

SEWER USE ORDINANCE  
FOR THE  
TOWN OF BROWNVILLE

Adopted: September 13, 1989  
Revised: August 27, 2008

*Attest: True  
Copy  
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**TABLE OF CONTENTS**  
**SEWER USE ORDINANCE**

		<u>Page No.</u>
Article I	Definitions	1
Article II	Abbreviations	6
Article III	Liability Insurance Required	8
Article IV	Use of Public Sewers Required	9
Article V	Private Wastewater Disposal	10
Article VI	Building Sewers and Connections	11
Article VII	Use of Public Wastewater Facilities	15
Article VIII	Wastewater Facilities System Extensions	22
Article IX	Protection From Damage	29
Article X	Powers and Authority of Inspectors	30
Article XI	Penalties	31
Article XII	Sewer Use Charges	32
Article XIII	License	34
Article XIV	Validity	35
Appendix A	Sample Applications for Building Sewer Permits	36

TOWN OF BROWNVILLE  
ORDINANCE

ORDINANCE FOR 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 WASTE INTO THE PUBLIC SEWER SYSTEM; AND PROVIDING PENALTIES FOR VIOLATIONS THEROF: IN THE TOWN OF BROWNVILLE, COUNTY OF PISCATAQUIS,

Be it enacted by the Selectmen of the Town of Brownville as follows:

**ARTICLE I**  
**Definitions**

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

- Section 1. "Biochemical Oxygen Demand (BOD)" shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20°Celsius, expressed in milligrams per liter.
- Section 2. "Board of Selectmen" shall mean the duly elected Selectmen of the Town of Brownville, or their authorized representative.
- Section 3. "Building" shall mean a structure built, erected and framed of component structural parts designed for the housing, shelter, enclosure, or support of persons, animals, or property of any kind.
- Section 4. "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. The building drain extends eight (8) feet (2.44 meters) outside the inner face of the building wall.
- Section 5. "Building Sewer" shall mean the extension from the building drain to the public sewer or other place of disposal, also called house connection.
- Section 6. "Combined Sewer" shall mean a sewer intended to receive both wastewater and storm or surface water.
- Section 7. "Contractor" shall mean any entity engaged in construction of building sewer, storm drains, or sewer extensions within the area governed by the Town

- Section 8. "Easement" shall mean an acquired legal right for the specific use of land owned by others.
- Section 9. "Engineer" shall mean the Professional Engineer retained by the Town of Brownville. In the event the Town has not retained an Engineer, the term "Engineer" as used herein will be construed to mean the Superintendent of the Town of Brownville.
- Section 10. "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.
- Section 11. "Garbage" shall mean the animal and vegetable waste resulting from the handling, preparation, cooking, and serving of food.
- Section 12. "Industrial Wastes" shall mean the wastewater from industrial processes, trade or business as distinct from domestic or sanitary wastes.
- Section 13. "Living Unit" means one or more rooms arranged for the use of one or more individuals living together as a single housekeeping unit, with cooking, living, sanitary and sleeping facilities.
- Section 14. "Motel Unit" means a room or rooms which are directly accessible from an outdoor parking area.
- Section 15. "Natural Outlet, shall mean any outlet, including storm sewers and combined sewer overflows, into a watercourse, pond, ditch, lake or other body of surface of groundwater.
- Section 16. "On-site Systems" shall mean sub-surface disposal wastewater systems as defined by the State of Maine Plumbing Code, Part II Subsurface Wastewater Disposal Rules, Chapter 241, as amended.
- Section 17. "Person" shall mean any individual, firm, company association, society, corporation, municipal or quasi-municipal agency, state agency, federal agency or other legal entity.
- Section 18. "pH" shall mean the logarithm of the reciprocal of the hydrogen-ion concentration. The concentration is the weight of hydrogen ions, in grams, per liter of solution. Neutral water, for example, has a pH value of 7 and a hydrogen-ion concentration of  $10^{-7}$ .

- Section 19. "Pollutant" Shall include but is not limited to dredged spoil, solid waste, junk, sewage sludge, munitions, chemicals, biological or radiological materials, oil, petroleum products or by-products, heat, wrecked or discarded equipment, rock, sand, dirt, and industrial, municipal, domestic, commercial, or agricultural wasted of any kind.
- Section 20. "Properly Shredded Garbage" shall mean the wasted from the handling, preparation, cooking, and serving of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half (1/2) inch (1.27 centimeters) in any dimension.
- Section 21. "Property Line" shall mean the edge of the street right-of-way if the building sewer is to connect with the public sewer in a public street. "Property Line" shall mean the edge of a sewer easement in those instances where the building sewer connects to the public sewer in a sewer easement.
- Section 22. "Public Sewer" shall mean a common sewer owned, operated, and maintained by public authority, or governmental agency.
- Section 23. "Sanitary Sewer" shall mean a sewer that carried liquid and water-carried wasted from residences, commercial buildings, industrial plants and institutions together with minor quantities of ground, storm, and surface waters that are not admitted intentionally.
- Section 24. "Sewer" shall mean a pipe or conduit that carries wastewater or drainage water.
- Section 25. "Shall" is mandatory; "May" is permissive.
- Section 26. "Slug" shall mean any discharge of water, or wastewater which in concentration of any given constituent or in quantity of flow exceeds for any periods of duration longer than fifteen (15) minutes, more than five (5) times the average twenty-four (24) hour concentration or flows during normal operation and adversely affect the collection system and/or performance of the wastewater treatment works.
- Section 27. "Storm Drain" (sometimes termed "Storm Sewer") shall mean a drain or sewer for conveying water, groundwater, subsurface water, or unpolluted water from any source.
- Section 28. "Superintendent" shall mean the Superintendent of wastewater facilities of the Town of Brownville or his authorized deputy, agent, or representative. Unless otherwise determined by the Town Selectmen, the duties of the Superintendent shall be performed by the Town Manager.

