

TOWN OF VINALHAVEN
SEWER USE ORDINANCE

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VINALHAVEN SANITARY TOWN SEWER USE ORDINANCE

An ordinance regulating the use of public and private sewers and drains, private wastewater 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 Vinalhaven, County of Knox, State of Maine.

This Ordinance is adopted pursuant to Home Rule Powers as provided for in Article VIII Part 2, Sec. 1 of the Maine Constitution and M.R.S.A. Title 30-A Section 3001.

This Ordinance shall be known as the “Sewer Ordinance” of the Town of Vinalhaven, Maine, enacted by vote of the Town Meeting.

The authority to act on behalf of the Town of Vinalhaven in all matters pursuant to the Town’s Wastewater Facilities shall be vested in the Board of Selectmen to the extent allowable by M.R.S.A Title 30-A Section 3402-3406, and Section 3422 and all other applicable statutes.

The Board of Selectmen may amend this Ordinance and adopt further requirements by ordinance following a public hearing and majority vote at an Annual or Special Town Meeting and may adopt such rules and regulations deemed necessary to clarify, supplement and implement this Ordinance, to establish the means to maintain and operate this sewer system and to carry out necessary billing and financial administration. Additional rules and regulations and administrative procedures include:

- Formation of a Sewer Commission of 3 to 5 members whose purpose is to advise the Selectmen on all issues involving this ordinance

- Sewer Use Charge Ordinance
 - Schedule of Equivalent Users
 - Annual Debt and Reserve Costs
 - Annual Operation & Maintenance Costs

- Application and Permit Forms and Fee Schedule for Individual Connections

- Design and Construction Standards and Fee Schedules for Connections, Extensions, and Charges related to future expansion

- System staffing and financial administration

- Long-term sewer maintenance program

- Sewer use violation monitoring plan

ARTICLE I - Definitions

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

Sec. 1. "Annual Debt and Reserve Cost" - the fee established each year by the Selectmen to pay the Debt Retirement for the year and the established reserve account for future capital improvements and replacements. This cost shall be calculated according to the Sewer Use Charge Ordinance attached to this Ordinance, Appendix B.

Sec. 2. "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 deg. C., expressed in milligrams per liter (mg/l).

Sec. 3. "Selectmen" shall mean the duly elected Selectmen of the Town of Vinalhaven.

Sec. 4. "Building Drain" shall mean that part of the lowest horizontal piping of a drain system which receives the discharge from soil, waste, and or other drainage pipes inside the walls of the building and conveys it to the building sewer, ending five (5) feet outside the inner face of the building wall.

Sec. 5. "Building Sewer" shall mean the extension from the building drain to the public sewer or other place of disposal.

Sec. 6. "Combined Sewer" shall mean a sewer receiving both surface runoff and wastewater.

Sec. 7. "Commercial Service" shall mean an extension of use of the public sewer to a commercial structure.

Sec. 8. "Contractor" shall mean the person, firm or corporation with whom the Owner has entered into an agreement to construct and/or start up a sewer extension.

Sec. 9. "Connection Fee" shall mean the lesser of the cumulative total of annual debt cost charges made since the start up of the sewer system or 10 (ten) times the debt cost charge for the year during which the connection permit is requested.

Sec. 10. "Contractor's Supervisor" shall mean the Contractor's construction project representative who is responsible for field supervision of the construction of the sewer extension project.

Sec. 11. "Domestic Wastewater" shall mean normal water-carried household and toilet wastes or wastes from sanitary conveniences of residences, commercial buildings, and industrial plants, excluding ground, surface, or storm water.

Sec. 12. "Drawings" shall mean the drawings that show the character and scope of the sewer extension work to be performed and which have been prepared by the Owner's Engineer and approved by the Town and/or its Consulting Engineer.

Sec. 13. "Easement" shall mean an acquired legal right for the specific use of land owned by others.

Sec. 14. "Economic Hardship" shall exist if a property owner qualifies for General Assistance under the guidelines established by the Town of Vinalhaven and the State of Maine. A subjective assessment may be made for unusual circumstances, such as hook up charges that exceed the average cost by 50% or more.

Sec. 15. "Engineer" (also "Consulting Engineer" and "Engineering Consultant") shall mean the professional engineer or engineering firm or corporation hired by the Owner to design and/or oversee the construction and start-up of the sewer extension project or hired by the Town to assist with review of the Sewer Extension design and oversight of construction of said project.

Sec. 16. "Equivalent User" is a measure used to quantify the wastewater flow at each location with a single-family dwelling unit being " one " and all other uses being multiples of that based on the anticipated maximum flow. The minimum Equivalent User per connection shall be one.

Sec. 17. "Floatable oil" is oil, fat, or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. A wastewater shall be considered free of floatable oil if it is properly pretreated and the wastewater does not interfere with the collection system.

Sec. 18. "Force Main" shall mean a line without access from individual properties, providing a connection from a pump station to a pump station, trunk, or a sanitary sewer main.

Sec. 19. "Garbage" shall mean solid wastes from the domestic and commercial preparation, cooking and dispensing of food, and from handling, storage, and sale of produce.

Sec. 20. "Grease" shall mean the material removed from a grease interceptor (trap) serving a restaurant or other facility requiring such grease interceptors. Also means volatile and non-volatile residual fats, fatty acids, soaps, waxes and other similar materials.

Sec. 21. "Gray water" shall mean that portion of the wastewater generated within a residential, commercial, or institutional facility that does not include discharges from toilets and urinals.

Sec. 22. "Natural Outlet" shall mean any outlet into a watercourse, pond, ditch, lake, or other body of surface or groundwater.

Sec. 23. "Industrial Service" shall mean an extension of use of the public sewer to an industrial structure.

Sec. 24. "Industrial Wastes or Non-Domestic Wastewater" shall mean the wastewater or waterborne wastes resulting from any process of industry, manufacturing trade or business or from development of any natural resources as distinct from domestic wastewater or unpolluted water. Industrial wastewaters may or may not be discharged separately from sanitary wastewaters. For a combined discharge, the Town shall determine if the discharge meets the definition of "industrial wastewater".

