

Town of Hinesburg Municipal Wastewater System Use Ordinance

TOWN OF HINESBURG
MUNICIPAL WASTEWATER SYSTEM USE ORDINANCE



Adopted this ____ day of _____, 2016

Michael Bissonette, SelectboardChair

Philip Pouech, SelectboardVicechair

Andrea Morgante, Selectboard

Thomas Ayer, Selectboard

Aaron Kimball, Selectboard

Melissa Ross, Town Clerk

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Comment [PRP1]: Inserted front page with approvals

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Ownership

The Town of Hinesburg (Municipality) owns and operates a wastewater treatment facility (Facility) located on Lagoon Road and a wastewater collection and transfer system (Sewers) as defined in 24 V.S.A. §3501(6) and 3601. The Facility has a capacity permitted through and authorized by the State, and is operated in accord with a discharge permit issued by the Vermont Department of Environmental Conservation (VDEC) under authority granted in 10 V.S.A., Chapter 47. The Board of Water and Wastewater Commissioners (Board) is obligated by law to comply with conditions of that permit, and to operate and manage the Facility and Sewers as governmental functions under and pursuant to 24 V.S.A., Chapters 97 and 101.

Comment [PP2]: Added directly from allocation ordinance

Introduction

The Facility is currently permitted to treat 250,000 gallons of wastewater per day. An upgrade to the Facility was completed in 2010 to replace worn out components, increase energy efficiency, meet current permit and code requirements, and improve operator safety. The permitted capacity of the Facility and Sewers is the property of the Town.

Comment [PP3]: Added directly from allocation ordinance

This ordinance is adopted pursuant to the provisions of 24 V.S.A., § 3625, in the manner provided in 24 V.S.A., Chapter 59 (or in the manner provided for in 24 V.S.A., Chapter 117), and shall not be construed as an abandonment or relinquishment of the authority or responsibility of the Board to regulate, control and supervise all means and methods of wastewater collection, treatment and disposal within the Town, nor shall it be construed to impair or inhibit the ability of the Town to contract with persons for the collection, transmission and treatment of wastewater.

Mission Statement

The Town of Hinesburg will endeavor to operate an efficient and well maintained wastewater treatment facility and collection system that provides reliable service to its customers and remains in continual compliance with all applicable State and Federal standards while maintaining those facilities, equipment, and records in a manner that is reflective of the highest professional standards. At all times, the pursuit of this mission will be balanced with consideration of the cost to all end users.

Comment [PP4]: Directly from allocation ordinance

Municipal Wastewater System Use Ordinance

The Town of Hinesburg, by and through its Selectboard, ordains that the rules and regulations herein set forth are established as necessary and desirable for regulating the use of public sewers, and the discharge of waters and wastes into the public sewer systems and providing penalties for violations thereof in the Town of Hinesburg, County of Chittenden, State of Vermont.

Comment [PP5]: Directly from allocation ordinance

All use of the term Board in this document shall mean the Water and Wastewater Commissioners of the Town of Hinesburg acting as a board of water and wastewater commissioners under 24 V.S.A., § 3614. As of the date of adoption of the 2016 revision of this ordinance the Board is made up of the five Selectboard members of the Town of Hinesburg.

Town of Hinesburg Municipal Wastewater System Use Ordinance

79 **Definitions**

80
81 Unless the context specifically indicates otherwise, the meaning of terms used in this ordinance shall
82 be as follows:

83
84 BOD (denoting Biochemical Oxygen Demand)

85 The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory
86 procedure in five (5) days 20 degrees C., expressed in milligrams per liter.

87
88 Board

89 The Water and Wastewater Commissioners of the Town of Hinesburg acting as a board of water and wastewater
90 commissioners under 24 V.S.A., § 3614.

91
92 Building Drain

93 That part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste,
94 and other drainage pipes inside the walls of the building and conveys it to the building sewer.

95
96 Building Sewer Line

97 The piping line running from the building connecting to the main. Property owner shall be responsible for
98 installation, maintenance, repair or replacement of Building Sewer Line.

99
100 Commissioners

101 The Hinesburg Board of Wastewater Commissioners; i.e. the Hinesburg Selectboard.

102
103 Combined Sewer

104 A sewer receiving both surface runoff and sewage.

105
106 Domestic Wastewater or Sanitary Sewage

107 The normal water-carried household and toilet wastes or waste from sanitary conveniences, excluding ground,
108 surface or storm water.

109
110
111 Equivalent Residential Unit (ERU)

112 For the purposes of this Ordinance ERU shall mean the number of units a commercial or institutional account
113 will be billed per quarter as a relationship to an average single family residential dwelling unit consuming 210
114 gpd

115
116 28.075 cubic ft/day

117 This relationship shall be expressed as the commercial or institutional account's actual quarterly consumption
118 divided by 210 gpd-e.g. if a commercial account used 3,150 gpd, it shall be billed at 15 units. ERU will be
119 computed once per year using an average consumption based on previous 4 quarters or based on State Design
120 Flow guidelines in the case of a new account.

121
122 Force Main

123 The pressurized sewer pipe that collects raw wastewater pumped from a raw wastewater pump station or other
124 raw wastewater pumping system.

125
126 Garbage

127 The solid wastes from the domestic and commercial preparation, cooking and dispensing of food, and from
128 the handling, storage, and sale of produce.

Comment [PP6]: Directly from allocation ordinance

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130

131 Health Officer

132 The legally designated Health Officer of the Town of Hinesburg or their duly authorized agent.

133

134 Improved Property

135 Any property upon which there is erected a structure intended for continuous or periodic habitation,
136 occupancy or use by human beings or animals and from which structure, sanitary sewage or industrial wastes
137 shall be or may be discharged.

