

ORDINANCE # 5 AND #18

RULES AND REGULATIONS OF THE BOLTON SEWER DISTRICT # 1

ORDINANCE #5  
ADOPTED: NOVEMBER 9, 1961  
AMENDED: FEBRUARY 6, 1990  
AMENDMENT PUBLISHED FEB. 16, 1990

ORDINANCE #18  
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**EFFECTIVE: FEBRUARY 19, 2010**

**AMENDED: MARCH 2, 2010**  
**PUBLISHED: MARCH 5, 2010**  
**EFFECTIVE: MARCH 15, 2010 (NEW SECTION 30)**

The Town Board of the Town of Bolton, Warren County, New York, does hereby enact and ordain the following rules, regulations, and ordinances covering the use of public and private sewer and drains, the installation and connection of sewer connections, and the discharge of waters and wastes into the public sewer system, and providing penalties for violations thereof: in the Bolton Sewer district No. 1, Town of Bolton, Warren County, New York, hereinafter called "Sewer District."

SECTION 1

DESCRIPTION - The sanitary sewer system of the Sewer District consists of lateral and trunk sewers laid in streets and rights of way. The location of these works, including the kinds, sizes and depths of pipe lines, are shown on a set of plans on file at the office of the Town Clerk. At all points where there are changes in alignment or grade of the sewers, manholes with cast iron frames and covers have been built to provide access to the sewer lines for purposes of inspection, ventilation, and cleaning.

SECTION 2

GENERAL - The design of the system is based on the collection of domestic sewage only and the approval of the New York State Department of Health was given for the construction and use of sewers for this purpose only. No connections will be permitted to be made to the sanitary sewer system, which carry or deliver other than domestic sewage or industrial wastes unless specifically approved by the Town Board. Domestic sewage consists of the solid and liquid wastes from toilets, sinks, laundry or bathtubs, shower baths or equivalent plumbing fixtures. The drainage from rooms, cellars, yards or roadways is not domestic sewage and cannot be drained into the sanitary sewer system under any circumstances. The best interests of the Sewer District warrant extreme care in the manner of making and laying all connections to the public sewer system.

The Town Board will appoint a Sewer Inspector who shall be the Board's authorized agent in matters falling under these Rules, Regulations and Ordinances and exercise the powers hereinafter mentioned in the name and subject to the approval and ratification of the Board. He shall report to the Board upon applications for sewer connections, shall inspect the construction

of such sewer connections, and shall report to the Board upon any transgressions of these Regulations.

#### Ordinance #5

The Board will authorize plumbers and contractors or other persons as drainlayers, after such have presented to the Board satisfactory evidence that they are capable of laying sewer connections in a workman like manner and in accordance with these Rules, Regulations and Ordinances. No one but an authorized drainlayer will be allowed to make connections with the District sewers nor lay any sewers in connection therewith. Any person authorized as a drainlayer shall give personal attention to any work done under his permit and shall employ only competent persons to do the work.

THE EXISTING SECTION 3 OF THE CURRENT RULES AND REGULATIONS OF THE BOLTON SEWER DISTRICT #1, ORDINANCE #5 AND #18 SHALL BE DELETED, AND ITS PLACE AND STEAD, THE FOLLOWING SHALL BE ENACTED: (AMENDED FEBRUARY 2, 2010)

#### SECTION 3

All building sewer connections and the installation of all sewer pipeline shall be made in accordance with the rules, regulations and ordinances herein set forth and by the direction of the Town of Bolton and its agents or servants. The repair, maintenance and extension of the same shall likewise conform to such standards.

The private property owner shall be responsible for all expenses incurred at the time of the original installation of the lateral sewer pipeline between the District Sewer Main and any building intended to utilize the sewer connection.

The private property owner shall be responsible for all expenses incurred whenever repair, maintenance and/or extension of a sewer connection is required in a lateral sewer pipeline in any portion of all of such lateral sewer pipeline between the original connection to the District Sewer Main and the building.

In any instance where repair, maintenance or extension of a lateral pipeline shall be required, no person shall cause any excavation, boring or disturbance within the public road or highway without direct supervision and control of such activities by the Town of Bolton.