Sec. 25. "Operation and Maintenance Cost" - the fee established each year by the Selectmen to pay for the Operation and Maintenance (O & M) of the collection and transport system, reserve accounts and treatment facilities in Vinalhaven. This cost will be established by the Sewer Use Charge Ordinance attached to this Ordinance, Appendix B.

Sec. 26. "Original User" shall mean Users who were designated as Users within 180 days of the sewer becoming operational.

Sec. 27. "Owner(s)" shall mean the person, firm or corporation who (which) is financing and/or proposing to construct a Sewer Extension project, or the owner of property adjacent to a public sewer.

Sec. 28. "Person" shall mean any individual, firm, company, partnership, corporation, association, group or society, and includes the State of Maine and agencies, Towns and commissions and political subdivision created by or pursuant to State Law, federal agency or other legal entity.

Sec. 29. "pH" shall mean the logarithm of the reciprocal of the weight of hydrocarbon ions in grams per liter of solution.

Sec. 30. "Pollutant" shall mean to include but is not limited to dredged spoil, solid waste, junk, wastewater, sludge, munitions, chemicals, biological or radiological materials, oil, petroleum products or by-products, heat, wrecked or discarded equipment, rock, sand, dirt, industrial, municipal, domestic, commercial, or agricultural wastes of any kind.

Sec. 31. "Privy" shall mean a small building having a bench with holes through which the user may defecate or urinate.

Sec. 32. "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 (0.5) inch in dimension.

Sec. 33. "Public Sewer" shall mean a common sewer owned, operated, and maintained by public authority or governmental agency.

Sec. 34. "Resident Engineer" shall mean the authorized representative of the Town's Consulting Engineer who observes construction of the sewer extension and whose duties are defined in Section 2 of the Sewer Extension Design and Construction Standards.

Sec. 35. "Sanitary Sewer" shall mean a sewer that carries wastewater and to which storm, surface, and groundwaters are not intentionally admitted.

Sec. 36. "Wastewater Treatment Plant" or "Water Pollution Abatement Plant" shall mean any arrangement of devices and structures used for treating wastewater.

Sec. 37. "Sewage Works" shall mean all facilities for collecting, pumping, treating, and disposing of wastewater.

Sec. 38. "Sewer" shall mean a pipe or conduit for carrying wastewater.

Sec. 39. "Sewer Commission" shall mean the 3 to 5 member group duly appointed by the Selectmen of the Town of Vinalhaven to advise them on all issues pertaining to this ordinance. Commission members shall be appointed for three year staggered terms.

Sec. 40. "Shall" is mandatory; "May" is permissive.

Sec. 41. "Slug" shall mean any discharge of water, wastewater, or industrial waste in which concentration of any given constituent or in quantity of flow exceed for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration or flows during normal operation.

Sec. 42. "Storm Drain" (sometimes termed "storm sewer") shall mean a sewer which carries storm and surface waters and drainage, but wastewater and industrial wastes, other than unpolluted cooling water are intended to be excluded.

Sec. 43. "Substantial Change in Volume Discharged" means a change in volume that would increase or decrease the equivalent user number by at least one.

Sec. 44. "Suspended Solids" shall mean solids that either float on the surface of, or are in suspension in water, wastewater, or other liquids, and which are removable by laboratory filtering.

Sec. 45. "System Development Charge" shall mean a charge established by the Selectmen of the Town of Vinalhaven to provide funds to finance capital outlays for the expansion of the treatment facility and transmission system.

Sec. 46. "Town" shall mean the Town of Vinalhaven, Maine, acting through its Town Manager, Selectmen, superintendent, plant operator, employees, or other duly authorized agent.

Sec. 47. "Unpolluted Water" is water of quality equal to or better than the effluent criteria in effect or water that would not cause violation of receiving water quality standards and would not be benefited by discharge to the waste water treatment facilities provided.

Sec. 48. "User" shall mean all persons owning properties in the Town of Vinalhaven subject to the provisions of this ordinance specifically as outlined in Article II Section 5 and those persons with undeveloped lots who choose to be included.

Sec. 49. "Wastewater" shall mean a combination of water or water carried waste from residences, business buildings, institutions, and industrial establishments.

Sec. 50. "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 an unsanitary manner on public or private property within the town or in any lake, pond, stream or harbor or in any area under the jurisdiction of said town, any human excrement, wastewater, or other objectionable waste, except by means of an approved plumbing and drain system in accordance with the provisions of this Ordinance and the requirements of the State of Maine.

Sec. 2. It shall be unlawful to discharge within the Town of Vinalhaven, or in any area under the jurisdiction of said Town, any wastewater or polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this ordinance.

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

Sec. 4. The connection of a building to a public sewer does not convey a right to use a building in a manner that is otherwise prohibited by any land use ordinance. A property owner shall have the responsibility to prove that the owner is in compliance with this provision.

Sec. 5. The owners of all buildings or properties who meet one of the following:

- (1) On which there is placed a residential, business or commercial building, institutional or industrial establishment and in which indoor plumbing fixtures are installed, or;
- (2) Any building where wastewater is generated, or;
- (3) Any property that has an overboard discharge (licensed or otherwise);

and which abut any street, alley, right-of-way, or Town easement, in which there is located a public sanitary sewer within the Town shall connect these fixtures directly to the proper public sewer in accordance with the provisions of this ordinance, within one hundred and eighty (180) days after date of official notice to do so.

Sec. 6. Property owners who are not original users, may, at their own expense, extend sewer service to their properties provided that the extension is designed and constructed in accordance with the Town of Vinalhaven Sewer Use Ordinance and approved by the Board of Selectmen.

Sec. 7. Property owners on which there is a State of Maine approved subsurface gray water system may connect to the public sewer at their option, or owners of properties who are not required to do so but who wish to connect to the public sewer may connect to the public sewer at their own expense with approval of the Board of Selectmen.