- Section 29. "Suspended Solids" shall mean total suspended matter that either floats on the surface of, or is in suspension in, water, wastewater or other liquids, and that is removable by laboratory filtering as prescribed in "Standard Methods for the Examination of Water and Wastewater" published by the American Public Health Association and referred to as nonfilterable residue.
- Section 30. "Town" shall mean the Town of Brownville.
- Section 31. "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 sanitary sewers and waste water treatment facilities provided.
- Section 32. "Wastewater" shall mean the spent water of a community. From the standpoint of source, it may be a combination of the liquid and water-carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground, surface and stormwaters as may be present.
- Section 33. "Wastewater treatment plat" shall mean an arrangement of devices and structures for treating wastewater, industrial waste, and sludge.
- Section 34. "Wastewater facilities" shall mean the structures, equipment, and processes required to collect, carry away, and treat domestic and industrial wastes and dispose of the effluent.
- Section 35. "Water Course" shall mean a natural or artificial channel for the passage of water either continuously or intermittently.

## ARTICLE II

### Abbreviations

For the purpose of this ordinance the following abbreviations shall have the meaning ascribed to them under this article. References to standards of the following organizations shall refer to the latest edition of same.

- Section 1. ANSI shall mean American National Standards Institute.
- Section 2. ASME shall mean American Society of Mechanical Engineers.
- Section 3. ASCE shall mean American Society of Civil Engineers.
- Section 4. ASTM shall mean American Society for Testing and Materials.
- Section 5. AWWA shall mean American Water Works Association.
- Section 6. cm shall mean centimeter.
- Section 7. CS shall mean Commercial Standards.
- Section 8. °Celsius shall mean degrees celsius.
- Section 9. °Fahrenheit shall mean degrees Fahrenheit.
- Section 10. DEP shall mean State of Maine Department of Environmental Protection.
- Section 11. EPA shall mean United States Environmental Protection Agency.
- Section 12. ICR shall mean Industrial Cost Recovery.
- Section 13. kg shall mean kilograms.
- Section 14. l shall mean liters.
- Section 15. M shall mean meter.
- Section 16. mg/l shall mean milligrams per liter.
- Section 17. NEIWPC shall mean New England Interstate Wastewater Pollution Control Commission.
- Section 18. NPC shall mean National Plumbing Code.



Section 19. ppm shall mean parts per million.

Section 20. sq m shall mean square meter.

Section 21. WPCF shall mean Water Pollution Control Federation.

## ARTICLE III

### Liability Insurance Required

Section 1. A contractor engaged in construction must present to the Town a Certificate of Insurance showing minimum liability coverage of \$500,000 for bodily injury and \$250,000 for property damage including collapse and underground coverage before a permit will be issued for construction of building sewers, storm drains, or sewer extensions. Higher coverage may be required by the Town when circumstances reasonably require it. The Town shall be notified prior to cancellation of the policy.

## ARTICLE IV

### Use of Public Sewers Required

- Section 1. It shall be unlawful for any person to place, deposit, or permit to be placed or deposited in any unsanitary manner on public or private property within the territory of the Town of Brownville, any human or animal excrement, garbage, or other objectionable waste.
- Section 2. It shall be unlawful to discharge to any natural outlet within the territory of the Town of Brownville, any wastewater or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of these rules and regulations and the requirements of the State of Maine.
- Section 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.
- Section 4. The owner(s) of all buildings, or other properties used for human occupancy, employment, recreation, or other purposed, situated within the territory of the Town of Brownville and abutting on any street, alley, or right-of-way in which there is now located or may in the future be located a public sanitary sewer of the Town, is hereby required at the owner's expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer, and if feasible, with a separate connection for each house or building, in accordance with the provisions of these rules and regulations, within 90 days after date of official notice to do so, provided that said public sewer is within 200 feet of the structure to be served, unless undue hardship would result in which case the property owner should request in writing a deferral of these requirements and the owner shall be required to demonstrate the nature and degree of hardship.
- Section 5. The owner(s) of buildings or other properties as described hereinbefore in Section 4, and located adjacent to a sewer installed in conjunction with the on-site systems owned and operated by the Town in Brownville Village, shall not connect to the sewer without the consent of the Town.

## ARTICLE V

### Private Wastewater Disposal

- Section 1. Where a public sanitary sewer is not available under the provisions of Article IV, Section 4, the building sewer shall be connected to a private wastewater disposal system complying with the provisions of this article and the State of Maine Plumbing Code, Part II Subsurface Wastewater Disposal Rules, Chapter 241, as amended.
- Section 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 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 appropriate inspection fee shall be paid to the plumbing inspector at the time the application is filed.
- Section 3. The type, capacities, location, and layout of a private wastewater disposal system shall comply with the State of Maine's Plumbing Code, Part II, Subsurface Wastewater Disposal Rules 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.
- Section 4. The owner shall operate and maintain the private wastewater disposal facilities in a sanitary manner at all times, at no expense to the Town.
- Section 5. On-site wastewater disposal systems installed and owned by the Town in Brownville Village shall be operated and maintained by the Town. Building or property owners using an on-site wastewater disposal system installed, owned, operated and maintained by the Town shall pay a user fee in accordance with the application sections of Article XII of this Sewer Use Ordinance.