138

139 Industrial Wastes

140 The liquid wastes from industrial manufacturing processes, trade or business as distinct from sanitary
141 sewage.

142

143 Industry

144 Any room, group of rooms, buildings or other enclosure used or intended for use in the operation of one (1)
145 business enterprise for manufacturing, processing, cleaning, laundering, or assembling any product,
146 commodity, or article or from which any process wastes, as distinct from sanitary sewage, shall be discharged.

147

148 Natural Outlet

149 Any outlet into a watercourse, pond, ditch, lake, or other body of surface or groundwater.

150

151 Owner

152 Any person vested with ownership, legal or equitable, sole or partial, or possession of any improved property.

153

154 Person

155 Any individual, firm, company, association, society, corporation, group, or other legal entity.

156

157 pH

158 The logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

159

160 Properly Shredded Garbage

161 The wastes from preparation, cooking, and dispensing of food that have been shredded to such a degree that
162 all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no
163 particle greater than one half (1/2) inch (1.27 centimeters) in any dimension.

164

165 Private Wastewater Facilities

166 All facilities, piping and pump station wholly owned, operated, maintained, repaired or replaced by property
167 Owner. Pump station may either be located within town road right-of-way or on private property. Pump station
168 will pump wastewater from one or more properties to town main or manhole.

169

170 Public Sewer

171 A sewer controlled by public authority, in this case the Town of Hinesburg

172

173 Sanitary Sewer

174 A sewer which carries sewage and to which storm, surface, and groundwaters are not intentionally admitted,
175 which operates by natural gravitational forces.

176

177 Secretary

178 The Secretary of the Agency of Natural Resources, State of Vermont or his or her representatives.

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Selectboard

The Selectboard of the Town of Hinesburg acting as Board of Wastewater Commissioners, governing body of the Municipal Wastewater System.

Superintendent

The appointee of the Selectboard as its authorized deputy, agent or representative designated as responsible for operation of the Wastewater System of the Town.

Sewage

A combination of the water carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground, surface and stormwaters as may be present.

Sewage Treatment Plant

Any arrangement of devices and structures used for treating sewage.

Sewage Work

All facilities for collecting, pumping, treating, and disposing of sewage.

Sewer

Any pipe or conduit for carrying sewage.

Shall

Is mandatory: "May" is permissive.

Slug

Any discharge water, sewage, or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes, more than five (5) times the average twenty- four (24) hour concentration or flows during normal operation.

Storm Drain (synonymous with Storm Sewer)

A sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.

Structure

Any house, building or any other assembly of materials used for sustained human occupancy of several hours duration, including but not limited to residence, place of employment, meeting places and places used for recreation. "Suspended Solids" shall mean solids that either float on the surface or, or are in suspension in water, sewage, or other liquids, and which are removable by laboratory filtering.

Raw Wastewater

Wastewater that has received no initial solids reductions such as by means of septic tank treatment or grinding of the large solids into smaller solids.

Town

The municipality of Hinesburg, Chittenden County, State of Vermont acting by and through its Selectboard or, in appropriate cases, is acting by and through its authorized representatives, agents, deputies or operators.

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Unit

Any building or specific portion thereof which is separately identifiable as:

- a) Residential: Self-contained housekeeping facility for one family (house, duplex, apartment, condominium).
- b) Commercial: Individual, self-contained facility or business such as store, motel, hotel, garage. For hotels and motels, each room shall equal ½ unit. A meter will be required for each building in a hotel/motel complex.
- c) Industrial: Individual self-contained facility for use in manufacturing or industry.
- d) Elder/handicapped housing: A housing facility that has significant facilities and services specifically designed to meet the physical or social needs of older or handicapped persons. Significant facilities and services may include, but are not limited to, social and recreational programs, continuing education, information and counseling, recreational, homemaker, outside maintenance and referral services, emergency and preventive health care programs, congregate dining facilities and transportation to social services. At least 90% of the units shall be occupied by at least one handicapped person or one person 55 years of age or older.
- e) Congregate elder/handicapped housing: An elder/handicapped housing facility that is designed in an accessible physical environment, normally in a limited number of buildings with internal hallways.”
- f) Institutional: a public sector or municipal obligation, or a project deemed by the Selectboard to be important to the general health and well being of the community, i.e. schools, town offices, care facilities, medical facilities, libraries or other. The Selectboard shall determine all unit designations.

Comment [PRP7]: Not sure why this additional definition is there

Wastewater

Sewage and is synonymous with that term.

259

260 **Abbreviations**

261

262 For the purpose of the Ordinance, the following abbreviations shall have the meaning ascribed
263 to them. References to standards of the following organizations shall refer to the latest edition
264 of same.

265

266 ANSI shall mean American National Standard Institution.

267 ASME shall mean American Society of Mechanical Engineers.

268 ASTM shall mean American Society for Testing/Materials.

269 AWWA shall mean American Water Works Association.

270 NPC shall mean National Plumbing Code.

271 CS shall mean Commercial Standards.

272 WPCF shall mean Water Pollution Control Federation.

273 ppm shall mean parts per million

274 mg/l shall mean milligrams per liter.

275 Degrees F shall mean degrees Fahrenheit.

276 Degrees C shall mean degrees Centigrade.

277 cm shall mean centimeter.

278 m shall mean meter.

279 sq. m shall mean square meters.

280 l shall mean liters.

