

ARTICLE VIII. SANITARY SEWER REGULATIONS*

In accordance with the authority vested by chapter 103 of the General Statutes of Connecticut [G.S. § 7-245 et seq.], the following sanitary sewer regulations are hereby adopted for the Town of Darien:

Sec. 1000-1. Definitions.

1-1 By "Authority" is meant the Darien Sewer Commission,

1-2 By "building drain" is meant that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside building and conveys it to the building sewer outside the building wall.

1-3 By "building sewer" or "building sewer connection" is meant a pipe connecting a sewer main with a building and including the "Y" branch or tee for the purpose of conveying sewage from said building to the sewer main.

1-4 By "garbage disposal unit" is meant a mechanical device used for the grinding, shredding or macerating of material or waste preparatory to disposal into the public sanitary sewer system.

1-5 By "public sanitary sewer" is meant that trunk or main which conveys sewage from building sewers to the disposal plant or treatment facilities, including gravity sewers, force mains, and pumping stations; but not including building sewers, connections, or "Y" branches or tees.

1-6 By "building pump connection" is meant a pump, pneumatic ejector or pump compatible with a low pressure sewer system and a discharge pipe connecting a building or septic tank with a sewer main and used in instances where a standard gravity "building sewer" cannot be utilized. Pumps that are required for lower levels of buildings and which discharge into a gravity building sewer which handles the remainder of the building are not classified as building pump connections. (Amd. of 6-1-1978)

Sec. 1000-2. Agent.

The Superintendent of Sewer Services, hereinafter referred to as the Superintendent, is the authority's authorized agent and shall exercise the powers hereinafter conferred in the name, subject to the approval and ratification, of said authority. The Director of Public Works shall perform the duties of the Superintendent of Sewer Services. In the absence of the superintendent, his powers may be assumed by his designated agent.

Sec. 1000-3. Building sewers and connections.

3-1 No person shall uncover, make any connection with or opening into, use, alter, or disturb any public sanitary sewer or appurtenance unless a proper permit been duly issued by the Department of Public Works. 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 public sanitary sewer system of the town.

3-2 Application for a building sewer permit shall be made by the owner of the building, his agent or representative on an application form provided by the Department of Public Works. Each application shall include plans and specifications for the sewer connection and other information relating to the building and the wastes to be discharged that is considered

Deleted: *Editor's note: The notice was given that the Sanitary Sewer Regulations set out herein were published in full in the Darien Review on June 8, 1972, and a public hearing was held on June 20, 1972, and they were adopted by the Sewer Authority on July 17, 1972, with the amendments thereto indicated in parentheses following the amended sections, and the regulations became effective on August 21, 1972. ¶

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pertinent by the superintendent. A permit and inspection fee of ~~\$200.00~~ shall be paid to the Town at the time of application.

3-3 A \$3,000.00 bond or certified bank check shall be filed or paid to the Town of Darien at the time the application is filed. Such bond or payment shall be returned upon satisfactory submission of [an] as-built drawing of work performed.

3-4 Any person proposing a new discharge into the system or a substantial change in the volume or character of pollutants that are being discharged into the system shall notify the Department of Public Works at least 45 days prior to the proposed change or connection. New discharges, and substantial changes in the nature of discharges must be approved by the Stamford Water Pollution Control Authority prior to the introduction of such materials to the public sanitary sewer system. (Amd. of 6-17-1974, § 3; Amd. of 5-17-1976, § 1; Amd. of 6-27-1991; Amd. of 8-2-2005)

3-5 All costs and expenses incident to the installation, connection, and maintenance of a building sewer shall be borne by the owner. Issuance of a building sewer permit is contingent upon the owner indemnifying the town or authority, against any loss or damage that may be caused, directly or indirectly, by the installation of the building sewer.

3-6 A property that cannot be subdivided according to current planning and zoning rules, but has more than one structure on said property, may share a single building sewer (lateral) connection to serve that property only. Two separate parcels or a property that can be subdivided may share a single building sewer connection subject to approval by the Darien Sewer Commission and such terms and conditions as to easement, design, and construction as may be deemed appropriate by the Darien Sewer Commission. (Amd. of 8-2-2005)

3-7 No excavation for a building sewer installation shall be started until all the necessary permits, including a street opening permit, have been obtained. Excavations shall be adequately guarded with barricades and lights to protect the public from hazard. Streets, sidewalks, and other public property disturbed by the work shall be restored in a manner satisfactory to the town and (in accordance with town ordinances and regulations.)

3-8 The superintendent shall be notified at least 24 hours before the beginning of any work upon building sewers or connections.

3-9 Material requirements and methods of construction for sanitary sewers mains, building connections and apputenances shall be as indicated in the "Town Of Darien Sewer Specifications."

(Reg. Amd. 6-23-1983, § 2)

3-10 No part of any pipe or fittings shall be covered until notice has been given to the superintendent, an inspection made by him, or his designee and approval received. The superintendent shall have the power to apply any proper tests, and the owner or contractor shall furnish all necessary tools therefor and shall, at his own expense, remove any defective material or redo any work as the superintendent directs.

3-11 When any building or other structure is demolished, destroyed, abandoned, or altered so that the public sanitary sewer is no longer connected to the building or structure, the open end of the connection, shall be sealed off at the street line to prevent water or wastes from entering the public sewer. The superintendent shall be notified at least 24 hours before such abandonment or discontinuance. Closing and sealing of the pipe shall be inspected by the Department of Public Works. Work shall be the responsibility of the owner of the premises.

3-12 All construction work authorized by a building sewer permit shall be done under a P-1, P-3, P-7 or W-9. state plumbing license.

