

# Regulations Governing the Use of the Water Distribution and Sanitary Sewer Facilities of the City of Medford, Massachusetts

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## ARTICLE I - GENERAL

### Section 1-1. Definitions

Unless the context specifically indicates otherwise, the meaning of terms used in this chapter shall be as follows:

**Abandonment** means the condition in which water service to a building or structure has been discontinued at the owner's request for a period of at least one year, and the owner has made no commitment as to possible future use.

**Applicant** means any person or entity, including licensed drainlayers, applying for water and/or sewer service or for water and/or a sewer main extension, replacement, alteration, removal or relocation.

**Approved** means accepted by the Commissioner of the department of public works or designee as meeting applicable specifications stated or cited in these rules, regulations and ordinances, or as suitable for the proposed use.

**AMRB** means automatic meter reading and billing.

**ASTM** means the American Society of Testing and Materials.

**Auxiliary water supply** means any water supply on or available to the premises other than the City's approved public potable water supply.

**AWWA** means the American Water Works Association, an international, nonprofit, scientific and educational society dedicated to providing total water solutions assuring the effective management of water.

**Backflow** means the flow of water or other liquids, mixtures or substances under pressure into the distributing pipes of a potable water supply system from any source other than its intended source.

**Backflow preventer** means a device or means to prevent backflow or back-siphonage.

**Back siphonage** means the flow of water or other liquids, mixtures or substances into the distributing pipes of a potable water supply system from any source, other than its intended source, caused by a sudden reduction or pressure in the potable water supply system.

**Blowdown** means the minimum discharge of recirculated water from a heating or cooling system for the purpose of preventing the concentration of materials contained in the water from exceeding limits established by best engineering practices.

**Building** means any structure used or intended for supporting or sheltering any use or occupancy.

**Building drain** means the lowest horizontal piping of a plumbing or drainage system which extends from inside or outside the walls of a building to a point ending ten feet (3.048 meters) outside the inner face of the building's foundation wall. The building drain conveying wastewater

from plumbing fixtures within the building shall discharge to a building sewer, while the building drain conveying stormwater and other drainage shall discharge to a building storm drain.

**Building sewer, house connection, sewer connection, sewer service or sewer lateral** means the pipe which connects to a building drain conveying wastewater from plumbing fixtures within a building to a City sewer, a private sewer, an MWRA sewer (where allowed by MWRA) or another place of disposal. The building sewer begins ten feet outside the inner face of the building foundation wall and extends to and includes the connection to the City sewer, MWRA sewer or private sewer.

**City** means the City of Medford, Massachusetts.

**CMR** means Code of Massachusetts Regulations

**Combined sewer** means a sewer designed to receive both sanitary sewage and storm water.

**Commission** means the Board of Water and Sewer Commissioners.

**Commissioner** means the Commissioner of Public Works for the City or his designated agent.

**Consumption** means the amount of water use, as measured by a meter or as estimated by the City in accordance with its billing, termination and appeal sections of this chapter.

**Contamination** means an impairment in the quality of the water by sewage, industrial fluids or waste liquids, compounds or other materials to a degree which creates an actual hazard to the public health through poisoning or through the spread of disease.

**Cooling water** means the water discharged from any system of condensation, air conditioning, cooling, refrigeration or other system of heat transfer.

**Cross connection** means any physical connection or arrangement of piping or fixtures between two otherwise separate piping systems, one of which contains potable water and the other non-potable water or industrial fluids of questionable safety, through which, or because of which, backflow or back-siphonage may occur into the potable water system.

**Cross connection control by containment** means the installation of any approved backflow prevention device at the water service connection to any customer's premises, or the installation of an approved backflow prevention device on the service line leading to and supplying a portion of a customer's water system where these are actual or potential cross connections which cannot be effectively eliminated or controlled at the point of cross connection.

**Cross connection, controlled**, means any connection between a potable water system and a non-potable water system with an approved backflow prevention device, properly installed, that will continuously afford the protection commensurate with the degree of hazard.

**Cross Connection Program Manual** means a manual developed by the City in accordance with state regulation 310 CMR 22.22.

**Customer** means any person, tenant, firm, entity, corporation, body politic or organization of any type supplied with water and sewer use by the City.

**DEP** means the state department of environmental protection and all its divisions.

**Department (or DPW)** means the City's department of public works.

**Design criteria** means standards for design used by the DPW for construction, rehabilitation, and replacement of public water, sewer and drain infrastructure, including service connections.

**Dewatering drainage** means groundwater or surface water which is removed from a site and discharged beyond the limits of the site by means of gravity or pumping.

**Discharge** means flow from a canal, conduit, sewer, drain, outfall, pump, stack, tank or treatment process, or any emission, intentional or unintentional, including, but not limited to, flow resulting from spilling, leaking, seeping, pumping, pouring, emitting, emptying, depositing, dumping, releasing, injecting, escaping, leaching or infiltrating, whether direct or indirect.

**Discontinuance** means the cessation of water service at the premises at the request of an owner or customer, except that a request for a temporary cessation for repair does not ordinarily give rise to discontinuance.

**Drain Layer** means a person or entity that is approved to install water, sewer and drainage infrastructure and who has been approved by the City to conduct such work on private or public property.

**Easement** means an interest in land owned by another that entitles its holder to a specific limited use or enjoyment.

**Emergency repair work** means street opening work which must be commenced immediately to correct a hazardous condition, whose continuation would unreasonably risk injury, loss of life or property damage.

**Engineering Division** means the Engineering Division of the Medford Department of Public Works

**EPA** means the United States Environmental Protection Agency.

**Excessive** means more than the limits established in this chapter, directly or by reference, or more than the limits determined by the City or the MWRA to be acceptable.

**Exfiltration** means to pass water through pores or openings out of a closed container or structure, such as in the case of waters exfiltrating from pipes.

**Fats, oils and grease (FOG)** means animal and plant derived substances that may solidify or become viscous between temperatures of 32°F and 150°F (0°C to 65°C), and that separate from wastewater by gravity. Any substance identified as grease per the most current EPA Analytical method as listed in 40 CFR 136.3.

**Fire flow test** means the measurement of flow from a hydrant performed by the department or its authorized agent in accordance with generally accepted engineering practices.

**Fire service pipe** means the private water piping, control valve and appurtenances installed solely to furnish water for extinguishing fires.

**Floor drain** means an intended drainage point in an otherwise impervious floor which serves as the point of entry into any subsurface drainage, treatment, disposal, containment or other plumbing system.

**Garbage** means solid wastes from the domestic and commercial preparation, cooking and dispensing of food, and from the handling, storage, and sale of produce or otherwise defined in section 22-1.

**Grab sample** means a sample of wastewater or storm water taken on a one-time basis without consideration of time.

**Grease Trap** means a water tight device constructed to separate and trap or hold grease from wastewater in order to prevent grease from entering the sanitary sewer system. Also referred to as a Grease Interceptor or Grease Recovery Device, or Trap. The grease trap may be an internal device located within the facility, an external device located outside the food establishment, or both.

**Hazard, degree of**, means a term derived from an evaluation of the potential risk to public health and the adverse effect of the hazard upon the potable water system.

**Hazard, health (high hazard)**, means any condition, device or practice in the water supply system and its operation which could create or, in the judgment of the Commissioner of public works, creates a danger to the health and well-being of the water customer.

**Hazard, plumbing (high hazard)**, means a plumbing-type cross connection between the customer's potable water system and a non-potable water system which contains or may contain a substance that will impair the quality of the potable water system to a degree that it creates a serious health hazard to the public leading to poisoning or the spread of disease and is not protected by an air-gap separation or a reduced-pressure principle backflow preventer.

**Hazard, pollution (low hazard)**, means an actual or potential threat to the physical properties of the water system or to the potable nature of the public or the consumer's potable water system, but which would constitute a nuisance or be aesthetically objectionable or could cause damage to the system or its appurtenances, but would not be dangerous to health.

**Hydrant** means a device connected to a public water main for purpose of extinguishing fires or other authorized purposes.

**Hydrant permit** means a written permit granted by DPW for the temporary use of a hydrant.

**Illicit discharge** means any discharge to a public storm drain, building drain or building storm drain that is not composed entirely of stormwater, including, but not limited to, illegal sanitary sewer or floor drain connections, illegal dumping, improper disposal of waste, sanitary wastes infiltrating from failing sewer service pipes or septic systems.

**Industrial fluids system** means any system containing a fluid or solution which may be chemically, biologically or otherwise contaminated or polluted in a form or concentration such as would constitute a health, system, pollution or plumbing hazard if introduced into an approved water supply.

**Industrial Waste** means any liquid, gaseous, or solid waste substance or a combination thereof resulting from any process or industry, manufacturing, trade, or business or from the development or recovery of natural resources.

**Industrial Wastewater** means waste in liquid form resulting from any process of industry, trade, or business, regardless of volume or pollutant content. Waste in liquid form consisting of only sewage is not considered industrial wastewater.

**Infiltration** means to pass water through pores or openings into a pipe or surface such as in the case of groundwater infiltrating into pipes through defective pipes, joints or connections, or rainwater and snowmelt infiltrating into ground.

**Inflow** means precipitation or surface runoff that enters a sanitary sewer through direct and indirect sources such as downspouts, catch basins, area drains, sump pumps, subsurface drains, interconnections between sanitary sewers and storm drains, etc.

**Interconnection** means a physical connection between a sanitary sewer and a storm drain which allows the two separated flows to intermix.

**Lien** means the statutory lien of the City as defined in M.G.L. c. 40, § 42A—F.

**Main pipe** means the water main, so-called, from which service connections are made to supply water to customers.

**Master meter** means a meter used for billing purposes serving a building or group of buildings or any other meter used on a water service connection that has more than one meter on water lines attached to the water service connection.

**Meter** means an instrument for measuring the flow of water.

**Meter pit** means an underground vault enclosing a meter.

**MTU** means meter transmitting unit, a device used to read a water meter and transmit the results to the City.

**MWRA** means the Massachusetts Water Resources Authority.

**Noncontact cooling water** means water used for cooling that does not come into direct contact with any raw material, intermediate product, waste product or finished product.

**Noncontact industrial process water** means water used in an industrial or manufacturing process, or in the development, recovery or processing of natural resources, which does not come into direct contact with any raw material, intermediate product, waste product or finished product.

**Non stormwater discharge** means any waters discharged to the sewers or storm drains that are not composed primarily of rainfall or other precipitation that runs off surfaces during or after a storm.

**Oil trap or oil separator** means a receptacle designed to separate petroleum-based oil and grease from water.



**Owner** means a person who, alone or jointly or several with others, has the legal title to any premises or has care, charge or control of any premises as agent, executor, administrator, trustee, lessee or guardian of the estate of the holder of legal title.

**pH** means the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

**Plumber** means a person licensed as a plumber by the state.

**Point-of-entry device** means a purported water treatment device applied to the drinking water entering any building for the purpose of reducing contaminants in the drinking water entering that building.

**Pollutant** means any element, constituent or property of sewage, stormwater, or of agricultural, industrial, manufacturing or commercial process waste or leachate, or any other substance which causes the alteration of the chemical, physical, biological or radiological integrity of water through its introduction therein.

**Pollution** means the presence of any foreign substance (organic, inorganic or biological) in water which tends to degrade its quality so as to constitute a hazard or impair the usefulness or quality of the water to a degree which does not create an actual hazard to the public health, but which does adversely and unreasonably affect such waters for domestic use.