281 Kg shall mean kilograms.

282 PWDS shall mean Private Waste Disposal System.

283

284

285 **Mandatory Use of Public Sewers**

286

287 It shall be unlawful for any person to place, deposit, or permit to be placed or deposited, upon public or
288 private property within the town or any area under the jurisdiction of said town, any human excrement,
289 garbage or other objectionable waste.

290

291 It shall be unlawful to discharge to any natural outlet within the Town, or in any area under the
292 jurisdiction of said Town, any sewage or other polluted waters, except where suitable treatment has
293 been provided in accordance with subsequent provisions of this Ordinance and the Laws of the State
294 of Vermont.

295

296 Except as provided hereinafter or by the Rules and Regulations of the State of Vermont, it shall be
297 unlawful to construct or maintain any privy, privy vault, septic tank, cesspool or other facility intended
298 or used for the disposal of sewage.

299

300 The Owner of a structure, situated within the Town's wastewater service area as defined in the
301 Wastewater Allocation Ordinance, is required to install suitable toilet facilities therein. Under the
302 following conditions, the Owner shall be required to connect those facilities to a public sanitary
303 gravity sewer or a low-pressure effluent sewer:

304 a) A sewer line is in an adjacent street, alley or right-of-way and

305 b) A sewer line is within two hundred (200) feet (61.5 meters) of the structure to be served.

306

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[A formal inquiry concerning this Ordinance or the Wastewater system will be responsibly addressed by the Wastewater System Superintendent in accordance to the Customer Inquiry Policy outlined in Appendix C](#)

Comment [PP8]: Added this reference to App. C

An Owner may apply to the ~~Selectboard~~Board for a deferral of this section due to unusual hardship.

Building Sewers and Connections

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.

Building connection permits:

The Owner or his agent shall make application on a 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. An Application Fee shall be paid to the Town at the time the application is filed. No permit will be issued until all other applicable State or local permits have been acquired and confirmation of the same furnished with the application for permit. ~~A B~~Buried Utility Permit from Town of Hinesburg is required if installation is within Town Highway Right-of-Way.

Comment [PP9]: Added application fee

Copies of the fee schedule are available at the Town offices, ~~and included as Appendix A of this Ordinance.~~

Comment [PP10]: Added Appendix A (same as Wastewater allocation ordinance)

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.

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 building through an adjoining alley, court, yard, or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.

Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Superintendent, to meet all requirements of this ordinance.

The size, slope, alignment, materials of construction of building sewer, and the methods to be used in excavating, placing the pipe, jointing, testing and backfilling the trench, shall all conform to the requirements of the building and plumbing code and shall be approved before construction begins and inspected during construction by the Superintendent. In the absence of code provisions or in amplification thereof the materials and procedures set forth in appropriate specifications of the ASTM and WPCF Manual of Practice No. 9 shall apply. Upon inspection, the owner shall replace any part of the installation not in conformance with approved plans. All such connections shall be made watertight. No connection shall be made during the period November 15 to April 15 without prior cold

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357 | weather construction approval of the ~~Selectboard~~Board.
358

359 In all buildings in which any building drain is too low to permit gravity flow to the public sewer,
360 sanitary sewage carried by such building drain shall be lifted by an approved means and
361 discharge to the sanitary sewer.
362

363 Private Pump Stations serving a single building or group of buildings shall be constructed
364 watertight in conformance with all applicable State of Vermont rules and regulations concerning
365 piping size, number of pumps, emergency storage, alarm system etc. Private Pump Stations shall
366 be subject to periodic inspection by the Superintendent. If such inspection reveals items in need
367 of repair or replacement, the Owner shall make such repairs in a timely fashion or be subject to
368 the Penalties outlined in this Ordinance.
369

370 No person shall make connection of roof downspouts, exterior foundation drains, areaway drains,
371 cellar drains, basement pumps, or other sources of surface runoff or groundwater to a building sewer or
372 building drain which in turn is connected directly or indirectly to a public sanitary sewer. If any such
373 connection is discovered, the Superintendent shall notify Owner in writing; Owner shall detach the
374 illegal connection immediately and be subject to the Penalties outlined in this Ordinance.
375

376 Prior to any connection the Superintendent shall be given forty-eight (48) hours notice in order that
377 they may supervise such work. If the Superintendent has not been properly notified, they may require
378 the completed work to be uncovered for examination, at the Owner's expense.
379

380 Clean outs shall be installed where the distance from the building to the main sewer is greater than
381 one hundred fifty (150) feet or where bends greater than forty-five (45) degrees are used in the
382 building sewer. (Reference Ordinance regarding plan submittal, materials and inspection by the
383 Superintendent.) The clean out shall be brought up from the building sewer to four (4) inches (10.2
384 cm.) below ground level and be properly capped with a metal clean out frame and cover set in a 18" x
385 18" concrete pad 8" thick. Locations of all clean outs shall be recorded and turned over to the
386 Superintendent.
387

388 Before any portions of the existing plumbing system outside of the building is connected to the
389 building sewer, the Owner shall prove, to the satisfaction of the Superintendent, that it is clean and
390 conforms in every respect to this Ordinance and that all joints are watertight.
391

392 Where pipe is installed for building sewers, such work shall be performed by a qualified
393 person approved by the Superintendent.
394

395 The Superintendent shall require appropriate tests to the pipes and the owner, at their own expense,
396 shall furnish all necessary tools, labor, materials, and assistance for such tests and shall remove or
397 repair any defective materials when so ordered by the Superintendent.
398

399 All excavations for building sewer installation shall be at the owner's expense, adequately guarded
400 with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and
401 other public property disturbed in the course of the work shall be restored in a manner satisfactory to
402 the Town.
403

404 The contractor shall not block any driveway, street, road or railroad at any time without permission of
405 the Town and other controlling agencies. Every effort shall be made to permit the movement of
406 vehicular traffic at all times. Whenever it becomes necessary to cross or interfere with roads, walks, or

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407 drives, whether public or private, the Contractor shall maintain, at his own expense, and subject to the
408 approval of the Town, safe bridges or other means of egress.