#### SECTION 3.1 DEFINITIONS

**DEFINITIONS SHALL BE ADDED/MODIFIED TO SECTION 3.1 AS FOLLOWS:**

**(AMENDED: February 2, 2010)**

***“Building Sewer” shall mean the extension from the building drain to the public sewer or other place of disposal and shall include the terms “house sewer”, “lateral sewer pipeline” and “sewer connection” as used herein.***

***“District Sewer Main” shall mean the primary municipal sewer pipeline (referred to as a “main”) lying within the bed of the public road or highway, or under private lands, to which a private sewer user shall connect a lateral sewer pipeline in order to receive sewer service to a building.***

***“Lateral Sewer Pipeline” shall mean the secondary sewer pipeline (also referred to as a private sewer line) regardless of whether such pipeline lies within the bed of the public road or highway, usually connected as a conduit between the District Sewer Main and servicing a building. A lateral sewer pipeline or secondary sewer pipeline shall be maintained, repaired and, if necessary, replaced at the expense of the private user.***

#### DEFINITIONS CONTINUED:

"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 degrees C., expressed in milligrams per liter.

"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 (1.5 meters) outside the inner face of the building wall.

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

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

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

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

"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.

"Sewage" shall mean a combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishment, together with such ground, surface and stormwaters as may be present.

"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.

"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.

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

#### SECTION 4

It shall be unlawful for any person, firm or corporation

a. To place, deposit, or permit to be deposited in an unsanitary manner upon public or private property within the Sewer District, or in any area under the jurisdiction of said Sewer District, any human or animal excrement, garbage, or other objectionable waste, except as hereinafter provided.

b. To construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage except as hereinafter provided.

The owner of all houses, buildings or properties used for human occupancy, employment, recreation, or other purpose situated within the Sewer District, and within a reasonable distance of any street, alley or right of way in which there is located a public sanitary sewer of the Sewer District, 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 these Rules, Regulations and Ordinances, within ninety (90) days after date of official notice to do so.

c. To uncover any portion of the public sewers or connections thereto, or to open any manhole or appurtenance of the sewage system, except under permit signed by the Sewer Inspector.

d. To open any highway or public ground for the purpose of making any sewer connection, or to make or cause to be made any connection with the public sewer, except under permit signed by, and under the supervision of the Sewer Inspector.

e. To break or to cut or to remove any pipe of the public sewer system; or to make or cause to be made any connection to the said public sewers, except through the connection branches provided for that purpose. The location of said connection branches will be designated by the Sewer Inspector.

f. To discharge or cause to be discharged into any public sewer, directly or indirectly, any overflow or drainage from manure pits, cesspools or other receptacles storing or constructed to store organic waste.

g. To connect or cause to be connected with any public sewer, either directly or indirectly, any sediment traps, or any pipes carrying, or constructed to carry, hot circulating water, acids, germicides, grease, brewery or distillery wash water, gasoline, naphtha, benzene, or similar liquid, oil, or any other industrial or trade waste, or any other substance detrimental to, or deemed by the Sewer Inspector detrimental to, the District sewers or to the operation of the sewerage system or the sewage treatment works, unless adequate and proper preliminary treatment appurtenances and apparatus are installed and maintained at the owner's expense, so that the spent water delivered to the District sewers will be neutral in character as determined by the standard acid-alkalinity tests, and be free from excess suspended matter, or excess bactericidal agents, as may be approved by the Town Board.

Steam engine exhaust or blowoff from steam boilers shall not be connected to the District sewers.

h. To drain from washstands of public or private garages, automobile washing stations, cleaning or dyeing works, laundries, or similar establishments where gasoline, oils, or any inflammable materials are used or stored unless equipped with an Oil Separator of size and design approved by the sewer district.

i. To throw or to deposit, or to cause or allow to be thrown or deposited, in any fixture, vessel, receptacle, inlet or opening connected directly with any public sewer, any unground table garbage, vegetable parings and the like. The use of mechanical garbage grinders producing a finely divided mass, properly flushed with an ample amount of water, is permitted under these regulations.

j. To allow any house sewer connection with the public sewer to be also connected with any privy, vault, septic tank, cesspool, or underground drain, and with any

channel conveying water or filth, except such soil pipes and other plumbing works as shall have been duly inspected and approved by the Sewer Inspector.

k. To throw or to deposit, or to cause or allow to be thrown or deposited, in any fixture, vessel, receptacle, inlet or opening connected directly with any public sewer, any ashes, cinders, rags or similar waste materials or dead animals, or waste materials of any kind or character other than faeces, urine, necessary toilet paper, liquid house slops, or properly ground table garbage.