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Deleted: -7 Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. No building sewer shall be laid parallel to and within three feet of any slab on which a bearing wall rests. The depth shall be sufficient to afford protection from frost. The building sewer shall be laid at a uniform grade and in straight alignment insofar as possible. Changes in direction shall be made only with properly curved pipes and fittings, as determined and approved in advance by the superintendent.¶ 3-8 From the exterior of the building(s) served to the public sanitary sewer line, the building sewer shall be constructed of four-inch (minimum) cast iron soil pipe that is commercially "extra heavy" ... [10]

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~~33-13 Pumping equipment, to be connected to a Town of Darien low pressure main shall be Model DH071 -93 or similar grinder pump station manufactured by E One Sewer Systems.~~
~~3-14 Any building that requires the use of a pump or sewage ejector, or whose first floor elevation is below the gutter line elevation of the roadway in which the sewer main is located, must install an outside aid vent and a backwater valve on the building sewer connection.~~
(Amd. of 8-2-2005)

Sec. 1000-4. Use of public sewers.

4-1 No person, firm, or corporation shall discharge or cause to be discharged into the public sanitary sewer, either directly or indirectly, any ground water, spring water, surface water or rainwater. Cellar drains, yard drains, sump pumps, or roof leader connections into said public sanitary sewer ~~are~~ prohibited.

4-2 No person, firm, or corporation shall discharge or cause to be discharged into the public sanitary sewer, either directly or indirectly, any overflow or drainage from manure pits, cesspools or other receptacles storing organic waste or any material ~~prohibited by state or federal law, from discharging~~ to natural streams, ponds, lakes, or other natural bodies of ~~water~~ except as specifically permitted in section 8[1000-8].

4-3 Except as hereinafter provided, no person shall discharge or cause to be discharged any of the following into any public sanitary sewer:

4-3.1 Any liquid or vapor having a temperature higher than 150 degrees Fahrenheit.

4-3.2 Any water or waste which may contain more than 100 parts per million by weight of fat, oil, or grease.

4-3.3 Any gasoline, ~~benzene~~, naphtha, fuel oil, or other flammable or explosive liquid, gas, or solid, or any substance which may generate or form any flammable explosive or combustible substance, fluid, gas, vapor or mixture when combined with air, water, or other substances commonly found in sewers.

4-3.4 Any garbage that has not been properly shredded by an approved garbage disposal unit.

4-3.5 Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plaster, plastics, wood, paunch manure or any other solid or viscous substance capable of obstructing the flow in sewers or other interference with the proper operation of the sewage works.

4-3.6 Any waters or wastes having a pH lower than 5.0 or higher than 9.0, or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.

(Amd. of 5-19-1975, § 1)

4-3.7 Any waters or wastes containing a toxic, poisonous, or radioactive substance in sufficient quantity to ~~interfere with any sewage treatment process~~, constitute a hazard to humans or animals, or create any hazard in the receiving waters of the sewage treatment plant. ~~Toxic or poisonous substances shall include, but are not limited to cyanides, copper, zinc, nickel, iron, chromium, lead, tin, silver, mercury or salts thereof.~~

(Amd. of 5-19-1975, § 2; Amd. of 5-17-1976, § 2)

4-3.8 Any waters or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant.

4-3.9 Any noxious or malodorous gas or substance capable of creating a public nuisance.

4-4 The admission into the public sanitary sewers of any waters or wastes having (a) a five-day biochemical oxygen demand more than 300 parts per million by weight or (b) containing more than 350 parts per million by weight of suspended solids, or (c) containing

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Sec. 1000-3A. Building pump connection.¶
3A-1 No person shall uncover, make any connection with or opening into, use, alter or disturb any public sanitary sewer or appurtenance thereof unless a proper permit therefor shall have been duly issued by the superintendent as hereinafter provided. 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 public sanitary sewer system of the town.¶

(Amd. of 6-1-1978)¶

3A-2 Application for a building pump connection permit shall be made by the owner of the building, his agent or representative and shall be made (... [15])

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any quantity of substances having the characteristics described in Section 4-3, or (d) a chlorine demand greater than 15 parts per million by weight, or (e) having an average daily flow greater than two percent of the average daily flow of the town shall be subject to review and approval by the superintendent. Where necessary in the opinion of the superintendent, the owner shall, at his expense, provide preliminary treatment to reduce objectionable characteristics or constituents to within the maximum limits provided for in this section. Plans, specifications, and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted to the Sewer Authority and to the state department of health. No construction of such facilities shall commence until said approval is obtained in writing.

(Amd. of 7-17-1972)

4-5 In determining whether any waste discharged or proposed to be discharged into any public sewer is to be excluded under section 4-3 or 4-4 of these regulations, consideration shall be given to the quantity, time or times, rate and manner of discharge, dilution and character of the waste in question, the size of the sewer into which it is or is to be discharged, the probable quantity of other sewage in said sewer or drain at the time of discharge, the quantities of other objectionable wastes likely in said sewer or drain and other pertinent facts. Minute quantities of a waste which would be objectionable in larger quantity may be permitted if sufficiently diluted when discharged, or if the quantity discharged is very small in comparison to the receiving sewer or drain and the flow therein at the time of discharge, upon specific permission from the authority on recommendation of the superintendent. Permission to discharge minute quantities of an otherwise excluded waste shall be revocable at any time by said superintendent.

4-6 At all premises where wastes or substances specified to be excluded from sewers or drains by these regulations are customarily present and liable to be discharged directly or indirectly into any public sewer or drain, suitable and sufficient piping layouts, oil or grease traps or separators, screens, sedimentation chambers, diluting devices, storage and regulating, treatment, cooling or condensing equipment and similar devices or equipment shall be provided, maintained and operated to ensure that no waste, substance, or water required to be excluded from said sewer or drain shall be discharged in violation of the requirements of these regulations. Such devices or equipment shall be subject to inspection by the superintendent at reasonable hours.