410
411 **Wastewater Main Extension, Plan Approval and Construction**

412
413 Any person desirous of constructing an extension to the wastewater system shall apply to the
414 municipality. Upon preliminary approval of the application by the [Board/Selectboard](#), the applicant
415 shall have final plans and specifications developed by a professional engineer whom the municipality
416 agrees has demonstrated proficiency in wastewater system design, and is registered to practice civil or
417 sanitary engineering in Vermont. Construction shall not commence until approval of the plans has
418 been issued by the [Selectboard/Board](#). Written approval by the [Board/Selectboard](#) will address issues
419 such as engineering oversight, submission of record drawings, warranty, the municipality's rights for
420 review of the project and payment by the applicant in the event an outside engineering firm is hired by
421 the municipality to review the project during construction. All work performed shall remain
422 uncovered until an authorized representative of the Town has inspected the work and indicates
423 general satisfaction with it.

424 No main extension shall be made during the period November 15 to April 15 without prior cold
425 weather construction approval of the [B/Selectboard](#). The owner may be assessed an additional
426 charge as part of the connection fee to cover the additional expense incurred as a result of cold
427 weather construction.

428
429
430 **Use of the Public Sewers**

431
432 No person shall discharge or cause to be discharged any stormwater, surface water, groundwater,
433 roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process
434 waters to any sanitary sewer.

435
436 No person shall discharge or cause to be discharged any of the following described waters or
437 wastes to any public sewers:

- 438
439 a) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid,
440 solid, or gas.
441
442 b) Any waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient
443 quantity, either singularly or by interaction with other wastes, to injure or interfere with any
444 sewage treatment process, constitute a hazard to humans or animals, create a public nuisance,
445 or create any hazard in the receiving waters of the sewage treatment plant.
446
447 c) Any waters or wastes having pH lower than 5.0 or having any other corrosive property
448 capable of causing damage or hazard to structures, equipment, and personnel of the sewage
449 works.
450
451 d) Solid or viscous substances in quantities or of such size capable of causing obstruction to
452 the flow in sewers, or other interference with the proper operation of the sewage works such
453 as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers,
454 tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings,

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455 entrails and paper dishes, cups, milk containers, etc., either whole or ground by garbage
456 grinders.

457
458 No person shall discharge or cause to be discharged the following described substances, materials,
459 waters or wastes if it appears likely in the opinion of the Superintendent that such wastes can harm
460 either the sewers, sewage treatment process, or equipment, have an adverse effect on the receiving
461 stream, or can otherwise endanger life, limb, public property, or constitute a nuisance. In forming his
462 opinion as to the acceptability of these wastes, the Superintendent will give consideration to such
463 factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of
464 construction in the sewers, nature of the sewage treatment process, capacity of the sewage treatment
465 plant, degree of treatability of wastes in the sewage treatment plant and other pertinent factors. The
466 substances prohibited are:

- 467
- 468 a) Any liquid or vapor having a temperature higher than one hundred fifty (150) degrees F (65
469 degrees C).
 - 470
 - 471 b) Any water or waste containing fats, wax, grease, or oils, whether emulsified or not, in excess
472 of one hundred (100) mg/l or containing substances which may solidify or become viscous at
473 temperatures between thirty-two (32) and one hundred fifty (150) degrees F (0 and 65
474 degrees C).
 - 475
 - 476 c) Any garbage that has not been properly shredded. The installation and operation of any
477 garbage grinder equipped with a motor of three-fourths (3/4) horsepower (0.76 hp metric) or
478 greater shall be subject to the review and approval of the Superintendent.
 - 479
 - 480 d) Any waters or wastes containing strong acid, iron pickling wastes, or concentrated plating
481 solutions whether neutralized or not.
 - 482
 - 483 e) Any waters or wastes containing iron, chromium, copper, zinc, or other heavy metals and
484 similar objectionable or toxic substances, or wastes exerting an excessive chlorine
485 requirement, to such degree that any such material received in the composite sewage at the
486 sewage treatment works exceeds the limits established by the Superintendent for such
487 materials.
 - 488
 - 489 f) Any waters or wastes containing phenols or other waste or odor producing substances, in
490 such concentrations exceeding limits which may be established by the Superintendent as
491 necessary, after treatment of the composite sewage to meet the requirements of the State,
492 Federal or other public agencies having jurisdiction for such discharge to the receiving
493 waters.
 - 494
 - 495 g) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits
496 established by the Superintendent in compliance with applicable State or Federal regulations.
 - 497
 - 498 h) Any waters or wastes having a pH in excess of 9.5.
 - 499

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- i) Materials which exert or cause:
 - 1. Unusual concentrations of inert suspended solids (such as, but not limited to, Fullers earth, lime slurries, and lime residues) or of dissolved solids (such as but not limited to, sodium chloride and sodium sulfate).
 - 2. Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).
 - 3. Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works, may cause the effluent limitations of the discharge permit to be exceeded.
 - 4. Unusual volume of flow or concentration of wastes constituting “slugs” as defined herein.
- j) Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

If any waters or wastes are discharged, or are proposed to be discharged, to the public sewers, which waters contain the substance or possess the characteristics enumerated in Ordinance and which in the judgment of the Superintendent, may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Superintendent may:

- a) Reject the wastes
- b) Require pretreatment to an acceptable condition for discharge to the public sewers
- c) Require control over the quantities and rates of discharge.

