



TOWN OF LEBANON

REGULATIONS FOR USE OF THE

LEBANON MUNICIPAL SEWER SYSTEM

ARTICLE I – AUTHORITY

These Regulations for the use of the Lebanon municipal sewerage system are hereby established by the Lebanon Water Pollution Control Authority (“Authority”) in accordance with the provisions of Chapter 103 (Municipal Sewerage Systems), and specifically Section 7-247, of the Connecticut General Statutes, and in accordance with An Ordinance for the Establishment of the Water Pollution Control Authority, effective January 5, 2009, of Town of Lebanon, Connecticut (the “2009 WPCA Ordinance”).

ARTICLE II – PURPOSE

These Regulations are established to fulfill the objectives set forth in the Lebanon Water Pollution Control Plan (the “Plan”). The Findings, Policies, and Objectives set forth in the Plan are hereby adopted and are incorporated herein by reference. It is specifically the purpose of these Regulations to further the policy of sewer avoidance within the Town of Lebanon. The sewer avoidance policy seeks to preserve the character of the Town by recognizing and affirming that development has historically been, and should continue to be, limited and controlled by the natural ability of local soils to accommodate on-site subsurface sewerage disposal systems. Under the policy, sewers may not be used as a tool for development, but they may be used to alleviate existing community pollution problems. Therefore, these Regulations provide for the construction of municipal sewers only to properties located within the Lebanon Amston Lake Sewer District, as established under Article III.

ARTICLE III – ESTABLISHMENT OF SEWER DISTRICT MAP AND SEWER DISTRICT

A. Official Map

The map entitled “Water Pollution Control Authority Sewer Service Area,” as it may be amended by the Authority, is referred to herein as the “Sewer District Map”. The Sewer District Map is hereby adopted and incorporated in these Regulations by reference.

B. Lebanon Amston Lake Sewer District

The Authority hereby establishes a sewer district, to be known as the Lebanon Amston Lake Sewer District (the “Amston Lake District”), that is intended to include all of the properties that were identified in paragraph A4 of Consent Order No. WC 0005663 entered into between the Connecticut Department of Environmental Protection (now known as the Connecticut Department of Energy and Environmental Protection) and the Town of Lebanon, Connecticut,



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issued December 28, 2009. The lands comprising the Amston Lake Sewer District are specifically depicted on the Sewer District Map.

C. Inclusion of Specific Properties Within Sewer District

It is the Authority's intention to include only the following types of property within the Amston Lake Sewer District:

1. Properties with a residential dwelling as of the date of adoption of these Regulations;
2. Properties required to be connected to the municipal sewer by lawful order, judgment or decree of the Connecticut Department of Energy and Environmental Protection, any other state or federal government agency having jurisdiction to issue such an order, or a state or federal court having jurisdiction to issue such an order, judgment or decree;
3. Properties that are determined by the Authority to be physically capable of supporting, for a two bedroom dwelling, an on-site potable water supply and that have been determined to be physically capable, in full accordance with all local, state, and federal land-use, health and environmental laws (including, but not limited to, statutes, ordinances, regulations and codes), without exception, of supporting on-site, subsurface sewage disposal systems and that are located in close proximity to the area within which the sewerage system already exists or is planned to be extended to solve existing water quality problems. The Authority may make such a determination upon its receipt of adequate data regarding the physical characteristics and permeability of on-site soils, as well as such reports as it may receive from the Director of Public Health of the Town of Lebanon, the Connecticut Department of Energy and Environmental Protection, or other credible sources. Properties meeting the foregoing criteria may be included in the Sewer District if the Authority deems them to be within such proximity to other properties described in this section as to warrant the use of the sewerage system; and
4. Properties added to the Sewer District in accordance with Article IV of these Regulations.

It is specifically the intention of the Authority and the purpose of the Regulations to prevent and exclude from connection to the sewerage system any individual properties not included in the categories set forth above or described in Article IV, regardless of whether such excluded properties are proximate to, or contain any portion of, the sewerage line.



