



# City of Quincy Massachusetts

OFFICE OF THE CITY COUNCIL  
1305 HANCOCK STREET, QUINCY, MA 02169

Kevin F. Coughlin  
Brad L. Croall  
Joseph G. Finn  
Douglas S. Gutro

Kirsten L. Hughes  
Margaret E. Laforest  
Michael E. McFarland, President  
Brian F. McNamee  
Brian Palmucci

Joseph P. Shea, Clerk  
Jeanne E. Reardon  
Clerk of Committees  
Susan M. O'Connor, Auditor

**MONDAY, OCTOBER 1, 2012**

**6:30 PM** *SPGA PUBLIC MEETING #2012-103 - RINA, INC.  
847 HANCOCK STREET*

**7:25 PM** *PUBLIC HEARING #2012-152 PENDING IN PUBLIC WORKS  
Petition from National Grid-gas main Marlboro Street*

**7:30 PM** **CITY COUNCIL MEETING**

- 1. Minutes of Previous Meeting*
- 2. Appropriation of \$23,475.34 (authorization for payment of previous year expense for FY2012) – charged to Public Works Fuel Account  
From fiscal year 2013*
- 3. Gutro/Laforest resolve re: Supporting an Amendment to Senate Bill 1985  
creating a State Coastal and Shorefront Infrastructure Fund*
- 4. Palmucci - Pending in Public Works Committee #2012-023  
Utility Company Responsibility – double poles*
- 5. Accepting Gifts totaling \$3,000 from Various Donors  
2012 Mayor's Cup Golf Tournament*
- 6. Amending MGL CHAPTER 13.08 RE: SEWER SERVICE SYSTEM*
- 7. Municipal lien on real estate for unpaid charges incurred by Quincy Water  
Sewer customers in conformity with G.L. c. 40 s. 58  
Cost of App. & Insp. Existing Charge \$300 – Proposed Charge \$375*
- 8. Municipal lien on real estate for unpaid charges incurred by Quincy Water  
Sewer customers in conformity with G.L. c. 40 s. 58  
Unmetered Connection Existing Charge NONE – Proposed Charge \$5,000*
- 9. Municipal lien on real estate for unpaid charges incurred by Quincy Water  
Sewer customers in conformity with G.L. c. 40 s. 58  
Assessment Charged by MWRA – Existing Charge NONE – Proposed  
Charge to be the cost charged to City by MWRA*

10. *Municipal lien on real estate for unpaid charges incurred by Quincy Water Sewer customers in conformity with G.L. c. 40 s. 58  
Cost of Unmeteed Use FIRST OFFENSE – Existing Charge NONE – Proposed Charge \$500*
11. *Municipal lien on real estate for unpaid charges incurred by Quincy Water Sewer customers in conformity with G.L. c. 40 s. 58  
Cost of Unmetered Use SECOND OFFENSE Existing Charge NONE – Proposed Charge \$1,000*
12. *Municipal lien on real estate for unpaid charges incurred by Quincy Water Sewer customers in conformity with G.L. c. 40 s. 58  
Cost of Unmetered Use THIRD OFFENSE Existing Charge NONE – Proposed Charge \$2,500*
13. *Municipal lien on real estate for unpaid charges incurred by Quincy Water Sewer customers in conformity with G.L. c. 40 s. 58  
Sewer Pipe Inspection single day Employee Time – Existing Charge NONE Proposed Charge \$200*
14. *Municipal lien on real estate for unpaid charges incurred by Quincy Water Sewer customers in conformity with G.L. c. 40 s. 58  
Sewer Pipe Inspection multi-day Employee Time – Existing Charge NONE Proposed Charge \$200 per day*
15. *Municipal lien on real estate for unpaid charges incurred by Quincy Water Sewer customers in conformity with G.L. c.40 s. 58  
Deny access to property – Existing Charge NONE – Proposed Charge \$25 per visit*
16. *Municipal lien on real estate for unpaid charges incurred by Quincy Water Sewer customers in conformity with G.L. c. 40 s. 58  
Private Infrastructure Analysis—Existing Charge NONE – Proposed Charge Variable Labor & Materials*
17. *Municipal lien on real estate for unpaid charges incurred by Quincy Water Sewer customers in conformity with G.L. c.40 s. 58  
Private Infrastructure Repair -- Existing Charge NONE – Proposed Charge Variable Labor & Materials*
18. *Municipal lien on real estate for unpaid charges incurred by Quincy Water Sewer customers in conformity with G.L. c. 40 s. 58  
Lateral maintenance residential – Existing Charge NONE – Proposed Charge \$375*
19. *Municipal lien on real estate for unpaid charges incurred by Quincy Water Sewer customers in conformity with G.L. c. 40 s. 58  
Lateral maintenance large residential& mixed use – Existing Charge NONE – Proposed Charge \$500 or \$250/hr. whichever is greater*
20. *Municipal lien on real estate for unpaid charges incurred by Quincy Water Sewer customers in conformity with G.L. c. 40 s. 58*

- Non-residential lateral maintenance – Existing Charge NONE – Proposed Charge \$1,000 or \$500/hr. whichever is greater*
21. *Municipal lien on real estate for unpaid charges incurred by Quincy Water Sewer customers in conformity with G.L. c. 40 s. 58  
Lateral Repair or Replacement – Existing Charge NONE – Proposed Charge Employee Labor Costs plus Materials*
22. *Municipal lien on real estate for unpaid charges incurred by Quincy Water Sewer customers in conformity with G.L. c. 40 s. 58  
Prohibited Discharge non-residential customer – first offense – Existing Charge NONE Proposed Charge \$2,500*
23. *Municipal lien on real estate for unpaid charges incurred by Quincy Water Sewer customers in conformity with G.L. c. 40 s. 58  
Prohibited Discharge non-residential customer – second offense – Existing Charge NONE Proposed Charge \$5,000*
24. *Municipal lien on real estate for unpaid charges incurred by Quincy Water Sewer customers in conformity with G.L. c. 40 s. 58  
Prohibited Discharge non-residential customer –third and subsequent offense – Existing Charge NONE– Proposed Charge \$7,500*
25. *Municipal lien on real estate for unpaid charges incurred by Quincy Water Sewer customers in conformity with G.L. c. 40 s. 58  
Prohibited Discharge Residential, Large Residential or Mixed Use customer –first offense – Existing Charge NONE– Proposed Charge \$1,000*
26. *Municipal lien on real estate for unpaid charges incurred by Quincy Water Sewer customers in conformity with G.L. c. 40 s. 58  
Prohibited Discharge Residential, Large Residential or Mixed Use customer –second offense – Existing Charge NONE– Proposed Charge \$2,500*
27. *Municipal lien on real estate for unpaid charges incurred by Quincy Water Sewer customers in conformity with G.L. c. 40 s. 58  
Prohibited Discharge Residential, Large Residential or Mixed Use customer –third and subsequent offense – Existing Charge NONE– Proposed Charge \$5,000*



# City of Quincy, Massachusetts

OFFICE OF THE COUNCIL

MICHAEL E. MCFARLAND  
COUNCIL PRESIDENT

Residence: (617) 376-1358  
Office: (617) 376-1341  
Fax: (617) 376-1345  
Email: mmcfarland@quincyma.gov

**TO: ALL MEMBERS OF THE QUINCY CITY COUNCIL ACTING  
IN ITS CAPACITY AS THE SPECIAL P.U.D. PERMIT GRANTING  
AUTHORITY**

**FROM: COUNCIL PRESIDENT MICHAEL E. MCFARLAND**

**RE: SPECIAL PERMIT GRANTING AUTHORITY MEETING**

**MONDAY, OCTOBER 1, 2012 AT 6:30 PM**  
**#2012-103 RINA, INC. (845-847 HANCOCK STREET)**

The Quincy City Council acting in its capacity as the Special Permit Granting Authority will conduct a **MEETING on Monday, OCTOBER 1, 2012 at 6:30 PM in the new City Hall Council Chambers** for further discussion of Rina, Inc.'s PUD Special Permit Application for development at 845-847 Hancock Street (#2012-103).