If the Superintendent permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Superintendent and Health Officer, and subject to the requirements of all applicable codes, ordinances and laws and to the municipal discharge permit. Further, such pretreatment installations must be consistent with the requirements of any state pretreatment permit issued to the industry.

Grease, oil, hair, and sand interceptors shall be provided when, in the opinion of the Superintendent, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand and other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. Superintendent shall approve type, capacity and location of interceptor; location shall provide ready and easy access for cleaning and inspection.

Grease and oil interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, watertight and equipped with easily removable covers which, when bolted in place, shall be gastight and watertight.

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546 Where installed, all grease, oil, hair, and sand interceptors shall be maintained by the Owner, at his
547 expense, in continuously efficient operation at all times. Materials collected shall not be reintroduced
548 into the public sewerage system but shall be satisfactorily disposed of elsewhere in accordance with
549 standards, rules or regulations. The Owner shall provide the Town with records of cleaning,
550 maintenance and inspection when deemed necessary by the Superintendent.

551

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

554

555 When required by the Superintendent, the Owner of any property serviced by a building sewer carrying
556 industrial wastes shall install a suitable control manhole or structure together with such necessary
557 meters, and other appurtenances in the building sewer to facilitate observation, sampling and
558 measurement of the wastes. Such structure, when required, shall be accessible and safely located, and
559 shall be constructed in accordance with plans approved by the Superintendent. The structure shall be
560 installed by the Owner at his expense, and shall be maintained by him so as to be safe and accessible to
561 the Superintendent at all times. All industries discharging into a public sewer shall perform such
562 monitoring of their discharges as the Superintendent may reasonably require, including installation, use
563 and maintenance of monitoring equipment, keeping records and reporting the results of such
564 monitoring to the Superintendent. The Superintendent and/or other agencies having jurisdiction over
565 discharging to the receiving waters shall make such records available upon request. Where industrial
566 pretreatment permits are issued by the State of Vermont, monitoring records must also be submitted to
567 the Secretary in accord with such permit.

568

569 All measurements, tests, and analysis of the characteristics of waters and wastes to which reference is
570 made in this Ordinance shall be determined in accord with the latest edition of "Standard Methods for
571 the Examination of Water and Wastewater": published by the American Public Health Association, and
572 shall be determined at the control manhole or structure provided, or upon suitable samples taken at said
573 control manhole. In the event that no special structure has been required, the control manhole shall be
574 considered to be the nearest downstream manhole in the public sewer to the point at which the building
575 sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect
576 of constituents upon the sewage works and to determine the existence of hazards to life, limb, and
577 property. (The particular analysis involved will determine whether a twenty-four (24) hour composite
578 of all outfalls of a premise is appropriate or whether a grab sample or samples should be taken.)
579 Normally, but not always, BOD and suspended solids analysis are obtained from twenty-four (24) hour
580 composites of all outfalls whereas pH's are determined from periodic grab samples.

581

582 Any industry held in violation of the provisions of this Ordinance may have its disposal
583 authorization terminated.

584

585 No statement contained in this article shall be construed as preventing any special agreement or
586 arrangement between the Town and any industrial concern whereby an industrial waste of unusual
587 strength or character may be accepted by the Town for treatment, subject to payment, therefore, by
588 the industrial concern, provided that such agreements do not contravene any requirements of
589 existing Federal laws and are compatible with any user charge and industrial cost recovery system in
590 effect.

591

592

Comment [PP11]: Everywhere it said
ORDINANCE I changed to Ordinance

593

594 **Protection from Damage**

595

596 No person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or
597 tamper with any structure, appurtenance, or equipment that is part of the Town of Hinesburg
598 Wastewater System. Any person violating this provision shall be subject to immediate arrest under
599 the charge of unlawful mischief as set forth in Title 13, Section 3701 of the Vermont Statutes
600 Annotated.

601

602

603 **Powers and Authority**

604

605 The Superintendent and other duly authorized employees of the Town bearing proper credentials and
606 identification shall be permitted to enter all properties for the purposes of inspection, observation,
607 measurement, sampling, and testing in accordance with the provisions of the Ordinance. The
608 Superintendent or his representatives shall have no authority to inquire into any processes including
609 metallurgical, chemical, oil, refining, ceramic, paper, or other industries beyond that point having a
610 direct bearing on the kind and source of discharge to the sewers or waterways or facilities for
611 wastewater treatment.

612

613 While performing the necessary work on private properties referred to in this Ordinance, the
614 Superintendent or duly authorized employees of the Town shall observe all safety rules applicable to
615 the premises established by the company and the company shall be held harmless for injury or death to
616 the Town employees and the Town shall indemnify the company against loss or damage to its property
617 by Town employees and against liability claims and demands for personal injury or property damage
618 asserted against the company to maintain safe conditions.

619

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

627

628

629 **Penalties**

630

631 Any person found to be violating any provisions of this Ordinance except section Protect from
632 **Damage**, shall be served by the Town with written notice stating the nature of the violation and
633 providing a three-day (72 hours) time limit for the satisfactory correction thereof. The Superintendent
634 may grant a written extension, for good cause shown, presented in writing, prior to the expiration of the
635 time limit. The offender shall, within the period of time stated in such notice, permanently cease all
636 violations.

