property services 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 Water Pollution Control Authority. 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 Standards Methods for the Examination of Water and Wastewater, published by the American Public Health Association, and shall be determined at the control manhole provided 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.

Sec. 10. No statement contained in this article shall be construed as

preventing any special agreement or arrangement between the Water Pollution Control Authority and any industrial concern whereby any industrial waste of unusual strength or character may be accepted by the Water Pollution Control Authority for treatment, subject to payment therefore by the industrial concern, and further provided that in the judgment of the Water Pollution Control Authority such waste will not unduly tax the sewage treatment facilities.

## Article VI

### Protection from Damage

Sec. 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 collection system or water pollution control facility.

## Article VII

### Responsibility and Liability

Sec. 1. The sewer superintendent and all other officers or employees of the Water Pollution Control Authority charged with the enforcement of this ordinance while acting under authority of the Water Pollution Control Authority shall not thereby render himself liable personally, and he is hereby relieved from all personal liability for all damage that may occur to persons or property as a result of any act required or permitted in the discharge of his official duties. Any suit instituted against any officer or employee because of an act performed by him in the lawful discharge of his duties and under the provisions of this ordinance shall be defended by the legal representative of the Water Pollution Control Authority until the final termination of the proceedings. In no case shall the superintendent or any of his subordinates be liable for cost in any action, suit or proceedings that may be instituted pursuant to the provisions of this Ordinance; and any officer or subordinate of the Authority acting in good faith and without malice shall be free from liability for acts performed under any of the provisions of this ordinance, or by reason of any act or omission in the performance of his official duties in connection therewith.

Sec. 2. Neither a permittee nor the general public shall be entitled to use the approval of the Water Pollution Control Authority as the basis for reliance as to the safety of the design or construction of any sewer project or appurtenance thereto. The issuance of a permit or approval of construction by the Water Pollution Control Authority or its officers or employees shall not render the Town of East Windsor, the Water Pollution Control Authority or its officers and employees, liable for any damage

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resulting from defective design or defective construction of any work covered by said permit or approval.

## Article VIII

### Powers and Authority of Inspectors

Sec. 1. The Water Pollution Control Authority and its authorized agents, bearing proper credentials and identification, shall be permitted to enter upon any real property for the purpose of inspection, observation, measurement, sampling and testing, in accordance with the provisions of this ordinance.

Sec. 2. While performing the necessary work in private properties referred to in Section I above, the superintendent or duly authorized employees of the Town shall observe all safety rules applicable to the premises established by the user. The user shall be held harmless for any injury or death to the Town employees and the Town shall indemnify the user against loss or damage to its property by Town 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 to maintain safe conditions as required in Section 9, Article V.

## Article IX

### Penalties

Sec. 1. Any person found to be violating any provision of this ordinance 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, except than an order to connect to the sewerage system shall be pursuant to Section 7-257 of the General Statutes of Connecticut, as amended. The offender shall, within the period of time stated in such notice, permanently cease all violation.

Sec. 2. Any person who shall continue any violation beyond the time limit provided for in Article VIII, Section 1, shall be guilty of a misdemeanor, and on conviction thereof, shall be fined in the amount not exceeding twenty-five (25) dollars for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.

## Article X

### Validity

Sec. 1. Where this ordinance shall conflict in whole or in part with the provisions of any other ordinance in effect, this ordinance shall be controlling; except, to the extent that such conflicting ordinance imposes additional requirements, restrictions or regulations, such additional requirements,

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restrictions or regulations shall control.

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.

Article XI

Ordinance in Force

This ordinance shall become fully effective as provided by law and 15 days subsequent to the date of publication; said date of publication shall be at the discretion of the Water Pollution Control Authority.

Ord. No. 82-1

Attest:

Claire S. Badstubner

Town Clerk of East Windsor

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