

**CHESTER WASTEWATER DISPOSAL  
SYSTEM AND PLANT**

ORDINANCE. REGULATIONS. BYLAWS

Pursuant to the provisions of Title 24, Section 3609, 3610, 3611, 3612, and 3613 Vermont Statutes Annotated, but not limited thereby, the Town of Chester, Windsor County, State of Vermont, acting through and by the Selectboard of said Town, who constitute the Board of Wastewater Disposal Commissioners (Commissioners), HEREBY MAKE AND ESTABLISH the following ordinance regulating the use of public and private sewers and drains, wastewater disposal, the installation and connection of building sewers, and the discharge of waters and wastes into the public sewer system including wastewater disposal charges. This ordinance also includes bylaws relating to the maintenance, operation, management, and conduct of the business and financial affairs of the said municipal Wastewater Disposal Department.

ARTICLE I

**Definitions**

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

- A. "*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 degree C, expressed in milligrams per liter.
- B. "*Building Sewer*" shall mean the extension from the building drain to the public sewer or other place of disposal.
- C. "*Commercial, Institutional, or Industrial Service*" shall mean wastes from processes, trades, or businesses which exceed the limits listed under *Residential Service*.
- D. "*Domestic Wastewater*" or Sanitary Sewage shall mean normal water carried household and toilet wastes or waste from "*Residential Service*", excluding ground, surface or storm water.
- E. "*Fats Oils and Greases - (FOG)*" shall mean animal fat, floatable oils and brown grease in a physical state (temperature) that will, in excess, interfere with the sanitary sewers and treatment plant processes.
- F. "*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.

G. "*Grease Trap/Grease Interceptor*" is the device installed to remove fats oils and greases prior to the services connection to the sanitary sewer. A grease trap of sufficient volume, and accessible for cleaning, is to be installed in-line in the building sewer plumbing upstream of the hot water washing sink and automatic dishwasher of a Commercial, Industrial and /or Institutional Service in accordance with the Vermont State Plumbing Code (Latest Edition). A grease interceptor is a larger volume unit (usually a specially designed concrete tank) installed in-ground on the building sewer service outside the building. The interceptor will also be accessible for cleaning.

H "*Hearing Board*" shall mean that Board appointed according to provisions of Article IX, Sec.3.

I "*High Strength Discharges*" shall mean the discharge of wastes from *Commercial institutional or Industrial Service* having high organic or chemical strength generating operations, producing waste discharges in excess of the normal average strength of the influent to the Wastewater Treatment Plant. Normal average strength will be determined by an average of the most recent 12 months of BOD and TSS analysis.

J. "*Person, Owner or One*" shall mean any individual, firm, business, company, corporation, association, institution, society, or group.

K. "*Pretreatment*" shall mean preliminary treatment of wastes which are not otherwise acceptable by conventional sewage systems such as grease or oil or heavy metals. Methodologies can include, but are not limited to flow equalizing tanks, or special segregation of unacceptable materials. Construction of pretreatment facilities shall be the responsibility of the owner and must be approved by the Town.

L. "*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 (1.27 centimeters) in any dimension.

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

N. "*Residential Service*" shall mean waste discharges which generally fall within 50-200 GPD, with a BOD and Suspended Solids loading between .2 - .25 lb. per day per person ( approximate concentrations of 300 mg/L and 250 mg/L respectively)

O. "*Sanitary Sewer*" shall mean a pipe or conduit (sewer lateral or service connection to building sewer) which carries domestic sewage only and to which ground waters are not intentionally admitted.

P. "*Sewer*" shall mean a pipe or conduit (street sewer or trunk sewer) for carrying all wastewater.

Q. "*Sewage*" shall mean the water-carried wastes from domestic uses of residences, business buildings, institutions, and industrial establishments, together with such infiltrated ground water as may be present.

R. "*Sewage Treatment Plant*" shall mean any arrangement of buildings, structures and equipment used for treating wastewater.