Sec. 8. Any producer of waste water from process operations, industrial uses or commercial uses which do not have the same effluent characteristics as residential uses is prohibited from connecting to the public sewer unless the producer pre-treats the wastewater to standards acceptable to the Town. The producer may be required to pay for the technical evaluation of the effluent and/or pre-treatment process.

Sec. 9. Exceptions

- (1) A property owner may receive an exemption from connecting to the public sewer if economic hardship would result. The property owner must request in writing a deferral of this requirement, and the owner shall be required to demonstrate the nature and degree of hardship. The property owner must show that he or she has an existing wastewater treatment system serving his or her property designed to comply with all current Maine State rules. Subsequent owners of the exempted property must connect to the public sewer within 120 days of official notice to do so unless they apply for and receive an exemption because of economic hardship.
- (2) A property owner may defer connecting to the public sewer if the subsurface wastewater treatment system servicing their property is designed to comply with all current Maine State rules and is less than ten years old. The property owner may defer connecting to the public sewer until the subsurface wastewater treatment system has been in place for ten years, after which the property owner must connect to the public sewer. The property owner must show that the system meets this requirement by providing a copy of the system design by a Maine licensed site evaluator, or the property owner must show that the system has been permitted in the past 10 years and is functioning properly. This does not exempt the property owner from any debt charges. These property owners will be considered Original Users.
- (3) A property owner need not connect to the public sewer if the owner would be required to cross private property and with whom the property owner does not have an easement or agreement with the other property owner.

- (4) A property owner need not connect to a public sewer if the public sewer is more than one hundred fifty (150) feet from the nearest point of the structure to be served.

Sec. 10. A property owner who has received an exemption will be required to connect to the public sewer within 120 days after receiving notice if site conditions change.

Sec. 11. The Town of Vinalhaven is not obligated to provide service beyond the limits of the sewer collection system, or to systems with wastes, other than sanitary wastes, that could cause upsets excepting any provisions as in Article 6 of this Ordinance.

ARTICLE III - Private Wastewater Disposal

Sec. 1. Where a public sanitary sewer is not available under the provisions of Article II, Section 5, the building sewer shall be connected to a private wastewater disposal system complying with the provisions of this article and the requirements of the State of Maine Subsurface Wastewater Disposal Rules, Chapter 241.

Sec. 2. Before commencement of construction of a private wastewater disposal system, the owner(s) shall first obtain a written permit signed by the licensed plumbing inspector. The application for such a permit shall be made on a form furnished by the Division of Health Engineering, Maine Department of Human Services, which the applicant shall supplement by any plans, specifications and other information as are deemed necessary by the plumbing inspector. A permit and inspection fee shall be paid to the plumbing inspector at the time the application is filed. The fee will be based on the current fee schedule as adopted by the Selectmen of the Town.

Sec. 3. A permit for private wastewater disposal system shall not become effective until the installation is completed to the satisfaction of the plumbing inspector. The plumbing inspector shall be allowed to inspect the work at any stage of the construction and in any event, the applicant for the permit shall notify the plumbing inspector when work is ready for final inspection and before any underground portions are covered. The plumbing inspector shall be given a minimum of three working days notice for such inspections.

Sec. 4. The type, capacities, location, and layout of a private wastewater disposal system shall comply with the State of Maine Subsurface Wastewater Disposal Rules 144A CMR 241 and the Minimum Lot Size Law (Maine Revised Statutes Annotated, Title 12, Chapter 423-A). No private wastewater disposal system shall be permitted to discharge to any natural outlet, unless so authorized and licensed by the State of Maine.

Sec. 5. At such time as a property served by a private wastewater disposal system connects to a public sewer, a direct connection from the building sewer to the public sewer shall be made. Any septic tanks, cesspools and similar private wastewater disposal facilities shall no longer be used. The septicage shall be pumped out and disposed of at a facility licensed to receive septage. The septic tank, cesspool or disposal structure shall be removed or the top crushed and the void filled with suitable material approved by the Town.

Sec. 6. The owner shall operate and maintain the private wastewater disposal facilities in a sanitary manner at all times, at no expense to the Town. Septage removal from private systems shall be performed by licensed operators and disposed of in a facility licensed to receive septage.

Sec. 7. The connection of a building to a private wastewater disposal system does not convey a right to use a building in a manner that is otherwise prohibited by any land use ordinance. A property owner shall have the responsibility to prove that he or she is in compliance with this provision.

ARTICLE IV - Building Sewers and Connections

Sec. 1. No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Town. Any person proposing a new discharge into the system or a substantial change in the volume or character of pollutants that are being discharged into the system shall notify the Town at least forty-five (45) days prior to the proposed change or connection, and shall comply with the Town Sewer Use Ordinance and all applicable Maine Statutes.

Sec. 2. Only persons licensed by the Plumbers Examining Board as a Master Plumber, Journeyman Plumber or Apprentice, in accordance with all applicable Maine Statutes as revised or amended, shall be permitted to make the connection.

Sec. 3. There shall be two (2) classes of sewer permits: (a) for residential service and commercial service, and (b) for industrial service (significant industrial users may not be allowed to connect to the public sewer system). In either case, the owner or his or her agent shall make an 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 Town. A permit and inspection fee shall be paid to the Town at the time the application is filed. The fee shall be based on the current fee schedule as adopted by the Town. One copy of the permit shall be available for inspection at all times at the site of the work.

Sec. 4. In addition to the permit inspection fee, the Town shall charge a Connection Fee and System Development Charge. Original Users will be exempt from these fees.

Sec. 5. All costs and expense 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. 6. A separate and independent building sewer shall be provided for every building except where one building stands at the rear of another or an interior lot and no private sewer is available or can be constructed to the rear of the building through an adjoining alley, courtyard, or driveway; the building sewer from the front building may be extended to the rear building, if approved by the Town. For commercial or industrial connections, the Town may require the installation of a sewer manhole to access the service for wastewater monitoring purposes, or the Town may require the commercial/industrial user to connect directly to a manhole in the sewer main.

Sec. 7. Old building sewers may be used only when they are found, on examination and testing by the Town, to meet all requirements of this ordinance.

