

DEVELOPMENT PLANS NEED TO BE SUBMITTED TO THE KWACF FOR APPROVAL AND DETERMINATION OF ACCEPTANCE.

GRU = GREASE RECOVERY UNITS

Chapter 15. Sewers

Article I. SEWER REGULATIONS

§ 15-1. PURPOSE.

[Ord. 1/20/79 A1]

In order to protect, preserve and insure the public health of the residents of the Town of Brooklyn it shall be unlawful for any person to place, deposit or permit to be placed or deposited upon public or private property, or to discharge into any natural outlet within the Town of Brooklyn, or in any area under the jurisdiction of the Town of Brooklyn, any human excrement, garbage, sanitary sewage, industrial or commercial waste or any polluted water except in places designated for such purposes by the Town of Brooklyn and where suitable treatment has been provided in accordance with the subsequent provisions of this Article I.

In furtherance of the above purposes and in order to insure proper removal and disposal of sewage wastes and sewage waters within the Town of Brooklyn, to insure the proper operation and maintenance of public sanitary sewers and private septic systems, sewage pumping facilities within the Town; and to provide for the keeping of adequate records of sewers, private septic disposal systems, and appurtenances and connections thereto, the following regulations for the construction, maintenance, installation, use, repair, alteration and discontinuance or abandonment of sewers and private septic systems and appurtenances and connection thereto, including pipes discharging directly or indirectly into and through the sewers and appurtenances of the Public sanitary sewer system of the Town of Brooklyn and including discharge into private septic systems, as provided in Section 7-245 et seq. of the General Statutes of the State of Connecticut; (Revision of 1958, as amended), is hereby enacted.

§ 15-2. DEFINITIONS.

[Ord. 1/20/79 AII]

As used in this section:

BOD (DENOTING BIOCHEMICAL OXYGEN DEMAND)

Shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20 degrees C, expressed in milligrams per liter.

BUILDING DRAIN

Shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five feet outside the inner face of the building wall.

not all are 5-ft "eliminator"

BUILDING SEWER

Shall mean the extension from the building drain to the public sewer or other place of disposal.

CHLORINE DEMAND

Shall mean the amount of chlorine which must be added to waters or wastes to produce a residual chlorine in such waters or wastes.

COMBINED SEWER

Shall mean a sewer receiving both surface runoff and sewage.

COMMERCIAL WASTES

Shall mean the liquid wastes from commercial processes as distinct from sanitary sewage.

EASEMENT

Shall mean an acquired legal right for the specific use of land owned by others.

FLOATABLE OIL

Shall mean oil, fat, or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. A wastewater shall be considered free of floatable fat if it is properly pretreated and the wastewater does not interfere with the collection system.

GARBAGE

Shall mean solid wastes from the preparation, cooking and dispensing of food, and from the handling, storage, and sale of produce.

HEALTH OFFICER

Shall mean the Health Officer of the Town of Brooklyn.

HEARING BOARD

Shall mean that Board appointed according to provision of Section 15-19.

INDUSTRIAL WASTES

Shall mean the liquid wastes from industrial processes as distinct from sanitary sewage.

NATURAL OUTLET

Shall mean rivers, streams, brooks, waterways, lakes, ponds, marshes, swamps, bogs and other bodies of water, natural or artificial, public or private, which are contained within, flow through or border upon the boundaries of the Town of Brooklyn.

ON-PREMISES RESTAURANT KITCHEN

Shall mean the kitchen facilities situated in a commercial restaurant open to the public where the food prepared therein is consumed on the premises.

PERSON

Shall mean any individual, firm, company, association, society, corporation, or group.

pH

Shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

PROPERLY SHREDDED GARBAGE

Shall mean the wastes from the preparation, cooking, and dispensing of food, which have been shredded to such degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than 1/2 inch in any dimension.

PROVISIONS OF THIS CHAPTER

Shall refer to the provisions and requirements of the Sewer Ordinance, Public Health Code, Building Code, Zoning Ordinance, Planning Regulations, Subdivision Regulations, Inland Wetlands Ordinance, and any other statute, ordinance or regulation of the Town of Brooklyn and/or the State of Connecticut.

PUBLIC SEWER

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

REASONABLE LENGTH OF TIME

Shall mean 90 days, weather permitting.

SANITARIAN

Shall mean that person designated by the Sewer Authority to implement and enforce the provisions of this chapter, or his authorized deputy, agent or representative, in addition to the authority conferred upon such Sanitarian by the Public Health Code, Building Code, Zoning Regulations, and other laws and ordinances of the Town of Brooklyn and/or the State of Connecticut.

SANITARY SEWER

Shall mean a sewer which carries wastewater and to which storm, surface, and ground waters are not intentionally admitted.

SEPTIC TANK OR PRIVATE SEPTIC DISPOSAL SYSTEM

Shall mean an on-site, subsurface waste disposal system constructed and maintained in accordance with all requirements of the Public Health Code, Building Code, Zoning Ordinance, Sewer Ordinance, and any other regulations, laws or ordinances of the Town of Brooklyn and/or the State of Connecticut.