S. "*Sewage Works*" shall mean all facilities for collecting, pumping, treating, and disposing of wastewater..

T. "*Shall*" is mandatory; "*May*" is permissive, "*Will*" is directive.

U. "*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.

V. "*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.

W. "*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.

X. "*Town Manager*" shall mean the person holding the position of Town Manager or if this position is vacant, his or her duties under this Ordinance shall be transferred to the full Board of Wastewater Disposal Commissioners.

Y. "*Wastewater*" shall mean the combination of water or water carried wastes discharged from residential, commercial, industrial and institutional *Services* together with any groundwater, surface water and Stormwater that may be present.

Z. "*Wastewater System*" as defined for purposes of this Ordinance, shall mean the same as "*Sewage Works*", and shall include the treatment plant

## ARTICLE II

## **Management**

The Board of Wastewater Disposal Commissioners and Town Manager shall have the supervision of the provisions of this Ordinance. The Town Manager shall have the supervision of the Wastewater Department and will appoint a Superintendent.

### ARTICLE III

#### **Financial**

The charges and receipts of such Department shall only be used and applied to pay interest and principal of the sewage disposal bonds of such Town of Chester as well as the expense of maintenance and operation of the wastewater department, treatment plant, and sewer system.

### ARTICLE IV

#### **Rents and Rates**

There is hereby established the schedule of rents, charges, and rates:

a. METERED RESIDENTIAL USERS

The Sewer Commissioners shall from time to time as necessary establish rates sufficient to pay the operation, maintenance, short term capital requirements, and bonding costs.

b. NON-METERED USER

For those resident users who are not metered users of the Town municipal water system, the charge shall be \$ 25 each billing period in addition to the base rate.

c. LIABILITY FOR AND TIME OF PAYMENT OF CHARGE

The owner of any tenement, house, building, or lot shall be liable for such sewage disposal charge, rent, or rate. Rents, rates, and charges shall be paid within 10 days from the date of billing.

d. HIGH STRENGTH SURCHARGE FEE'S

The owner of any commercial, institutional or industrial establishment determined to be a high strength discharger, shall be subject to a high strength surcharge fee, billed in addition to the regular sewage disposal charge. Fee shall be in accordance with the separate Schedule established and adopted by the Commissioners with the latest Amendment in Article XIII of this Ordinance and subject to annual review and adjustment

ARTICLE V

**Building Sewers and Connections**

- Sec. 1. Mandatory' Hook-On - Any structure requiring sewage disposal located on property with frontage along the Town of Chester sewer lines, or served by a frontage sewer, must hook-on to that system. There will be a hook-on fee of \$2,500. If the owner of the property does not hook-on, he/she will be charged the same as the charge for a similar metered resident user.
- Sec. 2. No one shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenances thereof without first obtaining a written permit from the Town Manager. Connection fee for a new sewer is \$2,500, payable before the permit is issued.
- Sec. 3. Old building sewers may be connected to the Municipal System except when they are found, upon examination and test by the Town Manager or his/her agent, to be in poor condition and represent a potential maintenance problem to the system.
- Sec. 4. For all building sewers, the size, slope alignment, depth of pipe, and materials of construction shall conform to the following requirements and to any other requirements which may be set forth by any State or Federal Agency involved.
- a. Whenever possible, connections to the public sewer shall be through wyes and tees. If a wye or tee does not exist, a clean opening shall be cut into the public sewer and a tee-saddle or tee-insert attached.
  - b. The building sewer shall be at least Schedule 40 pipe.
  - c. All pipe connections, especially the connection to the public sewer, shall be made with rubber "O" rings which make a watertight seal between the pipe and the coupling or pipe bell. Concrete connections are not permitted.

- d. The minimum pipe diameter for a 1000 gallon per day and less user is 4 inches and 6 inches for 1000 gallon per day and over.
- e. The minimum pipe grade is 1/4 inch per foot, or 2 percent.
- f. The maximum deflection per length of pipe is 5 degrees.
- g. Building sewers shall have a minimum earth cover of 3 feet over their entire length.

In cases where the building sewer will be less than 3 feet below the existing ground level, the ground level should be built up to make 3 feet of earth cover.