637

Comment [PP12]: Removed all references to Articles since this formatting was removed. Used Heading where appropriate

Town of Hinesburg Municipal Wastewater System Use Ordinance

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Any person who shall continue any violation beyond the time limit, and any extension thereof, provided for in 9.01, shall be guilty of a misdemeanor, and on conviction thereof shall be fined in the amount not exceeding \$500.00 for each violation. Each seven-day period thereafter, or any part thereof, without cessation shall be deemed a separate offense.

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

Any person delinquent in payment of sewer services bills may be disconnected as provided by 24 VSA Ch. 129. Collection and reconnection fees will also be assessed from the delinquent party.

Notwithstanding any of the foregoing provisions, the Town may institute any appropriate action including injunction or other proceeding to prevent, restrain or abate violations hereof.

User Charge System

The BoardCommissioners shall establish the user charge system in accordance with appropriate Federal and State rules and regulations, incorporating requirements of 40 CFR 35.2140 and 24 V.S.A., Chapter 101. The rates shall be established to defray the costs of the Town’s share of the initial construction of wastewater collection transportation and treatment facilities, upgrades to the facilities, the cost of annual operation and maintenance of the facilities, as well as to provide a capital reserve for renewal or replacement. Schedules reflecting the method of calculation of current rates and fees are available at the Town Offices. Fee schedule ~~is attached as Appendix A.~~ will be reviewed annual by the board and be in force at the time of adoption of this ordinance. The BoardCommissioners shall have the authority to negotiate a special rate agreement or arrangement with any industrial concern whereby an industrial waste may be accepted for treatment, subject to payment, therefore, by the industrial concern.

Comment [PP13]: Rates

The BoardCommissioners shall, in establishing the rates referred to in Appendix A make specific reference to the sewer use rate structure in force at the time of any connection.

Comment [PP14]: Inserted Board for Selectboard and Commissioners

Each house, building, structure or unit within the Town that is serviced by the public sewer shall be subject to the sewer use rates. The cost of the annual loan payment for bond retirement and the yearly operation maintenance and replacement shall be borne by the users of this system. The rate structure shall be based on a system of charges related to the actual water used by each user as determined from a water meter installed on the domestic water supply. In the event a meter installation is not possible, a flat fee will be assessed the unit.

An annual charge is hereby imposed upon every person whose premise is served by the public sewage system of the Town for the service rendered by such public sewerage system to the Owners and other users of real property, to defray the costs of construction and debt service of said system. A minimum quarterly charge, or base charge, will be imposed on each separate unit to defray all or parts of operation and maintenance costs, project capital costs and debt service, to establish a capital reserve fund and/or other method of computation as determined by the Commissioners. Commercial and institutional accounts shall be billed on an Equivalent Residential Unit (ERU) basis. Those users whose structure or unit is unoccupied during the billing quarter will be assessed the referenced base charge.

Town of Hinesburg Municipal Wastewater System Use Ordinance

688

689 | The ~~Board~~Commissioners have the authority to modify, adjust, increase or decrease the charge as
690 may, from time to time, be deemed appropriate. The minimum published sewer rate shall be
691 charged whether or not the property is occupied.

692

693 In order to determine sewer use charges, meters shall be read quarterly, sometime after the first of
694 January, April, July and October by department personnel or duly authorized representatives. Sewer
695 use charges shall be subsequently billed quarterly becoming due on or before the 30th day following the
696 date of the invoice. A late penalty of five percent (5%) of the total amount due shall be charged for
697 payment after the due date. An additional 5% penalty will be assessed on any unpaid balance in each
698 subsequent billing cycle. See “Town of Hinesburg Policy Concerning Water and Wastewater Billing
699 | Procedures” Appendix ~~AB~~.

700

701 Wastewater service may be disconnected for nonpayment of wastewater bill, health hazard elimination
702 or for violations of this Ordinance. Before service is disconnected for delinquency of payment, the
703 Town shall follow the procedure set forth in 24 V.S.A. Chapter 129. Notice for payment request and
704 disconnection will be mailed at least 14 days in advance of the wastewater disconnection date (see
705 | Appendix ~~BC~~- Disconnection Notice Form). Disconnection on account of delinquency of wastewater
706 rate payment will not be made on a day immediately preceding a Saturday, Sunday or a state or federal
707 | holiday. When the ~~Board~~Selectboard dispatches an agent to effect a disconnection caused by
708 delinquency of payment and, upon arrival, payment is made to the agent for all charges due including
709 the collection fee as permitted under 24 V.S.A. Chapter 129, service will be permitted to continue. If a
710 violation of rules, health hazard or emergency incident results in a disconnection, a reconnection
711 charge will be assessed for resumption of service in addition to the disconnection charge. If the
712 customer requests a hearing, one shall be held within five work days to determine if wastewater
713 service will continue to be denied, or if restored under what conditions. Service, once disconnected,
714 shall not be restored until the reason for disconnection has been eliminated.

715

716 A sewer use charge shall be a lien upon real estate in the same manner as to the same effect as taxes
717 are a lien upon real estate pursuant to Title 32 Vermont Statutes Annotated Section 5061.

718

719 Any person who feels his user charge, or method used to calculate said user charge, is unjust and
720 inequitable may make written application to the Town requesting a review of his charge. Said written
721 request shall, where necessary, show the actual or estimated average flow and/or strength of his
722 wastewater in comparison with the values upon which the charge is based, including how the
723 measurements or estimates were made.

724

725 The rates as established by the Articles of this Ordinance shall prevail. Any previous contracts,
726 agreements, or arrangements as to rates, method for collection, any other element effecting rates and
727 charges shall be null and void.