SEWAGE

Shall mean a combination of the water-carried wastes from residences, business buildings, institutions and industrial establishments, excluding however, all those industrial and commercial wastes other than from toilets, normal bathroom use, or on-premises restaurant kitchens.

SEWAGE TREATMENT FACILITIES

Shall mean all facilities for collecting, pumping, treating, and disposing of sewage.

SEWER

Shall mean a pipe or conduit for carrying sewage.

SEWER AUTHORITY

Is defined in Chapter 103 of the Connecticut General Statutes (1958), as demanded.

SHALL

Is mandatory; MAY is permissive.

SLUG

Shall mean any discharge of water, sewage, 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.

STORM SEWER OR STORM DRAIN

Shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage.

STORM WATER

Shall include the run-off or discharge of rain and melted snow or other water from roofs, surfaces of public or private lands, or elsewhere. Storm water shall also include Subsoil Drainage as defined in this section.

SUB-SOIL DRAINAGE

Shall include water from the soil percolating into sub-soil drains and through foundation walls, basement floors or from underground pipes or from similar sources.

SUITABLE FACILITIES

Shall mean public sanitary sewer, or septic tank.

SUSPENDED SOLIDS

Shall mean 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.

TOWN

Shall mean the Town of Brooklyn, Connecticut.

UNCONTAMINATED COOLING WATER

Shall mean process water in general used for cooling purposes which has such characteristics that it may be discharged to natural receiving waters in accordance with all Town, State and Federal Regulations.

WASTEWATER

Shall mean the spent water of a community. From the standpoint of source, it may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions, together with any groundwater, surface water, and storm water that may be present.

WATERCOURSE

Shall mean a channel in which a flow of water occurs, either continuously or intermittently.

§ 15-3. USE OF PUBLIC SEWERS REQUIRED.

§ 15-3.1. Depositing Garbage or Excrement Regulated.

[Ord. 1/20/79 AIII § 3.1]

It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the Town of Brooklyn or in any area under the jurisdiction of said Town, any human or animal excrement, garbage, or other objectionable waste.

Customary agricultural utilization and disposition of animal excrement in a sanitary manner upon public or private property shall be lawful within the Town of Brooklyn.

§ 15-3.2. Discharge of Sewage or Polluted Water into Natural Outlet.

[Ord. 1/20/79 AIII § 3.2]

It shall be unlawful to discharge to any natural outlet within the Town of Brooklyn, or any area under the jurisdiction of said Town, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this Article and the appropriate permit(s) obtained from the Connecticut Department of Environmental Protection.

§ 15-3.3. Proximity to Sewer Line; Connections Required.

[Ord. 1/20/79 AIII § 3.3]

The owner of all existing or subsequently constructed houses, buildings or properties used or to be used for human occupancy, employment, recreation, or other purpose, situated within the Town on a parcel of land having its nearest property line **not more than 100 feet** from a public sanitary sewer of the Town is hereby required at his expense to install suitable toilet, bathroom and kitchen facilities therein, as appropriate to its use, and to connect such facilities directly with the public sanitary sewer in accordance with the provisions of this Article, within six months after date of official notice to do so.

§ 15-3.4. Buildings Not Accessible to Sewers.

[Ord. 1/20/79 AIII]

All existing or subsequently constructed homes, businesses, buildings, institutions and industrial establishments not accessible to a public sanitary sewer shall have a suitable private septic disposal system, the design, installation, operation and/or repair of which shall be subject to the inspection, supervision and approval of the Sanitarian (which approval by the Sanitarian shall be deemed to include approval of proposed private septic systems prior to construction of such systems), his deputy or agent in accordance with the applicable provisions of the Building Code, Zoning Ordinance, Public Health Code, regulations of the Planning and Zoning Commission, regulations of the Sewer Authority and this chapter.

§ 15-4. MAINTENANCE OF PRIVATE SEPTIC DISPOSAL SYSTEMS.

§ 15-4.1. Construction of Private Septic Disposal System.

[Ord. 1/20/79 AIV]

Except as herein provided it shall be unlawful to construct or maintain any private septic disposal system or other facilities intended or used for the disposal of sewage unless such construction or maintenance is accomplished in accordance with the provisions of this Article I.

§ 15-5. BUILDING SEWERS AND CONNECTIONS.

§ 15-5.1. Permit Required to Disturb Public Sewer.

[Ord. 1/20/79 AV § 5.1]

No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Sanitarian.

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 Sanitarian at least 45 days prior to the proposed change or connection.

§ 15-5.2. Classes of Building Sewer Permits.

[Ord. 1/20/79 AV § 5.2]

There shall be ¹two classes of building sewer permits: (a) for ²residential and commercial service, and (b) for service to establishments producing industrial wastes. In either case, the owner or his agent shall make application on a special form furnished by the Town. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Sanitarian. A permit and inspection fee as established by the Town for a residential or commercial building sewer permit and for an industrial building sewer permit shall be paid to the Town at the time the application is filed.