## ARTICLE VI

### Building Sewers and Connections

Section 1. No 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 Superintendent.

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 Superintendent at least forty-five (45) days prior to the proposed change or connection, and shall comply with Maine Revised Statutes Annotated, Title 38, Chapter 3, Subchapter I, Section 361, as amended.

Section 2. There shall be two (2) classes of building sewer permits: (a) for residential and commercial service, and (b) for service to establishments producing industrial wastes. In either case, the owner or his agent shall make application on a special form furnished by the Town. The permit applications shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Engineer. A permit and inspection fee of \$30.00 for a single residential sewer permit, plus \$5.00 for each additional living unit incorporated in the same residential structure, shall be paid to the Town at the time an application is filed; provided, however, that not more than four (4) living units may be connected to a single tap. The Board of Selectmen shall fix a permit and inspection fee for each commercial, industrial, or other non-residential building, after recommendation of the Engineer, based on the size and nature of the operation proposed as compared to the demands of a single residential structure.

Section 3. All costs and expenses incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the Town from any loss or damage which may directly or indirectly be occasioned by the installation of the building sewer and all building sewers shall be the property of the landowner.

Section 4. A separate and independent building sewer shall be provided for every building requiring a sewer connection; except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer. Where building sewer for each group of four (4) living units.

- Section 5. Old building sewers may not be reused if connected to public sewers which were installed with EPA, DEP and/or FmHA grant funds. Old building sewers which will be connected to public sewers other than those funded by the EPA, DEP and/or FmHA, may be used only when they are found, on examination and testing by the Superintendent, to meet all requirements of these rules and regulations. Testing shall be in accordance with Article VIII, Section 5. All costs for inspection and testing shall be paid by the Owner.
- Section 6. The building sewer shall be extra heavy cast iron soil pipe and fittings conforming to ASTM A74, or polyvinyl chloride (PVC) pipe conforming to ASTM D2665 or D3034.
- Section 7. The size and slope of the building sewer shall be subject to the approval of the Superintendent, but in no event shall the diameter be less than four (4) inches, nor shall the slope of the pipe be less than one-eighth (1/8) inch per foot.
- Section 8. Whenever possible the building sewer shall be brought to the building at an elevation below the basement floor. The depth shall be sufficient to afford protection from frost, but in no event shall be less than four (4) feet. Insulation may be used to decrease depth if approved by Superintendent. The building sewer shall be laid at uniform grade and in straight alignment insofar as possible. Changes in direction shall be made only with property curved pipe and fittings. The ends of building sewers which are not connected to the building drain for the structure for any reason, shall be sealed against infiltration by a suitable stopper, plug, or other approved means. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sewage or industrial wastes carried by such drain shall be lifted by approved mechanical means and discharged to the building sewer.
- Section 9. No persons(s) shall make connection of roof downspouts, submersible pumps, exterior foundations drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to the public sanitary sewer. All such existing connections shall be removed prior to connection of the building sewer or drain to the public sanitary sewer. This shall apply to all new and existing building sewers and drains whether connected to and existing public sanitary sewer or a new sanitary sewer.
- Section 10. All excavations required for the installations of a building sewer shall be open trench work unless otherwise approved by the Superintendent. Pipe laying and backfill shall be performed in accordance with ASTM C12 except that no backfill shall be placed until the work has been inspected by

the Superintendent; and that trench width measured at the top of the installed pipe shall not exceed twenty-four (24) inches.

- Section 11. All joints and connections shall be made gas tight and watertight.
- Section 12. The connection of the building sewer into an existing public sewer shall be made at the property line. The connection of the building sewer from the property line to the sewer main will be by the Town of Brownville but shall be paid for by the Owner unless otherwise approved by the Selectmen. Connection of building sewers from the property line to a new sewer main, installed by the Town, shall be by the Town and at the Towns' expense. The cost of maintenance of the building sewer from the building drain to the sewer main shall be borne by the building owner.
- Section 13. The applicant for the building sewer permit shall notify the Superintendent when the building sewer is ready for inspection and connection to the public sewer. The connection and testing shall be made under the supervision of the Superintendent or his representative.
- When trenches are opened for the laying of building sewer pipes, such trenches shall be inspected by the Superintendent before the trenches are backfilled; and the person performing such work shall notify the Superintendent when the installation of the building sewer is completed. If the trench is backfilled before inspection, the Superintendent will require it to be re-excavated for inspection.
- Section 14. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Town.
- Section 15. When any building sewer is to serve a school, hospital, public building or similar institutions, or is to serve a complex of industrial or commercial buildings, or which, in the opinion of the Superintendent, will receive sewage or industrial wastes of such volume or character that frequent maintenance of said building sewer is anticipated, then such building sewer shall be connected to the public sewer through a manhole. The Superintendent shall determine if and where this type of connection to the public sewer is required. Connections to existing manholes shall be made as directed by the Superintendent. If required, a new manhole shall be installed in the public sewer pursuant to Article VIII, Section 4 and the building sewer connection made thereto as directed by the Superintendent.
- Section 16. The Town will consider any special situation, where it would be more feasible to connect a maximum of five (5) seasonal cottages, cabins, etc. into a single building sewer. The Owner of the seasonal property shall

request a review of any special situations in writing, to the Superintendent. The Superintendent's approval or disapproval shall be in writing.