4-7 At premises where any of the excluded substances or wastes are are present and liable to be discharged contrary to these regulations, the superintendent may require the owner to provide, operate and maintain a sampling well or wells, a flow measuring device, manholes, catch basins or other suitable devices or treatment facilities on all building sewers or drains near where said drains connect to any public sewer.

4-8 Where preliminary treatment facilities are provided for any water or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at no expense to the town.

4-9.1 The superintendent and other duly authorized employees of the town bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling and testing in accordance with the provisions of these regulations.

4-9.2 While performing the necessary work on private properties referred to in section 4-9.1 above, the superintendent or duly authorized employees of the town shall observe all safety rules applicable to the premises established by the company,

4-9.3 The superintendent and other duly authorized employees of the town bearing proper credentials and identification shall be permitted to enter all private properties through which the town holds a duly negotiated easement for the purposes of, but not limited to, inspection,

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- Deleted: By means of said sampling well or wells, or other devices, the owner and occupants of said premises and said superintendent, or any public officer charged with any duty involving the supervision of the disposal of waste waters, may secure samples of or examine the wastes and waters discharged into said public sewer or drain and measure the quantities thereof for the purpose of ascertaining the compliance or noncompliance with the requirements of these regulations.¶
- Deleted: The superintendent or his representative shall have no authority to inquire into any processes including metallurgical, chemical, oil, refining, ceramic, paper, or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewer or waterways or facilities for wastes treatment
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observation, measurement, sampling, repair and maintenance of any portion of the sewage works lying within said easement. All entry and subsequent work, if any on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

(Amd. of 5-17-1976, § 4)

4-10 The superintendent may at any time stop the discharge into the public sanitary sewer of any substance deemed injurious by severing the connection or causing the removal of any medium through which such substance is discharged.

4-11 All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in these regulations shall be determined in accordance with the latest edition of *Standard Methods for the Examination of Water and Wastewater*, published by the American Public Health Association.

4-11.1 All industries discharging into a public sewer shall perform such monitoring of their discharges as the superintendent and/or other duly authorized employees of the town may reasonably require, including installation, use and maintenance of monitoring equipment, keeping records and reporting the results of such monitoring to the superintendent. Such records shall be made available upon request by the superintendent to other agencies having jurisdiction over discharges to the receiving waters.

(Amd. of 5-17-1976, § 3)

4-12 No statement contained in these regulations shall be construed as preventing any special agreement or arrangement between the town and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the town for treatment, subject to payment therefor by the industrial concern, provided that such agreements do not contravene any requirements of existing federal laws and are compatible with any user charge and industrial cost recovery system in effect.

(Amd. of 5-17-1976, § 3)

Sec. 1000-6. Service charges.

The Authority shall establish sewer service rates or user fees.

(Amd. of 7-17-1972; Amd. of 12-1-1975, § 1)

6-1.1 For users who have metered water, the Sewer Commission shall obtain water meter readings provided by the water company. The annual sewer service charge for residential users will generally be determined by multiplying the current sewer service rate by the sum of the two lowest quarters times two. Quarters having zero consumption shall not be used.

6-1.2 Commercial bills will be calculated by multiplying total water used by the current sewer service rate. Users who have wells, will be billed the average of all metered residential users. Any user may install a meter to record the amount of non-sewered water used and apply for bill reductions.

6-1.3 Laundromats and car washes shall receive a 10% discount on their sewer service bill.

6-2 Each year the Sewer commission shall establish the rate to be applied to the amount of water used by each customer. Tentative rates shall be established during August and final rates by the first of September for the year commencing on the subsequent October 1. All costs of operating and maintaining waste treatment and collection shall be recovered by the annual sewer service charge.

(Amd. of 7-17-1972; Amd. of 12-2-1974; Amd. of 6-27-1991; Amd. of 8-29-1994; Amd. of 8-25-1997, § 2)

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6-2.1 Effective October 1, 2009, the standard charge shall be at the rate of \$4.00 per hundred cubic feet of water. (Amd. of 7-17-1982; Amd. of 7-1-1974, § 1; Amd. of 6-30-1975, § 1; Amd. of 6-27-1978; Amd. of 6-26-1979, § 2; Amd. of 6-23-1980, § 4; Amd. of 6-22-1981, § 4; Amd. of 6-25-1984, § 2; Amd. of 6-28-1986, § 2; Amd. of 3-20-1989, § 2; Amd. of 6-7-1990, § 2; Amd. of 6-27-1991; Amd. of 8-29-1991, § 1; Amd. of 8-31-1992; Amd. of 8-29-1994, § 2; Amd. of 8-29-1995, § 1; Amd. of 8-27-1996, § 1; Amd. of 8-25-1997, § 3; Amd. of 9-1-1998, § 2; Ord. of 8-28-2003, § 1)

6-3 The sewer authority may establish a minimum sewer service charge for each billing year.

(Amd. of 7-17-1972; Amd. of 8-7-1972; Amd. of 6-27-1991)

6-3.1 Effective October 1, 2009, the minimum service charge shall be \$155.00. The service charge shall be due and payable to the tax collector for the year October 1 to September 30. Any appeals from these charges must be taken within 21 days after the date that the charges are filed with the town clerk in the Superior Court.

(Amd. of 8-7-1972; Amd. of 7-1-1974, § 2; Amd. of 6-30-1975; Amd. of 6-13-1977, §§ 1, 2; Amd. of 6-27-1978; Amd. of 6-26-1979, § 1; Amd. of 6-23-1980, § 3; Amd. of 6-22-1981, § 3; Amd. of 6-25-1984, § 1; Amd. of 6-28-1986, § 1; Amd. of 6-25-1987, § 1; Amd. of 6-22-1989, § 1; Amd. of 6-7-1990, § 1; Amd. of 6-27-1991; Amd. of 8-29-1991, § 2; Ord. of 8-28-2003, § 2)

6-5 The sewer service charges shall be for each year from the first day of October to the 30th day of the following September, and shall be due and payable in advance, on or before the 31st day of October of each year. If unpaid, said charges shall bear interest at the statutory rate for delinquent taxes, including any applicable minimum interest charge from October 1.