Please attend this very important meeting.

jr  
Copy to All Councillors  
Quincy Sun, Patriot Ledger,  
QATV, Boston Globe  
Messrs. Fatseas, Walker, Timmins,  
Harrington, Duca, Shea  
Attorney Edward J. Fleming

**INTRODUCED BY**

**CITY OF QUINCY  
IN COUNCIL**

**ORDER NO. 2012-**

**October 1, 2012**

Upon the request of the Commissioner of Public Works, and with the recommendation of His Honor, the Mayor, \$23,475.34 in expenses are authorized for payment of previous year expenses for fuel. This is in accordance with the provisions of MGL Chapter 44 Section 64 to pay FY 12 expenses and is charged to the Public works Fuel Account( 0142554 540100) for FY 13.

**PASSED TO BE ORDAINED OCTOBER 1, 2012**

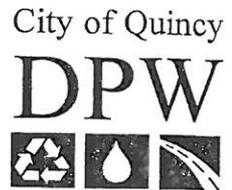
**ATTEST:**

**CLERK OF COUNCIL**

**YEAS Coughlin, Croall, Finn, Gutro, Hughes, Laforest, McFarland, McNamee, Palmucci  
NAYS Coughlin, Croall, Finn, Gutro, Hughes, Laforest, McFarland, McNamee, Palmucci**



**CITY OF QUINCY, MASSACHUSETTS**  
**Department of Public Works**



**Thomas P. Koch**  
Mayor

**Daniel G. Raymondi**  
Commissioner

Phone: (617) 376-1959  
TTY: (617) 376-1375

Fax: (617) 376-1969

**August 7, 2012**

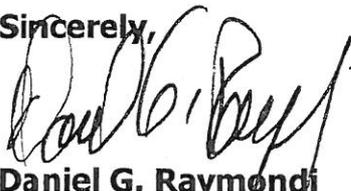
**Mayor Thomas P. Koch**  
**City Hall**  
**1305 Hancock Street**  
**Quincy, MA 02169**

**Dear Mayor Koch,**

**I am requesting that \$23,475.34 be appropriated for a Fiscal Year 2012 Fuel Invoice. There were insufficient funds to pay Global Montello Group Corp. invoice #2297463 under the fuel code 0142554-540100.**

**Thank you in advance for your cooperation regarding this matter. I have enclosed a copy of the invoice for your review.**

**Sincerely,**



**Daniel G. Raymondi**  
**Commissioner**

**DGR/klm**  
**Xc: H. Murphy**  
**J. Fatseas**  
**File**

**55 Sea Street, Quincy, MA 02169-2572**  
**Telephone: (617) 376-1959 FAX: (617) 376-1969**

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Global Montello Group Corp  
P.O. Box 9161  
Waltham, Ma 02454-9161



(781) 891-4000

DELIVERED  
TO

NORFOLK COUNTY QUINCY  
DPW - CARPENTER SHOP  
55 SEA ST (REAR TRAILER  
QUINCY, MA

PLEASE  
REMIT  
PAYMENT  
TO

P.O. Box 3372 \*\*\*  
Boston, Ma 02241

TO

CITY OF QUINCY  
ATTN: ACCOUNTS PAYABLE  
55 SEA ST  
QUINCY, MA 02169

INVOICE NO. 2297463  
INVOICE DATE 06/20/2012  
ACCOUNT NO. 1 00840313/90

**Copy 2**

DATE	REFERENCE	ST	DESCRIPTION	QUANTITY	U/M	PRICE	AMOUNT
06/19/2012	3075-346721	21	S10%ETH 87 OCT RFG	10,001.0	G	2.86450	28,647.8
			State Fuel Tax		G	.21000	2,100.2
			Leaking Under. Stor. Tax		G	.00100	10.0
			Special Spill Tax		B	.05000	11.9
			Oil Liability Trust Fee		B	.07200	17.1
Total Price including Taxes and Fees						3.07840	
P.O. #: 12006246-00							

Terms: NET 30

FINANCE CHARGE COMPUTATION - A late payment FINANCE CHARGE of 1<sup>1</sup>/<sub>2</sub>% per month will be added on any balance 30 days or more past due. (ANNUAL PERCENTAGE is 18%). The late charge is computed and accumulated daily based on the monthly rate divided by 30 days.

TOTAL

30,787.12

SEE REVERSE SIDE FOR IMPORTANT INFORMATION

TO INSURE PROPER CREDIT PLEASE DETACH THIS PORTION AND RETURN WITH YOUR REMITTANCE IN ENVELOPE PROVIDED.

*pd 8/6 23,475.3*

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Global Montello Group Corp  
P.O. Box 9161  
Waltham, Ma 02454-9161



DELIVERED  
TO

NORFOLK COUNTY QUINCY  
DPW - CARPENTER SHOP  
55 SEA ST (REAR TRAILER  
QUINCY, MA 02169

ACCOUNT NO. 1-00840313/90	INVOICE DATE 06/20/2012	INVOICE NO. 2297463
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PLEASE  
REMIT  
PAYMENT  
TO

Global Montello Group Corp  
P.O. Box 3372 \*\*\*  
Boston, Ma 02241

DUE DATE 07/20/2012	INVOICE AMOUNT 30,787.12	AMOUNT ENCLOSED \$ 23,475.3
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Net Amt 30,787.12

00840313 2297463 6 0003078712 0003078712

Introduced by

Oct. 1, 2012

Doug Gutro, Councilor At Large  
Margaret LaForest, Ward 1 City Councilor

**City Council Resolution Supporting an Amendment to Senate bill 1985 Creating a  
State Coastal and Shorefront Infrastructure Fund**

Whereas the Massachusetts Department of Conservation and Recreation Massachusetts Coastal Infrastructure Inventory and Assessment Project culminated in a comprehensive report issued in October 2009; and

Whereas more than twenty seawalls, groins/ jettys and revetments in the City of Quincy were assessed and a cost/ proposed repair schedule was provided in the report; and

Whereas many of these coastal areas are flood-prone and left vulnerable by weak or damage infrastructure; and

Whereas there is no dedicated federal or state revenue stream available to finance these improvements, and

Whereas the state legislature is now contemplating amendments to Senate Bill 1985 that would establish and administer a Coastal and Shorefront Infrastructure Fund, from which the Commonwealth of Massachusetts may enter into binding commitments to make, loans and other forms of financial assistance to local governmental units and eligible borrowers;

Now therefore be it resolved that the Quincy City Council urge the Senate President, House Speaker and all members of the Massachusetts State Legislature to **support the Coastal and Shorefront Infrastructure Fund amendment to Senate Bill 1985** so that the City of Quincy and other coastal municipalities can compete for an have access to funding to begin to repair and improve our coastal infrastructure.

INTRODUCED BY

WARD FOUR COUNCILLOR BRIAN PALMUCCI

CITY OF QUINCY

IN COUNCIL

ORDERED:

ORDER NO.

2012 - 023

February 6, 2012

Be it ordained by the City Council that the Quincy Municipal Code is amended as follows:

**In Title 12 Streets, Sidewalks, Waterways & Public Places Chapter 12.08 Street Sidewalk Use Regulations add 4 new sections 12.08.180, 12.08.190, 12.08.200 and 12.08.210**

**Section 12.08.180 Establish a Utility Advisory Council**

Be it ordained, that the City of Quincy establish an ad hoc utility advisory council to be made up of no less than three members of the Quincy community, including but not limited to business owners, residents, and City officials, to be selected and convened at the discretion of His Honor the Mayor. It shall be the role of the Utility Advisory Council to evaluate the performance of the current utility providers, their compliance with all state and federal statutes in relation to performance and service, and shall make all necessary recommendations to ensure future performance and compliance.

**Section 12.08.190 City to charge Utilities Fines for not removing double utility poles within 90 days**

Be it ordained, that the owner of a utility pole shall incur a fine of \$100 per day for each double pole that remains erected, regardless of its use, beyond 90 days, after 120 days the fine shall increase to \$300 per day, after 150 days and each and every day thereafter the fine shall increase to \$500 per day per utility pole in violation of this ordinance.

**Section 12.08.200 City Tax Utility Poles**

Be it ordained, that the City of Quincy Assessor make a report to the City Council, yearly on the number of utility poles and other such apparatus, including but not limited to utility control boxes in the City, the ownership of each utility pole and other such apparatus, and the amount of revenue currently generated from taxation levied upon same and/or the estimated amount of tax revenues which could be potentially generated from taxation levied upon same.

**Section 12.08.210 Use of Permanent Spray Paint by Utilities**

Be it ordained, that the City of Quincy request that National Grid, Comcast, Verizon, Dig Safe, Inc. and any other utility company which has reason to conduct similar work in the City of Quincy use an alternative paint with which to delineate work areas on public roadways and sidewalks. Specifically, a paint that is less permanent than what is currently used, so that it will not remain on the sidewalk and City roadways for an extensive period of time.