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Town of Hinesburg Municipal Wastewater System Use Ordinance

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Other Charges and Fees

Application Fee shall be due upon submitting an application to the DRB or Zoning Administrator.

Allocation Fee shall be due upon receiving a Final Allocation for the building/use for which the allocation was granted.

Allocation Holding Fee shall be due quarterly. Payment is due within thirty (30) days of billing date.

Sewer Connection Fee will be assessed to all persons submitting Sewer Connection Applications to the Town. All fees shall be paid at the time the application is submitted to the Town.

Collection and Reconnection Fees may be assessed as provided by this Ordinance. (Ref. 24 VSA Chapter 129 – Uniform Water and Sewer Disconnect.)

Engineering Service Charges shall be assessed to developers to cover expenses incurred by the Town for the review, inspection, and work related to development projects as performed by an engineer selected by the Town.

The current fee schedule is available from the Town offices upon request ~~and is attached to this Ordinance as Appendix A.~~

Responsibilities and Liabilities

The Town shall not be liable for any damage caused by, and not limited to, interruption of service for repairs, necessary operations, and/or additions or improvements to the Sewage Works.

The Town shall not be required to provide notice of interruption. Notice of interruption may be provided as a courtesy only except as noted below.

Users shall be notified in writing of interruption of service by “Disconnection” as provided by the Provisions of this Ordinance, (24 VSA CH 129).

No person shall be entitled to damages, nor to have any portion of a payment refunded for any stoppage occasioned by accident to any portion of the Sewage Works, or for non-use occasioned by absence or any other reason.

The Town will comply with State Regulations with regard to testing, monitoring, and reporting of the wastewater system.

The Town shall, at no time, jeopardize its current customers by authorizing more new wastewater services than it can accommodate. The Town shall be under no obligation to commit to any development any portion of its capacity, but may allocate its capacity amongst various areas of the Town as the Commissioners deem most appropriate.

Comment [PP15]: Completely rewrote and copied some of allocation ordinance wording

Town of Hinesburg Municipal Wastewater System Use Ordinance

777
778 Boundaries of areas served by the Town shall be defined by the Town and the furnishing of services
779 outside of the boundaries shall be at the discretion of the Commissioners. (See “Town of Hinesburg
780 Wastewater Capacity Allocation Ordinance” for a full description and map of Hinesburg Wastewater
781 Service Area.)
782

783
784 **Validity**

785
786 | The ~~B~~Selectboard may make such rules and regulations relating to the use of sewerage works of the
787 Town as they shall deem necessary for proper operations of the sewerage works.
788

789 | All ~~O~~rdinances or parts of ~~O~~rdinances in conflict herewith are hereby repealed.
790

791 The invalidity of any section, clause, sentence, or provision of this Ordinance shall not affect the
792 validity of any other part of this Ordinance that can be given effect without such invalid part or parts.
793

794 | The ~~B~~Selectboard as provided by law may amend these rules at any time.
795

796
797 **Ordinance in Force**

798 This Ordinance as amended shall be in full force and effect from and after its passage,
800 approval, recording and publication as provided by law.
801

~~Appendix A~~

Comment [PP16]: Copied from Wastewater Allocation Ordinance. They could just be duplicates

~~Wastewater Rates, Connection Fees, and Special Charges~~

Effective July 1, 2016

Wastewater Rates:

1. Metered Properties

~~\$20.00 per unit per quarter base fee~~

~~\$0.01 per cubic foot water usage (1 cubic foot = 7.48 gallons)~~

2. Unmetered Properties

~~\$20.00 per quarter base charge~~

~~\$20.00 per unit per quarter unmetered usage charge~~

~~Connection Fee: \$1,000 per unit~~

~~Application Fee: \$2.80 per GPD~~

~~Allocation Fee: \$25.40 per GPD~~

~~Allocation Holding Fee: \$0.50 per GPD per quarter~~

Special Charges:

~~Collection Fee: \$25/trip~~

~~Disconnect Fee: \$75.00~~

~~Reconnection Fee: \$75.00~~

~~Deactivation Fee: \$75.00~~

~~Activation Fee: \$75.00~~

~~Meter Test Deposit: \$75.00~~

Comment [PP17]: The original fee schedule had \$25/normal work hours and \$37.50/ overtime hours. Maybe we should post hourly rate in this fee schedule and consider it when we consider fees. Then we just refer to cost in hours

Comment [ST18]: Same as water ordinance. Is that OK

Comment [PP19]: We should add signature approval lines in this appendix

837 | Appendix **AB**

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Policy concerning Water and Wastewater Billing Procedures

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1. The Hinesburg Selectboard adopts the following policy regarding the water and wastewater billing procedures for the Town of Hinesburg Water and Wastewater Department:
2. When quarterly bills are sent out for water and wastewater service, an account with an outstanding balance from the previous quarter will be stamped "PAST DUE" in red. A notice will be included with the bill which states that the account must be current prior to the next quarterly bill or a service shut-off notice will be posted. The notice will include contact information for the Water & Wastewater Billing Department, in order to set up a payment plan if necessary.
3. A customer that has an outstanding balance for two consecutive quarters, and who has not contacted the Water & Wastewater Billing Department to set up a payment plan, will receive a "Disconnect Notice" a minimum of fourteen days prior to service shut-off. The procedure will adhere to those set forth in V.S.A. Title 24, Chapter 129.
4. During the fourteen day notice period, the customer may do one of the following:
 - a. Settle the account in total;
 - b. Set up a payment plan with the Water & Wastewater Billing Department;
 - c. File an appeal with the Hinesburg Selectboard
5. If the customer fails to take action as outlined above, service will be discontinued at the conclusion of the notice period in conformance to V.S.A. Title 24, Chapter 129.
6. Policy adopted by the Selectboard on October 6, 2003.