Sec. 8. The size and slope of a gravity building sewer shall be subject to the approval of the Town, but in no event shall the diameter be less than four (4) inches. The slope of the pipe shall not be less than one-eighth (1/8) inch per foot. The building sewer shall be laid at uniform grade and in straight alignment insofar as possible. Changes in direction shall be made only with manholes or pipe fittings, as approved by the Town. A clean out shall be located a minimum of four (4) inches above the basement

floor. Also, clean-outs shall be provided at bends greater than forty-five (45) degrees or at 50-foot maximum intervals.

Sec. 9. Pressure sewers may be used only when approved by the Town. Force mains shall be sized in accordance with pump station manufacturers' recommendations but in no instance shall be less than 2" in diameter. Pressure sewers shall be laid at a positive grade to avoid intermediate high points. Bends in the pipe should be avoided and alignment changes should be made with gradual sweeps.

Sec. 10. The depth shall be sufficient to afford protection from frost, but in no event less than three (3) feet deep. Insulation may be used to decrease depth if approved by the Town. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, a wastewater lift station and force main shall be used.

Sec. 11. The building sewer shall be ductile iron soil pipe, with rubber gasket joints, ASTM Specification A74 or Polyvinylchloride (PVC) pipe conforming to ASTM D2665 or D3034 and the strength requirements of SDR 35. Any part of the building sewer that is located within five (5) feet of a water service pipe shall be constructed of ductile iron soil pipe. The Town may require ductile iron pipe where the building sewer is exposed to damage by tree roots. If installed in filled or unstable ground, the building sewer shall be of ductile iron soil pipe, except if laid on a suitable concrete bed or cradle.

Sec. 12. All excavations required for the installation of a building sewer shall be open trench work unless otherwise approved by the Town. All excavations for a building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Street, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored by the property owner in a manner satisfactory to the Town.

Sec. 13. The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the Town, or procedures set forth in appropriate specifications of the A.S.T.M. and W.P.C.F. Manual of Practice no. 9. Before installation, the Town must approve any deviation from the prescribed procedures and materials.

Sec. 14. All joints and connections shall be made watertight and gas tight and of flexible design for exterior pipe runs. The first flexible joint shall be within two (2) feet of the outside face of the building wall.

Sec. 15. The connection of the building sewer into the public sewer shall be made at the "Y" or "T" branch, if such branch or tee is available at a suitable location. If no branch or tee is available, a connection may be made by tapping the existing sewer by the approved method (see Sec. 16.), then inserting an approved saddle.

Sec. 16. The procedure for tapping the main will include completion of the application to tap the main. The application must be approved by the company managing the waste treatment facility, the Commissioners, and the Selectmen, and the tap must be overseen by the company managing the waste treatment facility.

Sec. 17. No person shall have or make connections of roof drains, downspouts, foundation drains, areaway drains, basement drains, sump pumps, or other sources of surface runoff or groundwater, to a building sewer or building drain, which in turn is connected to a public sewer.

Sec. 18. The applicant for the building sewer permit shall notify the Town at least twenty-four (24) hours before beginning the work and also when the building sewer is ready for inspection and

connection to the public sewer. The connection shall be made under supervision of the Town or its representative.

Sec. 19. The alignment of sewer piping shall be selected to avoid privately owned drinking water wells. Maintain a minimum of 10' clearance between wells and sewer piping.

Sec 20. Notification of the completion of the work with certification that all conditions of the Sewer Ordinance have been complied shall be filed in writing with the Town within twenty-four (24) hours after the completion of the work covered by each permit. Each installation shall have a completed House Service form. At a minimum, this form shall include a sketch of the installation (plan view) with three (3) points of reference of the exit point from the house, changes in direction, clean-outs, connection point to the sewer service stub provided by the Town or Owner (Developer) and connection point to the sewer. It shall provide the depth of cover at all reference points and also shall provide the size and material of pipe.

ARTICLE V - Use of the Public Sewer

Sec. 1. No person shall discharge or cause to be discharged any unpolluted waters such as stormwater, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer, including, but not limited to, perimeter drains, basement drains, and sump pumps.

Sec. 2. Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers, or to a natural outlet approved by the Town.

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

- a. Any gasoline, benzene, MTBE, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas;
- b. Any waters or pollutants containing iron, chromium, copper, zinc, and similar objectionable or toxic substances in such quantities or concentrations that any such material received in the composite wastewater at the wastewater treatment plant exceeds limits established by the Town for such materials;
- c. Any waters or pollutants containing odor-producing substances exceeding limits which may be established by the Town;
- d. Waters or wastes containing toxic, infectious or poisonous solids, liquids, or gasses in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of a wastewater treatment plant;

- e. Waters or wastes having a pH lower than 6.0, or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the wastewater treatment plant;
- f. 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 wastewater treatment plant such as, but not limited to stone, gravel, ashes, cinders, sand, concrete, paving materials, mud, straw, sticks, plaster, cement, mortar, shavings, metal, glass, rags, feathers, tar, plastics, wood, synthetic or organic cleanup rags, paunch manure, hair and fleshings, entrails, paper dishes, cups, milk containers, diapers, sanitary napkins, etc, either whole or ground by garbage grinders;
- g. Any waters or pollutants, including oxygen-demanding pollutants (BOD, etc.), which are released in quantities of flow or concentrations or both constitute a "slug" as defined herein.
- h. Any heated waters or pollutants in amounts which will inhibit or interfere with biological activity in the wastewater treatment plant but in no case waters or pollutants in such quantities that the temperature at the wastewater treatment plant influent exceeds 104° Fahrenheit (40° Celsius); unless the wastewater treatment plant is capable of accommodating such heat.