**YEAS** Coughlin, Croall, Finn, Gutro, Hughes, Laforest, McFarland, McNamee, Palmucci

**NAYS** Coughlin, Croll, Finn, Gutro, Hughes, Laforest, McFarland, McNamee, Palmucci

INTRODUCED BY

**CITY OF QUINCY  
IN COUNCIL**

**ORDER NO. 2012-**

**October 1, 2012**

**Be it ordained that the City of Quincy accept the following gift upon the conditions attached and herein set forth:**

<b><u>DONOR</u></b>	<b><u>GIFT</u></b>	<b><u>PURPOSE</u></b>
<b>Various Donors</b>	<b>\$3,000.00</b>	<b>Various Local Charities- Mayor's Charity Cup Golf Tournament Fund</b>

**Deposit To: 83494-484000**

**PASSED TO BE ORDAINED OCTOBER 1, 2012**

**ATTEST:**

**CLERK OF COUNCIL**

**YEAS Coughlin, Croall, Finn, Gutro, Hughes, Laforest, McFarland, McNamee, Palmucci,**

**NAYS Coughlin, Croall, Finn, Gutro, Hughes, Laforest, McFarland, McNamee, Palmucci,**

**2012 Mayor's Cup Golf Tournament - New donations as of 26 September 12**

\$1,000.00	Beal & Company				
\$1,000.00	Nitsch Engineering				
\$1,000.00	Weston & Sampson				
Total	\$3,000.00				

INTRODUCED BY: Mayor Thomas P. Koch

CITY OF QUINCY  
IN COUNCIL

ORDER NO.

October 1, 2012

ORDERED:

Upon the recommendation of the Commissioner of Public Works and with the approval of his Honor, the Mayor, Section 13.08 is hereby amended by striking Section 13.08 Sewer Service System in its entirety and inserting the following provisions:

CHAPTER 13.08

Sections:

13.08.010	Definitions
13.08.020	Commissioner of Public Works – Authority
13.08.030	Public Sewers
13.08.040	Public Sewers – Prohibited Discharges
13.08.050	Public Sewers – Sewer Extension
13.08.060	Private Sewers
13.08.070	Building Laterals – Ownership and Maintenance Responsibility – Non-Residential
13.08.080	Building Laterals – Ownership and Maintenance Responsibility – Residential
13.08.090	Building Laterals – Ownership and Maintenance Responsibility – Large Residential and Residential Mixed Use
13.08.100	Building Laterals – Connection to Public Sewer
13.08.110	Building Laterals – Construction Standards
13.08.120	Building Laterals – Backwater Valves
13.08.130	Grease Traps
13.08.140	Bills – Charges
13.08.150	Access to Premises/Property

**13.08.010 Definitions**

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

**Application:** A written request to the Department for permission to install a New Connection or make changes to an existing connection from any Premises/Property to the City's Wastewater System or a Private Sewer which connects to the City's Wastewater System.

**Backwater Valve** also referred to as a **back-flow valve, or check valve:** A device installed on a building lateral to prevent the discharge from the building, or flows originating outside the building, from flowing back into the building.

**Below Grade Plumbing Fixture:** Any plumbing fixture located at an elevation below the elevation of the roadway adjacent to the property to which the City's Wastewater systems serving the fixture shall be considered to be liable to backflow.

**Bill:** The periodic mandate by the City for the payment of water use and/or consumption, sewer use, water/sewer services, interest, and charges.

**Biochemical Oxygen Demand or BOD:** The quantity of oxygen utilized in 5 days at 20 degrees Celsius (C), expressed in milligrams per liter (mg/l), in the biochemical oxidation of wastewater as determined by a procedure described in Standard Methods.

**YEAS** Coughlin, Croall, Finn, Gutro, Hughes, Laforest, McFarland, McNamee, Palmucci  
**NAYS** Coughlin, Croall, Finn, Gutro, Hughes, Laforest, McFarland, McNamee, Palmucci

**Blowdown:** The minimum discharge of recirculated water from a heating or cooling system for the purpose of preventing the concentration of materials contained in the water from exceeding limits established by best engineering practice.

**Building Lateral,** also referred to as a **lateral, a house connection, or service:** The pipe which connects to a building, conveying wastewater from plumbing fixtures within a building to a public sewer, a private sewer or a MWRA sewer (as allowed by MWRA), or other place of disposal. The building lateral begins at the City's right of way and extends to and includes the connection to the City sewer, MWRA sewer or private sewer. No building lateral shall be deemed to be a public sewer.

**Bypass:** An intentional or negligent diversion of a waste stream, by direct or in direct means, to the City sewers, from any portion of a pretreatment facility prior to completing pretreatment, or from any industrial process or other source of wastewater prior to pretreatment.

**Charge:** The mandate by the City for payment for water/sewer goods and services provided to the Customer.

**Chemical Oxygen Demand or COD:** The oxygen equivalent of the portion of the organic matter that is susceptible to oxidation by a chemical oxidant, expressed in milligrams per liter, as determined by a procedure described in the latest edition of *Standard Methods*.

**City:** The City of Quincy, in the County of Norfolk in the Commonwealth of Massachusetts.

**City Engineer:** The City Engineer of the City of Quincy or his/her designee.

**Cleanout:** A device or structure designed to provide access to a building lateral for the purpose of eliminating blockages and removing deposited or accumulated materials.

**Collection System:** The pipes, conduits, pumping stations, and appurtenances involved in the collection and transport of wastewater.

**Commissioner:** The Commissioner of Public Works of the City of Quincy or his/her authorized deputy, agent or representative.

**Connection:** The point where a sewer or building lateral is joined to another sewer.

**Conventional Pollutant:** As specified under the Clean Water Act, conventional pollutants including solids, coliform bacteria, high biochemical oxygen demand, pH, oil and grease.

**Cross Connection:** Any actual or potential physical connection or arrangement between a pipe conveying potable water from a public water system and any non-potable water supply, piping arrangement or equipment including, but not limited to, waste pipe, soil pipe, sewer, Drain or other unapproved sources.

**Customer:** The person, individual, firm, company, partnership, association, society, corporation, group or any political subdivision of the Commonwealth of Massachusetts and/or any other legally defined entity listed in the Department of Public Work's records as the party responsible for the payment of bills for water and/or sewer service to a property.

**Daily Maximum Limit:** The highest allowable concentration for any pollutant in a waste stream.

**DEP:** The Massachusetts Department of Environmental Protection.

**Department:** The City of Quincy Department of Public Works located at 55 Sea Street, Quincy, Massachusetts.

**Easement:** An acquired legal right for the specific use of land owned and maintained by others.

**EPA:** The United States Environmental Protection Agency.

**Enterprise Fund:** A fund established by the City in accordance with G.L. Chapter 44, Section 53F<sup>1/2</sup>.

**Excessive Levels:** Discharges of wastewater at more than the limits stated within this ordinance, established by the Commissioner and/or stated in the MWRA Rules and Regulations, or levels of such magnitude that, in the judgment of the Commissioner, may:

- (1) cause damage to any facility, be harmful to the wastewater treatment process or reduce its efficiency,
- (2) not be removed in the waste water treatment plant to the degree required to meet the Federal Water Pollution Control Act of 1972, Public Law 92-500,

**YEAS** Coughlin, Croall, Finn, Gutro, Hughes, Laforest, McFarland, McNamee, Palmucci  
**NAYS** Coughlin, Croall, Finn, Gutro, Hughes, Laforest, McFarland, McNamee, Palmucci

- (3) create any hazard in the receiving waters,
- (4) exceed the capacity of the MWRA Sewerage System, or
- (5) otherwise endanger life, limb or public property or constitute a public nuisance.

**Floatable Oil:** Oil, fat or grease of animal or vegetable origin, or petroleum derived oil or grease in a physical state such that it will separate by gravity from Waste by treatment in an approved pretreatment facility.

**Floor Drain:** An intended Drainage point in an otherwise impervious floor, which serves as the point of entry into any subsurface Drainage, treatment, disposal, containment, or other plumbing system.

**FOG (Fats, Waxes, Oils, and Grease):** The discharge of fats, waxes, oils, and grease into the City's wastewater system.

