

WALDOBORO UTILITY DISTRICT
SANITARY SEWER REGULATIONS

DISTRICT
AUTHORITY

SECTION 200

ORIGINAL ADOPTED - MARCH 23, 1964
REVISED - JANUARY 14, 1987
REVISED - JULY 18, 1996

USER NOTE: This is one of several regulations established by the Waldoboro Utility District to manage and control the use of the sanitary wastewater collection, treatment and disposal system in Waldoboro. Other regulations include: Connecting to the Public Sewer, Extending Public Sewers, Sewer User Charges and others. You may need to consult more than one regulation.

Public Notice Published - October 30, 1995

Public Hearing Held - November 16, 1995

Approved by the Waldoboro Utility District, Board of Trustees
this 18th day of July 1996.

Signed:

Wallace L. Walton

Samuel R. Chapman

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SECTION 201 - AUTHORITY & VALIDITY



201.1 Authority

This sanitary sewer regulation is established as provided by the Waldoboro Utility District Charter, Chapter 146 Private & Special Laws of the State of Maine, Section 101.3: "Construction of this act; bylaws and regulations authorized, incidental powers and rights".

201.2 Validity

All the District Rules and Regulations or parts thereof in conflict herewith are hereby repealed.

The invalidity of any section, clause, sentence or provision of these regulations shall not affect the validity of any other part of these regulations which shall remain in effect without such invalid part or parts.



SECTION 202 - DEFINITIONS

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

Board shall mean the Board of Trustees of the Waldoboro Utility District.

District shall mean the Waldoboro Utility District acting through its Board of Trustees, Superintendent, employees or other duly authorized agent.

District Facilities shall include District owned or leased structures, conduits, pump stations, wastewater collection, treatment and disposal facilities, and other appurtenances for the purpose of collecting, treating and disposal of domestic and/or industrial wastewater.

Public Sewer shall mean a common sanitary sewer serving the general public and owned and controlled by the District.

Sanitary Sewer shall mean a common sewer which carries domestic and/or industrial wastewater and to which natural storm, surface and ground waters are not intentionally admitted.

SECTION 203 – REGULATION AMENDMENT

203.1 Amendment Initiated

These regulations may be amended by a majority vote of the Board of Trustees. Amendments may be initiated by a majority vote of the Board of Trustees or on petition to the Board of Trustees by voters numbering no fewer than ten percent (10%) of the votes cast in the last gubernatorial election in the Town.

203.2 Public Hearing Requirements

The Board of Trustees shall conduct a public hearing on any proposed amendment. A public hearing notice on any proposed amendment shall be published in a newspaper or newsletter of general circulation in the Town of Waldoboro at least seven (7) days prior to the date of the public hearing.

SECTION 204 - REGULATION WAIVER

204.1 Waiver Conditions

The Board of Trustees have the right to alter or waive any provisions of these regulations or conditions of service for the following reasons:

1. The person who, by reason of infirmity or poverty, is in the Board of Trustees judgment unable to contribute to the public charges.
2. That the topography of the land is such that not to grant a waiver would result in undue hardship and would not be in the best interest of the community. A financial hardship shall not constitute grounds under this paragraph.

The decision and the reason(s) for the decision shall be recorded in the minutes of the meeting in which the waiver is granted. The burden of proof for granting of an alteration or waiver is upon the applicant or developer and not upon the Board of Trustees.

SECTION 205 - APPEAL OF REGULATIONS

205.1 Appeal Procedure

Any owners aggrieved by the decision of the Superintendent which decision arises from provisions of the Waldoboro Utility District regulations may appeal such decision within thirty (30) days of the Superintendent's decision to the Board of Trustees. The Board of Trustees shall hear said appeal within thirty (30) days of the notice of said appeal and shall file a decision within thirty (30) days of the date of hearing of the Board of Trustees. The decision of the Board of Trustees shall be sent to the appellant postage prepaid, to the address of the appellant. The appellant shall in his application, set forth the grounds for appeal and shall refer to the specific provisions of the regulations involved in an appeal to the Board of Trustees.

A party may appeal the decision of the Board of Trustees to the Superior Court in accordance with the Maine Rules of Civil Procedure, Rule 80 (b). Hearing before the Superior Court shall be without jury.

SECTION 206 - PENALTIES

206.1 Procedure for Penalties

Any person violating any provision of these regulations shall be served by the District with written notice stating the nature of the violation and may provide a reasonable time limit for the satisfactory correction thereof. The offender shall permanently cease all violations.

Each day in which any such violation shall continue shall be deemed a separate offense.

Any person violating any of the provisions of these regulations shall become liable to the District for any expense, loss or damage occasioned the District by reason of such violation.

206.2 Fines Imposed

Any person who shall place, discharge or leave any offensive or injurious matter or material on or in the conduits, catch basins or receptacles of said district contrary to its regulations, or shall willfully injure any conduit, pipe, reservoir, flush tank, catch basin, manhole, outlet, engine, pump or other property held, owned or used by said district for the purposed of this act shall be liable to pay twice the amount of the damages to said district to be recovered in any proper action; and such person, on conviction of any of said acts or willful injury aforesaid and any person who violates the provisions of Sections 103.1 or 103.4 of the District Charter, shall be punished by a fine not exceeding two hundred dollars (\$200) or by imprisonment not exceeding one (1) year, or by both.

SECTION 207 - POWERS & AUTHORITY OF INSPECTION

207.1 Inspection of Discharges

The District and other duly authorized representatives of the District bearing proper credentials and identification shall be permitted to enter all properties for the purpose of inspection, observation, measurement, sampling and testing pertinent to discharge to the public sewer system in accordance with the provisions of this regulation but only at reasonable times and upon reasonable notice.

While performing the necessary work on private properties referred to above, the District or duly authorized representative of the District shall observe all safety rules applicable to the premises established by the company.

207.2 Inspection of Facilities

The District and other duly authorized employees of the District bearing proper credentials and identification shall be permitted to enter all private properties through which the District holds a fully negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair and maintenance of any portion of the District's facilities 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.