(Amd. of 7-17-1972; Amd. of 1-28-1975; Amd. of 9-8-1975, § 2; Amd. of 6-27-1991)

6-5.1 Properties that are connected to the sewer system between October 1 and September 30 shall be billed a sewer service charge prorated monthly for the remainder of the billing period. When customers move from one address to another in Darien and both residences are served by sanitary sewers, the invoice will be based on water consumption of the old residence. When a property owner has no previous water consumption history in the Town of Darien the invoice will be based on the average of all metered residential users. Payment shall be due 30 days after the date of the invoice. If unpaid, charges shall bear interest at the statutory rate for delinquent taxes, prior to the ensuing September 30th.

(Amd. of 8-12-1974, § 1; Amd. of 6-27-1991)

6-5.2 Sewer service charges that exceed \$500.00 per parcel may be paid in two installments. The first installment is due and payable on October 1, and the second installment is due and payable on April 1. Any property owner may choose to pay the entire amount on October 1. If the first installment is not paid before the 31st day of October, the entire bill shall become delinquent and subject to the statutory rate of interest.

(Amd. of 12-1-1975, § 2; Amd. of 6-28-1982; Amd. of 6-27-1991)

6-6 In the event any adjustment in a water bill affects the basis on which the annual sewer service charge is established, an appropriate adjustment in the annual sewer service charge shall be made by a credit or additional charge on the next bill or at the time of payment. The superintendent of sewer services may permit adjustments to a user's annual sewer service charge for various reasons under the provisions of rules, regulations and guidelines that may be adopted from time to time by the sewer authority.

(Amd. of 6-27-1991)

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Sec. 1000-7. Subdivisions.

7-1 The sewer authority will recommend to the planning and zoning commission that a proposed subdivision of property to be connected to the public sanitary sewer system be granted final approval only when the following conditions, are complied with:

7-1.1 The developer shall submit a maintenance bond, issued by a bonding company acceptable to the authority and in the value of five percent of the estimated cost of the proposed sewers, but in no case for less than \$5,000 guaranteeing for a term of one year from the date of acceptance or approval by the town, prompt correction of any defects in the sewer system, including leaks in pipes or manholes and house connections, upon receipt of written notice of such defects, sent to the developer's last known address by the superintendent.

7-1.2 The installation of the sanitary sewer pipe and appurtenances shall be made under the supervision of a licensed engineer, who shall submit to the superintendent a certificate indicating that the work has been installed in a proper manner and in accordance with all the requirements of the authority and shall conduct infiltration and/or exfiltration tests at the discretion of the superintendent with certified copies of the results supplied to the Sewer Authority (limits shall be 100 gallons per inch of sewer diameter per mile of sewer per 24 hours) before such sewer shall be put into service and before the sewer authority may recommend to the building official that certificates of occupancy be issued to new buildings in the subdivision.

7-1.3 A property owner who believes his property may be subdivided in the future and requests an additional sewer lateral from the town as part of a town sewer extension project, will be supplied such a sewer lateral provided that property owner pays for the entire cost of the additional lateral in accordance with the contract costs of the project. Assessment of additional sewer lateral shall be per Code of Ordinances, Appendix C, Administrative Regulations, Section 9-7.
(Amd. of 8-2-2005)

8-2.3 [Reserved.]
(Amd. of 6-13-1977, § 2)

8-3 Sewage transportation license.

8-3.1 No person shall engage in the business of transporting sewage materials without a license from the [Department of Public Works](#).

8-3.2 Any person upon written application to the [Department of Public Works](#) and such other evidence as may be required shall be entitled to receive a license which shall be valid for a calendar year. The annual fee for such license shall be \$250 for each vehicle. When application for a license is made on or after July 1, the fee shall be reduced by one-half.
(Amd. of 6-27-1991)

8-3.3 Every vehicle so licensed shall be issued a license plate that shall be firmly attached to the left side of the specific vehicle and be carried at all times.

8-3.4 No sewage material shall be transported through any street in the town, except in either covered, watertight metal containers, or in vehicles of such closed construction as to prevent leakage, excess of flies, or the scattering of the contents upon such streets. All such vehicles and containers shall be kept in a sanitary condition. Every vehicle must be inspected by [the Department of Public Works](#) before license for its operation is issued.

8-3.5 No person shall ~~dispose of water used to flush out any tank in which sewage has been stored or transported and return in streams brooks ponds and rivers in the Town of Darien,~~

8-3.6 Revocation of license.

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8-1 It shall be unlawful for any person, firm, or corporation to collect, transport, or dispose of the contents of any privy vault, cesspool, septic tank, or other accumulation of human excrement, organic or domestic waste, and/or transport it through the streets of Darien without first obtaining a permit to do so, in the manner hereinafter prescribed.¶
8-2 Septic tank disposal permit.¶
8-2.1 Before any septic tank, cesspool or privy vault may be emptied, a permit, issued upon a form to be provided, must be obtained from the superintendent for which a fee of \$50.00 shall be paid, which shall entitle the holder thereof to dispose of up to 1,000 gallons. Any excess over 1,000 gallons shall be charged for on the basis of \$5.00 for each 100 gallons or fraction thereof. The permit issued by the superintendent shall not become valid until the fee has been paid to the town treasurer, whose signature shall cause the permit to become valid for 15 days.¶
(Amd. of 5-23-1977; Amd. of 6-27-1991)¶
8-2.2 Arrangements shall be made with the superintendent for the delivery of the waste materials to the receiving tank or station at such times as may be prescribed between the hours of 10:00 a.m. and 3:00 p.m. each weekday, except legal holidays, Saturdays, and Sundays.