## SECTION 5

PRIVATE SEWAGE DISPOSAL- Where a public sanitary sewer is not available under the provisions of 4 (b), the building sewer shall be connected to a private sewage disposal system complying with the provisions of this article and

a. Before commencement of construction of a private sewage disposal system, the owner shall first obtain a written permit signed by the Sewer Inspector. The application for such permit shall be made on a form furnished by the Sewer District which the applicant shall supplement by any plans, specifications, and other information as are deemed necessary by the Town Board.

b. A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the Sewer Inspector. 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 Sewer Inspector when the work is ready for final inspection, and before any underground portions are cover. The inspection shall be made within forty-eight (48) hours of the receipt of notice by the Sewer Inspector.

c. 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 New York. No septic tank or cesspool should be permitted to discharge to any public sewer or natural outlet.

## SECTION 6

The Town Board may at any time in its discretion, stop and prevent the discharge into the sewers of any substance deemed by it liable to injure the sewers, or to interfere with their normal operation, or to obstruct the flow, or to hinder any process of sewage purification; and it may, at any time in its discretion, sever the connection and cause the removal of any tributary sewer or drain through which such detrimental substances are discharged.

## SECTION 7

Each building in the area served by a public sewer when connected, must be connected separately and independently with the sewer through the house connection branch directly opposite the buildings, or nearest in the downstream direction. Grouping of buildings on one house sewer will not be permitted, save by special act of and by the Town Board, and for good reason.

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## SECTION 8

No house connection line from the District sewer to the property line shall be of any internal diameter less than four (4) inches. Inside the property line, the diameter of pipe shall not be less than four (4) inches.

## SECTION 9

Every house sewer connecting with the District sewer must be either cast iron, salt-glazed vitrified earthenware pipe with bell and spigot joints, or asbestos-cement house connection pipe. It must be solidly laid to a true grade and as near as possible in a straight line. All changes in direction must be made with properly curved pipe or fittings.

a. All earthenware pipes and specials must be of the best quality cylindrical, hard, salt-glazed, vitrified throughout, "hub and spigot" pattern. All hubs must be of sufficient diameter to receive to their full length the spigot end of the next following pipe or special without any chipping whatever of either, and also leave a sufficient space for bituminous joints.

b. All cast iron pipes and fittings must be sound, cylindrical and smooth internally, free from cracks, sandholes, or other defects, of uniform thickness and of the grade known commercially, as "medium" or "extra heavy".

c. All asbestos-cement pipe must conform to the current specifications of the Johns-Manville Sales Corporation for asbestos-cement sewer pipe for house laterals, or equal specifically approved by the Town Board.

## SECTION 10

### JOINTS FOR HOUSE LATERALS:

a. The greatest care must be taken to prevent the entrance of sand or dirt in the house sewer or the public sewer. All joints for vitrified pipes shall be made with a narrow gasket of dry hemp or jute, long enough to go around the pipe and thick enough to hold the pipes securely in their relative positions so that the inverts are on a line. The gasket shall be carefully inserted between the bell and spigot and well-caulked with suitable hardwood or metal tools. The remainder of the joint shall be filled with an approved bituminous mixture. The compound used shall be approved by the sewer inspector and shall be of a type not affected by sewage or alkaline or acid solutions.

The compound shall not run at a temperature below 200 degrees Fahrenheit, and shall have sufficient ductility at 32 degrees Fahrenheit to permit a slight movement of the pipe without cracking or breaking the adhesion of the compound to the pipe. The compound shall adhere firmly to the glazed surface of the pipe at 32 degrees Fahrenheit.

The compound shall be heated in a gasoline or other suitable furnace to a temperature slightly above that at which it can be poured rapidly and smoothly, and it shall be kept at this temperature until used. After the pipe joint has been caulked, the melted compound shall be poured into the joints with the aid of a joint runner or gasket in the same manner that lead joints are poured. The pouring vessel shall be large enough to make one joint at a single pouring. The depth of the compound shall be not less than 3/4-inch. In case the pipe joint is not completely filled, the unfilled part of the joint shall be poured again with hot material so as to form a complete watertight joint.