Sec. 4. No person shall discharge or cause to be discharged the following described substances, materials, waters, or wastes if it appears likely in the opinion of the Town that such wastes can harm either the sewers, flows and velocities in the sewers, wastewater treatment process, or equipment, have an adverse effect on the receiving stream, or can otherwise endanger life, limb, public property, or constitute a nuisance. In forming their opinion as to the acceptability of these wastes, the Town will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials or construction of the sewers, nature of the wastewater treatment process, capacity of the wastewater treatment plant, degree of treatability of wastes in the wastewater treatment plant, and other pertinent factors. These substances include:

- a. Liquids or vapor having a temperature higher than one hundred fifty (150) degrees Fahrenheit (65 degrees Celsius);
- b. Water or waste containing fats, wax, grease, or oils, whether emulsified or not, in excess of twenty-five (25) mg/L or containing substances which may solidify or become viscous at temperatures between thirty-two (32) and one hundred fifty (150) degrees Fahrenheit (0 and 65 degrees Celsius);
- c. Garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths (3/4) horsepower or greater or in any commercial establishment or business shall be subject to the review and approval of the Town;
- d. Waters or wastes containing strong acid iron pickling wastes, or concentrated plating solutions whether neutralized or not;
- e. 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 wastewater at the wastewater treatment plant exceeds the limits established by the Town for such materials;

- f. Waters or wastes containing phenols or other taste or odor-producing substances, in such concentrations exceeding limits which may be established by the Town as necessary, after treatment of the composite wastewater, to meet the requirements of the State, Federal, or other public agencies or jurisdiction for such discharge to the receiving waters;
- g. Radioactive wastes or isotopes of such half-life or concentrations as may exceed limits established by the Town in compliance with applicable State or Federal regulations;
- h. Waters or wastes having pH in excess of 8.5;
- 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 sewer treatment plant;
 - 4. Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.
- j. Wastewater from cesspools or other receptacles storing organic wastes;
- k. Steam exhausts, boiler blowoffs, sediment traps, or pipes carrying hot circulating water;
- l. Waters or wastes containing substances which are not amenable to treatment or reduction by the wastewater treatment process employed, or are amenable to treatment only to such a degree that the sewer treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters;
- m. 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 wastewater facilities such as, but not limited to, ashes, bones, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, underground garbage, whole blood, paunch manure, hair and fleshings, entrails, and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.

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

- a. Reject the waters or pollutants,
- b. Require pretreatment to an acceptable condition for discharge to the public sewers, and/or
- c. Require control over the quantities and rates of discharged, and/or
- d. Require payment to cover the added costs of handling and treating the wastes.

When considering the above alternatives, the Town shall give consideration to the economic impact of each alternative on the discharger.

If the Town permits the pretreatment or equalization of waste flows, the design and installation of the pretreatment or equalization plants and equipment shall be subject to the review and approval of the Town, and subject to the requirements of all applicable codes, ordinances, laws, and the municipal discharge permit.

Sec. 6. Grease, oil and sand interceptors shall be provided when, in the opinion of the Town, they are necessary for the proper handling of liquid wastes, sand, or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units, unless otherwise determined by the Town. All interceptors shall be of a type and capacity approved by the Town, and shall be located as to be readily and easily accessible for cleaning and inspection. In the maintaining of these interceptors the owner(s) shall be responsible for the proper removal and disposal by appropriate means of the captured material and shall maintain records of the dates and means of disposal which are subject to review by the Town. Any removal and hauling of the collected materials not performed by the owner(s)' personnel must be performed by currently licensed waste disposal firms.

Sec. 7. Where preliminary treatment or flow-equalizing facilities are provided for any waters or wastes, the owner at his/her expense shall maintain them continuously in satisfactory and effective operation.

Sec. 8. When required by the Town, the owner of any property serviced by a building sewer carrying industrial pollutants shall install a suitable structure together with such necessary meters, and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such structure, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the Town. The structure shall be installed by the owner at his/her expense, and shall be maintained by the owner so as to be safe and accessible at all times.

Sec. 9. The Town may require a user of sewer services to provide information needed to determine compliance with this Ordinance. These requirements may include:

- a. Wastewater discharge peak rate and volume over a specified time period;
- b. Chemical analyses of wastewaters;
- c. Information on raw materials, processes, and products affecting wastewater volume and quality;
- d. Quantity and disposition of specific liquid, sludge, oil, solvent, or other materials important to sewer use control;

- e. A plot plan of sewers of the user's property showing sewer and pretreatment facility location.
- f. Details of wastewater pretreatment facilities.
- g. Details of systems to prevent and control the losses of materials through spills to the municipal sewer.

Sec. 10. All measurements, tests, and analyses of the characteristics of the waters and wastes to which reference is made in this ordinance shall be determined in accordance with federal regulation found at 40 CFR Part 136 or alternative methods approved by the United States Environmental Protection Agency (USEPA) and the Maine Department of Environmental Protection (MEDEP) in accordance with procedures set forth in 40 CFR Part 136, and shall be determined at the control manhole provided, or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, or another specific sampling point, 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 of life, limb, and property. The particular analyses involved will determine whether a twenty-four (24) hour composite of all outfalls of a premise is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analysis are obtained from twenty-four (24) hour composites of all outfalls whereas pH's are determined from periodic grab samples.

- a. All commercial establishments and industries discharging into a public sewer shall perform and pay for such monitoring of their discharges as the Town may reasonably require, including installation, use, and maintenance of monitoring equipment, keeping records, and reporting the results of such monitoring to the Town. Such records shall be made available upon request by the Town to other agencies having jurisdiction over discharges to the receiving waters.

Sec. 11. A Special Sewer Use Charge shall be assigned to any commercial establishment, industrial firm or organization that, by virtue of the volume, strength or unusual characteristic of their waste alone, would overload or upset the capacity or efficiency of the wastewater treatment facilities or any part thereof if such waste entered the public sewer. The Selectmen, after appropriate study, which might include advice from the Town's consulting engineer, shall assign a Special Sewer Use Charge to the commercial establishment, industrial firm or organization by separate agreement with the user. The applicable portions of the preceding sections, as well as the equitable rights of the public and users shall be the basis for such an arrangement.

Sec. 12. Sewer Use Charge rates shall be established by the Selectmen on a yearly basis. The Sewer Use Charge will be computed according to the Sewer Use Charge Ordinance, Appendix B of this ordinance. Such charges will be billed at regular intervals throughout each calendar year, as established by the Selectmen

Sec. 13. The Selectmen reserve the right, from time to time, to change Sewer Use Charges assigned to any property owner.