- h. The trench must be graded to the proper slope and be free of stones which may break the pipe.
- i. The initial backfill material surrounding the pipe must be free of large stones or lumps.
- j. The building sewer should never pass over a water pipe, and should be a minimum of 18 inches below and 4 feet to either side of the water pipe.

Sec. 5. All materials and procedures used for the building sewer shall be approved by the Town Manager, superintendent or his or her authorized agent before construction.

Sec. 6. All building sewers shall be inspected before connection to the public sewer. The applicant for the building sewer permit shall notify the Town Manager when the building sewer is ready for connection. The connection shall be made under the supervision of the Town Manager, Superintendent or authorized agent.

Sec. 7. No person shall make connection of sump pumps, roof downspouts, 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. 8. 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. 9. All excavations for building sewer installations 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.

## ARTICLE VI

### **Use of the Public Sewers**

Sec. 1. No person shall discharge or cause to be discharged any of the following described waters or wastes to the 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 unusual acidity or alkalinity 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.
- e. Any water or waste containing fats, wax, grease, or oils, whether emulsified or not, which may solidify or become viscous at temperatures above thirty-two (32) degrees Fahrenheit.
- f. Unusual BOD, chemical oxygen demand (COD) or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment plant.
- g. Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.
- h. Waters or wastes containing substances which are not amenable to treatment or reduction by the treatment processes employed.
- i. Any radioactive wastes or isotopes.
- j. Waters or wastes having a pH lower than 6.5 or higher than 9.5

- k. Waters or wastes containing fats, wax, grease or oils whether emulsified or not in excess of one hundred fifty(150) mg/l FOG or containing substances which may solidify or become viscous at temperatures between thirty-two (32) and one hundred fifty (150) degrees Fahrenheit; zero (0) and sixty-five (65) degrees Celsius.
- l. Wastes having a five day BOD greater than three hundred (300) parts per million by weight or wastes containing more than two hundred fifty (250) parts per million by weight of suspended solids, without full review and approval by the Board of Wastewater Disposal Commissioners.

Discharges in excess of these limits for BOD and Suspended Solids will be considered high strength discharges and subject to a surcharge fee in accordance with ARTICLE IV, Item d.

Sec 2. Any industry, commercial business, institution or person discharging wastewater directly or indirectly into the Wastewater System that do not comply with these rules and regulations may be subject to direct action by the Commissioners when in the opinion of the Commissioners time is of the essence and may include the withdrawal of permission to discharge any further wastewaters.

Sec 3 Management, as described in ARTICLE II, may require a *Commercial, Institutional or Industrial Service* user to provide information needed to determine compliance with this Ordinance. This information may include:

- a. Wastewater discharge peak rate and volume over a specified time period.
- b. Chemical analysis of wastewaters,
- c. Information on raw materials, processes, and products affecting wastewater discharge volume and quality,
- d. Quantity and disposition of specific liquid wastes, sludges, oil, solvents or other materials pertinent to the control and protection of *Sewage Works*,
- e. Materials Safety Data Sheets(MSDS)of all raw materials and cleaning agents,
- f. A plot plan of sewers on the users property and showing locations of access manholes and pretreatment facilities.
- g. Details of any pretreatment facilities, equalization or neutralization facilities, or systems to prevent and control the losses of materials and control spills.

Sec 4. If any wastewaters or wastes are discharged or are proposed to be discharged to the public sewers, contain the substances or possess the characteristics enumerated above and which in the judgment of the Commissioners 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 Commissioners will:

1. Notify the Owner of the discharge in writing to "halt all discharges determined to be in violation of this Ordinance", and may reject the wastes.
2. Require pretreatment to an acceptable condition for the discharge to the public sewers;
3. Require control over the quantities and rates of discharge; and/or
4. Require payment to cover the added cost of handling and treating the wastes not covered by existing rents, charges and fees. Cost for additional treatment of, or for repairing damages to, town *Wastewater* facilities resulting from violations of this Ordinance is to be reimbursed to the town by the *Person, Owner or One* from which the wastewaters originated that caused the adverse effect. The amount to be reimbursed the town by that *Person, Owner or One* shall include not only the aforementioned costs, but also the engineering and/or legal costs of ascertaining responsibilities. Deleted last sentence.