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Lynn E. Gardner

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1s1 Andre M. ...

1s1 Jonathan S. Trefry
Jonathan S. Trefry

1s1 Randall C. Volk
Randall C. Volk

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Comment [PP20]: Do we need signature lines for each appendix? Should these be removed since I reformatted?

Appendix **BC**

Water/Wastewater Disconnect Notice

According to Statute, this form must be printed on pink paper

Date: _____

Amount in Arrears: \$ _____

Dear Customer:

According to our records, your (water) (wastewater) service account is still unpaid. Please make full payment of the account or contact our office to make satisfactory arrangements before _____. If this is not done, we will no longer be able to extend credit and will have to discontinue your service, on that day or any one of the following four business days. (Under the law, "business days" means Monday through Thursday, excluding legal holidays, when the offices are not open to the public). An unpaid bill is a lien on your real property, and may lead to tax proceedings.

Special Charges: Section 5151 of Title 24, Vermont Statutes Annotated, provides that we charge a fee for coming to your location to collect the amount overdue. Also, the same statute provides that we shall charge a reconnection fee for restoration of service if your service has been disconnected for nonpayment. [These fees are as follows:]

Collection Trips - \$25.00, regardless of number

Reconnection – During normal hours = \$25.00, for Overtime = \$37.50

Interest Charged according to Title 24 VSA § 5156

If payment has already been sent, we recommend that you contact our office to make certain that payment is recorded on your account by the indicated date as such payment may have become delayed or lost in the mail. Payment in the mail does not constitute payment until received by us.

THIS IS A FINAL REQUEST FROM:

Hinesburg Water & Wastewater Billing Department
Town of Hinesburg
PO Box 133
Hinesburg, VT 05461
(802) 482-2281

Other Important Information: If you have a question concerning this bill or if you want to seek an agreement with us to pay the balance due in partial payments over a period of time, you should contact this office as soon as possible after receipt of this notice. In the event an agreement is entered into, failure to abide by the terms of agreement can lead to disconnection without further notice. If disconnection would result in an immediate and serious health hazard to you or to a resident within your household, disconnection will be postponed upon presentation of a duly licensed physician's certificate.

Appeals: If you cannot reach agreement as to payment of this bill with the department listed above, you may appeal to:

Chairperson, Hinesburg Selectboard
Town of Hinesburg
PO Box 133
Hinesburg, VT 05461
(802) 482-2096

An appeal cannot be taken unless you first attempt to settle with the billing department. You may appeal only as to the proper amount of your bill or the correctness of application of the rules and regulations. You may not appeal as to the level or design of the rates themselves. No charge shall be made for the appeal. However, undisputed portions of the charges giving rise to this notice must be paid before the disconnection date given above.

Comment [PP21]: We should just reference Appendix A

Appendix **CD**

Hinesburg Wastewater Department Customer Inquiry Policy

INTRODUCTION

The Hinesburg Wastewater Department is a full service Wastewater system. It is a municipal organization. The Town of Hinesburg Selectboard serves as the governing body and makes most major decisions at regularly warned meetings. The Wastewater System Superintendent is primarily responsible for the operation of the wastewater system. The Town Clerk/Treasurer's Office is responsible for billing and accounts payable. Records are audited annually and an Annual Report is published annually in the Hinesburg Town Report.

CUSTOMER SERVICE

It is the policy and the goal of the Hinesburg Wastewater Department to keep all customers informed about matters of the wastewater system through the use of public meetings, announcements in local newspapers and radio stations, Annual Reports, and occasionally by newsletter. However, it is inevitable that not all customers are in fact aware of all matters. There are also some incidents, such as a leak in the water pipe requiring interruption of service or other actions that result in customer inquiries or complaints. Except in the case of an emergency, the Hinesburg Wastewater Department will make an effort to inform the customers of interruptions of service. Therefore, this policy is adopted to guide the appropriate persons in registering, handling and documenting complaints.

STEPS IN HANDLING COMPLAINTS

The following steps are to be taken by any Hinesburg Wastewater Department official who receives a complaint from any source.

1. Listen without interruption. Take notes of the complaint as the problem is being described.
2. Ask questions to clarify the problem if necessary.
3. Determine who the complaint should be referred to, and advise the complainant of your determination. Refer the matter to the appropriate person, and be sure to provide written notes. Avoid having the complainant call around to different people.
4. Follow up to ensure customer satisfaction. If the customer is not satisfied with the action taken or the results, the following contacts should be provided to the customer:
 - a. Contact the Selectboard at (802) 482-2096.
 - b. Contact local Health Officer or State Health Department.
 - c. Contact the Wastewater Supply Division, 1-800-823-6500.
5. In all cases be sure to document all pertinent information to be kept on file.

DOCUMENTATION

Many routine questions and minor complaints can be resolved promptly, and there is no need for documentation. If there is a major complaint or concern it is important to record the nature of the complaint and the results of any action taken. If the problem is of a serious nature or requires action by the Hinesburg Selectboard, it should be noted on the minutes of the Selectboard meetings.

DISSEMINATION

This policy is to be provided to all officers, contractors and others who may be in a position to receive inquiries, questions, or complaints regarding the water system. It should be reviewed annually and updated or amended as appropriate.

Adopted July 28, 2008