§ 15-5.3. Discharge into Sewers; Amount Limited.

[Ord. 1/20/79 AV § 5.3]

No person shall discharge to any public sewer or appurtenance thereof, from single source, domestic sewage in excess of 5,000 gallons per day, industrial wastes, and/or cooling water without first obtaining a permit from the Sanitarian and the Connecticut Department of Environmental Protection (DEP).

§ 15-5.4. Cost for Installation of Sewer.

[Ord. 1/20/79 AV § 5.4]

All costs and expenses incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the Town from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

§ 15-5.5. Separate Sewer for Each Building; Exception.

[Ord. 1/20/79 AV § 5.5]

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 may be extended to the rear building and the whole considered as one building sewer.

SHOULD NEVER BE CONNECTED THIS WAY

§ 15-5.6. Use of Old Building Sewers.

[Ord. 1/20/79 AV § 5.6]

Old building sewers may be used in connection with new buildings only when they are found on examination and [?]test by the Sanitarian to meet all requirements of this Article I.

tested (cost to homeowner/developer)

§ 15-5.7. Conforming to Building and Plumbing Code.

[Ord. 1/20/79 AV § 5.7]

The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, 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 Town. In the absence of Code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the A.S.T.M. and W.P.C.F. Manual of Practice No. 9 shall apply.

§ 15-5.8. Soil Vent Pipe.

[Ord. 1/20/79 AV § 5.8]

No building shall be connected to a public sewer unless the plumbing system of the building has a soil vent pipe extended to a point above the roof. The Sewer Authority may require that no running trap, main house trap or other device which might prevent the free flow of air throughout the whole course of the building sewer, house drain and soil vent pipe be allowed.

§ 15-5.9. Elevation of Sewer Line; Lift Station.

[Ord. 1/20/79 AV § 5.9]

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, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer. Plans and specifications of the lift station shall be submitted to the Connecticut Department of Environmental Protection (DEP). Copies of the DEP approval must be submitted to the Sewer Authority before a connection permit will be issued.

WHY WOULD DEEP NEED TO BE NOTIFIED OF A GRADE- RAMP

§ 15-5.10. Surface Water or Groundwater Prohibited.

[Ord. 1/20/79 AV § 5.10]

No person shall make connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which, in turn, is connected directly or indirectly to a public sanitary sewer.

§ 15-5.11. Connections.

[Ord. 1/20/79 AV § 5.11]

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 Town, or the procedures set forth in appropriate specifications of the A.S.T.M. and W.P.C.F. Manual of Practice No. 9. All such connection shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the Sanitarian before installation.

§ 15-5.12. Inspection of Building Sewer.

[Ord. 1/20/79 AV § 5.12]

The applicant for the building sewer permit shall notify the Sanitarian when the building sewer is ready for inspection and connection to the public sewer. The Sanitarian or his representatives shall be afforded all reasonable opportunity to oversee the construction of all parts of any building sewer connected directly or indirectly, or intended to be connected, to any public sewer of the Town and to obtain and record the location and other pertinent facts with respect to such sewer.

§ 15-5.13. Excavation to be Guarded.

[Ord. 1/20/79 AV § 5.13]

All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Town.

§ 15-5.14. Proximity to Water Well.

[Ord. 1/20/79 AV § 5.14]

No building sewer shall be constructed within 25 feet of water supply well. If a building sewer is constructed within 25 to 75 feet of a water supply well it shall be constructed of extra heavy cast iron (ASTM 74-69) with leaded joints, ductile iron or P.V.C. (S.D.R.35) whose infiltration/exfiltration rate shall not exceed 25 gallons/diameter per mile per day.

§ 15-6. USE OF PUBLIC SEWERS.

§ 15-6.1. Discharges Prohibited.

[Ord. 1/20/79 AVI § 6.1]

No person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water or unpolluted industrial process waters to any sanitary sewer.

§ 15-6.2. Unpolluted Drainage to Storm Sewer.

[Ord. 1/20/79 AVI § 6.2]

Stormwater and all other unpolluted drainage shall be discharged to such sewer as are specifically designated as storm sewers, or to a natural outlet approved by the Sanitarian. Uncontaminated cooling water or unpolluted process water may be discharged on approval of the Sanitarian and the Connecticut Department of Environmental Protection, to a storm sewer, or natural outlet.

§ 15-6.3. Chemical Discharges Prohibited.

[Ord. 1/20/79 AVI § 6.3]

No person shall discharge or cause to be discharged any of the following described water or wastes to any public sewers:

- a. Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosives liquids, solid, or gas.
- b. Any waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant.
- c. Any waters or wastes having a pH lower than 5.0, or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.
- d. Solid or viscous substances in quantities or of such size capable of causing obstructions to the flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, 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.