The owners shall (when in the judgment of the Sewer Inspector the character of the soil requires) use a pre-formed bituminous joint such as the joint known as "Prestite", or one which in the judgement of the Sewer Inspector is the equal thereof. When preformed joints are used, they shall be placed in the sockets in a manner, and by such means, as the Sewer Inspector may direct.

b. Cast iron pipe shall be joined with first quality lead or jointing compound approved by the Sewer Inspector. The entire joint shall be filled in one pour and thoroughly caulked. If lead is used, each joint in four-inch cast iron pipe shall be poured with at least three pounds of lead and each joint in 6-inch cast iron pipe with five pounds of lead. The ditch in all cases must be kept dry during the pipe laying .

## SECTION 11

Where, in the judgement of the Sewer Inspector, conditions warrant, cast iron pipes shall be used.

## SECTION 12

No trench shall be filled or any part of pipe or fitting covered until notice has been given to the Sewer Inspector that the work is ready for inspection, and such inspection is made. Every such inspection shall be made as soon as practicable after receipt of notice by the Sewer Inspector, and such Inspector shall have the power to apply any proper tests to the pipe or fittings, and the owner or contractor doing the work shall furnish all necessary tools and labor for such tests, and shall remove any defective material or repair any work improperly done as the Sewer Inspector shall direct, without expense to the Sewer District.

## SECTION 13

No house sewer connection with the District sewer shall be laid with a grade of less than one-inch fall in four feet without a written permit signed by the Sewer Inspector specifying the minimum grade that will be permitted. In removing plugs from existing Y or T branches on the District Sewer and connecting to same, due care shall be exercised to prevent any debris entering the District sewer.

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## SECTION 14

No sewer connection branch shall be opened, no pipe laid and no joints made except under the inspection of the Sewer Inspector or his duly authorized representative.

## SECTION 15

No earthenware or asbestos-cement pipe shall be laid at a depth less than thirty-six (36) inches. Pipes laid with less depth must be medium heavy cast iron.

## SECTION 16

**ROCK EXCAVATION.** Where rock is found in the bottom of the trench, it shall be taken out at least four inches below the bottom of the pipe and the space filled with sand, gravel, or other suitable material thoroughly rammed.

No blasting shall be done within five feet of public or private sewers and utmost care shall be taken to prevent injury thereto.

## SECTION 17

Old house sewers may be used provided they are in good condition, from the building to the property line, and approved by the Sewer Inspector. New pipe must be installed between the property line and the public sewer.

#### SECTION 18

The Sewer Inspector shall be notified at least twenty-four (24) hours before the beginning of any work upon house sewers or connections, stating the time of commencement of such work.

#### SECTION 19

No public or private building, dwelling or store will be permitted to make any connection whatsoever to sanitary sewer system unless same has a soil line extended to a point above the roof and properly vented or otherwise vented in a manner approved by the Sewer Inspector. In existing public or private buildings, dwellings, or stores not properly vented, proper venting or a house trap shall be required of the property owner.

Grease traps must be installed for restaurants, hotels and apartment houses, or wherever the Board or its duly authorized agent may direct. Grease traps must be kept clean at all times at the owner's expense. The size and design of grease traps shall be approved by the Sewer District.

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#### SECTION 20

Before any sewage work or drainage be done or connected in or on any property, or before any alterations or additions are made to old sewerage or drainage work, when the same is to be connected with the District sewer, plans and descriptions of the proposed work, signed by an authorized drainlayer, shall be filed in the office of the Town Board accompanied by an application for approval of the said plan, and the issuance of a permit to do the said work. Application shall be upon a blank form obtained from the sewer inspector and shall be signed by the owner of the premises or his properly accredited agent, and shall state the name of the drainlayer who has been engaged by the owner to do the work.

(NEW AS OF 11-3-99)

There shall be no Certificates of Compliance issued by the Town of Bolton for new construction, including any alteration or addition to existing structures, upon real property located within the Town of Bolton Sewer District, without the installation within such construction, alteration or addition of low flow, water saving devices. The Zoning Administrator shall notify the Sewer Plant Operator monthly of all Certificates of Compliance issued under these regulations.

#### SECTION 21

No permit granted by the sewer inspector shall be construed to permit any interference with, or disturbance of, any State or County or Town highway pavement, as the case may be, in the Sewer District, or any excavation in any road, street, or public place, unless the permit shall expressly so provide. No permit shall be granted for such interference or disturbance of said pavement, or for the excavation for sewer purpose in any public street or public place unless the



applicant or drainlayer shall have first obtained from the State or County or Town Highway Department, as the case may be, a permit therefor, in accordance with the requirements of the Highway Department having jurisdiction. Any permit fee, bonding or other expense in connection with the issuance of a permit for opening any street or pavement, shall be paid by the applicant or drainlayer. No permit shall be deemed to authorize anything not stated in the application therefore.

