

TOWN OF PLYMOUTH
SEWER CONNECTION PERMIT POLICY

Effective September 10, 2019

At their meeting on September 10, 2019, the Board of Selectmen voted to adopt the following policy governing the permitting of the Sewer Connections.

Part 1: Sewer Connection Privilege Permit Fee:

- The Administrative Fee to apply for a Sewer Connection Permit will be \$100.00.
- The Sewer Connection Privilege Permit Fee will be \$10.00 per gallon as computed in Part 3 of this agreement.
- Payment of the above fees in no way exempts new users to pay sewer user charges and other sewer fees as determine by the Board of Selectmen.
- If the applicant does not begin construction within one year of the date the connection fee is paid for, the applicant's sewer allocation will be rescinded and must re-apply under new rate structure and standards. **If the applicant is held up due to obtaining permits or appeals that are no fault of their own, they can be granted up to 3 years additional time to break ground.**
- If within 6-months of the date a connection fee is paid, the applicant will have the ability to withdraw its permit to enter the sewer system and will receive a 25 per cent reimbursement of fees paid.

Part 2: Eligibility for New Sewer Connection Permit

To be eligible for a Sewer Connection Permit, a person or entity will be required to submit a Sewer Connection Application provided by the Department of Public Works Sewer Division. At a minimum, the application shall include the name of the person or entity, the location of the proposed Sewer Connection, the requested gallons of wastewater, the basis of that projection, and an estimated date when construction will be completed.

A non-refundable fee of \$100 must accompany the application form to compensate the town for staff work associated with reviewing the application. Upon receipt of the application, the Department of Public Works will do the following:

1. Review the application for accuracy.
2. Verify the flow projections using Title V standards to determine if the applicant is currently using sewer flow in accordance with previously issued Sewer Connection Permits.
3. Applicant has demonstrated the Sewer Connection alignment and installation are in accordance with the Sewer Division installation standards.
4. Determine the applicant's status on payment of prior water fees, sewer fees, rent, real and personal property taxes, and all other fees and taxes due the Town of Plymouth.
5. Verify that the applicant's sewer discharge complies with the town's industrial pre-treatment program.
6. In the case of an applicant that is exempt from local property taxes, refer that applicant to the Board of Selectmen for discussion on payment in lieu of tax options.

Part 3: Issuance of Sewer Connection Permits

It is the policy of the Department of Public Works to issue Sewer Connection Permits, apart from public facilities, on a “first come, first served” basis. This criterion is conditional on sewer capacity available in that sector of the community, and subject to the applicant’s compliance with the following conditions at the time of permit issuance:

1. That the applicant pays a Sewer Connection Fee to connect to the sewer system as outlined in Part 1 of this agreement. The fee is established to recoup the cost to the town to construct capital facilities including administrative, permit conditions, engineering and legal expenses associated with providing sewer capacity, sewer line extensions, infiltration and inflow mitigation, and pumping facilities. The fee is based on the number of gallons of sewer flow requested in the Sewer Connection Application.
2. Verification that the applicant is current on all water fees, sewer fees, rent, real and personal property taxes, and all other fees and taxes due to the Town of Plymouth.
3. The execution by the applicant of a Sewer Connection Permit, wherein the applicant agrees to the following special conditions;
 - (a.) That the applicant will forfeit the permit and permit fees if the applicant fails to obtain a building permit and commence construction of the proposed project within one year from the date the permit is issued by the Town. If within 6 months of the date a connection fee is paid, the applicant will have the ability to withdraw its permit upon written notification of the applicant to enter the sewer system and will receive a 25 per cent reimbursement of fees paid.

- (b.) That the applicant authorizes the installation of a new water meter at the property location if deemed necessary by the Department of Public Works and allows access to the property to permit reading of the meter on a quarterly basis by the town.
 - (c.) That the applicant agrees to the following process and actions in the event the flows exceed the amount stated on the permit issued by the town:
 - (d) Applicants who pay connection fees within 90 days of notification will have one year from the date in which the fee was paid to commence construction, or the permit will be rescinded. If the applicant is held up due to obtaining permits or appeals that are no fault of their own, they can be granted up to 3 years additional time to break ground.
4. Sewer Connection Permits are a privilege and can only be allocated by the town of Plymouth Sewer Division. No applicant that has been assigned a Sewer Connection Permit may sell said permit to any other property except for transferring to a new property owner that the permit has been assigned to and meets the terms and conditions of the Sewer Connection Policy.

Part 4: Waiver on Start of Construction Date:

Up to 60 days prior to the one-year condition of commencing construction from the date the Sewer Connection Permit is issued, the applicant may apply for an extension of up to 6 months. The process to obtain a waiver is as follows:

Up to 60 days of the termination date to begin construction, the applicant may write a letter to the Department of Public Works requesting up to a 6-month extension of the Sewer Connection Permit. The request will be forwarded to the Director Public Works for a decision.