**Potable water** means water fit for human consumption in conformance with the regulations of the state department of environmental protection.

**Private fire protection** means private water mains, service pipes and other appurtenances installed for the purpose of fire protection at a specific property.

**Private sewer** means a sewer owned by a private owner and not controlled by public authority. The term "private sewer" includes, but is not limited to, building drains conveying wastewater from plumbing fixtures within the building; building sewers; sewers; and manholes located on private property and not located within an easement held by the City; and sewers owned by other public agencies.

**Public drain** means a drain in which all owners of abutting properties have equal rights, and which is controlled by public authority.

**Public fire protection** means the public water mains, hydrants, and appurtenances installed for the purpose of fire protection in a public way, City-owned easement or private way open to public travel.

**Public sewer** means a sewer in which all owners of abutting properties have equal rights, and which is controlled by public authority.

**Public water main** means the piping and associated valve, hydrants and appurtenances installed in a public way, City-owned easement, or private way open to public travel, for the purpose of supplying water to two or more customers or for public fire protection. Water service pipes are not public water mains.

**Receiving waters** means any watercourse, river, pond, wetland, ditch, lake, aquifer, ocean or other body of surface water or groundwater that receives a discharge of wastewater, stormwater or effluent.

**Residential meter** means a meter one inch in size or smaller used to measure the flow of water to predominantly residential property.

**RPBP** means a reduced-pressure zone backflow prevention device.

**Sanitary sewer** means a sewer which carries sewage and to which stormwater, surface water and groundwater are not intentionally admitted.

**Service pipe** or **service connection** means the pipe running from the public sewer, storm drain, or water main to the building or meter on the premises of the customer.

**Sewage** means a combination of the water-carried wastes from residences, business buildings, institutions and industrial establishments, together with such groundwater, surface water and stormwater as may be present.

**Sewage treatment plant** means any arrangement of devices and structures used for treating sewage.

**Sewage works** means all facilities for collecting, pumping, treating and disposing of sewage.

**Sewer** means a pipe or conduit for carrying sewage, stormwater or surface water.

**Shut off** means the closing of a control valve to temporarily stop water service or to terminate water service.

**Slug** or **slug discharge** means any discharge of water, sewer or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than 15 minutes, more than five times the average 24-hour concentration or flows during normal operation.

**Street opening work** means any cutting, excavating, compacting, construction, repair or other disturbance in or under a public way together with restoration of the public way in accordance with this chapter, municipal ordinances and any other applicable law following such disturbance.

**Suspended solid** means solids that either float on the surface of, or are in suspension in water, sewage or other liquids, and which are removable by laboratory filtering.

**Treatment system** or **pretreatment system** means any and all devices, equipment or works used in the pumping, storing, treating, recycling and reclaiming of sewage or industrial waste.

**User** means any person who obtains water, sewer or drain service through connection to public facilities.

**Utility** means any corporation, city, town or other governmental subdivision, partnership or other organization or any individual engaged within the state in any business which is, or the persons engaged in which are, in any respect made subject to the supervision or regulation by the department of telecommunications and energy. For the purposes of this chapter, the term

"utility" also means any person or entity engaged by or on behalf of a utility to perform street opening work.

**Water, non-potable**, means water which is not safe for human consumption or which is of questionable potability.

**Water service connection** means the terminal end of a service connection from the public potable water system (i.e., where the water purveyor loses jurisdiction and sanitary control over the water at its point of delivery to the customer's water system).

**Water, used**, means any water supplied by a water purveyor from a public potable water system to a consumer's system after it has passed through the point of delivery and is no longer under the sanitary control of the water purveyor.

**Waterworks** means all facilities for supplying, treating, pumping and distribution of potable water.

**WEF** means the Water Environment Federation.

## **Section 1-2. Reference to Regulations**

These regulations may be referred to as the City's Water and Sewer Regulations.

## **Section 1-3. Authority**

- (a) Pursuant to the authority of the Board of Water and Sewer Commissioners, the City of Medford hereby establishes the following regulations governing the use of the public and private water and sanitary sewer facilities in the City of Medford.
- (b) The Commission is authorized and directed to promulgate such regulations or conditions as may be required to effect compliance with federal or state requirements, or to otherwise provide management oversight and supervision of the water and sewage works of the City.
- (c) The Mayor and DPW Commissioner and/or their designees shall have the following authority and all others outlined by ordinance:
  - i. The DPW Commissioner or designee shall be permitted to enter all properties for the purpose of inspection, observation, measurement, sampling, and testing of water supply piping and appurtenances, sanitary sewer piping and appurtenances, and installing water meters and addressable read devices, in accordance with the provisions of this chapter. The Commissioner or designee shall have authority to inquire into any processes, including metallurgical, chemical, oil, refining, ceramic, paper or other industries having a direct bearing on the kind and source of discharge to the sewers, storm sewers, waterways or facilities for waste treatment.
  - ii. While performing any necessary work on private properties as set out in this chapter, the Commissioner or designee shall observe all safety rules applicable to the premises established by the Owner, and the Owner shall be held harmless for injury

or death to the City employees and the City shall indemnify the Owner against loss or damage to its property by City employees and against liability claims and demands for personal injury or property damage asserted against the Owner and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the Owner to maintain safe conditions as required by this chapter.

- iii. The Commissioner and other duly authorized employees of the City bearing proper credentials and identification shall be permitted to enter all private properties through which the City holds a duly negotiated easement for the purpose of, but not limited to, inspection, observation, measurement, sampling, repair and maintenance of any portion of the sewage and/or waterworks lying within said easement. All entry and subsequent work, if any, on said easement shall be done in full accordance with the terms and duly negotiated easement pertaining to the private property involved.
- iv. The contractor installing sewer or water pipes and appurtenances shall give at least 72 hours' notice for the need for inspection of installed sewer and water pipes and appurtenances prior to backfill.
- v. The Commissioner shall set and collect reasonable charges for providing inspection of sewer, and waterworks covered under these regulations and applicable state and federal laws, including but not limited to cross connection control surveys. The Commissioner may require that an applicant for sewer and/or water service pay the cost of providing full-time inspection of the sewer and waterworks installed as a result of approval of such application by the Commissioner.

#### **Section 1-4. Repeal of Prior Regulations**

These regulations take precedence over any former rules and regulations pertaining to the City of Medford's water and sanitary sewer systems.

#### **Section 1-5. Purpose**

The purpose of these regulations is to protect the public health, safety and welfare, and to ensure the proper operation and maintenance of the water and sewer system and the protection and enhancement of water resources within the City.

#### **Section 1-6. Severability**

The provisions of these regulations are severable. If any provision of these regulations or any specific application to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications which can be given effect in the absence of the invalid provision or application.

## **Section 1-7. Penalties**

- (a) Any person found to be violating any provision of these regulations shall be served by the City with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations. All violations shall be punishable by a fine of up to \$300.00 pursuant to chapter 40, section 39G of the General Laws (M.G.L. c. 40, § 39G). The applicable penalty for each such violation shall be immediately due and payable. Violations which, in the opinion of the Commissioner or any other governmental regulatory agency, endanger the health and life safety of any individual or group of individuals shall cease or be corrected immediately and the person or entity responsible for such violation shall be immediately liable to the City for any expense, loss, or damage occasioned the City by reason of such violation and shall forfeit to the City three times the amount of damages.
- (b) Each day of a continuing violation shall be deemed a separate violation and penalties shall be incurred daily for continuing violations of the provisions of this chapter. A separate penalty will be incurred for each violation when more than one violation occurs.
- (c) If the City elects to file an enforcement action in a court of competent jurisdiction, the damages then recoverable by the City shall not be limited to amounts recoverable under this chapter.
- (d) Any penalty imposed remaining unpaid will be added and applied to the water and sewer bill for the affected property should the penalty remain unpaid at the time of posting of the next water and sewer billing cycle. In addition to all other penalties, fines and liabilities imposed by this chapter, violators shall also to be subject to all fines, penalties and liabilities imposed by the MWRA and all other state and federal agencies having jurisdiction.

## **Section 1-8. Applicable Regulations; Fees; Conditions**

- (a) Every user of the public water and sewer systems or private water and sewer mains shall be subject to regulations of the City and the MWRA, as they apply, and to any charges, rates, fees and assessments which are or may be established by the City or MWRA. Any user of the public water and sewer system or private water or sewer mains shall also be subject to applicable state and federal regulations. In instances where various regulations contain conflicting requirements, the most stringent requirements shall be met.
- (b) Service fees for the adequate funding of the water and sewage works of the City shall be chargeable and collectible by the City for any of the activities set by the Commissioner subject to the approval of the Mayor, in accordance with the provisions of M.G.L. c. 40, § 22F. A copy of the current fee schedule shall be placed on file in the City clerks' office by the Commissioner. Such fee schedule shall be available for public inspection at the office of the City clerk during the regular business hours of City Hall.
- (c) The City may require advance payment of any and all fees. Any fee not paid in advance when due to an emergency will be added and applied to the water and sewer bill for the

affected property, should the fee remain unpaid at the time of the posting of the next water and sewer billing cycle.

### **Section 1-9. Right to Amend Regulations**

The City reserves the right to amend these regulations in any manner and to establish more stringent limitations or requirements as is deemed necessary or appropriate.

### **Section 1-10. MWRA Regulations**

No provision of these regulations shall be deemed to contravene or render ineffective any valid MWRA regulation.

### **Section 1-11. Notice and Hearing Rights**

In the implementation and enforcement of this chapter, the following provisions shall be observed:

- (a) Whenever the DPW denies or modifies a permit, issues an order, or assesses charges for damage or other violations occasioned by the noncompliance with any permit or other lawful requirement, the DPW shall inform the user to whom such action is addressed of the user's right to submit, within ten working days, a written request for reconsideration of that action. The request shall set forth in detail the facts supporting it. The DPW shall schedule an informal interview with the user submitting the request, to be held within 15 working days of receiving it and shall rule in writing on the request within ten working days of the completion of the interview.
- (b) When the DPW proposes to revoke a permit, the DPW shall notify the user in writing of such proposed ruling and of the right to submit, within ten days, a written request for reconsideration of that ruling. The request shall set forth in detail the facts supporting it. The DPW shall schedule an informal conference with the user submitting the request, to be held within 15 working days of the receiving it and shall rule in writing on the request within ten working days of the completion of the conference.
- (c) Every ruling under subsections (1) and (2) of this section shall inform the person to whom it is addressed of that person's right to request, within 30 calendar days, a hearing under the provisions of M.G.L. c. 30A. Within 15 calendar days of receiving such a request, the DPW shall schedule such a hearing, to be held not sooner than 15 calendar days and not later than 30 calendar days after giving notice of the hearing to the requesting party.
- (d) Nothing in these regulations shall be construed to interfere with any and all rights of the MWRA under state law to take direct enforcement action through application of its regulations or the courts.