#### SECTION 22

The permit shall, during construction, be kept at the site of the work, and be available for inspection by any duly authorized agent or agents of the sewer district.

#### SECTION 23

To be recognized as an authorized drainlayer, a person, firm or corporation must present satisfactory evidence to the Board that he, or they, have done, or are capable of doing, work of this character.

#### SECTION 24

Whenever, in the opinion of the sewer inspector, any drainlayer violates any of the provisions of this ordinance, said inspector shall report the same in writing to the Town Board, and if the Town Board shall find that the charges are sustained, they may revoke the permit of such drainlayer.

#### SECTION 25

No person, firm, or corporation once having a permit to carry on the business of drainlaying in the sewer district, who shall have violated any of the provisions of these rules, regulations, and ordinances, or shall have refused or neglected to make good, to the satisfaction of the board, any defective or imperfect work, or shall have refused or neglected to pay any fees, fines or penalties imposed under the provisions of these rules, regulations and ordinances, shall be eligible to receive any renewal of such permit until such default on his, their, or its parts, has been removed.

#### SECTION 26

Drainlayers must report to the sewer inspector, in writing, the full description, within twelve hours of the finding by them of all obstructions in house drains, or the presence thereof, if found, of any substance prohibited by these Regulations. Failure to so report will render the person, firm or corporation so offending, liable to the penalty of a revocation or suspension of his, or their permit. The finding of the presence of substances prohibited by these regulations in the house drains of any house, shall be prima facie evidence of an offense committed against these regulations by both the owner occupant of the premises, or either of them.

#### SECTION 27

Drainlayers must report to the Sewer inspector, in writing, within twenty-four hours after the completion of any work by them, every connection or disconnection made between any building

to the sewer system aforesaid, or between any house connection and said sewer system. Failure to so report will render the drainlayer so offending liable to the penalty of revocation or suspension of his permit.

## SECTION 28

No person shall construct any drain or sewer upon, or from, any premises in said sewer district, or use or permit any sewer or drain to be used, without a permit from the sewer inspector.

No applicant or person to whom a permit may be granted or issued or his successors in interest, shall have the right to make any claim for damages against the sewer district, or its agents, in consequence of a refusal to issue a permit, or the revocation of a permit, or of delay in acting on any application or of inspecting the making of any connection, or because of the cutting off of a connection under the provisions of these regulations.

## SECTION 29

The sewer inspector and other authorized employees of the sewer district bearing proper credentials and identification, shall be permitted to enter upon all properties at reasonable hours, for the purposes of inspection, observation, measurement, sampling, and testing, in accordance with the provisions of these rules, regulations and ordinances.

## SECTION 30

Where the Town shall determine that a privately maintained sewer line is leaking, clogged or otherwise malfunctioning, the Town Board shall have the authority to terminate municipal sewer service to all user(s) and/or property owner(s) on such privately maintained sewer line unless said parties on the privately maintained sewer line shall take immediate steps at their own expense to remedy such circumstance. Upon the Town determining that a privately maintained sewer line is leaking, clogged or requires maintenance, the following procedure shall be followed:

a. Written notice shall be provided by the town supervisor to each user and/or property owner using the privately maintained sewer line generally stating the circumstance or condition and providing a Five (5) Day Notice of the requirements to remedy same. Notice shall be deliverable to the name and address of the user(s) and/or property owner(s) shown on the Town assessor's tax roll as the proper party/ies to receive such communication. The written notice specified by this section may be delivered in person or by First Class Mail.

b. Upon the expiration of five (5) days after the date of delivery of notice, in the event that the leak, clog or malfunction has not been remedied by the user(s) and/or property owner(s), the Town may act by the authority of the Town Board, or in emergency circumstances by direction of the Town supervisor, to remedy the situation at the expense of the user(s) and/or property owner(s). Any expenditure made by the Town for the repair, replacement or maintenance of a privately maintained

sewer line shall be immediately reimbursable to the Town upon presentment of such claim. In the event that the Town is not reimbursed within thirty (30) days of presenting its claim, the Town shall be permitted to collect interest on the obligation at a rate provided by statute (Civil Practice Laws and Rules), and in addition, recover costs incurred by the Town for any collection or attorney's fees reasonably expended to enforce the Town's rights. In instances where the user(s) and/or property owner(s) fail(s) to pay, by direction of the Town Board, a special assessment shall be added to the tax bill associated with the subject premises and collected in the same manner as an additional tax chargeable against the subject premises.