Section 17. Manholes and cleanouts shall be backfilled with "Screened Gravel" as specified in the Sewer User Ordinance, Article VIII, Section 4, Paragraph h. Gravel backfill shall extend to a minimum of one foot outside of the structures. Cleanouts shall be constructed as directed by the Superintendent.

Section 18. On-site wastewater disposal systems, either private or owned and operated by the Town, shall only be expanded as allowed by and in accordance with applicable provisions of the State of Maine Plumbing Code, Part II Subsurface Wastewater Disposal Rules, Chapter 241, as amended.



## ARTICLE VII

### Use of Public Wastewater Facilities

- Section 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.
- Section 2. Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers, or to a natural outlet as approved by the Superintendent. Unpolluted industrial cooling water or process waters may be discharged, on approval of the Superintendent, to a storm sewer, combined sewer, or natural outlet and the discharge shall comply with Maine Revised Statutes Annotated, Title 38, Chapter 3, Section 413.
- Section 3. No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:
- a. Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas which will create a fire or explosive hazard in the wastewater facilities.
  - b. Any waters or pollutants 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 waste treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the wastewater treatment plant.
  - c. Any waters or pollutants having a pH lower than 5.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the wastewater works; unless the works are specifically designed to accommodate such discharges.
  - d. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operations 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, paper dishes, cups, milk containers, etc. either whole or ground by garbage grinders.

- e. Any waters or pollutants including oxygen demanding pollutants (BOD, etc.) which released in quantities of flow or concentrations or both constitute a "slug" as defined herein.
- f. Any heated waters or pollutants in amounts which will inhibit or interfere with biological activity in the wastewater treatment works but in no case heated waters or pollutants in such quantities that the temperature at the wastewater treatment works influent exceeds 104° Fahrenheit (40° Celsius).

Section 4. The following described substances, material, waters, or pollutants shall be limited in discharges to municipal systems to concentrations or quantities which will not harm either the sewers, wastewater treatment process or equipment, will not have an adverse effect on the receiving stream, or will not otherwise endanger lives, limb, public property, or constitute a nuisance. The Superintendent may set limitations lower than the limitations established in the regulations below if in his opinion more severe limitations are necessary to meet the above objectives. In forming his opinion as to the acceptability, the Superintendent will give consideration to such factors as the quantity of subject wastes in relations to flows and velocities in the sewers, the wastewater treatment process employed, capacity of the wastewater treatment process employed, capacity of the wastewater treatment plant, degree of treatability of the waste in the wastewater treatment plant, and other pertinent factors. The limitations or restrictions on waste or wastewaters discharged to the sanitary sewer which shall not be exceeded without approval of the Superintendent are as follows:

- a. Wastewater having a temperature higher than 150° Fahrenheit (65° Celsius).
- b. Wastewater containing more than twenty-five (25) milligrams per liter of petroleum oil, nonbiodegradable cutting oils, or product of mineral oil origin.
- c. Wastewater from commercial establishments or industrial plants containing floatable oils, fat, or grease shall not be discharged to a public sewer without pretreatment as approved by the Superintendent.
- d. Any garbage that has not been properly shredded (as defined in Article 1, Section 19). Garbage grinders may be connected to sanitary sewers from homes, hotels, institutions, restaurants, hospitals, catering establishments or similar places where garbage originates from the preparation of food in kitchens for the purpose of consumption on the premises or when served by caterers.

- e. 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 for such materials which may be established by the Superintendent.
- f. Any waters or pollutants containing odor-producing substances exceeding limits which may be established by the Superintendent.
- g. Any radioactive wastes or isotopes of such half-life or concentrations as may exceed limits established by the Superintendent in compliance with applicable State or Federal regulations.
- h. Quantities of flow, concentrations, or both which constitute a "slug" as defined herein.
- i. Waters or pollutants containing substances which are not amenable to treatment or reduction by the wastewater treatment processes employed, or are amenable to treatment only to such degree that the wastewater treatment plant influent and/or effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.
- j. Any water or pollutants which, by interaction with other water or pollutants in the public sewer system, release obnoxious gases, form suspended solids which interfere with the collection system, or create a condition deleterious to structures and treatment processes.
- k. Any waters or pollutants having a pH in Excess of 9.5 or lower than 5.5.

Section 5. If any waters or pollutants are discharged, or are proposed to be discharged to the public sewers, which contain the substances or possess the characteristics enumerated in Section 4 of this Article, and which in the judgment of the Superintendent 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 Superintendent 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 discharge, and/or,

- d. Require payment to cover the added costs of handling and treating the wastes.

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

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

Section 6. Grease, oil, and sand interceptors shall be provided when, in the opinion of the Superintendent, they are necessary for the proper handling of liquid wastes containing floatable grease in excessive amounts as specified in Section 4, paragraph c of this Article, 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 Superintendent, and shall be located as to be readily and easily accessible for cleaning and inspection. In the maintaining of these interceptors, the owners 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 Superintendent. Any removal and hauling of the collected materials must be performed by currently licensed waste disposal firms. Emulsifiers shall not be used to clean out grease or oil interceptors.

Section 7. Where pretreatment of floe-equalizing facilities are provided or required for any waters or pollutants, they shall be maintained continuously in satisfactory and effective operations by the owner at his expense.