### **Section 1-12. Cease and Desist Order; Compliance Schedule**

When the DPW, DEP and/or the MWRA finds that a discharge of sewage, or a taking of water, has taken place or threatens to take place in violation of this chapter or the provisions of a permit, the following actions may be taken:

- (a) The DPW, DEP and/or the MWRA may issue an order to cease and desist any such discharge of sewerage, taking of water or violation to any user not complying with such prohibitions, limits, requirements or provisions, and direct the users as follows:
  - i. comply forthwith;
  - ii. comply in accordance with a time schedule set forth by the DPW and/or the MWRA; or
  - iii. take appropriate remedial preventive action in the event of a threatened violation.
- (b) The DPW, DEP and/or the MWRA may require the user to submit a detailed time schedule setting forth specific actions to be taken as the DPW and/or the MWRA deem necessary for the user to follow in order to prevent or correct a violation. The DPW and/or the MWRA may issue an implementation schedule to the user containing such specific actions and time schedule.

### **Section 1-13. Licensing of Drain Layers**

- (a) All persons wishing to perform alterations, installations, maintenance, repair and replacement of connections to the public water main or public sanitary sewer must be licensed by the DPW as a licensed drain layer. Application for such license must be on a form prescribed by the Commissioner and submitted to the Commissioner for approval at least 45 days prior to any work by the applicant taking place. The DPW may license such private drain layers as they apply and are found competent and ethical. The Commissioner may require that the license be approved by the Superintendent of Water and Sewer and City Engineer. No person other than a licensed drain layer shall construct or repair any sewer/drain/water service within the City or connect the same with any public utility.
- (b) No private sewer/water/drain infrastructure between the limits of any street and the building shall be laid except as authorized or licensed by the Commissioner, or by his/her agent or employees acting under his/her direction. No such private contractor shall lay any such infrastructure without first having obtained a permit in writing from the Commissioner or DPW in such form and under such conditions as it shall prescribe. Within one month of completion of the work an as-built drawing in a format required by the City Engineer shall be returned to the Commissioner and City Engineer signed by the permittee clearly showing what was done under the permit.
- (c) Every person licensed as provided above shall, before performing any work by virtue of said license, execute a satisfactory bond to the City in a sum of not less than five thousand dollars (\$5,000), conditioned upon compliance with this regulation, the ordinances of the City, the rules and regulations of the Water and Sewer Commission, and with the terms and conditions of the permit under which in each case work is performed; The City will be indemnified and held harmless from all damages, losses or expenses by reason of injuries arising or resulting from the work done under said permit.

- (d) Drain layer license applications must include a Certificate of Liability insurance demonstrating the applicant holds at least \$1,000,000 for each occurrence, and \$2,000,000 in aggregate for general liability.

#### **Section 1-14. Display of Permit**

Every person granted a permit under the provisions of this article shall display the permit for the duration of the work and allow inspection when requested by the Commissioner, or any agent thereof, an inspector of the DPW or by a police officer.

#### **Section 1-15. Plans and Records of Systems**

Plans and descriptions of all public and private sanitary sewers, storm drains, and water mains, and services connections thereto, shall be kept at the Engineering Division.

#### **Section 1-16. Protection from Damage**

- (a) No unauthorized person shall maliciously, willfully, or negligently break or damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the sewage or waterworks or the drainage system. No person shall obstruct or in any way interfere with the flow of water, sewage or drainage through same. No person shall in any manner place obstructions which prevent the ready operation, replacement or repair of any valve, hydrant, water post, stopcock, water meter or other fixture or appurtenance of the water and sewage works or drainage system. No person shall prevent access to any water, sewer or drain appurtenance covered by this chapter. The applicable provisions of M.G.L. c. 272, §§ 59 and 60 and M.G.L. c. 40, § 39G apply to this subsection.
- (b) All gates, valves, shutoffs and standpipes that are the property of the DPW are not to be opened or closed, or in any other way tampered with, by any person other than an authorized agent of the Commissioner.



## **ARTIICLE 2. SERVICE ESTABLISHMENT TRANSFER AND DISCONTINUANCE, GENERAL CONDITIONS OF SERVICE**

### **Section 2-1. Servicing of and Application for System Service**

- (a) No unauthorized person shall uncover, make any connections with or opening into, repair, relocate, use, alter or disturb any water main, water service connection, water meter, hydrant, sanitary sewer main, building sewer, or sewer manhole thereof, without first obtaining a written permit from the Commissioner. The Commissioner shall specify in each permit the nature of the work to be performed, including the size, material, mode of construction, location, direction and grade of all pipes and appurtenances. Before opening, occupying and using portions of the streets for the purpose of performing work on sewer or water facilities contained therein, a trench opening permit shall be obtained. Submission of a false permit application shall be a violation of this provision enforced with penalties and may involve a suspension or loss of a drainlayer's license.
- (b) Application for water or sewer service must be made in writing to the Commissioner at the office of the DPW on forms provided by the DPW. A water service application must state the various uses for which the water is to be supplied, including design flows. A sewer service application must state the discharge constituents and design flows. Applications must include a plan showing the proposed work, including construction details. The plan must be approved by the City Engineer. Both applications must be signed by the owner of the premises or owner's agent or the owner's properly authorized agent. An acceptance by the DPW of the application shall constitute a contract between the DPW and the applicant obligating the applicant to pay the DPW its established rates and charges, and to comply with the rules and regulations of the DPW. The DPW may hold the request for a period of 45 days in order to ascertain if more information regarding the application is deemed advisable by the Commissioner. Upon completion of the work, as-built drawings shall be submitted to the City Engineer stating and showing the location by dimensions to fixed structures the work performed.
- (c) The DPW reserves the right to assign size and location of the water and sewer services.
- (d) Applications for water or sewer service will be accepted subject to there being an existing main in a street, alley, easement or right-of-way abutting on the premises to be served, but acceptance shall in no way obligate the DPW to extend the mains to service the premises, except as hereinafter provided.
- (e) The Commissioner may deny the request of an applicant to extend, replace or relocate a public water main or service, public sewer main or service, or private sewer, if in the Commissioner's opinion adequate water pressure cannot be achieved or the proposed work does not conform to the DPW's design criteria. The Commissioner may condition approval of a request to extend, replace or relocate a main or service. Among other things, the Commissioner may require that an applicant install a new and/or larger pipe size than that required to serve the applicant, who proposes to extend, replace or relocate a public water main, public water service, public sewer, or private building sewer. See Water System and Sewer System sections for additional requirements.
- (f) If an applicant requests a new water service or to increase the quantity of water drawn through an existing service or requests an increase in the quantity or type of sanitary sewage into the sanitary sewer collection system, the Commissioner may determine that

such requests impose a demand in excess of the capacity of the supply water main or receiving sewer, and therefore that it is necessary to replace the existing main with one of appropriate size. The full cost thereof, including any test, studies, investigations and inspections required for design and construction, shall be paid by the applicant. When the City must perform professional engineering and legal reviews for major development projects, the applicant shall pay for such reviews in amounts determined by the Commissioner.

- (g) All excavations for water mains and services, and sanitary sewer mains and service installations shall be adequately guarded with barricades, lights and pavement markings to protect the public from hazard. The Commissioner may require a Traffic Management Plan (TMP) approved by the Engineering Division. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the City.
- (h) Prior to obtaining a permit to install or repair water mains and services, and sanitary sewer mains and services, the owner or the owner's authorized agent must notify all private and public utility departments and companies of the applicant's intentions. Dig Safe must be notified in accordance with state law. The MWRA is not a member of Dig Safe and must be notified separately. Normally scheduled non-emergency work is to be performed only during the weekdays of Monday through Friday, holidays excluded, during the hours of 7:00 a.m. to 4:00 p.m. After hours, weekend, holiday and emergency work can be scheduled with the Commissioner's permission.
- (i) No laying or repairing sewer or water mains and services or appurtenances shall commence, unless the permit to do so is issued by the Commissioner and is at the site of the work, in the hands of the licensed installer or employee thereof. All work shall be completed within the time limits stated in the permit.
- (l) Whenever any ground penetration or opening is made for the purpose of installing, laying, removing, repairing any water, sewer, gas, telephone or electrical facilities and appurtenances including, but not limited to, pipes, manholes, poles, valves, devices or structures, the same shall be done in a manner so as not to interfere with existing sewer, water and drain facilities without the express written permission of the Commissioner.
- (m) Water and sewer services are only to be used by the permitted property. No customer shall supply another entity the use of water or sewer nor shall the customer use it for any purpose, not identified in the customer's permit. No person shall obtain water service from any hydrant, fountain or other fixture of the DPW without previous written permit/consent of the Commissioner.
- (n) Residential property owners are responsible for the maintenance and repair of sanitary sewer service laterals from the source to the property line; and the City will be responsible from the property line to, and including, the connection with the City public sewer main. Commercial, industrial, and institutional property owners are responsible for the maintenance and repair of sanitary sewer laterals from the source to and including the connection with the City public sewer main.

- (o) Residential property owners are responsible for the maintenance and repair of water service laterals one (1) inch in diameter or smaller leading from the meter to the sidewalk shutoff valve; and the City will be responsible from the shutoff valve to, and including, the connection with the City public water main. Residential property owners with a water service lateral greater than one (1) inch are responsible for the maintenance and repair from the meter to, and including, the connection to the public main. Commercial, industrial, and institutional property owners are responsible for the maintenance and repair of water service laterals from the meter to, and including, the connection with the City public water main.
- (p) Whenever any private sewer shall become clogged, broken, obstructed, out of order, detrimental to the use of the common sewer, or unfit for sewage purposes, in or under that property situated outside of any street in which common sewers are laid, the owner, agent, occupant or person having charge of any building or lot of land or premises in which such private sewer is located shall, when directed by written notice from the Commissioner remove, reconstruct, alter, cleanse, or repair such private sewer, as the conditions thereof may require. In case of neglect or refusal to comply with such notice within five days after the same is given, the Commissioner may cause the private sewer to be removed, reconstructed, repaired, altered or cleansed, as it may deem expedient, at the expense of such owner, agent, occupant or other person so notified.
- (q) Sanitary sewer service laterals connected to the stormwater drainage system are illicit connections and are the responsibility of the property owner. All illicit connections must be removed and connected to the City's public sanitary sewer main at the expense of the property owner. The illicit discharge shall be removed immediately upon discovery or notification by the City and connected to the City's public sanitary sewer main within 30 days.
- (r) Each building that requires a domestic water service shall have its own dedicated domestic water service.

## **Section 2-2. Discontinuance of Service**

- (a) Discontinuance of service may be deemed advisable by the Commissioner after written notice by reason of nonpayment of water or sewer bills, or for violation of any rule, regulation or ordinance contained directly, referenced or inferred herein. Services once discontinued, may not be reconnected until the cause of the complaint, resulting in discontinuance of service, has been removed and until all reconnection charges, plus arrears, have been paid. Any bill not paid within 20 days after due shall be considered delinquent. Upon delinquency, a notice of shutoff shall be issued to be executed ten days after issue. Service may be discontinued without notice in cases of fraudulent use or violation of Section 2-6 Maintenance of Plumbing.
- (b) Use of water by the City in emergencies: Upon notification to the owner and in accordance with MGL c. 40, Sec 41A, the DPW may restrict or shut off water service to any premises during a drought, hurricane, conflagration or other disaster.

- (c) The DPW may shut off water service for denial by an owner to allow the DPW to enter the owner's buildings or premises for the purpose of reading or changing the water meter or for failure of the owner to keep the water meter accessible for the purpose of reading or changing the water meter. Services once discontinued may not be reconnected until the cause of the complaint resulting in discontinuance of service has been removed and until reconnection charges plus arrears, if any, have been paid.
- (d) Every person seeking to obtain a demolition permit from the building department shall submit a completed termination verification approval application for a demolition permit to the DPW. Prior to demolition of any building, the owner shall cut and cap all building sewers and water services at the connection to the sewer or water main and have the DPW inspect all building sewers and water services to ensure that they are properly cut and capped prior to backfilling.

