

CHATHAM BOARD OF HEALTH SEWER CONNECTION REGULATION

1. Authority and Purpose

These regulations are enacted under the authority of Massachusetts General Laws, Chapter 83, Section 3 and 11, and Chapter 111, Section 31 and 122 and 127, and are enacted for protection of the public health, safety, welfare and environment and for the further purpose of ensuring the protection of wetland resources and the public water supply.

2. Connection to the Sanitary Sewer System

a. The owners of all houses, buildings or properties used for human occupancy, employment or recreation, or structures which in any way generate wastewater flows, situated within the Town of Chatham and abutting on any street, alley or right-of-way in which there is located a public sanitary sewer line of the Town of Chatham, shall be required, when so ordered by the Board of Health to connect to the same by a building sewer as defined in the Town of Chatham Sewer Regulations. Such connection shall be within one year from the date of the official mailed notice of sewer service availability, by the Town of Chatham, acting by and through the Board of Health.

b. All properties as to which such notice has been mailed and to which ownership is thereafter transferred, shall be required to connect to the sewer line within 30 days of transfer, or one year from the date of the official notice to connect, whichever is later.

c. The Board of Health shall have the authority to defer deadlines in this regulation if, in the opinion of said Board, the provisions of this regulation impose an exceptional burden on a property owner. Requests for deferment must be submitted in writing.

d. Any property owner who has installed an alternative septic system, as defined in 310 CMR: Department of Environmental Protection, Title 5, less than 10 years prior to an order to connect may, upon approval by the Board of Health, defer connection to town sewer to allow them to utilize their alternative septic system for a total of ten years from the date of the issuance of the certificate of compliance for said system. The owners of said system must prove a history of compliance in operation and maintenance of the system, as contained in the Board of Health and the Department of Environmental Protection approval. If the property is transferred during that time the property shall be connected to the public sewer at the time of transfer.

e. All costs and expenses associated with the installation and connection to the public sewer shall be the sole responsibility of the property owner, and shall be governed by the Town of Chatham Rules and Regulations of the Sewer Department.

f. Property owners shall immediately following connection to the public sewer abandon any septic tanks, cesspools, and similar private wastewater disposal facilities serving said property in a manner approved by the Board of Health, in accordance with the requirements of Title 5. Any abandonment procedure requires a Disposal Works Construction Permit issued by the Board of Health.

3. Severability

If any portion, sentence or clause is held invalid, the remainder of the regulation shall remain in full force and effect.

4. Violations and Penalties

Any person who violates these regulations shall be subject to a fine of \$200.00 for each violation (see G.L. c.83, §11.) Each day a violation continues shall be deemed a separate offense.

The Board of Health or its enforcement officer(s) shall enforce this regulation. Any violation of these regulations may be enforced and punished by the provisions of the Code of Administrative Legislation, General Provisions, Section 1.1 et seq., non-criminal disposition.

5. Effective Date

These regulations shall be effective upon publication in accordance with G.L. c111, §31 and upon filing an attested copy to the Department of Environmental Protection and shall so remain in effect until modified or amended by the Chatham Board of Health.

Published: December 8, 2011

Signed:

Edward Sheehan, Chairman

Mary Ann Gray, Vice Chairman

Ronald Broman, Member

Allen Ward, M.D., Member

Ted Whittaker, Member