Sec 5. When required by the Commissioners, the owner of any property serviced by a building sewer carrying high strength industrial, institutional or commercial wastes shall install a suitable control manhole together with the provision for such necessary meters and other monitoring equipment 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 Commissioners. The manhole shall be installed by the owner at his expense, and shall be maintained by the owner so as to be safe and accessible at all times.

Sec.6. All users required to take action under Sec 5.(above), will be required to perform such wastewater monitoring as Commissioners, Town Manager, or duly authorized Superintendent of the Wastewater Department may reasonably request. Monitoring may include the installation, use and maintenance of monitoring equipment, sampling and analysis, keeping records and reporting results to the Town and other Agencies having jurisdiction over the Towns discharges to the receiving water. The owner shall bear the expense of all measurements, samplings, analysis and reporting required by the Town. At such times as deemed necessary, the Town reserves the right to take measurements and samplings and to send the samples for analysis by an independent laboratory.

Sec 7. *Commercial, Institutional and Industrial Services* that are determined to discharge high strength wastewaters may be required to pretreat in accordance with federal or state regulations or this ORDINANCE to the extent required by applicable National Categorical Pretreatment Standards, State pretreatment standards, or standards established by the Town, whichever is more stringent. Where pretreatment or flow-equalization facilities are provided or required for any wastes or wastewaters, they shall be maintained continuously in a satisfactory and effective operation by the Owner(s) at his expense.

Sec 8 All measurements, tests, and analyses of the characteristics of the wastes and wastewaters 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, or by with the EPA approved methods published in the Code of Federal Regulations, Title 40, Part 136 (40 CFR 136). Sampling methods, locations, times durations, and frequencies shall be determined on an individual basis subject to approval by the Town.

Sec. 9. No statement contained in this Article shall be construed as preventing any special agreement or arrangement between the Town and any industrial, institutional or commercial business whereby an industrial waste of unusual strength or character or high strength as described here-in may be accepted by the Town after pretreatment or flow equalization is installed, and after sufficient compensation is conveyed to the Town, or by assessment of high strength surcharge fees, or both.

Sec.10. It shall be illegal to meet the requirements of this ARTICLE (ARTICLE VI) by diluting wastes or wastewaters in lieu of proper pretreatment or flow equalization.

## ARTICLE VII

### **Extension and Use**

#### a. EXTENSIONS

The Chester *Wastewater System and Treatment Plant* is a public system owned and operated by the Town of Chester, Windsor County, Vermont.

No person, corporation, society, or private owner shall have the right to connect to or to extend said system without having first obtained a permit from the Commissioners. All service lines on properties to be connected to the system; all materials used therefore and all other installations shall not be approved until plans and specifications, endorsed by a qualified plumber or registered professional employed in the design of such systems and meeting the requirements of the Plumbing Code of the State of Vermont, have been filed with the Commissioners and approved by them, and/or the Town Development Review Board (DRB) as the Commissioners deem appropriate.

#### b. USE/CHANGE IN USE

No person, corporation, society, or private owner shall have the right to substantially change the use of any buildings with respect to wastewater generating operations and/or water carrying sanitary facilities without first having a permit from the Commissioners. Use and/or change in use installations shall not be approved until plans and specifications, along with a description (including estimates of wastewater discharge volumes and organic strength (BOD, TSS) of the new use/change in use are filed with the Commissioners and approved by them, and/or the Town Development Review Board (DRB) as the Commissioners deem appropriate.

## ARTICLE VIII

### **Protection from Damage**

Sec.1. No one 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.

Sec. 2. No unauthorized person may enter or remain in or upon any land or structure of the *Sewerage Works*. Any person violating this provision shall be subject to charges of trespass.