Part 5: Payment Schedules and Assessment Schedule:

From time to time an applicant will request to pay Sewer Connection Permit Fee over time. The Board of Selectmen may approve a payment schedule for any applicant that **meets the terms and conditions** of the Town Finance Director, interest is paid at 2% over Town's borrowing rates, and there are appropriate liens to insure payment as prescribed.

Part 6: Mandatory Sewer Connection Bylaw:

Chapter 149

SEWERS

§ 149-1. Selectmen to promulgate regulations.

[HISTORY: Adopted by the Special Town Meeting of the Town of Plymouth 11-20-1989 by Art. 11. Amendments noted where applicable.]

GENERAL REFERENCES

Water -- See Ch. 191.

§ 149-1. Selectmen to promulgate regulations.

- A. The Board of Selectmen may adopt sewer regulations for the purpose of governing the use of the Town of Plymouth sewer treatment facility and all its appurtenances, which regulations shall be subject to the civil penalty enforcement provisions of MGL c. 83, § 10 and shall also have the force of a bylaw.
- The sewer regulations shall provide for criminal fines and civil penalties as authorized by the General Laws and may, at the election of the Board of Selectmen, be enforced by criminal or civil prosecution or by noncriminal disposition pursuant to the provisions of MGL c. 40, § 21D.

§ 149-2. Sewer Connections. [Adopted 10-26-2004 ATM by Art. 25]

A. SEWER CONNECTION REQUIRED

Owners of all properties used for human occupancy, employment, recreation or other purposes within an area of the Town in which there is now located or in the future may be located a common sewer, to be sewerred as identified in the final wastewater facilities plan dated June 16, 1997 provided that said common sewer is within 100-feet of the street front property line and abutting on any public or private way in which there is a common sewer, is hereby required at his/her expense, if there exists sufficient capacity within the Town's sewer system, to connect said building by sufficient drain to the common sewer as follows:

- (1) **For all new construction of residential, commercial, industrial, and/or mixed-use buildings.** ~~The owner of any occupied structure to be constructed shall, if there exists sufficient capacity within the Town's sewer system, connect said building by a sufficient drain to the common sewer;~~
- (2) The owner of any occupied structure served by a Soil Absorption System (SAS) **requesting any change of use, or alteration to a structure that results in increased wastewater flow, including single-family dwellings.** ~~constructed prior to March 31, 1995, if there exists sufficient capacity within the Town's sewer system, may increase the sewer flow from such building only upon connecting such building by a sufficient drain to the common sewer;~~
- (3) The owner of any occupied structure, **excluding residential structures containing less than 3-dwelling units,** served by a Soil Absorption System (SAS) **shall be required to connect to the common sewer within 180-days of receiving official notice from the Department of Public Works** ~~constructed subsequent to March 31, 1995, if there exists sufficient capacity within the Town's sewer system, may increase the sewer flow from such building, provided that the Board of Health certifies that the SAS is sufficient to handle the existing sewer flow, and further provided that the increased flow is directed by a sufficient drain to the common sewer; and~~
- (4) The owner of any occupied structure served by a Soil Absorption System (SAS) determined by the Board of Health to be failing shall connect said building ~~by a sufficient drain~~ to the common sewer. [Adopted 10-23-2018 ATM by Art. 16]

B. OCCUPANCY OF STRUCTURES REQUIRED TO BE SEWERED

No occupied structure hereafter constructed, or any part of an existing occupied structure, that is required to be connected to the common sewer as set forth above, shall be occupied until such connection is completed.

C. VIOLATIONS AND PENALTIES

Any person who violates this Bylaw shall be subject to a fine of \$300.00 per day, with each day the violation continues constituting a separate violation. This bylaw may be enforced through the non-criminal disposition procedure of G.L. c.40, §21D. The Director of Public Works, or his designee, or any police officer of the Town, shall be the enforcing agent under this bylaw.

D. RELATION TO OTHER LAW

This Bylaw shall not be construed to limit or constrain in any way the powers of the Board of Health, pursuant to G.L. c.83, §11 or other applicable law, to require connection to the common sewer.

§ 149-3. Sewer Betterment Assessments [Added 4-8-2013 ATM by Art. 30]

- A. The Board of Selectmen, acting as sewer commissioners in accordance with G.L. c.83, §14, 15, and 23, may assess betterments upon benefitted properties for all, or such lesser portion as the Board shall determine, of the cost of constructing municipal sewer system facilities;
- B. In fixing the amount of such betterments, the Board of Selectmen may, at their discretion, utilize the fixed uniform rate or the uniform unit rate method as set forth in G.L. c.83, §15.
- C. Further in accordance with G.L. c.83, §15, the Selectmen may, in assessing such betterments, separate the costs of general benefit facilities, including but not limited to pumping stations, trunk and force mains, from that of special benefit facilities, including but not limited to sewer mains, serving adjacent properties, and may apportion an equitable portion of the costs of the general benefit facilities by the uniform unit method on all properties benefitted by such facilities;
- D. The Selectmen may assess and collect estimated betterment assessments for the construction of sewer facilities in accordance with G.L. c.83, §15B.