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ARTICLE IV – ADDITION OF PROPERTIES TO THE DISTRICT

As set forth in Article III of these Regulations, it is the intention of the Authority that no properties other than those specifically identified in Article III be included within any Sewer District, regardless of whether such other properties may be near, abut, or contain any portion of the Lebanon sewerage system. Nonetheless, the Authority may amend the Amston Lake Sewer District by adding other properties if, and only if, all of the following criteria have been met:

- A. The Director of Public Health of the Town of Lebanon, or his designee, must certify either (a) that a septic system has failed on the property; (b) that the physical condition of a septic system on the property is marginal (i.e., that the system is likely to fail in five (5) or fewer years); or (c) that, based upon soil and percolation testing and data that is at least equivalent to the testing and data that would be required to approve an on-site subsurface sewage disposal system for a two-bedroom home, the lot to which the sewerage system would be connected is physically capable of supporting such a subsurface sewage disposal system in full conformance with the conditions contained in Article V, Paragraph 2 of the Plan;
- B. If the property contains a failed or marginal septic system, such system must have been either (a) in existence on the date of the adoption of these Regulations, or (b) constructed after the date of adoption of these Regulations in accordance with all then-existing local, state, and federal land-use, health and environmental laws (including, but not limited to, statutes, ordinances, regulations and codes);
- C. All owners of properties to be added to the Amston Lake Sewer District must enter into an agreement with the Authority under which the property owners would assume all costs of the extension and connection of the sewer to those properties; and
- D. The Authority must find that there is sufficient capacity available in the Lebanon sewerage system to accommodate the additional wastewater flows.
- E. Owners of properties desiring to have their property to be added to the Amston Lake Sewer District must file an Application, in a form acceptable to the WPCA, demonstrating compliance with these Regulations, the Lebanon Water Pollution Control Authority Plan, and all then-existing local, state, and federal land-use, health and environmental laws (including, but not limited to, statutes, ordinances, regulations and codes).



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Notwithstanding the foregoing provisions, the Authority may also allow the following categories of properties to be added to the Amston Lake Sewer District, provided there is sufficient excess capacity available in the Lebanon sewerage system to accommodate the additional wastewater flows:

- F. Properties that are to be used exclusively for municipal purposes, including uses that are incidental and accessory to a municipal use.

ARTICLE V – ORDERS TO CONNECT

- A. The owners of all houses, buildings or other structures used for human occupancy, employment, recreation or other purposes situated within the Amston Lake Sewer District and abutting on any street or right-of-way in which there is now located or where construction has been funded for public sewers in the District, are hereby required at their expense to install a suitable service connection to the public sewer system and to connect such service connection with said sewer system within one hundred twenty (120) days after being ordered to do so by the WPCA.
- B. An existing code compliant subsurface disposal system may be utilized in lieu of the public sewer system only when, in the sole discretion of the WPCA, unique circumstances exist to make a sewer connection extremely impractical. Provided, however, that the existing system has been approved in writing by both the WPCA and the Director of Health, which approval shall be given only after said Director's inspection of the subject system (the cost thereof to be borne by the property owner), and a finding is made that the same satisfies prevailing public health, sanitation and safety standards. Should the system fail at any time after said approval, a connection to the public sewer system must be made within one hundred twenty (120) days after being ordered to do so by the WPCA.
- C. This Regulation is subject to the public hearing and appeal rights provided for in Connecticut General Statutes, Section 7-257 et seq.

ARTICLE VI – INDUCED GROWTH

In order to further promote and preserve the policy of sewer avoidance within the Town, owners of properties that were developed for residential purposes prior to the effective date of these regulations shall not be allowed to add additional bedrooms to dwellings connected to the municipal sewerage system, regardless of whether such additional dwelling units would be attached or detached. Provided, however, that additional bedrooms may be added to any such dwelling if the property, on which such dwelling is located is determined by the Lebanon



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Director of Health to be physically capable of supporting an on-site, subsurface sewage disposal system in full compliance with all local, state and federal land-use and health and environmental dwelling. In addition, land that existed as a single lot of record as of the date of adoption of these Regulations shall be entitled to one connection to the sewerage system, subject to Article IV of these Regulations, regardless of the number of lots into which such land may later be divided or subdivided.

ARTICLE VII – LIMITATION OF SEWER USE

In order to protect the capacity and use of the Lebanon sewerage system, the Authority may limit the amount of wastewater that may be added to the system from any property and hereby establishes the following rules and limitations.