Section 8. When required by the Superintendent, 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 Superintendent. The structure shall be installed and maintained by the owner at his expense, and shall be safe and accessible at all times.

Section 9. The Superintendent may require a user of sewer services to provide information needed to determine compliance with this Sewer Use 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 on the user's property showing sewer and pretreatment facility locations.
- f. Details of wastewater pretreatment facilities.
- g. Details of systems to prevent and control the losses of materials through spills to the municipal sewer.

Section 10. All measurements, tests, and analyses of the characteristics of waters and pollutants to which reference is made in this Sewer Use Ordinance shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater," published by the American Public Health Association, and shall be determined at the structure as required in Section 8 of this Article, or upon suitable samples taken at said structure. In the event that no special structure has been required, suitable samples shall be taken at 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 wastewater facilities and to determine the existence of hazards to life, limb, and property. (The particular analyses involved will determine whether a twenty-four (24) hour composite of all outfalls of a premise is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from twenty-four (24) hour composites of all outfalls whereas pH is determined from periodic grab samples.)

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

- Section 11. No statement contained in this article shall be construed as preventing any special agreement or arrangement between the Town and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the Town for treatment, subject to payment therefore, by the industrial concern provided that such agreements do not contravene any requirements of existing Federal State laws and/or regulations promulgated thereunder, and are compatible with any User Charge and Industrial Cost Recovery System in effect.
- Section 12. All buildings or properties serviced by Town owned and operated on-site wastewater disposal systems shall have a water meter located on the service connection and shall not discharge water of a quantity greater than the design capacity of they system to the system.
- Section 13. Use or size of buildings or properties served by Town owned and operated on-site wastewater disposal systems shall not be changed if such change results in exceedance of the design capacity of the system, or the nature of the waste stream will adversely effect the operation and maintenance of they system.

## ARTICLE VIII

### Wastewater Facilities System Extensions

- Section 1. All extensions to the sanitary sewer system owned and maintained by the Town shall be properly designed in accordance with the Design and Construction of Sanitary and Storm Sewers, ASCE Manuals and Reports on Engineering Practice No. 37 (WPCF Manual of Practice NO. 9). Plans and specifications for sewer extensions shall be submitted to and approval obtained from the DEP and Engineer before construction may proceed. The design of sewers must anticipate and allow for flows from all possible future extensions or developments within the immediate drainage area. All costs to have the Engineer review the plans and specifications shall be paid by the Owner.
- Section 2. 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. Under this arrangement, the property owner shall pay for the installations of the building sewer from the property line to his residence or place of business in accordance with the requirements of Article VI. Property owners may propose sewer extensions within the Town by drafting a written petition, signed by a majority of the benefiting property owner, 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.
- Section 3. If the Town does not elect to construct a sewer extension under public contract, the property owner may construct the necessary sewer extension, if such extension is approved by the Selectmen in accordance with the requirements of Section 1. He must pay for the entire design and 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 by the Owner. Design of sewers shall be as specified in Section 4. The installation of the sewer extension must be subject to inspection by the Engineer and the expenses for this inspection shall be paid for by the Owner. 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 Section 5 before it is to be used. The cost of sewer extension thus made shall be borne by the property owners, including all building sewers, and the discharge shall comply with MRSA, Title 38, Chapter 3, Section 413, as amended.

Section 4. Sewer design must be approved by the Maine Department of Environmental Protection and shall be in accordance with the following provisions:

- a. Pipe material and joints shall be polyvinyl chloride (PVC) conforming to ASTM D3034 or D3033 and the strength requirements of SDR 35 or Class 52 ductile iron meeting AWWA C150 with joints meeting AWWA C104 and fittings meeting AWWA C110.
- b. Minimum internal pipe diameter shall be eight (8) inches.
- c. All joints shall be prepared and installed in accordance with the manufacturer's recommendations.
- d. Wye branch fittings or saddles with stainless steel straps set in mastic between saddle and pipe shall be used and a watertight connection shall be provided.
- e. The minimum slope of sewer pipe and maximum width of the trench at a point six (6) inches above the top of the sewer pipe shall be as follows:

<u>Pipe Diameter</u>	<u>Trench Width</u>	<u>Minimum Slope In Feet Per 100 Feet</u>
8"	2' - 8"	0.40
10"	2' - 10"	0.28
12"	3' - 0"	0.22
14"	3' - 2"	0.17
15"	3' - 3"	0.15
16"	3' - 4"	0.14

- f. If the trench widths are found to exceed the limits of the above table, the sewer pipe shall be encased in a minimum of six (6) inches of concrete.
- g. All pipe shall be laid on six (6) inches of screened gravel, and the screened gravel shall be shaped to a height of ¼ of the pipe diameter so as to give uniform circumferential support to the pipe.
- h. The screened gravel shall cover the pipe to a point twelve (12) inches above the top of the pipe.
- i. Screened gravel shall have the following gradation:



<u>Sieve Size</u>	<u>% By Weight Passing</u>
1 inch	100
3/4 inch	90-100
3/8 inch	20-55
#4 mesh	0-10
#8 mesh	0-5

- j. Pipe classes shall be determined in accordance with WPCF Manual of Practice No. 9.