### **Section 2-3. Recovery of Abatement, Compensation, etc. for Termination of Service**

The person to whom water service is furnished shall not demand or recover any abatement, compensation or damages on account of the lawful shutting off or limitation of the use of water for any cause.

### **Section 2-4. Interrupted or Unsatisfactory Service**

- (a) If, by reason of shortage of supply or for the purpose of making repairs, extensions, or connections or for any other reason beyond the control of the DPW, it becomes necessary to shut off water in the water mains, the DPW will not be responsible for any damages occasioned by such shutoff and no refunds of charges will be allowed, unless the interruption is in effect for a continuous period of ten days, in which case a proportional refund of charges, other than for metered water used will be made. Notice of shutoff will be given, when practicable, but nothing in this chapter shall be construed as requiring the giving of such notice.
- (b) The City will not be responsible for damage caused by dirty water, which may be occasioned by repairs, extensions or connections, cleaning pipes, reservoirs or standpipes, or opening and closing of any gates or hydrants, which the same is due to no lack of reasonable care on the part of the utility.

### **Section 2-5. Applicable Regulations and Codes**

- (a) Any users of public or private water mains, private or public sewer mains and sanitary sewage disposal systems shall be subject to whatever rules, regulations, policies and charges, rates, fees and assessments are from time to time established by the City, the state through its agencies and governing bodies, including, but not limited to, the state water resources authority, the department of environmental protection and the department of public health, and the United States federal government through its agencies and governing bodies. Any users of public or private water and sewer facilities shall be subject to this chapter and all state and federal regulations. In instances where various regulations containing conflicting requirements, the most stringent requirement

shall be met. In addition to this chapter, the most recent editions of the following rules or guidelines shall apply.

- i. Massachusetts Department of Environmental Protection, Bureau of Resource Protection, Drinking Water Program, Guidelines for Public Water Systems;
- ii. Massachusetts Department of Environmental Protection, Bureau of Water Resources, Drinking Water Program, Private Well Guidelines;
- iii. Massachusetts Department of Environmental Protection, drinking water regulations, 310 CMR 22.00;
- iv. Massachusetts Department of Environmental Protection, Bureau of Resource Protection, guidelines for Optimizing Operation, Maintenance, and Rehabilitation of Sanitary Sewer Collection Systems;
- v. Massachusetts Department of Environmental Protection, the state Environmental Code, Title 5: Standard Requirements for the Siting, Construction, Inspection, Upgrade and Expansion of On-Site Sewage Treatment and Disposal Systems and for the Transport and Disposal of Septage, 310 CMR 15.00;
- vi. Massachusetts Water Resources Authority, sewer use regulations, 360 CMR 10.00;
- vii. Massachusetts Water Resources Authority, leak detection regulations, 360 CMR 12.00;
- viii. Massachusetts Water Resources Authority, enforcement and administrative penalty regulations, 360 CMR 2.00;
- ix. Massachusetts Department of Public Health, the State Sanitary Code, Chapter I and Chapter II, 105 CMR 400 & 410;
- x. Board of State Examiners of Plumbers and Gasfitters, Uniform State Plumbing Code and Massachusetts Fuel Gas Code, 248 CMR 4.00 & 10;
- xi. Regulations of the United States Environmental Protection Agency, 40 CFR 1.0 et. seq.; and
- xii. MGL Ch. 21G; Ch. 30; Ch. 40, Sec. 21(5)(6); Ch. 40, Sec 41, Sec 42A – F; Ch.. 83, Sec 11; Ch. 92, app. Sec 1-10.

## **Section 2-6. Maintenance of Plumbing**

- (a) All property owners shall maintain the plumbing and fixtures within their own premises in good repair and protected from freezing at their own expense. They shall make any repairs which may be necessary to prevent leaks and damage. No cross connection between the public water supply and any other supply will be allowed. No connection capable of causing backflow between the public water distribution system and any plumbing fixture, device or appliance, or between any waste outlet or pipe having direct

connection to waste drains will be permitted. The property owner shall also not tamper with or block access to the water meter reading device.

- (b) No customer shall install any additions or alterations of any service pipe or pipes for any purpose not mentioned in the customer's application without first giving written notice to the DPW and obtaining its approval.

#### **Section 2-7. Work on Customer's Premises**

- (a) In situations where the DPW undertakes to do work on the customer's premises, applications for such work shall be made in writing on forms provided by the DPW and a deposit may be required equal to the DPW's estimated cost of the work. The customer will be required to sign an access agreement, and for work performed by the City, the customer will be charged for labor, materials and administrative costs.
- (b) The DPW shall not allow the installation of any service pipes or service connections between November 15 and April 1, except for special arrangement with the Commissioner, in which case the customer will also pay for any extraordinary and excess costs borne by the City.

#### **Section 2-8. Joint Use of Service Pipe Trench**

- (a) Water service pipes shall not be placed in the same trench with gas pipes, electric conduits, sewers, drains or similar structures, except under special conditions and only with prior approval of the Commissioner. Water service pipes must have a minimum ten (10) foot horizontal, and minimum eighteen (18) inch vertical separation from sewer pipes, and a minimum five (5) foot separation from gas pipes.
- (b) Sewer service pipes, including building sewers, shall not be placed in the same trench with gas pipes, electric conduits, water pipes or similar structures, except under special conditions and only with prior approval of the Commissioner.

## ARTICLE III - WATER SYSTEMS

### Section 3-1. Installation, Ownership and Maintenance of Service Pipe.

- (a) Any person proposing a new connection into the water distribution system or a substantial change in the volume or use of the supplied water that is being taken from the system shall notify the DPW office at least 45 days prior to the proposed change or connection.
- (b) Replacement pipe (i.e. replacing lead, iron, or steel pipe with copper) and other fixtures on the public portion of the service pipe may be furnished and laid by the City, its authorized representative, or a licensed Drain Layer hired by the property owner. New pipe and fixtures on the private side of the pipe may be laid by a licensed Drain Layer at the expense of the owner of the property. *[Revised 11/11/2021]*
- (c) Four valves permitting control of the water supply are required on residential services as follows:
  - i. The first to be located directly at the water main (corporation stop);
  - ii. The second to be located on or near the property line common with the street, alley way or right-of-way containing the water main (curb stop);
  - iii. The third inside the building wall; and
  - iv. The fourth valve adjacent to and on the house side of the meter.
- (d) Depending on size and at the discretion of the City, the first valve in the case of service pipes one (1) inch and smaller in inside diameter shall be a corporation valve with a street box to be buried within eighteen (18) inches of grade. Services larger than two (2) inches in inside diameter shall be fitted with a gate or butterfly valve and access to such valve shall be provided through a valve street box of sufficient size shall be provided. The second valve shall be provided with a valve street box for access to the valve. The Commissioner may allow the second valve to be located on the street, alley or right-of-way if a permitted structure prevents the valve location at property line. All second valves greater than one inch, and third and fourth valves shall always be the responsibility of and maintained by the owner in operating and accessible condition.
- (e) The valves shall be of a make and type approved by the Commissioner. For this installation and the maintenance thereof, the customer shall employ a licensed Drain Layer to install service pipes for work up to ten feet outside of a structure and a licensed plumber within the structure and ten feet outside of it, and all work shall be performed in a manner satisfactory to the Commissioner. If any defects in workmanship or materials are found or if the customer's service has not been installed in accordance with such specifications or with the Commissioner's requirements, water service either will not be turned on or will be discontinued if such defects are not remedied.

- (f) Building projects that include new buildings or rehabilitations of existing buildings that exceed 50% of the building square footage require the replacement of the entire water service line, at the expense of the property owner, if it is less than 1-inch in size or is a material other than copper. The replacement water service shall be a minimum of 1-inch in size and type K copper. *[Revised 11/11/2021]*

### **Section 3-2. Extensions**

- (a) Extension of the main pipe shall be made only upon written request to the Commissioner and subject to such terms and conditions as the Commissioner shall impose. The cost of such extension shall be borne by the customer to such extent as shall be determined by the Commissioner.
- (b) Applications for water mains in privately-owned ways must be accompanied by a grant of lawful rights and easements therein to the City.

### **Section 3-3. Temporary Service Including Water Use for Construction**

Application of builders, contractors, real estate developers and others for temporary water service will be accepted and temporary water service will be supplied, providing it does not interfere with the use of water for general purposes and meets all other applicable sections of these rules and regulations. The quantity of water taken for such purposes shall be determined by a meter approved for such installation by the department, along with appropriate backflow preventers, and shall be paid for in accordance with the rate schedule developed by the Commissioner. In addition to a fee and payment for the water used, customers requiring temporary water service shall reimburse the department for all of its expense in connection with providing the necessary temporary service connections and removal of same, including, but not limited to, the labor, materials, permit and administrative costs of performing the physical work and processing the application for such work.

### **Section 3-4. Winter Provisions**

In those cases where customer-owned service pipe or main is frozen, the thawing may be done by the DPW at the expense of the customer. To avoid a recurrence, the Commissioner may order an examination of the customer's service pipe or main, and if the same is not at a depth of at least 4 feet, as required, the Commissioner reserves the right to require it to be relocated at the owner's expense before service is resumed. All expenses of examination to determine the depth of the pipe or main shall be the owner's responsibility.

### **Section 3-5. Safeguarding Use of Hot Water Tanks**

All customers having direct pressure hot water tanks must place proper vacuum and pressure relief valves in the pipe system to prevent any damage to such tanks should it become necessary to shut off the water on the pipe service or water mains. The City will not supply water to premises where direct pressure hot water tanks or appliances are used except at the risk of the customer.



### **Section 3-6. - Water Conservation**

- (a) The Commissioner may restrict the use of decorative fountains, irrigation systems and outside water during drought conditions as follows:
  - i. During a drought watch, as identified or declared by the MWRA, the Commissioner may require that nonrecirculating, decorative fountains be turned off.
  - ii. During a drought warning, as identified by the MWRA, the Commissioner may require that all decorative fountains and outside water systems not be used.
  - iii. During a drought emergency, as identified or declared by the MWRA, the Commissioner shall require that all decorative fountains and outside watering systems not be used.
- (b) In no case shall an outside decorative fountain be run during the period between October 15 to March 31, inclusive.
- (c) No user shall knowingly allow water to leak or run to unnecessary waste.
- (d) Upon determination that conditions exist which so limit the water supply that unrestricted water use could endanger the adequacy of supply and the public health, safety and welfare, the Commissioner may adopt conservation restrictions in accordance with provisions of M.G.L. c. 21G. Conservation restrictions shall remain in full force and effect until the Commissioner determines that the conditions requiring their imposition no longer exist.
- (e) All water-cooled air conditioning or refrigeration units utilizing more than 60 cubic feet of water hourly shall be equipped with a recycling mechanism.
- (f) Any person or entity that violates this section, shall be liable to the City in the amount of:
  - i. \$50.00 for the first violation; and
  - ii. \$100.00 for each subsequent violation.

which shall inure to the City for such uses as the Commissioner may direct. These fines shall be recovered by indictment or on complaint before the district court or by noncriminal disposition in accordance with M.G.L. c. 40, § 21D and shall in all other respects be in accordance with the provisions of Article I. Each separate instance of noncompliance following the issuance of any warning or citation pursuant to this section shall constitute a separate violation.

