

AMENDMENTS TO ORDINANCE
ON SEWERS AND SEWAGE DISPOSAL
(Approved by Town Council 4-11-06; effective 4-28-06)

Chapter 51 of the Code of the Town of New Canaan is hereby amended. Deletions to the existing sections 51-1 through 51-15 are noted by ~~strikethroughs~~, and additions to these sections are noted by *underlined italics*. Sections 51-16 through 51-21 are all new.

§ 51-1. Sewer connections required where available.

No new houses or buildings used for human habitation shall be constructed on property abutting streets wherein public sewer lines are available, unless such houses or buildings are provided with connections to such public sewer lines. Existing houses or buildings used for human habitation on property abutting streets where public sewer lines are available shall be connected with such sewer lines when the Director of Health shall so order. If such property owner fails to connect ~~his~~ *such* house or building with such sewer line upon reasonable notice by the Director of Health, the town may make such connection and the cost thereof shall become a lien on the property to be collected in the same manner as taxes are collected.

§ 51-2. General requirements for sewage disposal.

Human excreta shall be disposed of in properly constructed and maintained sewers, treatment tanks, privy vaults or by other sanitary method as may be approved by the ~~state department of health~~ Connecticut Department of Public Health.

No dwelling, apartment house, boarding house, hotel or other building to be used or inhabited by humans shall hereafter be constructed in the town and no alterations in or to existing dwellings, apartments, boardinghouses, hotels or other buildings used or inhabited by humans shall be made unless the sewerage disposal facilities thereto are approved by the Director of Health or an Inspector appointed by the Director of Health, and unless such facilities comply with the provisions of ~~§§ 51-4, 5, 6 and 8~~ of this code *and with the sewer use rules and regulations established by the town Director of Health, Department of Public Works, and/or Water Pollution Control Authority.*

§ 51-3. Toilet facilities required.

Adequate and suitable toilet accommodations, separated for each sex, shall be provided in all public buildings, in all places of public assembly, in hotels, clubs, restaurants, taverns, office buildings, factories, schools and railway stations, and all stores shall have such toilet accommodations as shall be approved by the Director of Health.

§ 51-4. Ventilation required for privies, etc.

No privy or toilet shall be built or maintained without provision being made for its adequate ventilation by windows or airducts.

§ 51-5. Exceptions to use of sewers.

No privy vault, cesspool or treatment tank shall hereafter be constructed or ~~permitted to remain~~ repaired on any premises accessible to a public sewer without a written permit from the Director of Health.

§ 51-6. Standards required for privy vaults, etc.

Privy vaults, cesspools, septic systems, sewer lines, or other disposal systems shall be so constructed and maintained as to eliminate odors, prevent the escape of sewage and so as to exclude animals, flies and mosquitos. All users of any such systems connected to the town's wastewater treatment plant, or the contents of which are delivered to the town's wastewater treatment plant, shall comply with the sewer use rules and regulations established by the town Director of Health, Department of Public Works, and/or Water Pollution Control Authority, including all regulations requiring pretreatment of Fats, Oil and Grease (FOG).

§ 51-7. When vaults a nuisance.

Every privy vault, the contents of which are or hereafter shall be within one (1) foot of the level of the surface of the adjoining land, is hereby declared a nuisance.

§ 51-8. Construction near water supply restricted.

No sewer vault, cesspool used for sewerage purposes, septic tank or tile leaching field used in connection with the foregoing shall hereafter be constructed less than seventy-five (75) feet from any well used for supply of drinking water for human beings.

§ 51-9. Disposal of contents restricted.

No person shall dispose of sewage sludge and liquids from septic tanks or cesspools except at the town ~~disposal~~ wastewater treatment plant, unless the Director of Health of the town issues a written permit allowing the disposal thereof on the property where it originated.

§ 51-10. Use of disposal plant limited; fees.

No person shall use the facilities of the town ~~disposal~~ wastewater treatment plant for the disposal of sewage sludge and liquids brought into the town from

any other town. Any person using the facilities of the town ~~disposal~~ wastewater treatment plant for the disposal of sewage sludge and liquids shall pay to the Board of Selectmen for the use of the town a gallonage fee, the amount of such fee and the method of payment to be determined by the Board of Selectmen and published at least once.

§ 51-11. Sanitation requirements for privy vaults.

Every privy vault and cesspool within the town shall be cleaned with disinfectants by the owner thereof as frequently as shall be necessary to prevent such privy vault or cesspool from becoming dangerous to health.

§ 51-12. Transporting contents — requirements.

No person shall convey or carry through or upon any street in this town any filthy substance taken from any privy vault ~~or cesspool~~, cesspool, or septic system unless such substance is contained in a watertight barrel or vehicle which must be securely covered and so constructed that no leakage can escape therefrom.