**Garage:** Any building wherein one or more motor vehicles or pieces of motorized equipment are serviced, kept or stored and shall include (without limitation) a public or private garage, carport, motor vehicle repair or paint shop, service station, car wash, gasoline station with grease pits or wash racks, or any building used for similar purposes.

**Garbage:** The animal and vegetable wastes resulting from the domestic or commercial handling, storage, sale, preparation, cooking, or dispensing of food.

**GPM:** Gallons per minute.

**Grease Trap:** A receptacle designed to collect and retain or remove grease, oils and fatty substances from Waste normally resulting from the commercial/industrial, both public and private, handling, preparation, processing, cooking or dispensing of food and related equipment. Also called a grease interceptor in the *Uniform State Plumbing Code, 248 CMR 2.00*.

**Groundwater:** A supply of water under the earth's surface contained within or flowing through a geological formation.

**Hazardous Waste:** A waste, or combination of wastes, that at the time of discharge:

- (a) Is identified as a hazardous waste by EPA pursuant to the *Resource Conservation and Recovery Act, 42 USC 6901, et seq.*, and is listed in *40 CFR Part 261*, as amended from time to time;
- (b) Has any of the hazardous waste characteristics identified by EPA in *40 CFR Part 261* as amended from time to time;
- (c) Has been identified by DEP as a hazardous waste pursuant to *G.L. c. 21C* and is listed in *310 CMR 30.000*; as amended from time to time; or
- (d) Has any of the hazardous waste characteristics identified by DEP in *310 CMR 30.000*, as amended from time to time.
- (e) A waste that would be a hazardous waste pursuant to the EPA or DEP criteria, but for the fact that it is discharged to the sanitary sewer or combined sewer system shall be, for purposes of this definition, a hazardous waste unless it is in Waste which is discharged to the sewer or combined sewer system pursuant to a permit issued under these Regulations and in compliance with the City's and the MWRA's discharge limits.

**Illicit Connection:** Any connection to a building lateral, public sewer, or private sewer which allows a non-permitted discharge to a sanitary sewer regardless of whether said connection was previously allowed, permitted, or approved before the adoption of this Ordinance.

**Improperly Shredded Garbage:** Wastes from the domestic and commercial preparation (both public and private), cooking, and dispensing of food, and from the handling, storage and sale of produce, excluding rubbish and trash, which has particles greater than 1/2 inch or 1.27 centimeters in any dimension so as to prevent the particles from being carried freely under normal flow conditions in the wastewater system.

**Individual Wastewater Disposal System:** A privately owned septic tank, cesspool or similar self-contained receptacle or facility which collects, treats or otherwise disposes of wastewater.

**Infiltration:** Groundwater that enters or leaks into a sanitary sewer through such means as a defective pipe, pipe joint, connection or manhole wall.

**YEAS** Coughlin, Croall, Finn, Gutro, Hughes, Laforest, McFarland, McNamee, Palmucci  
**NAYS** Coughlin, Croall, Finn, Gutro, Hughes, Laforest, McFarland, McNamee, Palmucci

**Inflow:** Precipitation or surface runoff that enters a sanitary sewer through such means as downspouts and roof leaders, foundation drains, yard drains and area drains, sump pumps, catch basins, interconnections between storm drains and sanitary sewers, and defective manhole covers and frames.

**Large Residential and Residential Mixed Use:** A Premises/Property which has either five or more permanent residential dwelling units therein or has multiple uses, including at least one permanent residential dwelling unit therein.

**Lateral Maintenance:** The use of mechanical or chemical means to clear blockages to building laterals which do not require the excavation of the lateral to address the blockage.

**Lateral Repair or Replacement:** The excavation and replacement or repair of a building lateral to clear blockages, pipe collapse, or failure which cannot be fixed using lateral maintenance procedures.

**Municipal Small Storm Sewer or MS4:** An MS4 is a conveyance or system of conveyances for stormwater that is owned by the City or adjoining municipalities and is designed or used to collect or convey stormwater (including storm drains, pipes, ditches, etc.).

**MWRA:** The Massachusetts Water Resources Authority.

**MWRA General Permit:** The Permit required and issued by the MWRA that authorizes certain facilities with low industrial flows and no or low levels of regulated pollutants in their industrial Waste to discharge industrial Waste to the MWRA's Wastewater system.

**MWRA Group Permit:** The Permit required and issued by the MWRA that is applicable to a specific type or types of industrial and commercial processes or discharges.

**MWRA Special Assessment:** Any assessment, including but not limited to the High Strength User Fee, which is assessed to the City by the MWRA, but attributable to an individual water and/or sewer Customer.

**National Categorical Pretreatment Standard:** The requirements under *40 CFR 403.6* and *40 CFR Chapter I, subchapter N*, specifying quantities or concentrations of pollutants or pollutant properties which may be discharged to a publicly-owned treatment works by new or existing sanitary or combined sewer users in specific industrial categories which are established as separate Regulations under the appropriate subpart of *40 CFR Chapter I, subchapter N*.

**National Pretreatment Standard or Pretreatment Standard:** The general prohibitions and specific prohibitions of *40 CFR 403.5 (a) and (b)*, of the *National Categorical Pretreatment Standards*.

**New Connection:** A sewer service which is connected into the City sewer system for a Customer and/or Premises/Property which has not been previously connected, including services which discharge into a Private Sewer which discharges into the City Wastewater System.

**Non-Residential:** A Premises/Property engaged in commercial, industrial, or mixed use which has no permanent residential units therein.

**Oil/Water Separator:** A receptacle designed to separate petroleum-based oil and grease from water. Also called a trap or interceptor in Uniform State Plumbing Code, 248 CMR 2.00.

**Owner:** A person who alone or jointly or severally with others has the legal title to any premises or has care, charge or control of any premises as agent, executor, administrator, trustee, lessee or guardian of the estate of the holder of legal title.

**Person:** Any agency of the federal government, any agency or political subdivision of the Commonwealth, any state, public or private corporation or authority, individual, trust, firm, joint stock company, partnership, association, or other entity, or any other group thereof, and any officer, employee, or agent of such person, and any group of persons.

**pH:** The logarithm of the reciprocal of the hydrogen ion concentration, expressed in moles per liter. Neutral water, for example, has a pH value of 7 and a hydrogen ion concentration of  $10^{-7}$ .

**Pollutant:** Any element, constituent, or property of wastewater, or of agricultural, industrial, manufacturing, or commercial process waste, or leachate, or any other substance which causes the alteration of the chemical, physical, biological, or radiological integrity of water through its

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introduction therein.

**Premises/Property:** A parcel of real estate or portion thereof, including any improvements thereupon, which is determined by the Department to be a single Customer for purposes of receiving, using, and paying for water use and/or consumption, sewer use, water/sewer services, interest, and charges.

**Pretreatment:** The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into the wastewater system. Pretreatment shall include the reduction or alteration of pollutants by physical, chemical or biological processes, process changes, or other means, except as prohibited by 40 CFR Part 403. Dilution is not pretreatment.

**Private Sewer:** A sewer which is not owned by the City or the MWRA. Private sewers include, but are not limited to connections to building laterals beyond the right of way, sewers, and manholes located on private property and not located within an easement held by the Department. The connection from a private sewer to the public sewer system is also owned by the owner of the private sewer.

**Public Sewer:** A sewer which is owned by the City or the MWRA.

**Public Ways:** Any and all portions of the streets and sidewalks in the city of Quincy, which are open for use by the public.

**Residential:** A Premises/Property which is used solely for residential purposes and has four or fewer residential units therein.

**Sanitary Sewage:** Liquid and water-carried human and domestic wastes from buildings, exclusive of ground, storm and surface water, industrial wastes, uncontaminated cooling water, and uncontaminated industrial process water.

**Septage:** The wastes of primarily sanitary sewage origin that are removed from a cesspool, septic tank, portable toilet or similar receptacle.

**Sewer Extension:** The addition to a wastewater system, together with appurtenant works, which when connected to the wastewater system becomes the property of, and is operated and maintained by, the person owning the wastewater system.

**Sewer Use Discharge Permit (Industrial):** The permit required and issued by the MWRA to a user for the discharge of industrial Waste to the City's Wastewater system.

**Sludge:** The settled solids produced in the treatment of drinking water, wastewater, or any other industrial process.

**Slug:** A concentrated discharge of wastewater from a Customer, either chemically or volume, which is significantly greater than the average wastewater discharge flow or strength from a connection to the Wastewater System.