- (g) The Commissioner, the Commissioner's designee or the Commissioner's agents may enter any property for the purpose of inspecting or investigating any violation of this section or enforcing against the same.

### **Section 3-7. Public Recreational Sprinkler Devices and Hoses**

- (a) Notwithstanding any other provision of this chapter, the department may install free-flowing, nonrecirculating sprinkler and hose devices on City property, for public recreational purposes, provided such devices are:
  - i. Used only during the period between Memorial Day and Labor Day, inclusive, in parks;
  - ii. Equipped with shutoff mechanisms, which need not be automatic; and
  - iii. Turned on and off on a basis as authorized by the Commissioner.

### **Section 3-8. Public Hydrants**

- (a) Hydrants may be used only for the extinguishment of fires or for such other purposes as may be approved by the City. Hydrants shall be opened only by an agent of the Commissioner or appointed firefighter of the City. After any hydrant has been opened, the Commissioner must be notified of such opening to ensure that the hydrant is in operable condition and is self-draining.
- (b) No person may tamper with the public hydrants. Unless otherwise authorized by the chief of the fire department or the Commissioner, no person shall draw water from the public hydrants.
- (c) All hydrants must meet the specifications of the City.

### **Section 3-9. Limitations on Opening Fire Hydrants**

- (a) No person, without previous permission in writing from the Commissioner or the Commissioner's duly authorized agent, shall unscrew the cap of or open any hydrant erected for the extinguishment of fires, except in cases of fires in the neighborhood, or leave a fire hydrant open for a longer time than the Commissioner may stipulate, or use the water for other purposes than that for which such permission is granted.
- (b) Hydrant flow tests may be requested at the DPW. Flow test equipment must be calibrated and serviced within the past twelve (12) months and meet applicable equipment standards. Hydrants shall only be opened by authorized DPW personnel. The fee for a hydrant flow test is \$200.

### **Section 3-10. Private Fire Protection**

- (a) Customers desiring private fire protection should first consult with the Commissioner as to availability of mains, etc., and such service will be rendered under separate rules and regulations to be made a part of their rate schedule.

- (b) For each desired fire protection connection to the City public water main, the Owner shall provide hydrant flow test results that demonstrate adequate pipe size, volume, and pressure to meet fire protection requirements. The Owner shall include a signed affidavit from a qualified fire protection engineer stating that the results of the hydrant flow test indicates that the proposed connection will meet applicable fire protection requirements.
- (c) Installation of the private fire protection service shall be in compliance with all applicable local, state and federal life and safety codes.
- (d) No private fire connection will be made from a department water main of six inches or less in nominal interior diameter, and no private fire connection service itself shall be less than six inches in diameter, unless otherwise expressly permitted in writing by the Commissioner. The customer will be responsible for the cost of connecting the fire service to a water main of sufficient size. No private fire protection service is to be used for any purpose other than fire protection.
- (e) If continuous water service is necessary, the City may, at its discretion, require the Owner, to install a second service with backflow protection so that service will not be interrupted during fire pipe testing and maintenance operations. Such second source shall be installed in accordance with City specifications and in accordance with these regulations. All costs and expenses incident to the installation of a second source shall be borne by the Owner.
- (f) No connection, other than fire connections, will be allowed to be connected to the pipes of the private fire protection system. All sprinkler pipes and other private fire connection pipes shall be placed as to be readily inspected. Water services for private fire protection service and drinking water shall be separate.
- (g) All new fire service and any existing unprotected private fire protection service systems shall be required to be protected, at a minimum, by a double-check valve assembly with detector check.
- (h) Private fire hydrants, i.e., hydrants located on private property, not belonging to the City, shall be inspected and tested annually by the property owner and or its agent and the test results, including flowrates, shall be submitted to the DPW.

### **Section 3-11. Restriction of Water Use**

- (a) The Commissioner as in accordance with M.G.L. c. 40, § 41A, reserves the right in periods of drought or emergency, or when deemed essential to the protection of the public health, safety and welfare, to restrict, curtail or prohibit the use of water for secondary purposes, such as sprinkling, car washing or filling swimming pools, and shall have the right to fix the hours and periods and conditions when any water may be used, if at all.
- (b) The Commissioner reserves the right in periods of emergency to waive any and all rules, regulations and ordinances contained herein whenever it is in the best interest of the City to do so.

## **ARTICLE IV - WATER METERS AND METER TESTING**

### **Section 4-1. Furnishing of Meters and Meter Size**

- (a) For residential and non-residential buildings, the City shall furnish at its expense meters and all automatic reading devices up to and including one inch in size. The size of the meter required shall be subject to the approval of the City.
- (b) The owner of new building projects shall provide meter sizing calculations to the City. These calculations should be prepared pursuant to applicable codes and regulations. Furnishing costs for new construction meters one and half inch in size or greater shall be borne by the owner of the project.

### **Section 4-2. Ownership**

All meters, once installed, become the property of the City, except that the City may refuse to take ownership of a meter which is improperly installed, or which is the wrong type or size for the premises in question. Where a meter is improperly installed or is the wrong type or size, the owner shall be required to furnish a meter approved by the City prior to the commencement or let on of water service. The City has the right to change the size of the meter without charge to the owner. However, all costs and expenses associated with the installation of a meter outside of normal business hours shall be borne by the owner.

### **Section 4-3. Installation of Meters**

Prior to installation of the meter, the owner shall at its expense complete the plumbing so that the premises are ready for meter installation. If plumbing work is necessary to make the premises meter-ready, the City will provide plumbing specifications to enable the owner to prepare the premises for meter installation. The plumbing shall be completed in a manner that permits installation of the meter closest to the point of entry of the water service pipe. All meters greater than one inch in size and automatic reading devices shall originally be installed by the owner at its expense and inspected by the City. The City shall at its expense replace such meters and automatic reading devices. All meters and meter installations shall conform to the city's design criteria and shall comply with these regulations. Meters three (3) inches in size and larger shall be the ultrasonic or compound type as determined by the City and shall be installed with a strainer when needed with the compound meter. Meters three inches and above will need a test port with a 2-inch tap for meter testing by the City.

### **Section 4-4. Location of Meters**

All meters shall be installed within an owner's building as close to the public water supply main as possible in an ample and suitable space free from exposure to freezing unless otherwise directed by the City. This space shall always be unobstructed and accessible to City personnel for reading, testing, inspection and maintenance purposes.

#### **Section 4-5. Number of Water Meters Allowed in Various Types of Properties**

- (a) Commercial/Industrial/Institutional properties. For every water service there will only be one main water meter, that the City will read and use as the basis for billing. The water meter is to be located at the point of entry into the building so the City can have easy access for service and maintenance.
- (b) Residential – single family homes or townhouses. For residential single family or townhouse dwellings one domestic water service with one main meter will be read and billed by the City. The water meter is to be located at the point of entry of the building for easy access by the Medford Water Meter Division to conduct work.
- (c) Residential – multi-family with rental units, existing or new construction. Rental properties, regardless of the number of rental units, will have one main meter installed at the point of entry into the building. This meter will be read and billed by the City. Any sub-meters installed by the property owner will be done at his or her expense, in accordance with state law, and read and billed by the owner.
- (d) Residential – small multi-family condo properties (up through 4 dwelling units) - new construction, conversion of existing rental to condo. The City will allow one meter per condo unit if the following conditions are met by the property owner:
  - i. The service pipe is upgraded to appropriate material (copper) and size coming into the house;
  - ii. All meters are located at the point of entry (e.g. the basement) with a manifold and access is provided to the City when needed (key, condo rep, etc.);
  - iii. The property owner pays for additional meters and MTUs (all but the first meter/MTU);
  - iv. The property owner is responsible for any crossed plumbing lines within the building;
  - v. There will be a permit fee for City review, inspection and approval; and,
  - vi. In the case of a duplex-style home (i.e. side by side), the City may allow two water services if each side of the home is separate.
- (e) Residential developments – 5 units or more – new construction, conversion from rental to condominium. The City will allow one meter per condominium unit, within the dwelling unit, based on the following conditions:
  - i. The service pipe is upgraded to appropriate material (copper);
  - ii. The developer pays for additional meters and MTUs that are installed in each of the units;
  - iii. The property owner is responsible for any crossed plumbing lines within the building;

- iv. There must be language written into Condominium Documents (all current) stipulating that the City has access whenever necessary; and,
  - v. There will be a permit fee for City review, inspection and approval. A preliminary inspection by the City be needed to set up to determine if the proposed MTU locations will allow meter readings to reach City meter reading collectors.
- (f) Residential – retro-fitting existing condos. The City will allow one meter per condominium unit, installed within dwelling units, based on the following conditions are met:
- i. The service pipe is upgraded to appropriate material (copper) and size the size is no smaller than 1” diameter;
  - ii. The property owner pays for additional meters and MTUs needed for the conversion.
  - iii. the property owner is also responsible for any crossed plumbing lines within the building and is handled at their expense.
  - iv. Each owner must agree to installation of the meters and must have access guaranteed by the Condominium Association (language in condominium documents).
  - v. The premise must have all meters installed at same time within an approved timeframe. Preliminary inspection will be conducted by City to determine if proposed MTU locations will allow meter readings to reach City meter reading collectors.
  - vi. There will be a permit fee for City review, inspection and approval that will be assessed depending on the size of the project.
- (g) Irrigation - The city allows irrigation meters on in ground irrigation systems for residential accounts only. Applications are taken in the order that they were received and will be handled by the Water Meter Division at their discretion. All applicants must pass a pre-installation inspection and follow the guidelines for basic residential irrigation meter installation and requirements as stated on the application:
- i. A licensed plumber must obtain a permit at the building department (781)393-2498 and will be responsible for installation according to all Medford Meter Division specifications.
  - ii. A certified and tested backflow device must be furnished at customer’s expense. Customer must maintain the backflow prevention assembly on the irrigation system to ensure protection of the potable water supply with yearly inspections. Backflow test are conducted by the Engineering Division and the current fee for inspection is \$60.00 annually.
  - iii. All irrigation systems must comply with all local and state landscape irrigation regulations and restrictions.

- iv. All pipes from the service thru the irrigation meter and three feet past the backflow preventer must be brass or copper material. No plastic, galvanized or cast iron pipe is allowed.
- v. New and existing dwellings may split service connection for irrigation with backflow device that is "T" or "Y" split to separate domestic and irrigation water.
- vi. The City of Medford Metering Division is not responsible for pressure loss or consumption and volume issues resulting from split connections.
- vii. The meter and the reading device are issued by the city and the price is included in the application fee.
- viii. All pipes from the irrigation meter must be inspected to insure that there are no cross connections between domestic and irrigation lines.
- ix. Must install shut-off valves before and after the new irrigation meter.
- x. Unprotected or improperly protected Cross Connections are prohibited under the Medford Water Department Regulations and Commonwealth of Massachusetts Drinking Water Regulations governing Cross Connections (310-CMR-22.22).
- xi. Failure to comply with these provisions may result in termination of water service.

#### **Section 4-6. Meter Pits**

The installation of a meter in a pit, vault, or other subsurface structure shall not be allowed without approval from the Water Meter Supervisor or DPW Commissioner.