§ 15-6.4. Limitation on Discharges.

[Ord. 1/20/79 AVI § 6.4]

The following described substances, materials, waters, or waste shall be limited in discharges to concentrations or quantities which will not harm either the sewers, wastewater treatment process, or equipment, will not have an adverse effect on the receiving stream, or will not otherwise endanger life, limb, public property, or constitute a nuisance. The Sanitarian may set limitations lower than the limitation established in the regulations below, if in his opinion they are necessary to meet the above objectives. In forming his opinion as to the acceptability of these wastes, the Sanitarian 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 process, capacity of the sewage treatment plant, and other pertinent factors. The limitations or restrictions on materials or characteristics of waste or wastewaters discharge to the sanitary sewer which shall not be violated without approval of the Sanitarian are as follows:

- a. Wastewater having a temperature higher than 150 Fahrenheit (65 Celsius).
- b. Any water or waste containing fats, wax, grease, or oils, whether emulsified or not, in excess of 100 mg/l or containing substances which may solidify or become viscous at temperatures between 32 degrees and 150 degrees F (0 and 65 degrees C) and free in excess of 25 mg/l.
- c. Wastewater from industrial plants containing floatable oils, fat, or grease.
- d. Any garbage that has not been properly shredded (see Section 15-2, Definitions). Garbage grinders may be connected to sanitary sewers from homes, hotels, institutions, restaurants, hospitals, catering establishments, or similar places where garbage originates from the preparation of food in kitchens for the purpose of consumption on the premises or when served by caterers.
- e. Any waters or wastes containing metallic ions and salts thereof including but not limited to iron, chromium, copper, zinc, cyanides, nickel, lead, tin, silver, mercury and similar objectionable or toxic substances, whether neutralized or not, or wastes exerting an excessive chlorine requirement will be subject to the following: submission of technical information and appropriate engineering data to the Commissioner of the Department of Environmental Protection regarding the nature and strength of the proposed waste including appropriate pretreatment, if necessary, to be reviewed and approved by the Department of Environmental Protection prior to initiation of the discharge.
- f. Any waters or wastes containing odor-producing substances exceeding limits which may be established by the Sanitarian.
- g. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Sanitarian in compliance with applicable State or Federal regulations.
- h. Materials which exert or cause:
 1. Unusual concentrations of inert suspended solids (such as, but not limited to, Fullers earth, lime slurries, and lime residues) or of dissolved, solids (such as, but not limited to, sodium chloride and sodium sulfate.)
 2. Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).
 3. Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.
 4. Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.
- i. Waters or wastes containing substances which are not amenable to treatment or reduction by the wastewater treatment processes employed, or are amenable to treatment only to such degree that the wastewater treatment plant effluent cannot meet the requirements of the DEP, which has jurisdiction over discharge to the receiving waters.
- j. Any water or wastes which, by interaction with other water or wastes in the public sewer system, release obnoxious gases, form suspended solids which interfere with the collection system, or create a condition deleterious to structures and treatment processes or which may cause the effluent limitations of the DEP Permit for the wastewater treatment plant to be exceeded.

§ 15-6.5. Substances Having a Deleterious Effect.

[Ord. 1/20/79 AVI § 6.5]

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 subsection 15-6.4, and which in the judgment of the Sanitarian 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 Sanitarian may:

- a. Reject the wastes;
- b. Require pretreatment to an acceptable condition for discharge to the public sewers;
- c. Require control over the quantities and rates of discharge; and/or
- d. Require payment to cover the added cost of handling and treating the wastes.

If the Sanitarian 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.

§ 15-6.6. Removal of Grease, Oil and Sand.

[Ord. 1/20/79 AVI § 6.6]

Grease, oil, and sand removal shall be provided when, in the opinion of the Sanitarian, it is 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 removal shall not be required for private living quarters or dwelling units. Removal facilities shall be of a type and capacity approved by the Sanitarian, and shall be located as to be readily and easily accessible for cleaning and inspection.

§ 15-6.7. Owner to Provide Preliminary Treatment.

[Ord. 1/20/79 AVI § 6.7]

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

§ 15-6.8. Control Manhole.

[Ord. 1/20/79 AVI § 6.8]

When required by the Sanitarian, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such manhole, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the Sanitarian. This manhole shall be installed by the owner at his expense, and shall be maintained by him so as to be safe and accessible at all times.

Why just industrial?

§ 15-6.9. Monitoring of Discharges.

[Ord. 1/20/79 AVI § 6.9]

All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this Article shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater," published by the American Public Health Association, and shall be determined at the control manhole provided, or upon suitable samples taken at the control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb, and property. (The particular analyses involved will determine whether a 24 hour composite of all outfalls of a premises is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from 24 hour composite of all outfalls, whereas pH's are determined from periodic grab samples). All industries discharging into a public sewer shall perform such monitoring of their discharges as the Sanitarian and/or other duly authorized employees of the Town may reasonably require, including installation, use, and maintenance of monitoring equipment, keeping records and reporting the results of such monitoring to the Sanitarian. Such records shall be made available upon request by the Sanitarian to other agencies having jurisdiction over discharges to the receiving waters.