Pipe thickness shall be calculated on the following criteria:

Safety factor	2.0
Load Factor	1.7
Weight of Soil	120 lbs/cf
Wheel loading	16,000 lbs

- k. Manholes shall be constructed at all changes in slope or alignment or at intervals not exceeding three hundred fifty (350) linear feet and shall be precast.
1. Precast manhole sections shall be manufactured in accordance with ASTM Designation C475-68T. The minimum compressive strength of the concrete for all sections shall be 4000 psi and shall be Type II. The circumferential steel reinforcement for four (4) foot diameter riser sections, cone sections, and base walls shall be 0.20 square inches per linear foot. Reinforcing in the bottoms of precast bases shall be of the same design. Reinforcing shall extend into the tongue and groove of each manhole wall section.
  2. The tongue and groove of manhole sections, including the precast base, shall be formed of concrete so as to receive the butyl rubber sealant. Sections shall be set so as to be vertical and in true alignment and sealed with two (2) and (1) inch butyl rubber strips.
  3. Manhole steps shall be aluminum drop-front type or polypropylene reinforced with steel rod, minimum width of fourteen (14) inches. All steps shall be cast into walls of the precast sections so as to form a continuous ladder with a distance of twelve (12) inches between steps.
  4. Precast base sections shall be monolithically pressure cast. Holes for pipes shall be cast in the base section so that there is

a clear distance of four (4) inches minimum between the inside bottom of the base section and the pipe invert.

5. Pipe to manhole connections shall be made with flexible manhole sleeves and stainless steel bands.
6. The top of the precast reinforced concrete unit shall be set at a grade that will allow a minimum of one (1) precast annular ring or a maximum of four (4) or a minimum of two (2) courses and a maximum of five (5) courses or brick and mortar before setting the cast iron frame and cover. Mortar for brick masonry shall be Portland cement mixed in the proportion of one part cement to two parts sand, worked to the proper consistency.
7. The outside of the masonry work of all manholes shall be plastered with a Portland cement mortar mixed in preparation of one part cement to two parts sand. The thickness of the mortar shall be one-half (1/2) inch, and the mortar shall be carefully spread and thoroughly troweled, leaving a smooth, substantially waterproof surface. The mortar shall be extended to completely cover the outside surfaces of all masonry work. The inside brickwork shall be pointed.
8. The concrete manholes shall have a brick channel passing through the bottom which corresponds in shape with the lower half of the pipe. Side inverts shall be curved and main inverts (where direction changes) shall be laid out in smooth curves of the longest possible radius. The top of the brick shelf shall slope to drain towards the flowing through channel.
9. Manhole frames and covers shall meet the standards of the Town. Manhole frames shall be eight (8) inches high and shall be approximately thirty-two (32) inches diameter with a twenty-two (22) inch opening. Frames shall weigh approximately 310 pounds. Manhole covers shall be 24" in diameter and shall weigh approximately 175 pounds.
10. Prior to backfilling, wrap manholes with four (4) layers of six (6) mil thick, ultraviolet resistant, high-grade polyethylene.
11. Manholes shall be back filled with gravel to a point a minimum of two (2) feet from the outside of the manhole.

Section 5. All sewers shall satisfy requirements of a leakage test before they are accepted by the Town. The leakage test shall be as follows:

- a. For each size of pipeline, an initial leakage test shall be made on the first section of the pipeline complete between two (2) adjacent manholes. There-after, the leakage tests shall be made on sections of approved lengths of completed pipeline, which in no case shall exceed one thousand (1,000) feet.
- b. Each section shall be tested upon its completion.
- c. The pipeline will be subject to testing for infiltration or exfiltration.
- d. The pipeline shall satisfactorily pass the leakage test with no material except the gasket in the joint spaces. Caulking of joints shall not be permitted.
- e. Tests shall be made under the supervision of the Superintendent. The allowable infiltration or exfiltration shall be two hundred (200) gallons per inch of diameter per day per mile of sewer.
- f. Test sewer using low pressure air as follows:
  1. Plug ends of section to be tested.
  2. Supply air slowly to the pipe to be tested until the air pressure inside the pipe is 4.0 psi greater than the average back pressure of any groundwater submerging the pipe.
  3. Disconnect air supply and also allow a minimum of four (4) minutes for stabilization of pressure.
  4. Following stabilization period measure drop in pressure over a six (6) minute period.
  5. Acceptable drop: Not more than 1.0 psi.

Section 6. All manholes shall satisfy the requirements of a leakage test before they are accepted by the Town. The leakage test shall be as follows:

- a. Tests must be observed and certified by the Superintendent. Manholes must be complete except for shelf and invert brickwork. Plug all pipes and other openings in the manhole prior to test.
- b. Infiltration test manholes with groundwater table above highest joint. Manhole passes infiltration test if there is no visible leakage into manhole.
- c. For exfiltration test of manholes:

1. Plug pipes into and out of manhole and secure plugs.
2. Lower groundwater table (GWT) to below manhole. Maintain GWT at this level throughout test. Provide means of determining GWT level at any time throughout test.
3. Fill manhole with water to top of cone.
4. Allow a period of time for absorption (determined by Contractor).
5. Refill top of cone.
6. Determine volume of leakage in an eight (8) hour (min) test period and calculate rate.
7. Acceptable leakage rate: Not more than 1 gallon per vertical foot per 24 hours.

Section 7. All sewer extensions constructed at the property owner's expense, after final approval and acceptance by the Engineer, shall become the property of the Town and shall thereafter be maintained by the Town. Said sewers, after their acceptance by the Town, shall be guaranteed against defects in materials or workmanship for twelve (12) months. The guarantee shall be in a form provided for by the Town. At the sole discretion of the Town, a maintenance bond or certified check may be demanded as part of the guarantee.