ARTICLE VI - Sewer Extensions

Sec. 1. All sewer extensions must be approved by the Board of Selectmen by the Town of Vinalhaven. The Board reserves the right to refuse proposals for sewer extensions.

Sec. 2 Sewer Extension Design and Construction Standards are to be used as guidance for all sewer extensions to the existing sewer system in Vinalhaven. The intent of these standards is:

- a. To provide uniform design of all sewer extensions;
- b. To assure quality in the sewer construction; and
- c. To attain adequate as-built and operation and maintenance information on new sewers and pump stations.

Sec. 3. All extensions to the existing sewer system shall be designed and constructed in accordance with these standards and, if necessary, must be approved by the Maine Department of Environmental Protection prior to Town acceptance.

Sec. 4. Sewer extensions, including individual building sewers from the sewer to the property line, may be constructed by the Town under public contract, if, in the opinion of the Selectmen, the number of properties to be served by such extension warrants its cost, including possible expansion of the treatment facilities. Under this arrangement the property owner shall pay for the installation of the building sewer from the property line to his or her residence or place of business in accordance with the requirements of Article IV. Property owners may propose sewer extensions within the Town by drafting a written petition, signed by a majority of the benefiting property owners, and filing it with the Town. The cost of such extensions may be assessed to the benefited property owners in any manner determined by the Town.

Sec. 5. If the Town does not elect to construct a sewer extension under public contract, the property owner, building contractor, or developer may construct the necessary sewer extension, if such extension is approved by the Town in accordance with the requirements of Article VI, Section 1. He, she, or they must pay for the entire installation, including all expenses incidental thereto. Each building sewer installed must be installed and inspected as previously required and the inspection fees shall be paid. Design of sewers shall be as specified in Appendix C. The installation of the sewer extension must be subject to periodic inspection by the Engineer chosen by the Town and the expenses for this inspection shall be paid for by the owner, building contractor, or developer. The Engineer's decisions shall be final in matters of quality and methods of construction. The sewer, as constructed, must pass the leakage test required in Appendix C.

Sec. 6. All sewer extensions shall require the payment of fees described in Article IV Sec. 4.

ARTICLE VII - 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 works. Any person violating this provision shall be subject to immediate arrest under the charge of criminal mischief as set forth in M.S.R.A., Title 17-A, Chapter 33§ 806.

ARTICLE VIII - Powers and Authority of Inspectors

Sec. 1. The Town and other duly authorized employees of the Town bearing proper credentials and identification shall be permitted to enter all properties at reasonable times for the purposes of inspection, observation and measurement, sampling and testing in accordance with the provisions of this ordinance.

Sec. 2. The Town or its representative is authorized to obtain information concerning industrial processes that have a direct bearing on the kind and source of discharge to the wastewater facilities. The industry may request that such information be kept confidential. The industry must establish that the revelation to the public of the information in question might result in an advantage to competitors.

Sec. 3. While performing the necessary work on private properties referred to in Article VIII, Section 1 above, the Town or duly authorized employees of the Town shall observe all safety rules applicable to the premises established by the company and the company shall be held harmless for injury or death to the Town employees and the Town shall indemnify the company 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 company and growing out of the gauging and sampling operation, except as may be caused by negligence or failure of the company to maintain safe conditions as required in Article V, Section 8.

Sec. 4. The Town and other duly authorized employees of the Town bearing proper credentials and identification shall be permitted to enter all private properties through which the Town holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair and maintenance of any portion of the sewage works lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

ARTICLE IX - Penalties

Sec. 1 Any person found to be violating any provision of this Ordinance except Article VII, shall be served by the Town with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in the notice, permanently cease all violations.

Sec. 2. Any person who shall continue any violation beyond the time limit provided for in Section 1 of this Article, shall be guilty of a misdemeanor, and on conviction thereof shall be fined for each violation. The upper and lower limits of the fine shall be as defined in the fee schedule adopted by the Selectmen. Each day in which any such violation shall continue after the period of time stated in the notice shall be deemed a separate offense.

Sec. 3. Any person violating any of the provisions of the Ordinance shall become liable to the Town for any expense, loss, or damage occasioned by the Town by reason of such offense.

Sec. 4. Notwithstanding any of the foregoing provisions, the Board of Selectmen may institute any appropriate action including injunction or other proceedings to prevent, restrain, or abate violations hereof.

Sec. 5. There shall be a lien to secure the payment of sewer charges legally assessed on real estate within the Town, which shall take precedence over all other claims on such real estate, excepting only claims for taxes.

The Treasurer of the Town shall have the authority and power to sue for and collect the sewer charges in accordance with MRSA Title 38, Chapter 11, Section 1208.

ARTICLE X - Validity and Authority

Sec. 1. All ordinances or parts of ordinances in conflict with this Sewer Use Ordinance are hereby repealed.

Sec. 2. The invalidity of any section, clause, sentence or provision of this ordinance shall not affect the validity of any other part of this ordinance, which can be given effect without such invalid parts, or parts.

Sec. 3. The Town of Vinalhaven Selectmen shall and are hereby authorized to adopt from time to time rules and regulations, consistent with the existing Sewer Ordinance, pertaining to the maintenance and operation of the wastewater facilities.

ARTICLE XI - Ordinance in Force

Sec. 1. The ordinance shall be in full force and effect when adopted by the legislative body of the Town of Vinalhaven.

Sec. 2. The Town of Vinalhaven voted to adopt this Ordinance on September 14, 2009.