**Standard Methods:** The current edition of Standard Methods for the Examination of Water and Wastewater, as published by the American Public Health Association (APHA), American Water Works Association (AWWA) and the Water Environment Federation (WEF).

**Total Suspended Solids or TSS:** The measure of the amount of solids contained in a wastewater discharge, expressed in milligrams per liter (mg/L).

**Toxic Wastes:** Wastes containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes, to (1) injure or interfere with any sewage treatment process, (2) constitute a hazard to humans or animals, (3) create a public nuisance or (4) create any hazard in the receiving waters of the sewage treatment plants, and those wastes so specified in the Rules and Regulations of the MWRA and in the Water Pollution Control Act of 1972, Public Law 92-500.

**Treasurer/Collector:** The Treasurer/Collector of the City of Quincy or his/her authorized deputy, agent or representative.

**Treatment System or Pretreatment System:** Any and all devices, equipment, or works used in the pumping, storing, treating, recycling, and reclaiming of sewage or industrial waste.

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**Unauthorized Connection:** A connection to the Wastewater System for which an application was not submitted and approval was not granted by the Commissioner.

**Unauthorized Use:** Any discharge to the Wastewater System which does not come from an approved connection.

**Upset:** An exceptional incident in which there is unintentional and temporary non-compliance with the discharge standards of this Ordinance or any MWRA permit, due to factors beyond the reasonable control of the person responsible for the discharge. An Upset does not include the following; noncompliance to the extent caused by operational error, an improperly or inadequately designed treatment facility, lack of preventive maintenance, or careless or improper operation.

**User:** Any person including other MS4s that discharge Waste directly or indirectly into the City's Sanitary Sewers or MWRA interceptors within the City.

**Waste Oil:** Shall mean used and/or reprocessed, but not subsequently re-refined, oil that has served its original intended purpose. Waste oil includes, but is not limited to, used and/or reprocessed fuel oil, engine oil, gear oil, cutting oil, and transmission fluid and dielectric fluid. Waste oil does not include oils used in food preparation.

**Wastewater System:** The totality of the devices, equipment or works used in transportation, pumping, storage, treatment, recycling, or the disposal of the effluent.

**Wastewater Discharge (Non-industrial):** Shall mean the non-industrial discharge of Waste to the City's Sewer system.

#### **13.08.020 Commissioner of Public Works – Authority**

The Commissioner shall have supervision, direction and control of the Sewer, Water and Drain Department and shall make such rules and regulations for its governance as may be deemed necessary.

#### **13.08.030 Public Sewers**

No person shall directly or indirectly discharge or cause or allow to be discharged into any City sanitary sewer or any sanitary sewer tributary thereto any stormwater.

The use of all public sewers in the City, except sewers of the MWRA's wastewater system, shall be controlled by the Commissioner. No person, without prior authorization from the Commissioner or his/her designee, shall uncover, excavate over, block access to, make any connection with or opening into, alter, or disturb the City's wastewater system. 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 system.

No person shall discharge or cause or allow to be discharged directly or indirectly into a City public sanitary sewer or into a sanitary sewer tributary thereto any groundwater, dewatering drainage, subsurface drainage, tidewater, accumulated surface water, non-contact cooling water, non-contact industrial process waters, uncontaminated contact cooling water and uncontaminated industrial process water, or waters associated with the excavation of a foundation or trench, hydrological testing, groundwater treatment/remediation, removal or installation of an underground storage tank or dewatering of a manhole, except as with the express prior written approval of the Commissioner.

Accessing the public sewers without written permission of the Commissioner or his/her designee shall be an Unauthorized Sewer Connection. In the event that a Customer or Owner is in violation of this provision, the charges authorized in this chapter shall apply.

#### **13.08.040 Public Sewers – Prohibited Discharges**

No persons shall discharge or cause or allow to be discharged into a public sewer or private sewer tributary thereto, any substances, waters or wastes that the MWRA has identified as likely, either singly or by interaction with other substances, to:

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- a. harm or interfere with any wastewater system, wastewater treatment facility, or wastewater treatment process;
- b. pass through, interfere with or be otherwise incompatible with the wastewater treatment process or sludge disposal;
- c. cause or result in blockage of flow;
- d. cause a violation of Federal or State law or any discharge permits issued to either the City or the MWRA;
- e. cause a violation of water quality standards or otherwise adversely affect the receiving waters;
- f. endanger or threaten to endanger life, limb, health, or welfare of any person(s), or the public health, safety, welfare, or the environment, or property; or
- g. constitute a nuisance.

No person shall discharge or cause or allow to be discharged directly or indirectly into a City public sewer or into a sewer tributary thereto any of the following:

- a. Fuel oil, crude oil, lubricating oil, or any other oils or greases of hydrocarbon or petroleum origin in excess of 15 milligrams per liter.
- b. Any wastewater discharge from any building or facility served by a private water supply.
- c. Swimming pool water unless there is no reasonable alternative as determined by the Commissioner and MWRA and upon written approval by the Commissioner and the MWRA.
- d. Any liquid, solid, or gas including but not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides and methyl ethyl ketone, which by reason of its nature or quantity is or may be sufficient, either alone or through interaction with other substances, to create a fire or explosion hazard or to be otherwise injurious to the wastewater system, or to receiving waters, including:
  - i. Wastewater with a closed cup flashpoint of less than 140F (60C) using the test methods specified in 40 CFR 261.21;
  - ii. any pollutant which causes an exceedance of 10 percent of the lower explosive limit as measured by an explosimeter at the point of discharge to the sewer or at any point within the sewer.
- e. Solids or viscous substances (such as, but not limited to, sand, mud, metal, glass, wood, paper, plastics, rags, rubber, latex, and lime or other slurries, garbage, bones, hair, human parts, hides, or fleshings, animal guts or tissues, feathers, ashes, cinders, stone or marble dust, straw, shavings, grass clippings, spent grains, spent hops, tar, asphalt residues, residues from refining or processing fuel or lubricating oil, grease, or glass grinding or polishing wastes) in quantities or of such size as to be capable of inhibiting the operation of the City's wastewater system.
- f. Any noxious or malodorous liquids, gases or solids, which either singly or by interaction with other wastes, are capable of creating a public nuisance or hazard to life, or of preventing safe entry into sewers for purposes of inspection, maintenance or repair.
- g. Any waters or wastes containing strong acid iron pickling wastes or concentrated plating solutions, whether neutralized or not.
- h. Any Slug.
- i. Sludges or deposited solids resulting from an industrial or pretreatment process.
- j. Substances causing noticeable discoloration or turbidity.
- k. Liquids or vapors having a temperature higher than 150 degrees Fahrenheit (F) or 65 degrees Celsius (C), unless an alternative temperature limit is approved in writing by

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- both the Commissioner and the MWRA.
- l. Any garbage containing particles larger than one-half inch (1.27 centimeters) in any dimension or particles which will not be carried freely in the wastewater system.
  - m. Waters or wastes having pH lower than 5.5 or higher than 10.5, or having any other corrosive or injurious properties capable of causing damage or hazard to structures, equipment, people or the collection system. Exceptions to these limits are permitted for facilities that continuously monitor pH, subject to limitations established by the MWRA in its Sewer Use Regulations 360, CMR 10.000.
  - n. Mercury, polychlorinated biphenyls (PCBs), phenanthrene.
  - o. Pesticides, including but not limited to, dieldrin, chlordane, 1,1,1-Trichloro-2,2-bis(p-chlorophenyl)-ethane (4-4 DDT), demeton, endosulfan I, endosulfan II, endrin, guthion, heptachlor, malathion, methoxychlor, mirex, parathion, acrolein, aldrin, TDE, DDE, Hexachlorocyclohexane, lindane, benzene-cis-hexachloride and benzene-trans-hexachloride (BHC), hexachlorocyclopentadiene and toxaphene.
  - p. Inflow.
  - q. Medications prohibited by the MWRA; Waters or wastes containing Toxic Waste or Hazardous Waste in excess of limits contained in Federal, State or MWRA regulations or in a Sewer Use Discharge Permit.
  - r. Radioactive wastes or isotopes of such half-life or concentrations as may exceed limits established by Federal, State or MWRA regulations.
  - s. TSS of a type or concentration which would inhibit flow in the wastewater system.
  - t. Materials which exert a biochemical oxygen demand in excess of 400 milligrams per liter or a chemical oxygen demand in excess of 1,000 milligrams per liter or a chlorine demand in excess of limits established by the MWRA.
  - u. Waters or wastes containing fats, wax, grease, or oils of vegetable or animal origin in excess of 100 milligrams per liter or containing other substances which may solidify or become viscous at temperatures between 32 and 150 degrees Fahrenheit (0 to 65 degrees Celsius). Waters or wastes containing such substances (excluding normal household waste) shall be free of all visible floatable oils, fats, and greases. The use of chemical, biological or physical means (such as temperature variation, solvents, enzymes, emulsifying agents, mechanical mixers) to bypass or release fats, waxes, oils or greases into the wastewater system is prohibited. Subject to the written approval of the Commissioner, a chemical or biological agent may be added to convert the fats, wax, oil, and grease in a trap to a substance not regulated by this section, if the resulting discharge from the trap will not cause or contribute to an obstruction or blockage in the sewer or otherwise violate these regulations. Unless so converted, the fats, wax, oil, and grease contents of a grease trap shall not be discharged to the sewer system. If the discharge concentration for any fats, oils or grease exceeds 100 milligrams per liter after treatment, the Commissioner may increase the discharge concentration limit on a case by case basis and apply a monetary charge for the increase.
  - v. Any substances containing pathogenic organisms in such quantities as determined by local, state or federal law as hazardous to the public health or the environment, including but not limited to biological waste, hospital or medical wastes, and related used equipment and supplies.
  - w. Waste or wastewater discharged through a bypass, unless such discharge through the bypass was approved in writing advance by the Commissioner and the MWRA, or the discharge through the bypass is allowed by 40 CFR 403.17 and the person using the bypass has provided the required notices to the Department and the MWRA in a timely manner.