Part 7: Special Considerations and Appeals

From time to time there will be unanticipated circumstances where the Board of Selectmen will want to modify the conditions in this agreement for a condition not anticipated in this agreement or is in the best interest of the sewer system and community at large. If an applicant has such a case it would have the right to an appeal through the following conditions.

1. A letter would be written from the applicant to the Director of Public Works and Town Manager requesting relief as outlined.
2. The Director of Public Works and Town Manager would have **30 days** to make a recommendation to the Board of Selectmen.
3. The Board of Selectmen would have **30 days** to render a decision.

The intent of appeal section is not created to relieve the intent of this policy, but to consider appeals that are in the best interest of the sewer system and community in special circumstances and hardships.

Part 8: Revising Sewer Connection Policy:

It is recognized that it will be necessary to modify the Revised Sewer Connection Policy from time to time as changes warrant. The Board of Selectmen reserves this right.

APPROVED BY THE BOARD OF SELECTMEN: Date: September 10, 2019. This agreement in no way relieves an applicant of all other conditions of being part of the Plymouth Sewer System, or Town, State and Federal Regulations.

Town of Plymouth
Sewer Connection Permit Policy
Fee Schedule
September 10, 2019

Summary of Fees		
Administrative Fee: \$100 <i>The Administrative Fee applies to <u>all</u> Sewer Connections.</i>		
Sewer Development Fee:		
<i>Connection Type</i>	<i>Flow</i>	<i>Fee</i>
Residential Connection – currently on septic, with a certified failed Title 5 system	ALL FLOWS	\$ 10 / gallon
Residential Connection – currently on septic		
Existing Sewer Customer – renovation of space/ increase in sewer flows		
New Sewer Connections		
<i>Development fees are calculated based on Title 5 wastewater flows.</i>		

Construction of Sewer Connections		
<p>The owner shall be responsible for the construction of the Sewer Connection in its <i>entirety</i>. All costs and expenses associated with the installation and connection from the building to the Town sewer shall be borne by the owner. All construction means, materials and methods must comply with DPW standards.</p>		
Inspections:		
1 – 2 inspections	\$ 0 / inspection	Inspections, coordinated through the DPW Sewer Division, are required for <i>all</i> Sewer Connections.
> 2 inspections	\$ 50 / inspection	
Street Opening Permits:		
\$125 Administrative Fee \$150 Utility Installer’s License plus applicable Bonds and Insurance	A Street Opening Permit is required for any work within the traveled way and/or right-of-way. Street Opening permits can be obtained through the DPW Engineering Division.	



TOWN OF PLYMOUTH

Department of Public Works
Sewer Division
131 Camelot Drive
Plymouth, Massachusetts 02360
Office: (508) 830-4158
Fax: (508) 732-0238

SEWER CONNECTION APPLICATION CHECKLIST

- Obtain a "Sewer Connection Application Form" at the Sewer Division 131 Camelot Drive. Applications can also be found on the Town's website under the Sewer Division tab
- Please read the Sewer Connection Policy before applying for a Sewer Connection.
- Complete the form, sign and date it. (It must be signed by the property Owner.)
- Bring the completed form along with a check made out to The Town of Plymouth in the amount of \$100 to the Sewer Division office. The application fee is non-refundable.
- For new construction, submit a copy of the construction plans. For remodeling existing buildings, submit before and after floor plans (non-returnable) and a copy of the Assessor's Field Card.

- Permits will only be considered for approved building lots.
- Fees will be those in effect when the permit application is approved. Please see attached Sewer Connection Policy for Fee Schedule.
- All permits expire one year after issuance if the applicant fails to obtain a building permit unless a waiver is granted.
- Once a completed application packet is submitted to the Sewer Division office, we will review, approve or reject your application within 10 working days. Complicated applications or appeals may require more time for review. Once the review is complete, the DPW will notify you of its determination. Upon approval, you will have 90 days to pay all the fees and pick up your permit at the Sewer Division office.
- Restaurants and other establishments where food is prepared or where wastes contain grease in excessive amounts or any waste, sand or other harmful ingredients which can be discharged and are connected to the wastewater system, shall be provided with a suitable trap or separator. Such traps shall not be required for private living quarters or dwelling units. All traps or separators shall be of a type and capacity approved by the DPW and shall be located to be readily accessible for cleaning and inspection. Grease traps shall have a minimum depth of 4 feet and a minimum capacity of 2,000 gallons and shall have sufficient capacity to provide at least a 24-hour detention period for the kitchen flow. Kitchen flow shall be calculated in accordance with 310 CMR 15.00 (Title V). Grease traps shall be provided with a minimum 24-inch diameter manhole frame and cover to grade over both the inlet and outlet. Grease traps shall be inspected monthly and shall be cleaned when the level of grease is 25 percent of the effective depth of the trap or at least every three months. The owner shall provide written evidence to the Department that all traps are being cleaned and inspected at least every three months.