#### **Section 4-7. Outside Meter-Reading Devices or Automatic Reading Devices**

The City may install a device on the inside or outside of a building in a conveniently accessible location to enable routine meter readings without internal access to the owner's building. All devices shall be installed at the City's expense. The City shall subsequently maintain and replace such devices at its expense.

#### **Section 4-8. Right to Enter Premises**

In accordance with the provisions of Article I of these Regulations and Massachusetts General Laws Chapter 165 Section 11D, the City may enter premises to install, examine, calibrate, repair, test or remove meters and automatic reading devices.

#### **Section 4-9. Meter Testing**

The City may subject all meters to periodic tests. All meter tests shall be in accordance with the standards promulgated by the AWWA. The City may at any time test, repair or replace any meter at its option and expense. An owner may request that the City test his or her meter. Such

tests shall be performed at the expense of the owner at the costs determined by the Commissioner pursuant to Article I and administered by the Water Meter Division.

#### **Section 4-10. Meter Tampering**

No person shall bypass, tamper with or prevent a meter from registering water consumption, and such acts shall be subject to the penalties stated in Massachusetts General Laws Chapter 165 Section 11 and to such other penalties as the City may adopt under Article I of these Regulations. Meter tampering cases will be reviewed by the Medford Water Meter Division and estimated for the period that the meter was tampered with and subject to fines. Certain fines and charges will be added to the water bill due to negligence or tampering with the meter or MTU. If an owner alters the meter or disconnects the wiring for whatever reason, there is a service fee added if the Water Meter Division considers it was done with unlawful intent. The fines and charges shall be determined by the Commissioner pursuant to Article I and administered by the Water Meter Division.

#### **Section 4-11. Master Meters**

The Commissioner may require the master metering of more than one water service that have the same owner. In such case, the owner of the premises served shall be responsible for payment of all water charges, all costs and expenses incident to the installation of the master meter and the acceptance of all related notices.

#### **Section 4-12. Meter Replacement or Repair**

Upon notification that a meter is broken or missing, the City will install a new meter, provided that the premises are meter-ready. The replacement of damaged or non-functioning meter shall be at the owner's expense. If plumbing work is necessary to make the premises meter-ready, the City will provide plumbing specifications to enable the owner to prepare the premises for meter installation. The fee for meter replacements shall be based on the size of meter and shall be determined by the Commissioner pursuant to Article I and administered by the Water Meter Division.

#### **Section 4-13. Readings**

Readings for the Medford Water Meter Division for each account are collected and transmitted to the City. If the City is unable to obtain readings, the accounts will receive an estimated bill based on previous usage history. Any variance due to estimated reads will correct itself when an actual reading is obtained. If an actual meter reading is not obtained for reasons beyond its control, the City shall notify the owner that the Water Meter Division must gain access to the premises to repair and/or replace the meter, MTU, or any appurtenances. The failure of the customer to permit access under this section shall be cause for estimated bills and/or termination of service as provided under these regulations. The water bill will specify to the customer that it is an estimated bill marked with an "E" next to the reading.



#### **Section 4-14. Billing, Payment of Bills**

- (a) Bills will be issued by the City. All bills will be due 30 days from the issue date with interest at the maximum rate allowed by State law, and interest will accrue on overdue payments from the due date until outstanding payment is made in full. All bills may be challenged within 60 days of the issue date of the water bill. At the end of every calendar year a demand for unpaid water is sent to all delinquent account holders. If the balances are not paid in full, the amount owed may be placed on the real estate bill as a lien. New property owners in the City are responsible for changing account information. The bills will use the same account information unless the Water Meter Division is notified for the address and contact information change.
- (b) A customer may make payments by mail, in person at City Hall by cash or check, or electronically through [www.medfordma.org](http://www.medfordma.org) (which links you to a [third-party](#) payment service.) When a payment is made to a water account, the sequence to which the monies are applied will be in the following order:
- |                   |                   |
|-------------------|-------------------|
| 1. Interest       | 4. Past due water |
| 2. Charges/Fees   | 5. Sewer          |
| 3. Past due sewer | 6. Water          |
- (c) Final water bills are issued through the Water Meter Division and can be ordered by phone at (781) 393-2513, or by email at [water@medford-ma.gov](mailto:water@medford-ma.gov). The customer or realtor should call or email in the reading from the property that will be sold one to two business days before the final bill is needed. The account will be reviewed, and the final water bill can be picked up in room 110 at City Hall, emailed, or can be faxed upon request. There is a fee of \$25.00 that is added to the Final Water Bill for the service and the bill includes all past due amounts, current amounts, charges, and interest. All final water bills must be paid in cash or money orders, or bank check (no personal checks) by the customer or an attorney check is acceptable if handled at closing.

#### **Section 4-15. Abatement Application and Process**

- (a) An owner who wishes to dispute a usage charge shown on a water or sewer bill must apply for an abatement.
- (b) An abatement form must be filed and submitted to the Water Meter Division of the DPW. All abatement applications will be reviewed by the Water and Sewer Commission and a decision will be rendered with a letter to the petitioner. The petitioner may exercise his/her right to appear at a meeting with the Commission if they disagree with the determination. Please note that the City does not abate for leaks or meters being disconnected by the owner. If the Commission decides further investigation is needed, the petitioner may need to supply additional information and/or be available for the Water Meter Technician from the City to come out and inspect the meter. The Water Meter Division can be reached at (781) 393-2513.

## **ARTICLE V - BACKFLOW PREVENTION AND CROSS CONNECTION CONTROL**

### **Section 5-1. Water System Defined**

- (a) The water system shall be considered as made up of two parts:
  - i. The public utility system; and
  - ii. The customer system.
- (b) In accordance with the City's facility containment policy, the Commissioner can require containment on any service the City determines to be a hazard to the public water supply.

### **Section 5-2. Utility System**

- (a) Utility system shall consist of the source facilities and the distribution system and shall include all those facilities of the water system under the complete control of the City up to the point where the customer's system begins.
  - i. The source facilities shall include all components of the facilities utilized in the production, treatment, storage and delivery of water to the distribution system.
  - ii. The distribution system shall include the network of conduits used for the delivery of water from the source to the customer's system.

### **Section 5-3. Customer System**

The customer's system shall include those parts of the facilities beyond termination of the utility distributions system which are utilized in conveying utility delivered domestic water to points of use.

### **Section 5-4. Authorization; Purpose**

- (a) The authority for implementation of backflow and cross connection control rules, regulations and ordinances is given under PL 93-523, the Safe Drinking Water Act of 1974, and the state drinking water regulations, 310 CMR 22.22, cross connections. The water purveyor has the primary responsibility for preventing water from unapproved sources or any other substances, from entering the public potable water system. The City implements its cross-connection program via ordinance and its cross-connection program manual.
- (b) No provision of this chapter shall be deemed to contravene or render ineffective any valid federal or state laws, regulations or standards pertaining to, or permitting the agency having jurisdiction over public health, safety and welfare, and the environment or the proper and safe operation of sanitary and combined sewers. When duplicate provisions are in effect, the more stringent shall govern.

- (c) All decisions relating to the determination of backflow devices will be made by the Commissioner. Failure to comply with any directive from the Commissioner will result in termination of service.
- (d) The purpose of this article is to:
  - i. Protect the public potable water supply of the area served by the City DPW from the possibility of contamination or pollution by isolating within its customer's internal distribution system or its customer's private water system, such contaminants or pollutants which might backflow or back-siphon into the public utility system;
  - ii. Promote the elimination or control of existing cross connections, actual or potential, between its customers in-plant potable water systems and non-potable systems, plumbing fixtures and industrial piping systems; and
  - iii. Provide for the maintenance of a continuing program of cross connection control which will systematically and effectively prevent the contamination or pollution of all potable water systems by cross connection.
- (e) The Commissioner shall be responsible for the protection of the public potable water distribution system from contamination or pollution due to the backflow or back-siphonage of contaminants or pollutants through the water service connection. If in the judgment of the Commissioner an approved backflow prevention device is required at the City's water service connection to any customer's premises for the safety of the water system, the Commissioner shall give notice in writing to said customer to install such an approved backflow prevention device at each service connection to the customer's premises.
- (f) The Commissioner may upon discovery of a connection capable of contaminating the public potable water system through backflow or back-siphonage that in the Commissioner's opinion constitutes an immediate life safety threat, cause such connection to be immediately discontinued by the customer. The Commissioner shall terminate water service to the premises should the customer not immediately discontinue the condition with the potential of causing contamination through backflow or back-siphonage.

### **Section 5-5. Connection Requirements**

No water service connection to any premises shall be installed or maintained by the DPW unless the water supply is protected, as required by state law and City ordinances. Service of water, to any premises, shall be discontinued by the Commissioner, if a backflow prevention device required by this regulation is not installed, tested, and maintained or if it is found that a backflow prevention device has been removed, bypassed or if an unprotected cross connection exists on the premises. Service will not be restored until such conditions or defects are corrected. All connections shall follow City ordinances and the cross-connection program manual guidelines.

## **Section 5-6. System Operation**

The customer's system should be open for inspection at all reasonable times to authorized representatives of the Commissioner to determine whether cross connections or other structural or sanitary hazards, including violations of this chapter exist.

## **Section 5-7. Authority Over Backflow Device Installation and Operation**

Per the ordinances and manual, the water purveyor, i.e. DPW, shall have authority over the backflow device installation and operation.

## **Section 5-8. Type of Protective Device Required**

- (a) The type of protective device required under City ordinance and program manual shall depend upon the degree of hazard which exists as follows:
  - i. In the case of any premises where there is an auxiliary water supply as stated in this chapter;
  - ii. Where there is any material dangerous to health which is handled in a fashion as to create an actual or potential hazard to the public water system;
  - iii. Where there are uncontrolled cross connections, either actual or potential, the public water system shall be protected by an approved air-gap separation or an approved reduced-pressure principle backflow prevention device at the service connection; or
  - iv. In the case of any premises where, because of security requirements or other prohibitions or restrictions, it is impossible or impractical to make a complete in-plant, cross connection survey, the public water system shall be protected against backflow or back siphonage from the premises by the installation of a backflow prevention device in the service line. In this case, maximum protection will be required; that is, an approved air-gap separation or an approved reduced-pressure principle backflow prevention device shall be installed in each service to the premises.

## **Section 5-9. Approved Protective Devices**

- (a) The term "approved backflow prevention device" means a device that is on the approved list of backflow preventers and double check valves, as revised by state regulations, City ordinance and the program manual.
- (b) Any backflow prevention device required herein shall be of a model and size approved by the Commissioner.

### **Section 5-10. Customer/User Duties**

- (a) All industrial and commercial establishments attached to the City water distribution utility system will be required to install, at the service entrance and immediately downstream of the meter, a reduced-pressure (RP) backflow device when required to do so by the Commissioner.
- (b) It shall be the duty of the customer/user, at any premises where backflow prevention devices are installed, to have certified inspections, the cross-connection program manual and operational tests made at least once per year, as required under state regulations and this chapter. The DPW will conduct testing on these devices twice a year, as appropriate. The owner of the device will be charged for these tests in accordance with the appropriate schedule of fees maintained on file in the City clerk's office. The Commissioner may have these tests performed by a designated representative.