- A. No person shall discharge or cause to be discharged any storm water, surface water, ground water, cellar drainage, roof runoff, subsurface drainage, or uncontaminated cooling water, or grease to the Lebanon sewerage system.
- B. Storm water, uncontaminated cooling water, and all other unpolluted drainage shall be discharged to such pipes or conduits as are specifically designated as storm drain, or to an approved natural outlet approved by the Lebanon Department of Public Works.
- C. No person shall discharge or cause to be discharged any of the following described waters or wastes to the Lebanon sewerage system:
 - 1. Wipes – Baby, Cleaning, Sanitary;
 - 2. Sanitary Napkins/Tampons or applicators
 - 3. Gloves – Latex/Rubber
 - 4. Prophylactics/Condoms
 - 5. Non-dissolving tissue/toilet paper
 - 6. Paper towels
 - 7. Diapers, sock, rags or cloth
 - 8. Dental Floss
 - 9. Medicines
 - 10. Syringes/Needles and Tip Guards
 - 11. Plastic Bags/ Objects
 - 12. Cooking Grease/Oil/Lard
 - 13. Cigar/Cigarette butts
 - 14. Aquarium gravel/sand/stone or Cat Litter
 - 15. Bones, Metal or Wood Objects



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D. The following items may interact with other chemicals in the public sewer systems and cause damage to persons and/or property, and are prohibited:

1. Antifreeze, gasoline/kerosene
2. Paint/Paint Thinner/Turpentine
3. Solvents Cleaning/degreasing
4. Lubricating Oil
5. Corrosive/Acidic Material

ARTICLE VIII – PENALTIES FOR NONCOMPLIANCE

If the Authority finds that any connection to or use of the sewerage system has been made in violation of any provision of these Regulations, the Authority may take such actions as may be allowed by law to bring such properties into compliance with these Regulations, including but not limited to any or all of the following remedies:

- A. Notice - Any person violating any provision of these Regulations shall be served by the Authority with a written notice sent by first class US mail to the most recent address in the Authority's records stating the nature of the violation and providing a reasonable time limit, not to exceed ten days, for the satisfactory correction thereof. The offender shall within the period of time stated in such notice cease and correct all violations.
- B. Cease and Desist - When the Authority finds that a person has violated or continues to violate any provision of this ordinance, the Authority may issue an order to such person directing it to cease and desist all such violations and directing the user to:
 1. Immediately comply with all requirements; and
 2. Take such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation, including halting operations and/or terminating the discharge.Issuance of a cease and desist order shall not be a bar against, or a prerequisite for, taking any other action against the person.
- C. Fines – When the Authority finds that a person has violated any provision of this ordinance, the Authority shall assess a fine against such person in an amount no less than the current Authority contracted rate for service necessary to remediate and correct the violation. Any person violating any of the provisions of this Article shall become liable to the Authority for any expense, loss, or damage occasioned the Authority by reason of such violation.



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ARTICLE IX – GRINDER PUMPS

Residents who are connected to the Lebanon sewerage system through the means of a Town-owned Grinder Pump must comply with the following:

- A. Do not dispose of any substance prohibited by Article VII, LIMITATION OF SEWER USE.
- B. Problems with the Grinder Pump units, electrical boxes, or chambers must be reported to the Authority as soon as noticed.
- C. Work on the Grinder Pumps and the sewerage system is not allowed without written authorization from the Authority.
- D. Any work on a Grinder Pump and/or the sewerage system without Authority approval will void the Town's responsibility to service & maintain the Grinder Pump as well as the entire length of pipe from the home to the municipal sewer main.

Violation of any of these clauses may void the Town's liability for care and maintenance of Grinder Pumps and any of their components; pumps, chambers, electrical control boxes, and any sewer pipe between the home and the municipal sewer main. Final decisions under these circumstances will be made by the Authority.

ARTICLE X – ASSESSMENT AND SEWER CHARGES

The Authority is hereby authorized to levy benefit assessments upon the lands and buildings especially benefited by the acquisition, construction, or extension of the sewerage system pursuant to these Regulations, whether such lands or buildings abut on such system or not, and upon the owners of such land and buildings, according to such rules as the Authority may hereafter adopt pursuant to the powers vested in the Authority by Section 7-249 of the Connecticut General Statutes, as amended, subject to the right of appeal therein, and by the 2009 WPCA Ordinance.

In accordance with the provisions of Section 7-255 of the Connecticut General Statutes, as amended, subject to the right of appeal set forth therein, and with the 2009 WPCA Ordinance, the Authority is hereby authorized to establish and impose sewer usage fees and sewer connection charges.



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ARTICLE XI – AMENDMENTS

These regulations may be amended by the Authority from time to time, as it deems necessary.

ARTICLE XII – VALIDITY

If any section, paragraph, subdivision, clause or provision of the Regulations is adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause, or provision so adjudged, and the remainder of these Regulations shall be deemed valid and effective.

ARTICLE XIII – EFFECTIVE DATE

The initial date of adoption and the effective date of these Regulations was February 7, 2013.