c. Upon such circumstances where the Town shall be required to enter upon private property to protect the municipal sewer system from leaks, clogs or malfunctions in privately maintained sewer lines, and where the user(s) and/or property owner(s) have failed or neglected to provide consent to the Town allowing its agents, servants or employees to enter upon private lands, the Town shall be entitled to obtain permission from any court of appropriate jurisdiction upon notice to all occupants and owners of the subject premises for the purpose of obtaining permission pursuant to court order to enter and repair or replace the privately maintained sewer line. The costs of such legal proceedings, including disbursements and attorney's fees, shall be an additional charge and obligation of the user(s) and/or property owner(s) collectable in the same manner as specified herein.

d. Notwithstanding all provisions of procedure as stated within, under urgent circumstances, the Town Board or the Town supervisor, in a proper case, shall be entitled to act in any manner to seek any equitable remedy from a court of competent jurisdiction to compel any proper party to remedy a leak, clog or malfunction in a privately maintained sewer line at the expense of the user(s) and/or property owner(s), and the Town may recover within such action the costs of such proceeding, including disbursements and reasonable attorney's fees. Cumulatively and as an additional remedy, the Town supervisor, being chargeable with the obligation to protect the health, general welfare and well being of the citizens and residents of the Town of Bolton, shall also be entitled to exercise such emergency powers as provided by statute for the purpose of expediting all things necessary to undertake immediate and necessary repairs to a privately maintained sewer line in proper cases and recover by money judgment, special assessment or other manner of security for repayment in the manner specified herein all costs of such undertaking, including reimbursement for materials, labor, independent contractors, court costs and reasonable attorney's fees.

e. The Town shall act responsibly and with all administrative expediency necessary in situations where the public right-of-way is required to be excavated in order to facilitate the necessary repair, replacement or maintenance at private expense.

## SECTION 31

Any person who shall continue any violation beyond ten (10) days, shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined in an amount not exceeding \$500.00 dollars for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.

## SECTION 32

Any person violating any provision of these rules, regulations and ordinances, shall become liable to the Town for any expense, loss, or damage occasioned said Town by reason of such violation.

### SECTION 33

All rules, regulations and ordinances or parts of rules, regulations, or ordinances in conflict herewith, are hereby superseded.

### SECTION 34

The invalidity of any section, clause, sentence, or provision of these rules, regulations and ordinances shall not affect the validity of any part thereof which can be given effect without such invalid part or parts.

### SECTION 35

These rules, regulations, and ordinances shall be in full force and effect.

### SECTION 36

#### USE OF THE PUBLIC SEWERS

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

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, including but not limited to cyanide in excess of two (2) mg/l as CN in the wastes as discharged to the public sewer. (c) any waters or wastes having a pH lower than (5.5), or having any other corrosive property capable of causing damage or hazard to structures, equipment, or 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 interfere 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, fleshings, entrails, and paper dishes, cups, milk containers, etc. either whole or ground by garbage grinders.

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 sewer superintendent that such wastes can harm either 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 forming his opinion as to the acceptability of these wastes, the sewer superintendent 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 sewage treatment process capacity of the sewage treatment plant, degree of treatability 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) degrees F. (b) any water or waste 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) degrees F. (c) any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths horsepower or greater shall be subject to the review and approval of the sewer superintendent. (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 sewer superintendent for such materials. (f) any water or wastes containing phenols or other taste or odor-producing substances, in such concentrations exceeding limits which may be established by the sewer superintendent 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 sewer superintendent 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 sewage treatment works. (4) unusual volume of flow 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 meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in Sections preceding and which in the judgment of the sewer superintendent 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 sewer superintendent may (a) reject the wastes, (b) require pretreatment to an acceptable condition for discharge to the public sewers (c) require control over the quantities and rates of discharge, and/or (d) require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges under the appropriate provisions of these rules and regulations.

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

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

Where preliminary treatment or flow-equalizing facilities are provided for any wastes or waters they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

Marjorie Potter  
Town Clerk, Town of Bolton