§ 15-6.10. Special Agreements.

[Ord. 1/20/79 AVI § 6.10]

No statement contained in this section shall be construed as preventing any special agreement or arrangement between the Brooklyn Sewer Authority and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the Brooklyn Sewer Authority for treatment, subject to payment therefore, by the industrial concern. No such agreements shall contravene any requirements of existing Federal Laws and are compatible with any User Charge and Industrial Cost Recovery system in effect.

§ 15-6.11. Compliance with Department of Environmental Protection Water Compliance Unit.

[Ord. 1/20/79 AVI § 6.11]

Prior to initiating any type of industrial waste discharge to the sanitary sewer, the industrial or commercial concern must comply with all the requirements of the Department of Environmental Protection (DEP), Water Compliance Unit in obtaining a Permit. These requirements include compliance with the provisions of Title 22A Chapter 446K of the Connecticut General Statutes and the DEP regulations and procedures.

CT-DEEP

§ 15-7. DRAIN LAYING FOR BUILDING DRAINS AND SEWERS.

§ 15-7.1. Licensing of Drain Layer.

[Ord. 1/20/79 AVII § 7.1]

The Town of Brooklyn may license as a drain layer any person, firm or corporation found to be suitable and competent who shall have applied to it on forms to be provided for that purpose and who shall have furnished the surety bond, and insurance required by Section 15-10 and Section 15-11 hereof.

§ 15-7.2. Authorized Persons.

[Ord. 1/20/79 AVII § 7.2]

No person other than those described in subsection 15-7.1 shall construct, repair, alter or remove any sewer, building drain, building sewer, or sewer line connected to or with or discharging directly or indirectly to or into, any public sanitary sewer of the Town or intended to discharge thus at some future time, regardless of whether the work is located in a public street or in public or private land.

§ 15-7.3. Persons Authorized to Work on Sewers.

[Ord. 1/20/79 AVII § 7.3]

The following may, as indicated, construct, repair, alter or remove sewers, subject to supervision and approval by the Sewer Authority: (a) Regular forces of a contractor employed by the Town, operating under orders of the Sewer Authority and in the performance of work for the Town. (b) Regular forces of the Town and/or the State Highway Department operating under and subject to permit for the particular job to be issued by said Sewer Authority or the Sanitarian and while engaged in the regular work and operations of the Town or State Highway Department. (c) Regular forces of any public utility corporation authorized by State law to construct, maintain and operate pipes or ducts within public highways within the Town while engaged in work incidental to the regular structures of the utility company and operating under and subject to the conditions of a permit for the particular job issued by the Sewer Authority or the Sanitarian.

§ 15-7.4. Plumbers.

[Ord. 1/20/79 AVII § 7.4]

The limitations as to persons who may construct, alter or repair building drains and building sewers as provided in subsection 15-7.1 shall not restrict the usual work of plumbers or others when operating in accordance with local Plumbing and Building Codes of the Town when they are working on pipes within or not more than five feet outside the walls of a building or similar structure; provided, no plumber or other person shall make any connection to a public sewer of the Town without a permit therefore, even if the sewer is located under or immediately adjacent to any building or similar structure; and provided, all fixtures within the building or structure and all use made of them shall conform to the requirements of this Article as to what may and may not be permitted to be discharged into public sanitary sewers.

§ 15-7.5. Owner Performance.

[Ord. 1/20/79 AVII § 7.5]

Nothing herein contained shall prohibit the owner of a building or structure from personally installing the building sewer on his own property enter the conditions herein specified:

- a. Approval of plans and final approval by the Sanitarian shall be obtained;
- b. A permit shall be secured as herein provided before the work is performed;
- c. Permit fees shall be paid, and application made for inspections; and
- d. All work shall be performed by the owner himself in accordance with the provisions of this Article.

§ 15-7.6. Assistance of Sewer Authority.

[Ord. 1/20/79 AVII § 7.6]

The Sewer Authority or its representatives may assist in the installation, repair and alteration of connections to public sewers and of building connections, by furnishing such information as may be in their possession and proper to be furnished to the party performing such work, by taking levels and staking out grades for sewers and building connections where deemed expedient, and in similar ways.

§ 15-7.7. Reimbursement to Town.

[Ord. 1/20/79 AVII § 7.7]

The Sewer Authority may in any case where the quantity or expense of work by Town forces incidental to the construction, repair or inspection of any sewer or sewer connection warrants such a requirement, require that the owner of property concerned or the drain layer shall reimburse the Town for the cost of services of Town employees engaged in work or inspections incidental to the sewer connection. The Sewer Authority or its representative may make a suitable provision for such reimbursement a condition precedent to the issuance of any permit for construction, alteration or repair of such sewer or sewer connection, subject to such direction as the Sewer Authority may issue.