### **Section 5-11. City Required Inspections, etc.**

In those instances where the Commissioner deems the hazard to be great enough, the Commissioner may require certified inspections at more frequent intervals. These inspections and tests shall be at the expense of the water customer/user and shall be performed by department personnel or by a certified tester approved by the Commissioner and approved by the state. It shall be the duty of the Commissioner to see that these timely tests are made. The Commissioner shall notify the customer/user in advance when the tests are to be undertaken, so that the Commissioner or representatives thereof may witness the test if so desired. These devices shall be repaired, overhauled or replaced at the expense of the customer/user, whenever said devices are found to be defective. Records of such tests shall be kept by the Commissioner for the time period required by state law.

## **ARTICLE VI. SEWERS**

### **DIVISION 1. - GENERAL**

#### **Section 6.1-1. Regulations and Authority of Others**

No provision of this chapter shall be deemed to contravene or render ineffective any valid federal or state laws, regulations or standards pertaining to, or permitting the agency having jurisdiction over public health, safety and welfare, and the environment or the proper and safe operation of sanitary sewers. When duplicate provisions are in effect, the more stringent shall govern.

#### **Section 6.1-2. Special Agreements**

No statement contained in this article shall be construed as preventing any special agreement or arrangement between the City and any industrial concern, whereby an industrial waste of unusual strength or character may be accepted by the City and the MWRA for transportation and treatment.

#### **Section 6.1-3. Records**

- (a) An owner or user shall retain on its premises and make available to the DPW upon request all documents pertinent to any of the following:
  - i. The volume, components or frequency of its discharges to the public sewer;
  - ii. Its industrial pretreatment equipment and procedures, if any;
  - iii. Its design, installation, maintenance, and operation of any special facilities, particle separators, grease or oil traps, building drains, building sewers, building storm drains, or sewers, private sewers, private storm drains or other related facilities or equipment;
  - iv. Its permits or orders issued pursuant to this chapter.
- (b) Unless otherwise specified in this chapter or in any permit or order issued by the DPW or the MWRA, every such document shall be maintained for at least five (5) full years following its preparation or receipt by the user. All records pertaining to matters covered by an order issued under this chapter, or to any enforcement action or litigation involving the DPW, shall be retained until the enforcement action is concluded and all appeal periods concerning the order or action have expired, unless a longer period of retention is otherwise required.

#### **Section 6.1-4. Notification of City of Violations**

- (a) Users shall notify the DPW by telephone immediately upon discharge or receiving knowledge of a discharge of water or wastes in violation of this chapter and of any spill or other nonpermitted pollutant release that may reasonably be expected to discharge

whether directly or indirectly to any public or private sewer, or storm drain, or to a natural outlet. When directed by the DPW or if the user fails to reach the DPW by telephone, the user shall also notify the DEP, EPA and MWRA immediately by telephone.

- (b) Each notification shall be followed within 15 days of the date of occurrence by a detailed written statement addressed to the Commissioner and, as appropriate, the DEP, EPA, and the MWRA, describing the causes of the discharge and the measures being taken to prevent a recurrence. Such notification will not relieve users of liability for any expense, loss or damage to the public sewer or storm drain systems, to the MWRA sewer system, or for any fines imposed on the DPW, the MWRA, or the owner as a result of such discharge.

### **Section 6.1-5. Type of User and Jurisdictional Responsibility**

The City designates two main types of users: residential, and all others (commercial, industrial, institutional). Residential building sewer responsibility is from the interior of the building to the roadway right of way line. All other users' responsibility is from the interior of the building to the connection to the public sewer main.

### **Section 6.1-6. Building Sewers and Connections**

- (a) As defined in Section 6.1-5., owners of a building situated upon any street, easement or way through which a public sewer has been constructed shall construct and maintain building drains, building sewers, and/or private sewers through their premises in their entirety from such structures to the public sewer main, including any chimney, as may be necessary to conduct the sewage from the building or buildings to enter the public sewers. Any person included within the provisions of this section who refuses to make a permit application to the DPW for the construction of such building drains, building sewers and private sewers and connecting the same to the public sewer, or neglects to make such permit application within the space of 14 days after written notice from the Commissioner, shall pay the penalty provided for in this regulation.
- (b) The owner of a building sewer shall always keep such sewers clean and in good repair in order not to cause excessive infiltration, exfiltration or inflow, depletion of groundwater, discharge of pollutants to the environment, damage to property, odor, or harm to the public sewers. Whenever any building drain, building sewer, or private sewer becomes clogged, broken, obstructed, out of order or detrimental to the use of a public sewer or unfit for sewage purposes, the owner, agent, occupant or person having charge of any such sewers shall, when directed by written notice from the Commissioner, remove, reconstruct, alter, cleanse or repair such sewers, as the conditions thereof require. In case of neglect or refusal to comply with such notice within five days after the same is given, the Commissioner may cause the building sewer, sewer service or private sewer to be removed, reconstructed, repaired, altered or cleaned, as the Commissioner may deem expedient, at the expense of the owner, agent, occupant or other person so notified, who shall also be liable to pay the penalty provided for in this chapter. 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 Commissioner at least 45 days prior to the proposed change or connection.

(c) There shall be two classes of building sewer permits:

- i. For residential and commercial service; and
- ii. For service to establishments producing industrial wastes.

In either case, the owner or the owner's agents shall make application on a special 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 Commissioner. Every user discharging industrial wastes to the public sewerage system or directly into the MWRA sewerage system shall obtain a joint permit from the Commissioner and the MWRA. Industrial users proposing new discharges shall obtain such permits prior to constructing a building sewer. The Commissioner and the MWRA may change the conditions of the permit from time to time as circumstances, including regulations enacted or promulgated by the state or federal governments or their agencies, may require. The Commissioner and the MWRA may stipulate special conditions and terms upon which the permit will be issued. No user may increase the daily volume, strength or rate of the user's permitted discharge beyond 15 percent without first securing an amendment to the permit.

(d) All costs and expense incident to the permitting, installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the City from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

(e) A separate and independent building sewer shall be provided for every building, except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard or driveway. The building sewer from the front building maybe extended to the rear building and the whole considered as one building sewer with approval from the Commissioner. The Commissioner may condition this approval to include approval of construction methods and submission of a written maintenance agreement between affected building owners.

(f) Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Commissioner, to meet all requirements of these regulations. It is the responsibility of the proponent to pay all cost associated with all physical examinations and repairs ordered by the Commissioner including the case in which the Commissioner determines the existing sewer connection is unsuitable for reuse.

Existing building sewers to be reused must be:

- i. video inspected and documented with narrated video for DPW review. The format of the video shall be selected by the Commissioner;
- ii. Tested (via an approved method by the Commissioner) to confirm that stormwater is not entering the public sanitary sewer;
- iii. larger than the minimum required size to convey the design flow of the building and no smaller than six (6) inches in diameter;



- iv. comprised of smooth walled PVC pipe designed for use in sanitary sewer applications;
  - v. free of leaks, obstructions, deformities, and damage;
  - vi. sloped to convey flow at a speed between two (2) and ten (10) feet per second;
  - vii. accessible via upstream cleanouts prior to bends totaling more than 45-degrees; and
  - viii. connected to the sanitary main in a manner appropriate for the existing condition.
- (g) The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavation, placing of the pipe, jointing, testing and backfilling the trench, shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the City. In the absence of such specifications or in amplification thereof, the materials and procedures set forth in appropriate specifications of ASTM; the ASCE/WPCF Manual of Practice No. -9; The ASCE publication Design and Construction of Urban Storm Water Management Systems; The ASCE publication Gravity Sanitary Sewer Design and Construction; The New England Interstate Water Pollution Control Commission publication TR-16 Guides for the Design of Wastewater Treatment Works; Title V of the State Environmental Code; and the Uniform State Plumbing Code, 248 CMR 10.00 shall apply.
- (h) Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, the sanitary sewer carried by such building drain shall be lifted by a means approved by the plumbing inspector and the Commissioner and discharged by gravity (i.e., not under pressure) to the public sewer.
- (i) Prior to installing below-grade plumbing, the owner shall submit a plan of the proposed plumbing to the Commissioner for review and approval. Plumbing that is subject to the requirements of this section shall include faucets, showers, baths, toilets and washing machine hookups. All plumbing fixtures located at an elevation below the top of the manhole on the public sewer serving the proposed plumbing shall be liable to backflow and shall be equipped with a backwater valve in accordance with 248 CMR 10.15 of the Uniform State Plumbing Code. The backwater valve shall be installed and maintained at the owner's expense.
- (j) Building sewer connections shall be laid at least ten feet apart from any new or existing water service connection.
- (k) No person shall make connection of roof downspouts, exterior foundation drains, areaway drains and other sources of storm water or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer without written permission of the Commissioner. Floor drains shall be connected to a building sewer or a building drain which is in turn connected to a building sewer. In no case shall storm water, or ground water, be discharged to sewers which only conduct sanitary sewage except as otherwise provided herein or expressly allowed by the Commissioner and the state building code.

- (l) The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the City, or the procedures set forth in appropriate specifications of the ASTM and ASCE/WPCF Manual of Practice No. 9. All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the Commissioner before installation.
- (m) The applicant for the building sewer permit shall notify the Commissioner when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Commissioner or designee. If the applicant fails to make such notifications, any and all costs to uncover the connection as necessary for inspection shall be borne by the applicant.
- (n) Prior to activating water service, every new building sewer shall be dye tested by owner or designee in the presence of a DPW inspector to establish that the building sewer is properly connected to the public sewer. The Commissioner may direct an owner to conduct dye testing of an existing building sewer to establish that it is properly connected to the public sewer. The Commissioner may require the owner forthwith to eliminate a connection from a building sewer to a storm drain (also referred to as an illicit connection) at the owner's expense. Where separate sanitary sewers and storm drains exist, the Commissioner may also require the owner to dye test in the presence of a DPW inspector, a new or existing building storm drain to establish that the building storm drain is properly connected to the public drain. The Commissioner may also require the owner forthwith to eliminate a connection from a building storm drain to a sanitary sewer at the owner's expense.
- (o) No person shall allow, cause or permit any explosive, inflammable or hazardous substance, as defined in 310 CMR 30, MGL Chapter 21 and the Massachusetts Oil and Hazardous Materials Release Prevention and Response Act, to enter directly or indirectly any common sewer. No person shall allow, cause or permit any material which may tend to cause an obstruction to enter any common sewer or public drain.
- (p) The DPW Commissioner and the director of public health, and their agents and employees may order any person found in violation of this ordinance to remove or cause to be removed any substance or material from a sewer or drain within such time and in such manner as said agent or employee deems reasonable; provided that removal of hazardous substances shall be done in accordance with the provisions of Chapter 21E, Massachusetts Oil and Hazardous Material Release Prevention and Response Act. Any agent issuing a removal order under the provisions of this ordinance may, upon the failure of any person to comply with said order, cause said substance to be removed by the City at the expense of the violator.

#### **Section 6.1-7. Sewage and Storm Water Separation**

- (a) The plumbing of any existing or new building shall be so constructed as to keep all storm water, surface water, groundwater, roof and surface runoff, subsurface drainage, uncontaminated cooling water and uncontaminated industrial process water, noncontact cooling water and noncontact industrial process water, separate from sanitary sewage and industrial wastes, and from the building drain or building sewer.

