

Part 4. Chapter 5 of the City Code (Public and Private Sewers) is proposed to be amended by adding the words shown in underline and by striking the words shown in strikethrough, as follows.

In addition, wherever the term “ordinance” appears in Chapter 5, it shall be replaced by the term “Chapter 5.”

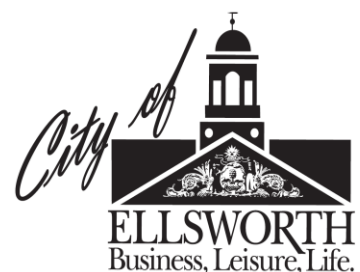
Code of Ordinances, City of Ellsworth

CHAPTER 5
PUBLIC AND PRIVATE SEWERS

A true copy, attest:

Suzanne McLean City Clerk

HISTORICAL NOTE: ADOPTED APRIL 18, 2005; AMENDED JUNE 19, 2006; AMENDED JULY 17, 2006; AMENDED JUNE 18, 2007; AMENDED MAY 17, 2010; AMENDED APRIL 18, 2011; AMENDED MARCH 18, 2013; AMENDED APRIL 15, 2013; AMENDED NOVEMBER 18, 2013; AMENDED APRIL 17, 2017; AMENDED DECEMBER 18, 2017; AMENDED JANUARY 8, 2018; **AMENDED *** 2026.**



CHAPTER 5

PUBLIC AND PRIVATE SEWERS

In addition to the general purposes of the City Code set forth in Chapter 1, Article 2, the purposes of this Chapter 5 (Public and Private Sewers) are to promote the public's general health, safety and welfare; and to prevent disease by regulating the use of public and private sewers and drains, private sewage disposal, the installation and connection of building sewers, and the discharge of waters and wastes into the public sewer systems.

...

ARTICLE I – DEFINITIONS

...

“State Plumbing Code” shall mean the State of Maine subsurface wastewater rules, codified at 10-144 C.M.R. ch. 241.

...

Section 303 - The type, capacities, location, and layout of a private sewage disposal system shall comply with the subsurface wastewater rule, codified at 10-144 C.M.R. ch. 241.

...

Section 402 –

A. There shall be two (2) classes of building sewer permits - (1) for residential service, and (2) for commercial, industrial, and other non-residential service. In either case, the owner or his agent shall make application on a form furnished by the City. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Superintendent.

*Sewer Connection fees shall be as set forth in Chapter 1, Article 3 of the City Code and paid to the City Treasurer at the time an application is filed.

B. If a residential service is changed to commercial, industrial, or other non-residential service, the owner or agent shall make a new application for the new class of use in accordance with subsection (A). If the property owner paid a residential connection fee, the fee paid will be credited toward the new non-residential service fee calculated based on design flow.

...

ARTICLE IX - PENALTIES

Section 901 – The Superintendent is responsible for enforcing the provisions of this Chapter 5, except Section 701, by inspecting premises, investigating complaints, issuing notices of violation, suspending or revoking permits or approvals, and participating in legal prosecution of violations as needed, in accordance with Chapter 1, Section 510 of the City Code.

Section 902 - Any person who fails to comply with the provisions of this ordinance other than those provisions pertaining to the payment of charges for services established herein, shall, be liable for a civil penalty not exceeding five hundred dollars (\$500.00) for each offense. The continued violation of any provision of any section of this ordinance, other than those pertaining to the payment of charges for services

established herein, shall constitute a separate offense for each and every day such violation of any provision hereof shall continue.

...

ARTICLE XII INFLOW REMOVAL PROGRAM

In order to reduce unapproved inflow to the sewer collection system, the City will charge a quarterly inflow surcharge, in an amount determined by the City Council, against those contributing said inflows. This surcharge will be assessed for each incidence of unapproved connections to the sewer. This charge will be eliminated upon removal of the unapproved or illegal connection to the sewer service and a proven and viable method for ground water and surface water removal has been installed to the Wastewater Department's specifications. Illegal inflows include but are not limited to sump pumps, foundation drains, and basement drains. This surcharge will be applied to all users; exemptions will be given by the Wastewater Superintendent if no illegal connection is found or if an illegal connection is satisfactorily removed per the above specifications. Sewer users should contact City Hall to schedule an appointment for inspection to determine exemption eligibility.

ARTICLE XIII - APPLICABILITY

This Chapter shall be in full force and effect from and after its passage, approval, and recording, except Section 204 is not applicable to any project, development, or subdivision that has received final Planning Board approval or other local review approval prior to date of adoption of this Chapter by the City Council.