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- x. Any filter backwash not specifically treated to meet the limits and prohibitions established by the Commissioner or the MWRA.
- y. Any trucked or hauled pollutants.
- z. Any water or wastewater, not otherwise governed by these Regulations, containing pollutants at levels which may adversely affect the MWRA's ability to process or dispose of its wastewater residuals in an environmentally sound and economic manner in accordance with applicable state and federal requirements.
- aa. Waters or wastes containing amounts of metal or other materials in excess of the limits contained in Federal, State, or MWRA regulations, as shown in the table below:

MATERIAL	DAILY AVERAGE LIMIT milligrams per liter (mg/l)
Antimony (total)	10.0
Arsenic III (total)	0.5
Boron (total)	20.0
Cadmium (total)	0.1
Chromium (VI) (Hexavalent)	0.5
Copper (total)	1.5
Cyanide (total)	0.5
Lead (total)	0.2
Nickel (total)	1.0
Selenium (total)	5.0
Silver (total)	2.0
Zinc (total)	1.0
Total Chromium	1.0
Chlorinated Naphthalenes	0.8
Fluoranthene	1.5
Hexachlorobutadiene	3.0
Pentachlorophenol	0.05
Phenol	5.0
Phenolic Compounds -the following hydroxy derivatives of benzene:	
2-chlorophenol;	
2,4-dichlorophenol;	
2,4-dimethylphenol;	
4,6-dinitro-o-cresol;	
2,4-dinitrophenol;	
2-nitrophenol;	
4-nitrophenol;	
p-chloro-m-cresol; and 2,4,6-trichlorophenol	0.5
Toxic Organic - each Toxic Organic not limited elsewhere in these Regulations	1.0
Total Toxic Organics	5.0
Trichloroethylene	0.07

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The introduction of one or more of the materials described in this section into a public sewer or into private infrastructure discharging or draining to a public sewer shall be a Prohibited Discharge. In the event that a Customer or Owner is in violation of this provision, the charges authorized in this chapter shall apply.

#### **13.08.050 Public Sewers – Sewer Extension**

Any person may propose an extension, replacement or relocation of a public sewer to serve a new or rehabilitated building. Every person who so proposes shall prepare an Application and submit the application to the Department for review and approval by the Commissioner. The Application shall contain a construction plan, supplemented by such other permits, plans, specifications, and information the Commissioner deems necessary to determine whether to approve the Application. Extension, replacement or relocation of a public sewer shall not commence without the Commissioner's prior written approval of the Application.

Every extension, replacement or relocation of a public sewer shall be designed and constructed in accordance with the City Engineer's design requirements, specifications, and standard details. Any tests, studies, investigations and inspections required for design and construction shall be conducted in accordance with the City Engineer's requirements. All expenses incurred pursuant to the extension, replacement or relocation of a public sewer including but not limited to application, engineering, legal, permitting, construction and inspection costs, shall be borne by the applicant.

Before extending a public sewer or replacing or relocating a public sewer, the contractor shall:

- (a) be approved in writing by the Commissioner; and
- (b) post a bond with the Department in an amount and form acceptable to the Commissioner.

After constructing a Commissioner approved public sewer extension, replacement or relocation, the owner shall transfer ownership of the sewer to the City using such forms as prescribed by the Department. The transfer of ownership shall be accompanied with as-built plans for the extended, replaced or relocated sewer and any other information required by the Commissioner. Until such time as the transfer of ownership is approved by the Commissioner, the extended, replaced or relocated sewer shall be considered to be a private sewer owned by the applicant and shall be subject to the requirements pertaining to private sewers contained in this chapter.

#### **13.08.060 Private Sewers**

All private sewers that connect to the City's wastewater system shall be controlled as to discharge by the Commissioner, but constructed, installed, maintained, repaired, and operated by their owners, at the owner's expense. All private sewers that connect to the City's wastewater system shall be constructed, installed, maintained, repaired, and operated to the satisfaction of the Commissioner. Discharges from sanitary sewers that connect to the City's wastewater system are also subject to MWRA regulation.

Upon the instruction of the Commissioner, the Department shall install a sewer meter on any private sewer at its discharge point into a Public Sewer.

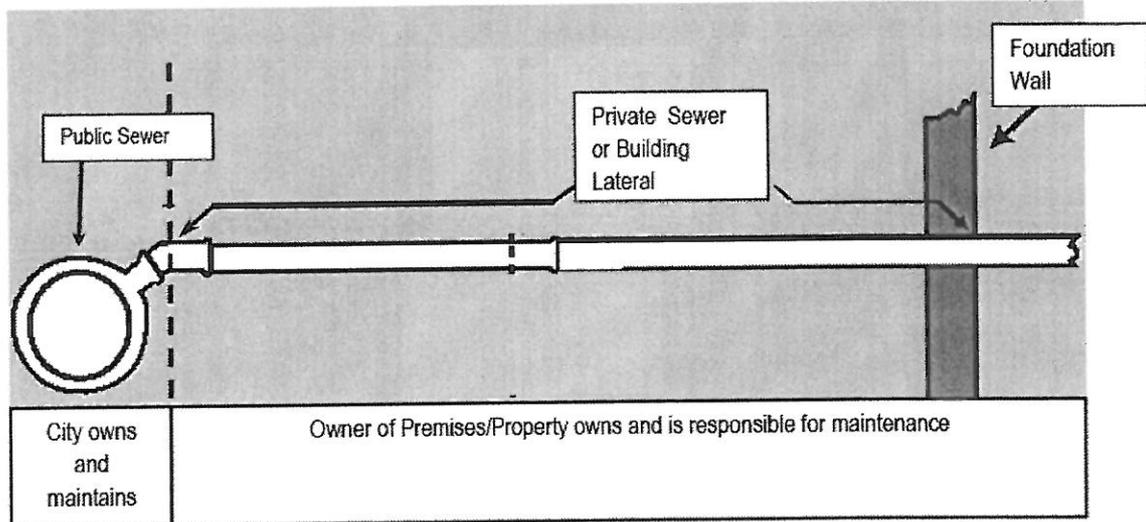
At the Commissioners discretion, the Department shall require the owner of the private sewer to conduct an investigation of their property, including but not limited to flow testing, remote camera inspection, and chemical monitoring. Upon completion of the investigation, the owner of the private sewer shall provide the Commissioner with any reports, memos, or other findings which document the condition of the private sewer. If such investigations are not completed and results provided to the Department within ninety (90) days of the Commissioner's request, the Department shall have the right to complete the investigation either using Departmental resources or by hiring a third party contractor. The owner of the private sewer shall

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be required to reimburse the Department for the full cost of repairs, including Department labor, materials, and/or contracted services costs using the charges outlined in this chapter.