- (b) The building drain conveying wastewater from plumbing fixtures within the building shall discharge to a building sewer, while the building drain conveying stormwater shall discharge to a building storm drain.
- (c) Where the DPW has determined that on-site retainage of storm water is not possible, or a piped system overflow is needed due to site conditions, building storm drains shall be connected to a storm drain. Connection of a building storm drain to a sanitary sewer is prohibited.
- (d) Building sewers shall be connected to a sanitary sewer. Connection of a building sewer to a storm drain is prohibited.
- (e) The Commissioner shall require an owner to eliminate a source of infiltration or inflow whenever the Commissioner determines that the source is resulting in excessive infiltration or inflow to be discharged directly or indirectly to the sanitary sewer system.
- (f) Sewage and all other polluted waters shall be discharged to such sewers as are specifically designated as sanitary sewers unless otherwise required by the state building code. Floor drains shall be connected to the building drain. New or substantially rehabilitated decorative fountains shall be recirculating and shall not discharge to a storm drain. New or substantially rehabilitated recreational spray and sprinkler pools shall not be recirculating and shall not discharge to a storm drain.
- (g) Prohibited connections to the public sanitary sewer and public storm drain are not allowed and must be removed immediately at the Owners expense. A building sewer connected to a storm drain is prohibited. A building storm drain connected to the sanitary sewer is prohibited.

#### **Section 6.1-8. Infiltration and Inflow (I/I) Requirements**

The City of Medford is a tributary to the MWRA sanitary sewer system, which has permitted combined sewer overflows, thus the City of Medford requires Infiltration and Inflow mitigation pursuant to 314 CMR 12.04(2). Any new sanitary sewer connection or extension that increases the flow more than 15,000 gallons per day shall include Infiltration and Inflow (I/I) mitigation measures that remove four (4) gallons of infiltration and/or inflow be removed for each gallon of new flow to be generated by the new sewer connection or extension. The mitigation measures shall be provided by the proponent of the new connection or extension.

## DIVISION 2. - SANITARY SEWER DISCHARGE LIMITATIONS

### Section 6.2-2. Generally

- (a) No person shall discharge or cause or allow to be discharged directly or indirectly into a public sanitary sewer or into a sanitary sewer tributary thereto any groundwater, dewatering drainage, subsurface drainage, tidewater, accumulated surface water, noncontact cooling water, noncontact industrial process waters, uncontaminated contact cooling water and uncontaminated industrial process water, or waters associated with the excavation of a foundation or trench, hydrological testing, groundwater treatment/remediation, removal or installation of an underground storage tank or dewatering of a manhole. Authorization for such discharge may be obtained in writing by the DPW and the MWRA when the discharger has taken all reasonable efforts to eliminate and minimize the flow, there is no reasonable access to a storm drain, surface water or another disposal alternative, and the amount to be discharged will not have an actual or potential adverse impact on the sewer system, the quality of receiving water or the DPW's ability to meet its obligations under any law, regulation, including MWRA regulations, permit or order.
- (b) No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer:
- i. Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas;
  - ii. Any waters or wastes containing toxic or poisonous solids, liquids, or gases in enough quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to human or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant;
  - iii. Any waters or wastes having a pH lower than 5.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewage works.
  - iv. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works including, but not limited to, ash, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastic, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails, and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders; and/or
  - v. Moist towelettes, wet wipes, wipes, baby wipes, or any other similar cloth which are typically used for personal hygiene purposes.
- (c) No person shall discharge or cause to be discharged the following described substances, materials, waters or wastes if it appears likely in the opinion of the Commissioner that such wastes, can harm either the sewer, sewage treatment process or equipment, have an adverse effect on the receiving stream, or can otherwise endanger life, limb, public property or constitute a nuisance. In forming an opinion as to

the acceptability of these wastes, the Commissioner will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment processes, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant, and other pertinent factors. The substances prohibited are:

- i. Any liquid or vapor having a temperature higher than 140 degrees Fahrenheit (40 degrees Celsius);
- ii. Any water or waste containing FOGs, in excess of 300 mg/l; *[Revised 11/11/2021]*
- iii. Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of one horsepower (1.00 hp) or greater shall be subject to the review and approval of the Commissioner;
- iv. Any waters or wastes containing strong acid iron pickling wastes or concentrated plating solutions whether neutralized or not;
- v. Any waters or wastes containing iron, chromium, copper, zinc and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the Commissioner for such materials;
- vi. Any waters or wastes containing phenols or other taste- or odor-producing substances, in such concentrations exceeding limits which may be established by the Commissioner as necessary, after treatment of the composite sewage to meet the requirements of the state, federal or other public agencies or jurisdiction for such discharge to the receiving waters;
- vii. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Commissioner in compliance with applicable state or federal regulations;
- viii. Any waters or wastes having a pH in excess of 12; and/or *[Revised 11/11/2021]*
- ix. No person shall deposit in any sanitary sewers or storm drains and appurtenances materials which exert or cause:
  - a. Unusual concentrations of inert suspended solids (such as, but not limited to, Fuller's earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate);
  - b. Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions);
  - c. Unusual BOD, chemical oxygen demand or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works; and/or

- d. Unusual volume of flow or concentration of wastes constituting "slugs" as that term is defined in Article I.
- (d) Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment process employed or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over the discharge to the receiving waters.

### **Section 6.2-2. Penalties for Discharge.**

- (a) If any waters or wastes are discharged or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in this article, and which in the judgment of the Commissioner, DEP or MWRA, may have a deleterious effect upon the sewage works, processes, equipment or receiving waters or which otherwise create a hazard to life or constitute a public nuisance, the Commissioner may:
- i. Reject the wastes;
  - ii. Require pretreatment to an acceptable condition for discharge to the public sewers;
  - iii. Require control over the quantities and rates of discharge; and/or
  - iv. Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges.
- (b) If the Commissioner permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the requirements of all applicable codes, ordinances and laws.

### **Section 6.2-3. Grease and Oil Separators**

- (a) FOG, oil, gas, and sand interceptors/separators shall be provided when in the opinion of the Commissioner, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts or any flammable wastes, sand or other harmful ingredients, except that such interceptors shall not be required for private living quarters or dwelling units. At a minimum, oil traps or separators shall be installed on all building sewers and building floor drains from commercial garages, and enclosed parking areas.
- (b) FOG, oil, gas, and sand interceptors/separators shall be of a type and capacity approved by the Commissioner and shall be located so as to be readily and easily accessible for cleaning and inspection. Where grease, oil, gas, and sand interceptors/separators are provided for any waters or wastes, the system shall be maintained continuously in satisfactory and effective operation by the owner at the owner's expense.
- (c) FOG, oil, gas, and sand interceptors/separators must meet MWRA regulations and plumbing code.

- (d) Grease traps at retail food establishments must meet requirements set forth in Board of Health Regulation 19: Minimum Standards for Grease Traps at Retail Food Establishments.

#### **Section 6.2-4. Preliminary Treatment**

Where preliminary treatment or flow-equalizing facilities are provided for any waters or wastes, the system shall be maintained continuously in satisfactory and effective operation by the owner at the owner's expense.

#### **Section 6.2-5. Owner Manholes**

When required by the Commissioner, the owner of any property serviced by a public sewer or drain shall install a suitable control manhole together with such necessary meters, and other appurtenances in the building to facilitate observation, sampling, and measurement of the waters or wastes being discharged. Such manhole, when required, shall be accessible and safely located, and shall be constructed in accordance with plans approved by the Commissioner. The manhole shall be installed by the owner at the owner's expense and shall always be maintained by the owner to be safe and accessible.

#### **Section 6.2-6. Special Facilities**

When required by the Commissioner a user shall design, construct, install, operate and maintain special facilities which will provide for the regulation and control of the rate, volume and characteristics of discharges to the public sanitary sewers or drains. The design of such special facilities shall be subject to the approval of the Commissioner. Such special facilities shall be designed, constructed, operated and maintained at the owner's expense. The DPW shall have the right to inspect such special facilities in accordance with the provisions of this chapter to ascertain compliance with these regulations.

#### **Section 6.2-7. Industry Monitoring**

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

## **DIVISION 3. - INDUSTRIAL WASTE PERMITS**

### **Section 6.3-1. Required**

- (a) Every industrial user shall be required to obtain a permit and shall, within 90 days of the promulgation of the regulations codified in this chapter, complete and file at their own expense a permit application form with the Commissioner and the MWRA, unless a current permit is on file with both the Commissioner and the MWRA. Known industrial users who have not filed a permit application will be notified by the Commissioner or the MWRA to apply for a permit. All industrial users are advised to apply for a permit prior to such notification. Permit application forms may be obtained from the Commissioner and shall be filed within 30 calendar days of notification to both the Commissioner and the MWRA. Industrial user permits shall be renewed on a yearly basis on or before the expiration date of the current permit.
- (b) The Commissioner and the MWRA shall evaluate the adequacy of data furnished in the application form. If insufficient data has been furnished, the Commissioner and/or the MWRA will notify the industrial user to provide additional data within a specified time. After acceptance of data, and satisfactory completion of any investigations deemed pertinent, the Commissioner and the MWRA will issue the permit. The Commissioner and the MWRA may stipulate special conditions and terms upon which the permit may be issued.

### **Section 6.3-2. Conditions**

- (a) Industrial waste permits may contain the following conditions:
  - i. Limits on rate, time and characteristics of discharge or requirements for flow regulation and equalization;
  - ii. Installation of inspection, flow measurement and sampling facilities, including access to such facilities;
  - iii. Specifications for monitoring programs which may include flow measurement, sampling chemical and biological test, recording of data, and reporting schedule;
  - iv. Pretreatment requirements and schedules for implementation, including schedules for reporting progress toward meeting these requirements;
  - v. Submission of discharge reports;
  - vi. Special service charges or fees;
  - vii. Other conditions as deemed appropriate by the Commissioner and/or the MWRA to ensure compliance with this chapter and with applicable requirements of state or federal law.
- (b) The conditions of all permits shall be enforced by the Commissioner and the MWRA in accordance with provisions of this chapter.



- (c) When required by the permit, each industrial permittee shall submit a duly signed discharge report to the Commissioner and the MWRA containing all information requested by the Commissioner and/or the MWRA in a form acceptable to the Commissioner and the MWRA. The Commissioner and the MWRA will evaluate the data furnished. If insufficient data has been furnished, additional information shall be furnished as required.
- (d) The Commissioner and the MWRA may use the information provided in the permit applications, permits and discharge reports as the basis for determining user charges.
- (e) Notwithstanding the limitations set forth herein, a special permit between the MWRA and the City and the user may be issued whereby a waste of unusual character or strength may be accepted on an interim basis when, in the opinion of the MWRA and the Commissioner, unusual or extraordinary circumstances compel special terms and/or conditions of temporary duration. Such permit or amendment will be issued only when, in the opinion of the MWRA and the Commissioner, it would not cause any interference with or disruption in the treatment works, would not violate the National Pollutant Discharge Elimination System (NPDES) permit or state water quality standards, and would not force additional controls on other discharges to achieve compliance with effluent limitations.

### **Section 6.3-3. Transferability**

An industrial waste permit shall not be reassigned or transferred.

### **Section 6.3-4. Revocation**

If an individual user discharges amounts or rates of pollutants in violation of this chapter, the Commissioner or the MWRA may revoke the existing permit. If an industrial user shows that changes in the industrial process have improved the characteristics and/or volume of its discharge, the permit may be modified upon application by the industrial user to the DPW and the MWRA.

END