## ARTICLE IX

### **Enforcement**

- Sec. 1. The invalidity of any section, clause, sentence, or provision of this Ordinance shall not affect the validity of any other part of this Ordinance. Each section stands alone and conflicts which may exist among the sections cannot be used as a point of arbitration.
- Sec. 2. A 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 provided 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. 3. A violation of this Ordinance shall be a civil matter enforced in accordance with the provisions of 24 V.S.A. Section 1974a and Section 1977 et seq. A civil penalty of \$500.00 shall be imposed for a violation of this civil Ordinance, and the waiver fee shall be set at \$50.00 for the first offense, \$100.00 for the second offense within a six- month period, and \$500.00 for all subsequent offenses within a six-month period. Each day that the violation continues will constitute a separate violation of this Ordinance.
- Sec.4. The Town Manager, Superintendent, or other authorized Agent of the Town shall be permitted to enter all properties for the purpose of inspection and observation of structures connected to the *Wastewater System* and for measurement, sampling, or testing of wastes intended for discharge into the system.

## ARTICLE X

### **Amendments**

The Town of Chester, by its legislative body, reserves the right to alter, amend, or repeal this Ordinance, Regulation, and Bylaw, consistent with law.

## ARTICLE XI

### **Effective Date**

This Ordinance shall be effective on and after the 21st clay of June A.D. 1972.

ARTICLE XII

**Amendment**

Amended this 17th day of July, 1996.

  /s/ Carol L. Balch \_\_\_\_\_  
  /s/ Michael R. Westine \_\_\_\_\_  
  /s/ Richard G. Jewett \_\_\_\_\_  
  /s/ Samuel Capogrossi \_\_\_\_\_

Board of Selectmen, Town of Chester

ARTICLE XIII

**Amendment**

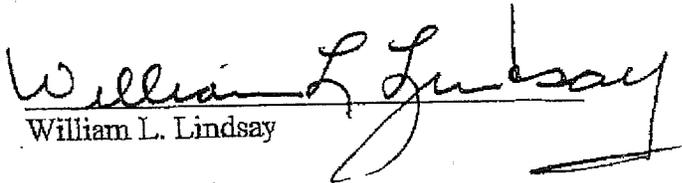
Amended this 20<sup>th</sup> day of August, 2003

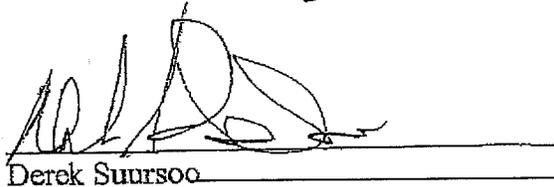
  /s/ Seeley W. Morton \_\_\_\_\_  
  /s/ Richard G. Jewett \_\_\_\_\_  
  /s/ William L. Lindsay \_\_\_\_\_  
  /s/ Arnold P. Stoddard \_\_\_\_\_

Board of Selectmen, Town of Chester

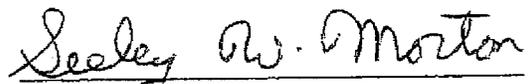
Amended this 16<sup>th</sup> day of May 2007

  
Richard G. Jewett

  
William L. Lindsay

  
Derek Suursoo

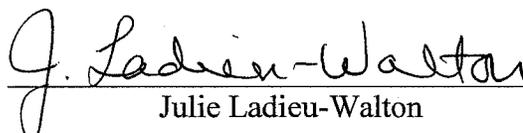
  
Michael J. LeClair

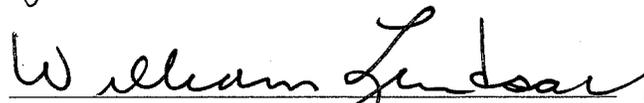
  
Seeley W. Morton

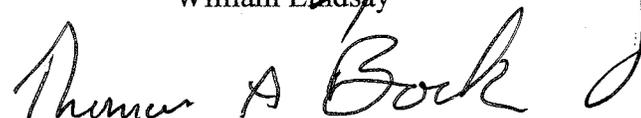
Amended this 8<sup>th</sup> day of December, 2010

  
John DeBenedetti – Chairman

  
Derek Suursoo – Vice Chairman

  
Julie Ladieu-Walton

  
William Lindsay

  
Thomas Bock

Board of Wastewater Disposal  
Commissioners - Town of Chester