**13.08.070 Building Laterals – Ownership and Maintenance Responsibility – Non-Residential**

Building laterals, whether located on public or private property, are owned by the owner of the premises/property served from the point where the lateral connects to the public sewer. The figure below graphically indicates the ownership and responsibility of the City and private property owner. In the case where more than one premise is connected to the same building lateral, the owners of the respective premises shall be jointly responsible for its maintenance and repair.



The owner of a premises/property shall at all times keep such laterals and private sewers clean and in good repair in order not to cause excessive infiltration, exfiltration, inflow, damage to property, odor, or harm to the City’s public sewers.

The owner shall maintain, repair, modify, or replace building laterals or private sewers whenever it is determined by the Commissioner that such laterals and sewers may endanger public health, create a public nuisance, results in public or private property damage, harm the City’s public sewers, result in excessive infiltration, exfiltration, or inflow or impair water quality or the environment and in such other circumstances as the Commissioner deems appropriate. Building laterals shall be maintained, repaired, modified, or replaced at the owner’s expense.

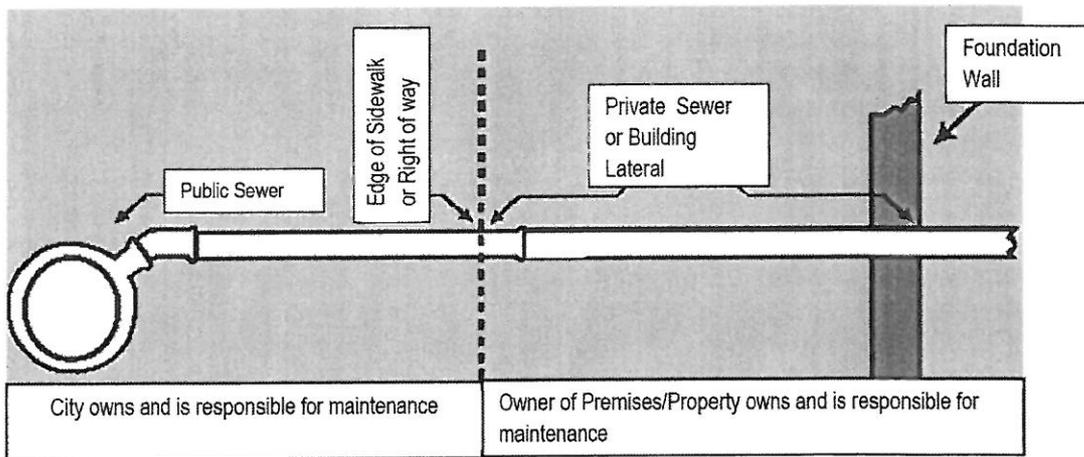
The Commissioner shall require an owner to eliminate a source of infiltration or inflow whenever the Commissioner determines that the source is resulting in excessive infiltration or inflow to be discharged directly or indirectly to the City’s wastewater system.

In the event that cleaning of a lateral is required, the Department shall clean a non-residential Customer’s building lateral upon request of the Customer for the charges outlined in this chapter.

**13.08.080 Building Laterals – Ownership and Maintenance Responsibility – Residential (4 units or fewer)**

Building laterals, whether located on public or private property, are owned by the owner of the premises/property served from a point along the lateral directly under the edge of sidewalk or the edge of the street right of way, whichever is closer to the building. The figure below graphically indicates the ownership and responsibility of the City and private property owner. In the case where more than one premise is connected to the same building lateral, the owners of the respective premises shall be jointly responsible for its maintenance and repair.

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The owner of a premises/property shall at all times keep such laterals and private sewers clean and in good repair in order not to cause excessive infiltration, exfiltration, inflow, damage to property, odor, or harm to the City’s public sewers.

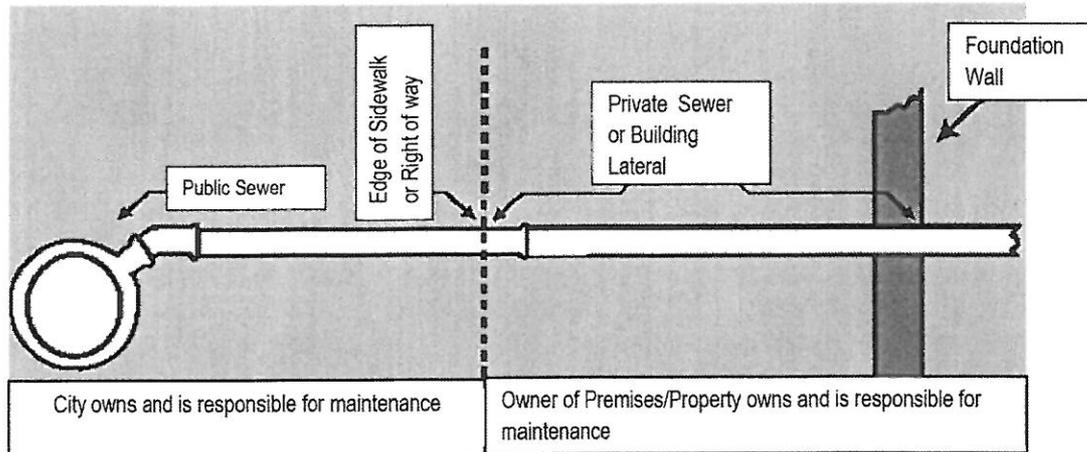
The owner shall maintain, repair, modify, or replace building laterals or private sewers whenever it is determined by the Commissioner that such laterals and sewers may endanger public health, create a public nuisance, results in public or private property damage, harm the City’s public sewers, result in excessive infiltration, exfiltration, or inflow or impair water quality or the environment and in such other circumstances as the Commissioner deems appropriate. Building laterals shall be maintained, repaired, modified, or replaced at the owner’s expense.

The Commissioner shall require an owner to eliminate a source of infiltration or inflow whenever the Commissioner determines that the source is resulting in excessive infiltration or inflow to be discharged directly or indirectly to the City’s wastewater system.

In the event that cleaning of a lateral is required, the Department will clean each Customer’s building lateral once per fiscal year at no cost to the customer. Any subsequent cleanings will be completed at the expense of the Owner using an independent contractor or for the charges outlined in this chapter.

**13.08.090 Building Laterals – Ownership and Maintenance Responsibility – Large Residential (5 units or more) and Residential Mixed Use**

Building laterals, whether located on public or private property, are owned by the owner of the premises/property served from a point along the lateral directly under the edge of sidewalk or the edge of the street right of way, whichever is closer to the building. The figure below graphically indicates the ownership and responsibility of the City and private property owner. In the case where more than one premise is connected to the same building lateral, the owners of the respective premises shall be jointly responsible for its maintenance and repair.



The owner of a premises/property shall at all times keep such laterals and private sewers clean and in good repair in order not to cause excessive infiltration, exfiltration, inflow, damage to property, odor, or harm to the City's public sewers.

The owner shall maintain, repair, modify, or replace building laterals or private sewers whenever it is determined by the Commissioner that such laterals and sewers may endanger public health, create a public nuisance, results in public or private property damage, harm the City's public sewers, result in excessive infiltration, exfiltration, or inflow or impair water quality or the environment and in such other circumstances as the Commissioner deems appropriate. Building laterals shall be maintained, repaired, modified, or replaced at the owner's expense.

The Commissioner shall require an owner to eliminate a source of infiltration or inflow whenever the Commissioner determines that the source is resulting in excessive infiltration or inflow to be discharged directly or indirectly to the City's wastewater system.

In the event that cleaning of a lateral is required, the Department shall clean a Large residential or residential mixed use Customer's building lateral upon request of the Customer for the charges outlined in this chapter.

#### **13.08.100 Building Laterals – Connection to Public Sewer**

All applications for the construction of building laterals sewers and their connection to public sewers shall be made upon forms to be obtained at the office of the Commissioner, and shall be signed by the owner or by the accredited agent of the premises/property to be served.

No Customer shall make any alteration to or connection with a building lateral or private sewer, except as stated in the original permit. Any changes must be approved in writing by the Commissioner.

The plumbing of any building shall not be connected with a public sewer until the applicant shall file with the Commissioner a certificate by the inspector of plumbing that the plumbing work is in suitable condition for the connection with the public sewer.

#### **13.08.110 Building Laterals – Construction Standards**

The materials and labor required in the construction of building laterals, private sewers and appurtenances thereof shall be provided by the Customer or their private contractor. Prior to closing any excavations, the Commissioner, or his/her designee, shall inspect the work for compliance with City standards. In the event that a lateral does not meet City standards or is buried prior to inspection by the City, the connections shall be an unauthorized connection.