Section 8. Expansion of on-site wastewater disposal systems owned and operated by the Town shall be in accordance with the applicable provisions of the State of Maine Plumbing Code, Part II Subsurface Wastewater Disposal Rules, Chapter 241, as amended.

## ARTICLE IX

### Protection from Damage

Section 1. No person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is part of the wastewater facilities. Any person violating this provision may be subject to arrest under the charge of criminal mischief as set forth in Maine Revised Statutes Annotated, Title 17-A, Chapter 33, Section 806.

## ARTICLE X

### Powers and Authority of Inspectors

- Section 1. The Superintendent and other duly authorized employees or agents of the Town bearing proper credentials and identification shall be permitted to enter all properties during regular business hours or at times of malfunction or emergencies, for the purposes of inspection, observation, measurement, sampling, and testing pertinent to discharge to the community system in accordance with the provisions of this Sewer Use Ordinance.
- Section 2. The Superintendent or other duly authorized representatives are authorized to obtain information concerning industrial processes which 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 unfair competitive advantage to competitors.
- Section 3. While performing the necessary work on private properties referred to in Section 1, above, the Superintendent or other duly authorized representatives of the Town shall observe all safety rules applicable to the premises established by the Owner and the Owner shall be held harmless for injury or death to the Town employees and the Town shall indemnify the Owner against loss or damage to this property by Town employees and against liability claims and demands for personal injury or property damage asserted against the Owner and growing out of the gauging and sampling operations, except as such may be caused by negligence or failure of the Owner to maintain safe conditions as required in Article VII, Section 8.
- Section 4. The Superintendent and other duly authorized employees or agents of the Town bearing proper credentials and identification shall be permitted to enter, during regular business hours or at times of malfunction or emergencies, 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 XI

### Penalties

- Section 1. Any person found to be violating any provision of this Sewer Use Ordinance except Article VIII, shall be served by the Town with written notice stating the nature of the violation and providing a specific time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.
- Section 2. Any person who shall continue any violation beyond the time limit provided for in Section 1 of this Article, shall be guilty of a misdemeanor, and on conviction thereof shall be fined an amount not exceeding \$200.00 per day for each violation. Each day in which any such violations shall continue shall be deemed a separate offense. In addition to any fine that may be assessed, the Town shall be awarded its reasonable attorneys' fees, its expert witness fees and an amount calculated to reimburse the Town for its administrative costs associated with the prosecution of the violation.
- Section 3. Any person violating any of the provisions of this Sewer Use Ordinance shall become liable to the Town for any expense, loss, or damage occasioned the Town by reason of such offense.
- Section 4. Notwithstanding any of the foregoing provisions, the Superintendent may institute any appropriate action including injunction or other proceedings to prevent, restrain, or abate violations hereof.

ARTICLE XII  
Sewer Use Charges

All persons, firms and corporations, whether public or private, shall pay to the Town the rates, tolls, rents, entrance charges and other lawful charges established by the Selectmen for the sewer or drainage service used or available with respect to their real estate, which rates shall include rates for readiness to serve charged against owners of real estate, abutting on or accessible to, sewers or drains of the Town, but not actually connected thereto, whether or not such real estate is improved. The words "other lawful charges" or "other charges" shall include, but not be limited to, interest on delinquent accounts at a rate not to exceed the highest lawful rate set by the Treasurer of State for municipal taxes.

Rates, tolls, rents and entrance charges shall be uniform within the Town, whenever the cost to the Town of installation and maintenance of sewers or their appurtenances and the cost of service is substantially uniform; but nothing shall preclude the Selectmen, from establishing a higher rate, toll, rent or entrance charge than the regular rates, tolls, rents and entrance charges in sections where, for any reason, the cost to the Town of construction and maintenance, or the cost of service, exceeds the average, but such higher rates, tolls, rents and entrance charges shall be uniform throughout the sections where they apply.

Prior to the adoption of a new rate schedule, the Selectmen shall hold a public hearing regarding the proposed rate schedule. The Selectmen shall publish the proposed rates and notice of the hearing not less than once in a newspaper having a general circulation in the Town not less than 7 days prior to the hearing. The Selectmen shall mail to each ratepayer a notice of the public hearing and the proposed new rate at least 14 days prior to the hearing.

The sewer rates, tolls, rents, entrance charges, assessments and other lawful charges established by the Selectmen in accordance with this Article shall be so fixed and adjusted in respect of the aggregate thereof so as to produce revenue at least sufficient, together with any other moneys available therefore, to:

1. **Current operating expenses.** Pay the current expenses of operating and maintaining the sewerage, drainage and treatment system of the Town;
2. **Payment of interest and principal.** Pay the principal of, premium, if any, and interest on all bonds and notes issued by the Town for sewer or drainage purposes as the same become due and payable;
3. **Sinking fund for retirement of obligations.** Create and maintain such reserves as may be required by any trust agreement or resolution securing bonds and notes;
4. **Repairs, replacements and renewals.** Provide funds for paying the cost of all necessary repairs, replacements and renewals of the sewerage, drainage and treatment systems of the Town; and



**5. Payment of obligations.** Pay or provide for any and all amounts which the Town may be obligated to pay or provide for by law or contract, including any resolution or contract with

Section 2. The Town reserves the right, from time to time, to change Sewer Use Charges originally or previously assigned to any property owner.