OR THEIR REPS

§ 15-8. PERMITS.

§ 15-8.1. Permit Required to Perform Sewer Work.

[Ord. 1/20/79 AVIII § 8.1]

No person, other than those working for and under the direction of the Town, shall make any excavation for or construction, install, lay, repair, alter or remove any sewer, building drain, building sewer, sewer connection, or appurtenance thereof or connect to such sewer within the Town, which is in any way connected to or discharges directly or indirectly to or into any public sanitary sewer of the Town, or is intended at some future time to be so connected or so discharged, until the person or party shall have applied for and secured from the Sanitarian a permit for doing such work. Such permits may be issued only to those qualified to perform such work as provided in subsection 15-7.1.

§ 15-8.2. Application for Permit.

[Ord. 1/20/79 AVIII § 8.2]

Every application for a permit shall be made in writing on forms to be provided by the Town for that purpose and shall be signed by the drain layer or other qualified person or party, or an authorized agent thereof. The application shall state the location and ownership of the property to be served by the sewer in question, the post office address of the property owner, a brief description of the work to be done, and shall contain an agreement that the permittee will do the work in accordance with the requirements of Town and local laws, ordinances, regulations and permits as those laws, etc., may apply to the particular locations or work and will save the Town and others harmless from damages, loss, damage claim, etc., in accordance with the terms of the drain layer's surety bond provided for in Section 15-11 hereof. The Sanitarian shall

require as a prerequisite to the issuance of any permit that he be furnished evidence (a) any and all necessary permits, etc., to open public streets, public or private grounds or property have been or will be issued; (b) that the agent of the applicant is properly authorized to sign the application in question; (c) that the devices used or provisions made to prevent the entry into public sanitary sewers of any substances forbidden entry by this Article will be provided, maintained and operated as required by Sections 15-5 and 15-6 hereof; and any other information or proof pertinent to the particular job in question.

§ 15-8.3. Permits; Fees.

[Ord. 1/20/79 AVIII § 8.3]

Any person who applies for a permit to connect into a public sanitary sewer or sewer line shall pay the prescribed fee for each such permit. Permits shall not be transferable or assignable by the permittee. Permits shall be kept on the premises where and at all times when work is in progress and shall be shown to any proper person asking to see the same. All persons operating under such permits shall be held responsible for conformity to the requirements thereof and of this Article.

§ 15-8.4. Suspension or Termination of Permit.

[Ord. 1/20/79 AVIII § 8.4]

Any permit, in whole or in part, may be suspended, canceled or terminated by the Sewer Authority or the Sanitarian on written notice to the permittee for violation of the conditions thereto or for the violation of the requirements of this Article.

§ 15-9. CONDUCT OF PERMITTEE.

§ 15-9.1. Drain Layers Conduct.

[Ord. 1/20/79 AIX § 9.1]

Each drain layer licensed in accordance with subsection 15-7.1 hereof shall be responsible for the proper performance of all work performed under the permits issued to him and for the conduct of all work and all materials furnished on work by his employees or agents. No work shall be sublet by a drain layer of full control and responsibility for all parts of the work.

§ 15-10. DRAIN LAYER RESPONSIBILITY.

§ 15-10.1. Town Saved Harmless.

[Ord. 1/20/79 AX § 10.1]

Each drain layer shall save the Town of Brooklyn, its agents and servants harmless from all loss or claims of loss, damage or injury arising from the operations of the drain layer under any permits issued him by reason of his negligence in performing the work in which he has been issued a permit. He shall file with the Town a certificate or certificates of Public Liability and Property Damage Insurance, which shall remain in effect for a period of one year from date of its completion. The insurance shall be not less than \$50,000.00 for each person and not less the \$100,000.00 for each accident, and property insurance shall not be less than \$50,000.00. *HOWEVER ALSO?*

§ 15-11. SURETY BOND.

§ 15-11.1. Submission of Surety Bond.

[Ord. 1/20/79 AXI § 11.1]

Every person making application for permit shall file with the Town a satisfactory bond of a surety company authorized to transact such business in the State of Connecticut, and having an agent within the limits of Windham County, in a form satisfactory to the Sewer Authority or the Sanitarian. The bond shall be in an amount not less than \$5,000.00, to be determined by the Sanitarian, conditioned upon the applicant substantially and properly performing all work to be done under the permits issued to him in a workmanlike manner and upon his using proper materials; upon the applicants restoring that portion of any street or public place, which he has excavated in accordance with the rules contained in the permit issued him and maintaining the same for a period of one year; upon the applicants reimbursing the Town for any expense for repairs to such street or public place made necessary by reason of the excavation. *ANY PERMIT?*

§ 15-12. ENFORCEMENT.

§ 15-12.1. Violations.