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The sewer authority shall have power to suspend or revoke the license of any licensee found to be violating these regulations. No order of suspension or revocation shall be made except after hearing, and reasonable notice thereof, to the licensee.

Sec. 1000-9. Rules and regulations for assessment of sanitary sewer construction.

9-1 Upon construction or extension of the public sanitary sewer system, the sewer commission ~~is~~ authorized to assess the whole ~~cost~~ upon the ~~the owners of properties~~ in Darien, ~~that are~~, in its judgment, especially benefited. ~~No assessment shall be made against any property in excess of the special benefit to accrue to such property.~~

~~In no event shall the benefits assessed exceed the total project costs.~~ 9-2 The total ~~project cost~~ shall include the cost of preliminary studies and surveys, detailed working plans and specifications, acquiring necessary land or property or any interest therein, ~~construction costs, interest charges during construction, and legal fees.~~ ~~Only those costs associated with building the project in strict accordance with the approved project plans shall be eligible for inclusion in the project cost.~~ 9-3 Whenever the Town of Darien ~~is~~ a benefiting property owner, it shall pay the assessment on such property as specified in section 9-4(a) and 9-4(b).

9-4(a) Benefits shall be assessed against each residential property made directly accessible to the town sewerage system by construction or extension thereof. Each residential property shall be assessed an amount equal to the total cost of the construction or extension, as defined in section 9-2, times a fraction, the numerator of which is:

- i. One for single-family residences;
- ii. Equal to the number of multifamily units for multifamily homes/apartments/condominiums; or
- iii. Housing equivalents for business, commercial, or other property as defined in section 9-4(b);

and the denominator of which is the total number of residential units plus other housing equivalents made directly accessible to the town sewerage system by ~~the project~~. For determining the number of residential properties made directly accessible to the town sewerage system, ~~the project~~, multifamily homes shall be treated as being equal to the number of families capable of residing therein. Final determination of multifamily status shall be made by the sewer commission.

(b) Benefits shall be assessed against business, commercial or any property other than residential made directly accessible to the town sewerage system. Each property shall be assessed an amount equal to the total cost of the ~~project~~, as defined by section 9-2, times a fraction, the denominator of which is the total average daily gallons of water used over a period of 12 months divided by 600, and the denominator of which is the total number of properties made accessible to the town sewerage system by ~~the project~~. The resulting fraction will be the number of housing equivalents referred to in section 9-4(a)iii.

9-6 When the physical features of a property or the location of the building with reference to a sewer main are such that, in the opinion of the sewer commission, abnormal or unusual circumstances for connecting to the town sewerage system exist, ~~deferment of levy of assessment against such property may be granted at the discretion of the commission.~~ Notice of such deferment shall be placed on the land records of ~~the property~~. In the event of and at such time as a connection may be made to the town sewerage system, the property shall then become subject to the normal assessment determined in accordance with section 9-4(a) or 9-4(b).

9-7 An additional assessment shall be levied against any property which is assessed pursuant to these regulations at such time as:

- (1) The property is divided into two or more separate lots; or

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- Deleted:** 9-5 When, in the opinion of the sewer commission, the costs, technical or environmental conditions of convenient sewer construction makes it prudent to use nontraditional techniques such as a low pressure sewer or vacuum sewer, all properties that can be served by this installation will be assessed determined in accordance with section 9-4 (a) or 9-4 (b).¶
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(2) The filing of a subdivision plan of such property approved by the planning and zoning commission, whichever comes first.

9-8 ~~The total sewer assessment may be voided for any property, that the owner or owners have deeded, dedicated or donated to the Town of Darien for public park and recreational use, or to the Darien Land Trust, Inc., the Connecticut Conservancy, Inc., or the Darien Audubon Society, to stand forever as open space or bird or wildlife sanctuary,~~ by action recorded in the Darien land records prior to adoption of the assessment applicable to that property. 9-9 ~~If a property is connected to a sewer main constructed prior to 1993, a sewer connection assessment shall be levied on said property in an amount equal to the assessment formula in effect at the time the sewer was constructed. In no event shall the assessment exceed the benefit derived.~~

9-10 Developer's permit agreement.

9-10.1 The sewer commission may enter into a developer's permit agreement with any individual, group of individuals, corporation or neighborhood association desirous of ~~extending sanitary sewers,~~ whereby the commission agrees to allow the permittee to connect to the public sewer system provided ~~the permittee~~ bears the entire cost of the extension and complies with the standards of construction set forth in section 3 [1000-3] hereof.

9-10.2 All such extensions shall be designed and constructed in accordance with the general plan proposed ~~Town of Darien, Sanitary Sewer Standards,~~ as modified from time to time.

9-10.3 Plans and specifications for such extension shall be submitted to the ~~Department of Public Works~~ for review and recommendation to the sewer commission for its approval. The approved plan shall be signed by the chairman of the sewer commission and shall be filed in the town clerk's office.

9-10.4 The permittee shall be required to pay the costs of the services of any resident engineer that may be employed by the sewer commission to supervise the construction work.

9-10.5 ~~If the installation has been made in a private road, the permittee shall deed the sanitary sewer to the town together with a 20-foot-wide easement upon completion of construction.~~

Upon completion of construction, the maintenance bond required by section 7-1.1 of these regulations shall be filed by the permittee together with the certificate required by section 7-1.2 and with an "as-built" plan of the installation.

9-10.6 ~~Upon completion of construction, the permittee shall file an affidavit with the superintendent showing a breakdown of the entire cost of the installation, borne by the permittee.~~

9-10.7 In the event that any property utilizes said system installed by said permittee, other than those properties provided for by said permittee, the sewer commission reserves the right to assess said property upon the same basis as the formula set forth in section 9-4(a) and 9-4(b).

9-11 Method of collection of assessments.