All building laterals shall be laid accurately to straight lines and grades. If angles along the lines thereof are unavoidable, manholes or other approved means of access shall be

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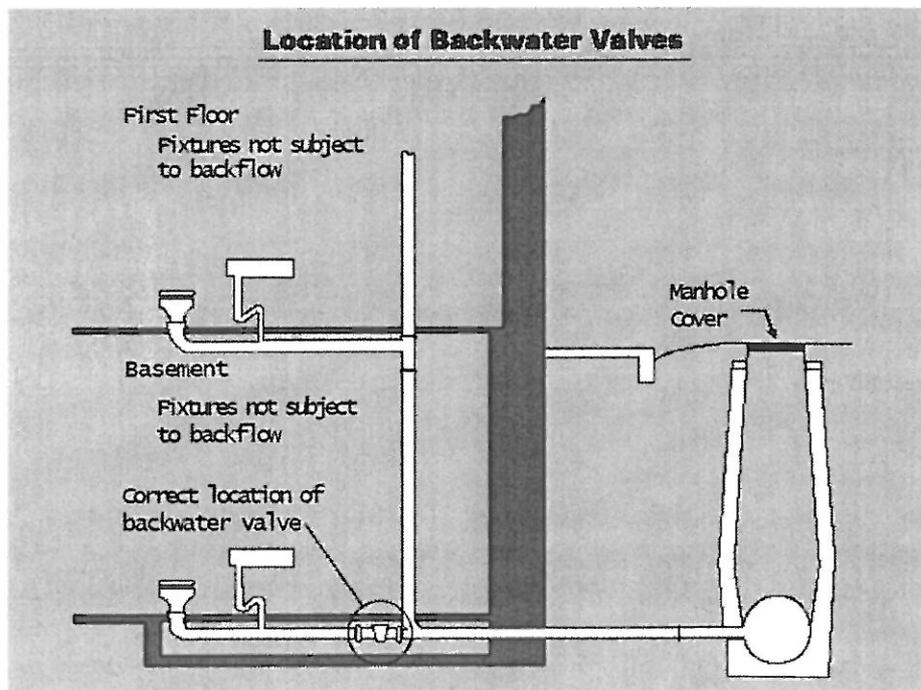
provided.

The size and materials of building laterals and appurtenances shall be such as the Commissioner stipulates, and in conformity with the requirements of the health department.

All building laterals shall discharge by gravity to the public sewer. In all new or substantially rehabilitated buildings in which a building lateral too low to permit gravity discharge, wastewater from that premises/property shall be lifted by an approved means and allowed to discharge by gravity (i.e., not under pressure) to the City's public sewer.

#### 13.08.120 Building Laterals – Backwater Valves

All new building laterals from plumbing fixtures liable to a backflow from a City public sewer, or a private sewer connected to a City public sewer, shall be required to have backwater valves installed at the owner's expense. Any plumbing fixture located at an elevation below the top of the manhole on the City sewer serving the fixture shall be considered liable to backflow. Backwater valves shall be installed in accordance with the Uniform State Plumbing Code, 248 CMR 2.09(4). The graphic below illustrates the location of fixtures which would require the installation of a backwater valve.



#### 13.08.130 Grease Traps

The Commissioner shall at any time require such grease traps to be introduced along the line of any building lateral, or on the discharge of any fixture connected therewith, as he may deem necessary for the proper maintenance of such building lateral, or of the public sewers.

Grease traps shall be required on sewers which discharge directly or indirectly to the City's wastewater system and into which significant amount of animal or vegetable fat, oil or grease may be discharged so that a discharge concentration does not exceed 100 milligrams per liter. Such devices shall not normally be required for private dwelling units.

The Commissioner will determine whether a grease trap is required. All grease traps shall be of a type, capacity, location and construction approved by the Commissioner and shall be located so as to be readily accessible for maintenance and inspection.

Installation of a dedicated building drain and an in-line grease trap shall be required to

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serve all fixtures from which fat, oil, or grease may be discharged whenever there is sufficient space and adequate plumbing to incorporate the appropriate facilities as determined by the Commissioner. Point of use grease traps may be required instead of or in addition to, an in-line grease trap for discharges from dish washer rinse sinks, pot sinks, floor sinks and drains, automatic hood washed, soup and tilt kettles, wok drains, and any other fixture which may introduce fat, oil, or grease to the sewer as determined by the Commissioner.

Where grease traps are required, they shall be installed, inspected at least once each month, and maintained continuously in satisfactory and effective operation and in accordance with the requirements of the Uniform State Plumbing Code, and the State Environmental Code, Title V, all by and at the expense of the owner and user. Both the owner of the premises where a grease trap is required and the owner or operator of the establishment or business conducted on the premises, shall be jointly and severally responsible for installing a grease trap acceptable to the Commissioner and for properly servicing and maintaining the grease trap.

The Department shall at any reasonable time have the right to inspect such facilities and equipment service documentation in accordance with this section.

#### **13.08.140 Bills – Charges**

The value of charges shall be recommended by the Commissioner and set by the City council. Initial setting of or changes to the value of charges shall be valid after fourteen (14) days public notice. This shall not affect the setting of the water and sewer rates.

The authorized list of charges which may be assigned by the Department shall be:

- A. New Connection – Application and Inspection
- B. Unauthorized Sewer Connection
- C. MWRA Special Assessment
- D. Unauthorized Sewer Use – 1<sup>st</sup> Offense
- E. Unauthorized Sewer Use – 2<sup>nd</sup> Offense
- F. Unauthorized Sewer Use – 3<sup>rd</sup> and/or Subsequent Offense
- G. Sewer Pipe Inspection – Single Instance
- H. Sewer Pipe Inspection – Multi-day
- I. Denial of Access to Premises/Property
- J. Private Infrastructure Analysis
- K. Private Infrastructure Repair
- L. Lateral Maintenance - Residential
- M. Lateral Maintenance – Large Residential and Mixed Use Residential
- N. Lateral Maintenance – Non-Residential
- O. Lateral Repair or Replacement
- P. Prohibited Discharge – Residential and Large Residential or Residential Mixed Use – 1<sup>st</sup> Offense
- Q. Prohibited Discharge – Residential and Large Residential or Residential Mixed Use – 2<sup>nd</sup> Offense
- R. Prohibited Discharge – Residential and Large Residential or Residential Mixed Use – 3<sup>rd</sup> and/or Subsequent Offense
- S. Prohibited Discharge – Non- residential – 1<sup>st</sup> Offense
- T. Prohibited Discharge – Non- residential – 2<sup>nd</sup> Offense
- U. Prohibited Discharge – Non-residential – 3<sup>rd</sup> and/or Subsequent Offense

#### **13.08.150 Access to Premises/Property**

In the event that the Commissioner has reason to believe that a building lateral, private sewer, or any other wastewater system appurtenances are clogged, broken, or are in any other way impaired, access to the Customer's Premises/Property is required. Customers and Owners of

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INTRODUCED BY:

Mayor Thomas P. Koch

Private Sewers shall, at any reasonable time, grant the Department access to enter a Customer's Premises/Property for the purpose of examining, evaluating, or testing sewer mains, building laterals, or private sewers discharging to the City's wastewater system.

The refusal of a Customer to grant access to their premises for the purpose of examining, evaluating, or testing sewer mains, building laterals, or private sewers discharging to the City's wastewater system shall result in a fine, as identified in this chapter, per visit to gain access, until such access is thereby granted, not to exceed one visit per business day.

In the event that infiltration, exfiltration, inflow or any other deficiencies are identified on privately owned sewer infrastructure, the Commissioner shall provide notice to the Customer requiring repairs be made to the building laterals and/or private sewers. If such repairs are not completed within thirty (30) days of the notice, the Department shall have the right to enter the Premises/Property to make repairs. The Customer (in the case of a building lateral) or Owner of a private sewer shall be assessed the appropriate private infrastructure or lateral assessment, repair, and/or replacement charges necessary to reimburse the Department for the full cost of repairs, including Department labor costs.

In the event that either investigations or repairs are completed on a Private Sewer, the Department shall be indemnified from damages which may occur to the Premises/property during the completion of the investigation and/or repairs.

PASS TO BE ORDAINED

ATTEST:

CLERK OF COUNCIL

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