[Ord. 1/20/79 AXII § 12.1]

If any person shall construct, install, alter or repair any sewer, building drain, building sewer or connection to any public sanitary sewer of the Town in violation of the requirements of this Article, or, having obtained a permit as provided in this Article, shall construct, install, alter or repair any sewer, building drain, building sewer or connection thereto without having given the Sanitarian or his authorized representative adequate notice, time, opportunity and assistance, during regular working hours, to inspect such sewer, connection and the work and materials used thereon. The Sanitarian shall order or direct the person who constructed, installed, altered or repaired such sewer, etc., may be located or which may be served thereby, or in whose interest and employ the work was done, to uncover and fully expose any or all portions of such sewer, etc.,

and afford the Sanitarian and his authorized representatives adequate opportunity to examine and inspect such sewer, etc., and to secure such records thereof as may be proper. If such sewer, etc., and the appurtenances thereof shall be found not to be in full accord with the requirements of this Article and the standards established under its provision, then the Sanitarian shall order and direct such person, owner or lessee to make such changes in or additions to or remove portions of appurtenances of such sewer, etc., as may be necessary to insure that such sewer, etc., will conform to the requirements of this Article and of the standards established under its provisions. All of such work shall be performed by the person, owner or lessee without delay and without expense to the Town.

§ 15-12.2. Failure to Take Remedial Action.

[Ord. 1/20/79 AXII § 12.2]

If any person, after proper order or direction from the Sanitarian fails to take the remedial steps or perform the acts required by this Article, or fails thereof, as required by this Article, the Sewer Authority or the Sanitarian, by such agents and /or facilities as it or he may choose, may disconnect the sewer, etc., which was wrongfully connected, altered, repaired or used, or through which improper wastes were discharged into the public sanitary sewer system of the Town.

§ 15-12.3. Easements; Entrance to Private Properties.

[Ord. 1/20/79 AXII § 12.3]

The Sanitarian and other duly authorized representatives of the Sewer Authority having proper credentials and identification shall be permitted to enter all private properties through which the Town holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewage works lying within the easement. All entry and subsequent work, if any, on the easement, shall be done in accordance with the terms of the duly negotiated easement pertaining to the private property involved.

§ 15-13. CONNECTION REQUIRED TO SEWER SYSTEM.

§ 15-13.1. Time Limitation for Connection.

[Ord. 1/20/79 § 13.1; Ord. 9/20/79 § 13-1]

- a. Within 60 days after a public sanitary sewer in a public street becomes operational, the Sewer Authority may order the owner of any building to which a sewerage system is available to connect such building with the system.
- b. No such order shall be issued until after a public hearing with respect thereto after due notice in writing to such property owner.
- c. Such order, when issued, shall notify such property owner that he or she must connect with the sewer within six months after such notification.
- d. Failure to obtain a permit to make such connection shall be prima facie evidence that no connection has been made.

§ 15-14. PRIVATE SEPTIC DISPOSAL SYSTEMS.

§ 15-14.1. Connection to Private System.

[Ord. 1/20/79 § 14.1]

Where a public sanitary sewer is not available under the provisions of Section 15-3, the building sewer shall be connected to a private septic disposal system complying with the provisions of this Article, the Public Health Code of Connecticut and the requirements of the Northeast District Department of Health.

§ 15-14.2. Permits Required.

[Ord. 1/20/79 § 14.2]

No subsurface sewage disposal system shall be approved, installed or repaired after the effective date of this regulation without compliance with the standards of this Article and the Public Health Code of the State of Connecticut, unless otherwise approved by the Director of Health.

§ 15-14.3. Sewage Disposal.

[Ord. 1/20/79 § 14.3]

- a. No permit shall be issued for a subsurface sewage disposal system in an area where public sewers are available and connection to the public sewer is deemed feasible by the Brooklyn Sewer Authority.
- b. Subsurface sewage disposal systems shall be designed, constructed and operated in such a manner as to prevent failure of the system, resulting in a public nuisance as defined in the Public Health Code of the State of Connecticut or pollution of the waters of the State as defined in C.G.S. 522a-423.
- c. System Failure. A subsurface sewage disposal system may be deemed a failure, and a public nuisance and/or pollution problem when: 1. Sewage reaches the ground surface or overflows in the building served. 2. Leaching field leachate reaches the ground surface within 50 feet of a leaching system. 3. Leaching field leachate reaches a surface water body or a subsurface drain within 50 feet of a leaching field.

§ 15-14.4. Minimum Requirements for Subsurface Sewage Disposal.

[Ord. 1/20/79 § 14.4]

- a. No approval or permit for a subsurface sewage disposal system shall be issued where site conditions within the proposed leaching area, or within 25 feet of the proposed leaching area are unsuitable for sewage disposal purposes. Unsuitable conditions exist where:
 1. The percolation rate is slower than one inch in 60 minutes.
 2. Fractured or consolidated bedrock is less than four feet below the original ground surface unless the area is prepared and demonstrated to be suitable in accordance with the provisions of this Article.
 3. The groundwater table is less than two feet below the original ground surface for a period of one month or longer during the wettest season of the year, unless the area is prepared and demonstrated to be suitable in accordance with the provisions of this Article.
 4. The surface slope exceeds 25%.
 5. Three or more of the conditions deemed of special concern (in subsection 15-14.6) are present.
- b. An environmental assessment for the purpose of determining the effect of the installation of one or more subsurface sewage disposal systems on natural and man-made conditions may be required by the Director of Health or the Brooklyn Sewer Authority.