9-11.1 All assessments shall be paid in full within ~~30 days~~ provided that no assessment shall become due until the work for which such assessment was levied has been completed and available for approved building sewers. Any such amount or any portion thereof ~~not paid~~ within 30 days of ~~the~~ due date shall bear interest at the equivalent rate of interest paid by the Town of Darien at the time the bonds are issued.

9-11.2 The sewer commission may establish an installment plan of equal, annual ~~payments~~ in accordance with the General Statutes ~~of Connecticut.~~ The first ~~payment~~, with no interest added, shall be paid within 30 days of the due date. The remaining ~~payments shall include the annual principal payment plus interest on the unpaid balance at the rate of interest paid by the Town of Darien at the time the bonds are issued.~~ and shall be paid within the period

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established by the commission. In accordance with section 7-253 of the General Statutes of Connecticut [G.S. § 7-253], the tax collector shall file with the town clerk for recording on the land records, a Certificate of notice of installment payment of assessment of benefits for each parcel whose owner has elected the installment payment plan. Any property owner may pay any installment at any time prior to the due date thereof, and no interest on any such installment shall be charged beyond the date of such prepayment.

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9-11.3 The Tax Collector of the Town of Darien is hereby designated as the collector of special sanitary sewer assessments and is authorized to collect such charges in accordance with the provisions of the General Statutes of the State of Connecticut for the collection [of] property taxes. The tax collector is further authorized to print on the assessment bills a notice of the optional method of payment together with the interest charge as provided herein.

(Amd. of 10-28-1996)

9-12 At the time the sewer commission authorizes the construction or extension of a low-pressure sewer system or at a subsequent date, it may, at its sole discretion, order the owners of one or more existing homes directly accessible to such a low pressure system to connect to the system within 180 days of such order.

(Ord. of 5-1-2001)

9-12.1 When the sewer commission orders the owner of any building to connect that building to the public sewer system, the owner has the right to request a hearing with the sewer commission. The request for a hearing must be made in writing and delivered to the sewer commission within 14 days of the date of the order to connect. If, in the opinion of the sewer commission, the physical features of the property, the location of the building with reference to the sewerage system, or the adequacy of the existing sewerage system constitute unusual or abnormal circumstances, relief from the order to connect may be granted at the discretion of the sewer commission. Subsequent to the conclusion of the hearing, the sewer commission shall render a written decision setting forth its decision and reasoning.

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9-12-2 The owner also has appeal rights as enumerated in the General Statutes of the State of Connecticut §7-257.

(Ord. of 5-1-2001)

Sec. 1000-10. Penalties.

10-1 Unless otherwise provided, any person found to be violating any provision of these regulations shall be served by the superintendent or, when there is reason to believe that a health hazard exists, the director of health, with a written notice stating the nature of the violation and providing a reasonable time limit not to exceed 30 days to correct the violation. The alleged offender shall, within the period of time stated in such notice, permanently cease all violations and take such action as is recommended or necessary to ensure there will be no reoccurrence of such violation. All such work shall be performed by said person without delay and without expense to the town.

10-2 Any alleged offender may appeal an order of the superintendent to the sewer authority, provided the appeal is received by

the Authority no later than ten days after the date of the superintendent's order. The authority shall hear the appeal within ten days from the date the appeal action is filed. In its decision, the authority shall provide a reasonable time limit for the satisfactory correction of any violation that it finds.

10-3 Any violation beyond the time limit provided for in sections 10-1 and 10-2 shall constitute a misdemeanor and, upon conviction thereof, the offender shall be fined in an amount not exceeding \$100.00. Each day in which such violation continues shall be deemed a separate offense for the purpose of applying the penalty.

10-4 Where immediate action is necessary, the superintendent may disconnect, or otherwise prevent the building sewer, ~~from discharging into the public sanitary sewer system,~~ from the premises in which said violation of the requirements of these regulations shall have occurred.

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10-5 Any person violating any of the provisions of these regulations shall become liable to the town or authority, as applicable, for any expense, loss, or damage occasioned the town or authority by reason of such violation, so that if the superintendent shall have caused the disconnection of a building sewer or drain from the public sewer system, the town may collect the cost of making such disconnection from any person responsible for such violation of the requirements of these regulations, or from the owner of the premises, and may thereafter refuse to permit the restoration of the former connection or of any new connection until the claim of the town shall have been paid in full plus interest and reasonable overhead.

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Sec. 1000-11. Interpretation of requirements.

The provisions of these regulations with respect to the meaning of technical terms and phrases, the classification of different kinds or types of sewers, the restrictions as to what wastes may be discharged into sewers, the regulations with respect to making connections to sewers, and other technical matters shall be interpreted and administered by the superintendent.

Sec. 1000-12. Separability.

In the event that any section or sections or part or parts of [any] section or sections of these regulations shall be held invalid by a court of competent jurisdiction, then the remaining section or sections shall not be affected whatever by such finding, but shall remain in full force and effect.

Sec. 1000-13. Regulations repealed.

All regulations in conflict with the provisions of these regulations are hereby repealed.

Sec. 1000-14. Effective date.

These regulations shall take effect 15 days after publication of a notice of their adoption. [Aug. 7, 1972].

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1-7 By "sewer district" is meant the total of those areas, whether or not contiguous, comprising all real properties in the town (1) connected to a sewer, or (2) abutting a sewer, or (3) abutting a street having a sewer, or (4) in which a portion of a sewer is located, or (5) otherwise accessible to a sewer in the judgment of the Sewer Authority with due consideration to the cost of connection, engineering feasibility, and relative benefit to the property.		
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because the elevation of the first floor is too low.		
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The authority shall have the right to issue the permit at any time within the 45-day period.		
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Sec. 1000-3A. Building pump connection.

3A-1 No person shall uncover, make any connection with or opening into, use, alter or disturb any public sanitary sewer or appurtenance thereof unless a proper permit therefor shall have been duly issued by the superintendent as hereinafter provided. 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 public sanitary sewer system of the town.