Section 3. All property owners who are outside the Town's limit who, by their own request, are served by sanitary sewers shall pay a sewer use charge established by the Town.

Section 4. There shall be a lien to secure the payment of sewer charges legally assessed on real estate within the Town as provided by law, which shall take precedence of all other claims on such real estate, excepting only claims for taxes.

Section 5. Interest, at the same rate as established by the Town for uncollected taxes, shall be charges on each bill not paid within 30 days after the date on the bill.

## ARTICLE XIII

### License

- Section 1. If, in the opinion of the Town, the work performed by any contractor, property owner, or developer working within the Town, violates any provisions of this Sewer Use Ordinance, the Town may require the work to be corrected such that it conforms to the provisions of this ordinance. If, in the opinion of the Town or its Engineer, the work performed by any contractor is substandard, the Town may disqualify the contractor on future contracts.

## ARTICLE XIV

### Validity

- Section 1. All ordinances or parts thereof in conflict with this Sewer Use Ordinance are hereby repealed.
- Section 2. The invalidity of any section, clause, sentence, or provision of this Sewer Use Ordinance shall not affect the validity of any other part of this Sewer Use Ordinance which can be given effect without such invalid part or parts.

APPENDIX A

Sample Applications for Building Sewer Permits

RESIDENTIAL OR COMMERCIAL BUILDING SEWER APPLICATION

To the Town of Brownville:

The undersigned, begin the \_\_\_\_\_, of the property located at \_\_\_\_\_ (Owner, Owner's Agent) \_\_\_\_\_ does hereby request a permit to install and (Number) connect a building sewer to serve the \_\_\_\_\_ at said (Residence, Commercial Building, etc.) location.

- 1. The following indicated fixtures will be connected to the proposed building.

Table with 4 columns: Number, Fixture, Number, Fixture. Rows include Kitchen Sinks, Lavatories, Laundry Tubs, Urinals, Water Closets, Bath Tubs, Showers, Garbage Grinders.

Specify other fixtures \_\_\_\_\_

- 2. The maximum number of persons who will use above fixtures is \_\_\_\_\_.
3. The name and address of the person or firm who will perform the proposed work is \_\_\_\_\_.
4. Plans and specifications for the proposed building sewer are attached hereunto as Exhibit "A".

In consideration of the granting of this permit, the undersigned agrees:

- 1. To accept and abide by the Sewer Use Ordinance of the Town of Brownville and all other pertinent ordinances that may be adopted in the future.
2. To maintain the building sewer at no expense to the Town.
3. To notify the Superintendent when the building sewer is ready for inspection and connection to the public sewer, but before any portion of the work is covered.

Date: \_\_\_\_\_

Signed \_\_\_\_\_ (Applicant)

Fee: Residential - \$ \_\_\_\_\_
Commercial - \$ \_\_\_\_\_

\_\_\_\_\_ (Address of Applicant)

\$ \_\_\_\_\_ Inspection fee paid \_\_\_\_\_  
(Certification by Superintendent)

Application approved and permit issued:

Date: \_\_\_\_\_

Signed \_\_\_\_\_  
(Superintendent)

INDUSTRIAL BUILDING SEWER APPLICATION

To the Town of Brownville:

The undersigned being the \_\_\_\_\_  
(Owner, Lessee, Tenant, etc.)  
of the property located at \_\_\_\_\_  
does hereby request a permit to \_\_\_\_\_ an industrial  
(Install, use)  
sewer connection serving the \_\_\_\_\_,  
(Name of Company)  
which company is engaged in \_\_\_\_\_  
at said location.

1. A plot of the property showing accurately all sewers and drains now existing is attached hereunto as Exhibit "A".

2. Plans and specifications covering any work proposed to be performed under this permit is attached hereunto as Exhibit "B".

3. A complete schedule of all process waters and industrial wastes produced or expected to be produced at said property, including a description of the character of each waste, the daily volume and maximum rates of discharge, and representative analyses, is attached hereunto as Exhibit "C".

4. The name and address of the person or firm who will perform the work covered by this permit is \_\_\_\_\_.

In consideration of the granting of this permit the undersigned agrees:

1. To furnish any additional information relating to the installation or use of the industrial sewer for which this permit is sought as may be requested by the Superintendent and/or Engineer.

2. To accept and abide by the Sewer Use Ordinance of the Town of Brownville and all other pertinent ordinances that may be adopted in the future.

3. To operate and maintain any waste pretreatment facilities, as may be required as a condition of the acceptance into the public sewer of the industrial wastes involved, in an efficient manner at all times, and at no expense to the Town.

INDUSTRIAL BUILDING SEWER APPLICATION (Cont'd)

4. To cooperate at all times with the Superintendent and his representatives in their inspecting, sampling, and study of the industrial wastes, and any facilities provided for pretreatment.

5. To notify the Superintendent immediately in the event of any accident, negligence, or other occurrence that occasions discharge to the public sewers of any waste or process waters not covered by this permit.

Date \_\_\_\_\_

Signed: \_\_\_\_\_

(Applicant)

\_\_\_\_\_  
(Address of Applicant)

Fee: \$ \_\_\_\_\_

\$ \_\_\_\_\_ Inspection fee paid

\_\_\_\_\_  
(Certification by Superintendent)

Application approved and permit granted:

Date: \_\_\_\_\_

\_\_\_\_\_  
(Superintendent)