§ 51-13. Sewer permit required.

No person shall uncover, make any connection with or opening into, use, alter or disturb any public sewer or appurtenances thereof unless a proper permit therefore shall have been duly issued by the Director of Public Works or his or her authorized agent as hereinafter provided. 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 public sewer system.

§ 51-14. Application procedure; fee.

Application for a public sewer permit shall be made by the owner of the building to be connected, his or her agent or representative and shall be made on an application form provided by the Director of Public Works. Each application shall be supplemented with the plans and specifications for the sewer connection and such other information relating to the building and the waste to be discharged as may be considered pertinent by the Director. A permit and application fee of ~~twenty dollars (\$20.)~~ shall be paid to the town at the time the application is filed, ~~except that when it is not necessary for the town to stake out a sewer lateral, the fee shall be only ten dollars (\$10.)~~. The amount of the fee shall be established by the Board of Selectmen pursuant to Chapter 2 of the Town Code. All applications and connections shall comply with the sewer use rules and regulations established by the town Director of Health, Department of Public Works, and/or Water Pollution Control Authority.

§ 51-15. Inspection required; regulations to be complied with.

No sewer line or connection to a public sewer shall be covered until it has been inspected by the Director or his *or her* authorized agent and found to comply in all respects with the ~~rules and regulations to be established by the Director relative to such work~~ *sewer use rules and regulations established by the town Director of Health, Department of Public Works, and/or Water Pollution Control Authority.*

The following sections are new:

§ 51-16. Designation of Water Pollution Control Authority

The Board of Finance is hereby designated as the Water Pollution Control Authority of the Town of New Canaan pursuant to Section 7-246 of the Connecticut General Statutes.

§ 51-17. Powers and Duties.

The Water Pollution Control Authority shall have all the powers and duties conferred upon such authorities in Chapter 103 of the Connecticut General Statutes, Section 7-245 et seq., as the same may be amended from time to time.

§ 51-18. Sewer Use Rules and Regulations.

A. The Sewer Use Rules and Regulations dated March 9, 2006, approved and established by the Director of Health and the Department of Public Works, copies of which are available for public inspection in the offices of the Health Department, the Department of Public Works, and the Town Clerk, shall be the Sewer Use Rules and Regulations of the Town of New Canaan until such rules and regulations are amended by the Water Pollution Control Authority pursuant to Paragraph B.

B. The Water Pollution Control Authority may establish and revise rules and regulations as allowed by Section 7-247 of the Connecticut General Statutes, including without limitation rules and regulations for the supervision, management, control, operation and use of sewerage systems in the Town of New Canaan. No rule or regulation shall become effective or be established until after a public hearing in relation thereto is held by the Water Pollution Control Authority. A copy of each proposed rule or regulation shall be filed in the office of the Town Clerk for public inspection at least ten days before such public hearing. Prior to the public hearing, a notice of the hearing shall be published in a newspaper having a general circulation in the town, at least once for two (2) successive weeks, showing the time and place of the public hearing, together with either the full text of the proposed rule or regulation or a reference to the filing of the full text with the Town Clerk. After such hearing the Water Pollution Control Authority may adopt such rule or regulation, together with any amendments

thereto which it may make, and shall forthwith file the same as so adopted with the Town Clerk, and publish a notice of passage in such newspaper. The effective date of the rule or regulation shall be established by the Water Pollution Control Authority but shall not be sooner than the date of publication of the notice of passage.

§ 51-19. Fats, Oils and Grease Pretreatment Required for Septic and Sewer Systems.

Whether connected to a sanitary sewer system or to a septic system, all Class III and Class IV Food Establishments (as defined by the State of Connecticut Department of Public Health Code Section 19-13-B42), Retail Food Establishments, Food Service Establishments, Caterers, Schools (Public and Private) and Processing Establishments that are required to operate under a New Canaan Health Department Food License shall be required to install and operate a pretreatment system for FOG (Fats, Oils, and Grease), in accordance with the Sewer Use Rules and Regulations of the Town of New Canaan, and the State of CT DEP General Permit for the Discharge of Wastewater Associated with Food Preparation Establishments issued September 30, 2005, as the same may be amended from time to time.

§ 51-20. Public hearing on proposed acquisition or construction.

The Water Pollution Control Authority shall not acquire or construct all or any part of a sewerage system until after a public hearing held and noticed in accordance with Section 7-247a of the Connecticut General Statutes.

§ 51-21. Collector of connection and use charges.

The Tax Collector of the Town of New Canaan is hereby designated as the collector of sewerage system connection and use charges pursuant to Section 7-258 of the Connecticut General Statutes.