(Amd. of 6-1-1978)

3A-2 Application for a building pump connection permit shall be made by the owner of the building, his agent or representative and shall be made on a form provided by the superintendent. Each application shall be supplemented with plans and specifications prepared by a professional engineer and approved by the superintendent and such other information relating to the building and wastes to be discharged as may be considered pertinent by the superintendent. A permit and inspection fee of \$40.00 shall be paid to the sewer commission at the time the application is filed. Any person proposing a new discharge into the system or a substantial change in the volume or character of pollutants that are being discharged into the system shall notify the sewer commission at least 45 days prior to the proposed change of connection. The commission shall have the right to issue the permit at any time within the 45-day period.

(Amd. of 6-1-1978)

3A-3 All costs and expenses incident to the installation, connection and maintenance of a building pump connection shall be borne by the owner and the issuance of a permit shall be contingent upon the owner indemnifying the town or commission, as their interests may appear, against any loss or damage that may be caused, directly or indirectly, by the installation of the building pump connection.

(Amd. of 6-1-1978)

3A-4 A property that cannot be subdivided according to current planning and zoning rules, but has more than one structure on said property, may share a pump connection to serve that property only.

(Amd. of 6-1-1978; Amd. of 8-2-2005)

3A-5 No excavation for a building pump connection installation shall be started until all the necessary permits, including a street opening permit, have been obtained and such excavations shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the town and in accordance with town ordinances and regulations.

(Amd. of 6-1-1978)

subject to review and approval, may be a (1) grinder pump, (2) submersible pump (non-clog type) or (3) pneumatic ejector system as selected by the owner. The pneumatic ejector system shall be used only in conjunction with a septic tank. The system shall be capable of providing a minimum of two and a maximum of five feet per second velocity in the discharge piping. The system shall include a storage tank with capacity sufficient to handle at least six hours' flow during outage of the pump. The system shall also be

equipped with suitable check and shutoff plug valves to prevent backflow from the discharge piping to the storage tank and/or wet well. The discharge pipe shall have air release valves as required at high points.

(Amd. of 6-1-1978)

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3A-7 From the pump installation to the building property line the discharge pipe shall be PE 2306 MDV polyethylene pipe, polyvinyl chloride (PVC) pipe, Series SDR 21 or SED 26, or ductile iron pipe, Class 51, with a pressure rating of 100 pounds per square inch. For grinder pumps or any pump installation on the effluent of a septic tank, the discharge pipe shall have a minimum diameter of two inches. For submersible pump installations pumping from a building, the discharge pipe shall have a minimum diameter of three inches.

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3A-8 The minimum cover for the discharge pipe shall be four feet. The pipe shall be placed on four inches of compacted granular material. The granular material shall be carried to a point eight inches above the top of the pipe and compacted. The remainder of the trench may be back-filled with excavated material, tamping in 12-inch layers. The discharge pipe shall be laid on a continuous upgrade from the building to the terminal point as closely as practical. Where changes in grade are necessary, air release valves may be required.

(Amd. of 6-1-1978)

3A-9 Two-inch polyethylene pipe and larger shall be joined with nylon insert couplings and four stainless steel Loxon Straps (two on each end of pipe) and wrapped with polyethylene material. No joints shall be wrapped before they have been inspected by the superintendent; the joining of the pipe ends shall be by butt fusion. The polyvinyl chloride (PVC) pipe and ductile iron pipe shall have bell and spigot joints with an approved rubber gasket. No joints shall be covered with earth until they have been inspected.

(Amd. of 6-1-1978)

3A-10 Where the town has installed a six-inch service connection to the owner's property line, a manhole shall be constructed at the end of the service connection and on the owner's property. The pump discharge pipe shall enter the manhole a minimum of 18 inches above the manhole invert. Where a service connection from the property line to the street sewer has not been constructed, the owner shall construct a manhole on his property and a building sewer from the manhole to the public sanitary sewer in accordance with the requirements of Section 3[1000-3]. The pump discharge pipe shall enter the manhole a minimum of 18 inches above the manhole invert.

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3A-11 No part of any pipe or fittings shall be covered until notice has been given to the superintendent, an inspection made by him, and his approval received. The superintendent shall have the power to apply any proper tests, and the owner or contractor shall furnish all necessary tools therefor and shall, at his own expense, remove any defective material or redo any work as the superintendent shall direct.

(Amd. of 6-1-1978)

3A-12 The superintendent shall be notified at least 24 hours before the beginning of any work upon building sewers or connections and such connection shall be made only in his presence and according to his instructions.

(Amd. of 6-1-1978)

3A-13 When any building, or other structure previously served by a connection to any public sanitary sewer is demolished, destroyed, abandoned, or altered so that any pipe or portion of an abandoned plumbing system which is directly or indirectly connected to any public sanitary sewer is no longer used and is no longer connected to the drainage system of the building or structure, the open end of such pipe which discharges, directly or indirectly, into a public sanitary sewer shall be promptly closed and sealed off at the street line so that no water or wastes not otherwise permitted to enter the public sewer shall be so discharged thereinto. The superintendent shall be notified at least 24 hours before such abandonment or discontinuance and of the closing and sealing of such pipe and any such work shall be made only in his presence and according to his instructions. All of said work shall be done by the person or party who demolishes the building or structure or who alters the drainage of the premises so as to make such closing and sealing necessary, and, in event of failure of such person or party to do so, shall be done by the owner, lessee, or tenant of the premises to the satisfaction of the superintendent, all without expense to the town.

(Amd. of 6-1-1978)

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3A-15 A \$3,000.00 bond or certified bank check shall be filed or paid to the authority at the time the application is filed. Such bond or payment shall be returned upon satisfactory submission of [an] as-built drawing of work performed as shall be determined by the sewer superintendent.

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and the company shall be held harmless for injury or death to the town employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in section 4-7.