Attest:

(signed) _____ (Clerk)

APPENDIX A

APPLICATION AND PERMIT FORMS

*[THIS SECTION WILL INCLUDE APPLICATIONS FOR THE CONNECTION OF
RESIDENTIAL/COMMERCIAL/INDUSTRIAL BUILDING SEWERS TO THE TOWN'S SYSTEM
AND WILL BE ADOPTED AND MODIFIED AS NEEDED BY THE SELECTMEN]*

APPENDIX B

SEWER USE CHARGE ORDINANCE

SECTION 1

The following terms as used in this article shall have the following meanings:

“Annual Debt and Reserve Cost” - the fee established each year by the Selectmen to pay the retirement of the Debt costs of the wastewater collection, transportation, and treatment facilities owned by the town of Vinalhaven and the established reserve account for future capital improvements and replacements. This cost shall be calculated by dividing the yearly debt and reserve by the anticipated number of Equivalent Users for the year

“Connection Fee” shall mean the lesser of the cumulative total of annual debt cost charges made since the start up of the sewer system or 10 (ten) times the debt cost charge for the year during which the connection permit is requested

"Equivalent User" is a measure used to quantify the wastewater flow at each location with a single-family dwelling unit being " one " and all other uses being multiples of that based on the anticipated maximum flow. The minimum Equivalent User per connection shall be one. Equivalent User numbers more than one will be calculated to the nearest one-half (.5).

“Operation and Maintenance Cost” - the fee established each year by the Selectmen to pay for the Operation and Maintenance (O & M) of the collection and transport system, reserve accounts and treatment facilities in Vinalhaven. This cost will be established in two parts. One part is a fixed rate per Equivalent User and the other part is a rate per gallon of wastewater generated by the property. Water usage records of the Vinalhaven Water District shall be used as the measure of wastewater generated unless abated by the Selectmen as authorized below in Section 9 of this Sewer Use Charge Ordinance. The O & M Cost for each property shall be the total of the costs of both parts.

“Original User” shall mean Users who were designated as Users within 180 days of the sewer becoming operational.

"System Development Charge" shall mean a charge established by the Selectmen of the Town of Vinalhaven to provide funds to finance capital outlays for the expansion of the treatment facility and transmission system.

SECTION 2

Residents or businesses outside the Sewer Service Area may, at their own expense, extend sewer service to their properties provided that the extension is approved by the Board of Selectmen of the Town of Vinalhaven and is designed and constructed in accordance with the Town of Vinalhaven Sewer Use Ordinance.

SECTION 3

The Town shall charge a Permit and Inspection fee, a Connection Fee, and a System Development Charge for all hook ups. Original Users will be exempt from the Connection Fee and System Development Charge.

SECTION 4

The source of revenue for retiring debt costs of the wastewater collection, transport and treatment facilities plus the establishment of a reserve account for future capital improvements and replacements shall be recovered by assessing the Annual Debt and Reserve Cost to the users of the facilities on an Equivalent User basis. The O & M Costs will be recovered from Sewer Use Charges assigned to the residences and places of business connected to the public sewer system based on a combination of fixed fees per Equivalent User plus water usage.

SECTION 5

Sewer Use Charge rates shall be established by the Selectmen on a yearly basis. The Sewer Use Charge will be computed and billed at regular intervals throughout each calendar year, as established by the Selectmen. For the interval so established, the charges for the Operating & Maintenance Costs and the charges for the Debt and Reserve Costs will be included in one bill. Additional amounts for Development Fees, System Development charges, hookup loan repayment charges, penalty charges, or other assessments may be included when authorized by the Selectmen. All Users will contribute to the annual Debt and Reserve costs, whether or not they are connected to the sewer system (Refer to Sewer Use Ordinance Article I, Section 48 and Article 2, Section 5 and Section 9). User charges for seasonal customers will not be prorated based on part-time occupation for either the Annual Debt and Reserve Cost or the Operations & Maintenance Cost.

a. An Equivalent User number will be established for each property that is hooked up to the sewer or required to hook up by the articles of this ordinance. The method for assessing the Equivalent User number is described below in Section 11 if this Sewer Use Charge Ordinance, Appendix B. The Equivalent User number will be reviewed each year.

b. Operating & Maintenance Costs: The O & M assessment for each property shall be the total of two costs, a fixed cost and a variable cost. The fixed cost portion of the O & M costs approximates the fixed costs of operations. It will be assessed on each property by a fixed fee for each interval or period established by the Selectmen multiplied by the Equivalent User number assigned to the specific property. The variable cost portion of the O & M cost shall be the actual usage of wastewater for the interval or period as measured by the Vinalhaven Water District water usage records multiplied by the variable usage rate established by the Selectmen. . The Selectmen shall establish a flat rate use charge to be applied on a yearly basis to those users not serviced by a water meter. This flat rate charge shall be based on the Equivalent User number assigned to the specific property multiplied by the average residential user (1 Equivalent User) charge in the Town of Vinalhaven.

b. Debt and Reserve Accounts: Retirement of debt costs and establishment of reserve accounts: A minimum Sewer Use Charge shall be established by the Selectmen to allow equitable allocation of debt costs and the reserve account to all system Users. This minimum charge shall also be billed to Users (Refer to the Sewer Use Ordinance Article 1, Section 48 and Article 2, Section 5 and Section 9), but are not currently connected to the sewer system. This rate charge shall be based on the Equivalent User number assigned to the specific property.

SECTION 6

The Sewer Use Charge assigned to any property owner who contributes a significant quantity of commercial or industrial wastes to the public sewers, or who contributes a combination of sewage and industrial wastes to the public sewers, shall be determined on a special rate structure based on water consumption where possible or set by the Selectmen. The Sewer Use Charge to be charged in this manner will be determined on a year-to-year basis.

SECTION 7

A Special Sewer Use Charge shall be assigned to any commercial establishment, industrial firm or organization that, by virtue of the volume, strength or unusual characteristic of their waste alone, would overload or upset the capacity or efficiency of the wastewater treatment facilities or any part thereof if such waste entered the public sewer. The Selectmen, after appropriate study and advice from the Town's consulting engineer, shall assign a Special Sewer Use Charge to the commercial establishment, industrial firm or organization by separate agreement with the user. The applicable portions of the preceding sections, as well as the equitable rights of the public and users shall be the basis for such an arrangement.

SECTION 8

The Selectmen reserve the right, from time to time, to change Sewer Use Charges assigned to any property owner.