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, and shall be determined at the control manhole provided, or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb and property. (The particular analyses involved will determine whether a 24-hour composite of all outfalls of a premises is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from 24-hour composites of all outfalls whereas pHs are determined from periodic grab samples.)

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Sec. 1000-5. Garbage disposal units.

5-1 No garbage disposal unit shall be connected to the public sanitary sewer system without a permit having first been obtained from the superintendent.

5-2 Application for a permit shall be made in writing to the superintendent upon a form provided by him for that purpose.

5-3 Upon the filing of such application and the payment to the sewer authority of a non-refundable fee of \$10.00, the superintendent shall, within two weeks from the date of application, cause the premises and the available sewer system to be inspected and surveyed and from the findings so obtained determine any such change or alteration in such system, as in his opinion, shall be necessary before issuing an approval of the application. No such approval shall be issued in any instance where the capacity of the public sewer system within the particular area shall be deemed by the superintendent to be insufficient, or where the additional demand and service caused by the use of such garbage disposal unit shall be likely to impair the efficiency of such sewer system.

The following service charges are established for all sewer districts:

6-1.1 SCHEDULE OF FIXTURE UNIT EQUIVALENTS

TABLE INSET:

<i>Fixture</i>	<i>Units Each Equivalent</i>
<i>Dishwashing machine (commercial type)*</i>	<i>200</i>
<i>Restaurant sink (where dishwasher is connected to it)**</i>	<i>150</i>
<i>Mechanical garbage disposal (commercial type)</i>	<i>200</i>
<i>Laundry machine (commercial type) approximately 60 lbs. capacity</i>	<i>100</i>
<i>Laundry tray sink (commercial type)</i>	<i>15</i>
<i>Single lane car wash</i>	<i>400</i>
<i>Lavatory</i>	<i>1</i>
<i>Bathtub</i>	<i>2</i>
<i>Laundry tray</i>	<i>2</i>
<i>Kitchen sink</i>	<i>2</i>
<i>Restaurant sink</i>	<i>12</i>
<i>Household or domestic dishwashing machine</i>	<i>3</i>
<i>Household or domestic garbage disposal unit</i>	<i>10</i>
<i>Sink and laundry tray combination</i>	<i>3</i>
<i>Shower bath</i>	<i>2</i>
<i>Needle bath</i>	<i>6</i>
<i>Combination fixtures (barbers and hairdressers)</i>	<i>3</i>
<i>Urinal</i>	<i>3</i>

<i>Individual commercial launderette washing machine (whether or not of household type) approximately 14 lbs. capacity</i>	28
<i>Household washing machine (except where installed for commercial purposes)</i>	2
<i>Slop sink</i>	3
<i>Slop sink (with flushing ring)</i>	6
<i>Water closet</i>	6
<i>Urinal (in eating place)</i>	6
<i>Water closet (in eating place)</i>	15
<i>Service stations or garages that wash cars</i>	150
<i>Drinking fountains</i>	1/2
<i>Dental cuspidor</i>	1/2
<i>Sterilizer</i>	1/2
<i>Glass dishwashing machine (commercial type)</i>	25
<i>Soda fountain or bar sink (other than in a home)</i>	6
<i>Bidet</i>	3
<i>Water closet (in business or professional office)</i>	12
<i>Steam kettle</i>	2
<i>Steam table</i>	2
<i>Chemistry laboratory sink</i>	1
<i>Darkroom sink</i>	2
<i>Shop wash stand (round), full circle</i>	6
<i>Shop wash stand (round), half circle</i>	3
<i>Whirlpool tub</i>	2
<i>Potato peeler</i>	3
<i>Dipper basin</i>	3
<i>Bar station with drain</i>	2
<i>Laundry machine (commercial type), approximately 30 lbs. capacity</i>	50
<i>Individual commercial launderette washing machine (whether or not of household type), approximately eight lbs. capacity</i>	14
<i>Residential whirlpool tub (oversized)</i>	6

* Provided that, however, if the property owner certifies and the sewer authority has reasonable grounds to believe that the dishwashing machine (commercial type) is used fewer than 25 times during any 12-month period, the unit equivalent shall be the same as for a household or domestic machine.

** Provided that, however, if the property owner certifies and the sewer authority has reasonable grounds to believe that the dishwasher is used fewer than 25 times during any 12-month period, the unit equivalent shall be the same as for a restaurant sink where the dishwasher is not connected to it.

(Amd. of 12-1-1975, § 1; Amd. of 6-23-1980, § 1; Amd. of 6-22-1981, §§ 1, 2; Amd. of 6-23-1983, § 3; Amd. of 6-27-1991)

The term "commercial type," as used in the foregoing schedule, refers to a type of fixture designed for heavy use and of a nature or having a capacity beyond that normally used in single-family households.

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the amount of water used by each user of the sewer system from

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who has non-sewered water use

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(Ord. of 6-27-1991; Amd. of 8-25-1997, § 1; Amd. of 9-1-1998, § 1)

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The annual sewer service charges shall be placed against the water use as determined by the method described in section 6-1.2.

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accruing to the Town of Darien because

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-4 The superintendent or his designated agent shall have the right upon reasonable notice to inspect all premises served or to be served by the public sewer system to determine the number of fixtures utilizing said system. In the event the superintendent, or his agent, is denied access to residential or commercial premises for the purpose of determining the number of fixtures, the owner of the premises shall be billed for sewer service charges based on 88 fixture units plus water usage or a charge based on a 25 percent increase in the number of units shown on the assessor's card plus water usage, whichever is greater. (Amd. of 1-28-1975, § 1; Amd. of 1-12-1976; Amd. of 6-27-1991; Amd. of 8-29-1994, § 3)

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Upon the effective date of this revision [October 1, 1974],

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year that the connection was made

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. In all cases, the superintendent of sewer services shall certify to the sewer authority the validity of each adjustment.