SECTION 9

Selectmen may consider abatements of Sewer Operation and Maintenance Costs. In the event that a property owner discharging wastes into the collection system produces evidence, satisfactory to the Selectmen, demonstrating that a substantial portion of the total amount of metered water does not reach the collection system, the Selectmen shall: a) establish a percentage of the total metered water to be used as a basis for computations of any credit to be allowed, b) determine a specific quantity to be used as a basis for computing a credit for a single non-reoccurring use, or c) direct the installation of appropriate flow measuring (and totalizing) devices to measure and record the actual amount of flow into the collection system in order to adjust the Sewer Operation and Maintenance Costs. Abatements shall be granted only for the O & M portion of the Sewer Use Charge.

SECTION 10

There shall be a lien to secure the payment of sewer charges legally assessed on real estate within the Town, which shall take precedence over all other claims on such real estate, excepting only claims for taxes.

The Treasurer of the Town shall have the authority and power to sue for and collect the sewer charges in accordance with MRSA Title 38, Chapter 11, Section 1208.

SECTION 11

Estimated flow for one equivalent user is 110 gallons per day, based on water meter data provided by the Vinalhaven Water District for the year 1999. Design flow for the sewer system was established at 165 gallons per day. Based on appropriate growth and peaking factors.

All properties will be assessed an equivalent user number based upon the following chart.

SCHEDULE OF EQUIVALENT USERS

TYPE OF ESTABLISHMENT	UNIT MEASUREMENT	EQUIVALENT USERS
Single Family Dwelling	Each	1
Additional Dwelling Unit	each	1
High School	15 students	1
Jr. High School	20 students	1
Elementary School	24 students	1
Motel, Hotel, B & B	2 rooms	1
-Conventional Restaurant		
3 meals/day	6 seats	1
2 meals/day	10 seats	1
1 meal/day	12 seats	1
Disposable Utensil Restaurant	12 seats	1
Church dining seats	30 seats	1
assembly seats	50 seats	1
Club	40 members	1
Day care w/ meals	9 children	1
Public Meeting/ Assembly Hall w/o food service	50 seats	1
w/ food service	30 seats	
Commercial/Industrial facility	5 employees	1
Government facility	5 employees	1
Ferry terminal	60 passengers	1
Gas Station	1 pump island	2
Theatre or Playhouse	40 seats	1
Laundromat	1 machine	2
Cocktail Lounge	10 seats	1
Beauty/Barber Shop	2 sinks	1

Car Wash (w/ recycle)	1 bay	1
Hospital or Nursing/Boarding Home	2 bed	1
Store with Public Restroom	Each	2
Store w/o Public Restroom	each	1
Store w/ food service	each	2
additional for seating	12 seats	1
Multi-Use Buildings Business of 1-2 employees = 1 employee equivalent More than 2 employees count alone	5 employees	1

Equivalent User numbers for types of establishments not listed shall be based on establishments with similar functions and/or estimated wastewater production. Estimated wastewater design flows are listed in the State of Maine Subsurface Wastewater Disposal Rules, 144A CMR 241.

All properties will be evaluated as closely as possible to the chart. Annually, the Sewer commission and Selectmen shall review the properties to determine the appropriate Equivalent User number for the ensuing year. The review shall consider the present use of the property and the actual usage during the previous year. If there is reason to believe that the present use is different from the use upon which the Equivalent User number was assigned, the property owner may be requested to provide information sufficient to determining the appropriate Equivalent User number from the above chart. In addition, if, during the past calendar year, the daily use during the highest use quarter, as measured by the water bills of the Vinalhaven Water District, exceeded the estimated usage for that property (estimated usage equals 110 gallons per day times the equivalent user number assessed by using the chart), that property shall be assessed an additional one-half (.5) equivalent user for each additional 110 gallons per day that the usage exceeded the estimated usage for that property. As an example, if a property with an equivalent user number of one (1) used 175 gal per day in a quarter of the previous calendar year, the amount that the usage exceeds the estimated usage of 110 (estimated usage equals 110 times 1 equivalent user) would be 65 gal per day. Since this is less than 110 gal per day the property would remain assessed at one (1) equivalent user. If that property used 250 gal per day in a quarter of the previous calendar year, that property would exceed the estimated usage by 140 gal per day. Since that is over 110 gal per day but under 220 gal per day the property would be assessed an additional one-half (.5) equivalent user and would be assessed 1.5 equivalent users for the ensuing year. Any property that has been assessed additional equivalent users under this paragraph will be review annually using the methodology of this paragraph to determine whether the additional assessment should continue.

In addition, each year, properties will be reviewed to determine whether the equivalent user evaluation based upon the chart is too high. If 150% of the daily use (based on the highest use quarter of the previous calendar year) divided by 110 gallons per day is less than the schedule indicates, the calculated amount will be used to determine their “equivalent users” for the ensuing year. The minimum equivalent user is 1 and is always rounded up to the next one-half (.5). Any reduction pursuant to this paragraph will be reviewed each year to determine if the property continues to qualify for the reduction for the next year.

Example

One equivalent user is projected to use 110 gallons per day.

Suppose Business A has been evaluated on the schedule as 5 equivalent users, or 550 gallons per day. Business A presents its water bills for the previous year, and it is show that in the 3rd Quarter (the highest use period) they used only 210 gallons per day. Therefore, 210 gallons per day @ 150% is 315 gallons per day – divided by 110 gallons per day = 2.86 equivalent users, rounded up to 3 equivalent users. Therefore, this business would be charged as 3 equivalent users for the coming year rather than 5 equivalent users.

USER FEE SCHEDULE AND
SYSTEMS DEVELOPMENT CHARGE
WILL BE ADOPTED AND MODIFIED AS NEEDED BY THE SELECTMEN

APPENDIX C

SEWER EXTENSION DESIGN AND CONSTRUCTION STANDARDS
STANDARD CONSTRUCTION DETAILS
STANDARD CONSTRUCTION FORMS
WILL BE ADOPTED AND MODIFIED AS NEEDED BY THE SELECTMEN