§ 15-14.5. Site Testing Requirements.

[Ord. 1/20/79 § 14.5]

- a. A minimum of two deep test pits and one percolation test hole shall be provided for inspection by the Northeast District Department of Health for each proposed subsurface disposal system. One deep test pit and one percolation test shall be provided in the proposed leaching area and one deep pit in the proposed reserve area. Additional percolation tests may be required by the Director of Health when a strata of compact soil is present which may affect system performance or in which portions of the system may be installed. All soil tests must be accurately located, identified, and shown on subdivision plans and engineered plans submitted to the Northeast District Department of Health.
- b. Where there is a question as to the maximum groundwater level, soil tests may be required during a time of high groundwater, as determined by the Director of Health. All soil tests for purposes of approval shall be conducted or witnessed by an agent of the Northeast District Department of Health. When in the opinion of the Director of Health the percolation test has been performed during a period of low or moderate soil moisture he may require that the system size be increased by one sizing category based on the system sizes contained in the Public Health Code of the State of Connecticut.
- c. In addition to percolation tests and deep test pits, the Northeast District Department of Health may require whatever other testing, sampling and analysis as may be necessary to determine site conditions and the environmental and health effect of the proposed development of the property. Such tests may include, but are not limited to, soil permeability, hydraulic analysis, soil borings, groundwater level monitoring wells or pipes, compaction tests, sieve analysis tests and additional percolation and deep tests.
- d. Plan Requirements, Application for a Discharge Permit. Before a site investigation is made, the applicant shall submit to the Northeast District Department of Health either a surveyor's plan or a plan prepared from information on the deed or land records. Such plan shall show building setbacks, easements, and inland Wetland boundaries. The Director of Health may require that the proposed sewage disposal system, reserve area, building, well, property lines, building setbacks, easements, wetlands, and other proposed improvements be located by field stakes and markers before a permit is issued.
- e. Application for Subdivision Review. Subdivision plans submitted to the Northeast District Department of Health must contain the following minimum information: property boundaries, proposed lot boundaries, water courses, inland wetlands, all attempted or completed test holes, site improvement locations, ledge rock outcroppings, easements, road drainage systems, catch basins, and cuts or fills greater than five feet.

§ 15-14.6. Areas of Special Concern.

[Ord. 1/20/79 § 14.6]

- a. Areas within a proposed leaching area or within 25 feet of a proposed leaching area with: (1) a minimum soil percolation rate slower than 30 minutes per inch but faster than 60 minutes per inch; (2) fractured or consolidated bedrock less than six feet but greater than four feet below original ground surface; (3) anticipated or actual maximum groundwater level less than 30 inches but greater than 24 inches below original ground; (4) slope greater than 15% but less than 25%; shall require special concern in the site investigation, design and installation for subsurface sewage disposal systems.
- b. An area of special concern shall be considered unsuitable for sewage disposal until it has been shown that a subsurface sewage disposal system may be constructed to function properly as defined in subsection 15-14.3b. For this purpose, the design plan must be approved by the Director of Health and the proposed sewage system located by staking on the site before the property is determined to be suitable for on-site sewage disposal. An area of special concern, if proposed for subdivision, must be identified on the subdivision map and a note placed on the plan indicating that an engineered subsurface sewage disposal system is required and that the Northeast District Department of Health must be contacted for the details of the special requirements for building on the property.
- c. In areas of special concerns and areas defined as unsuitable in subsection 15-14.4.
 1. Where the anticipated maximum groundwater table is less than 30 inches soil tests shall be conducted during a time of high ground water as determined by the Director of Health,

- 2. Plans shall be prepared by a professional engineer registered in the State of Connecticut and submitted to the Northeast District Department of Health for approval. Such plans shall include all pertinent information as to the basis of design, soil conditions, test pit locations, maximum groundwater, ledge rock, original and finished contours and elevations, sewer invert, surface water and groundwater drains, water courses, neighboring wells within 200 feet of the proposed sewage disposal system and water service lines. Plans shall be drawn to a scale of one inch to 20 feet and original and finished contours at two foot intervals.
- 3. A study of the capacity of the surrounding natural soil to absorb or disperse sewage effluent without overflow or breakout may be required by the Director of Health.
- 4. The Director of Health may require that the sewage disposal system be constructed under an inspection schedule approved by the Director of Health. Inspections shall be done by a professional engineer, who shall certify that the constructed system meets or exceeds the specifications of the approved plan and the requirements of the Director of Health. After the final inspection is made by the Director of Health, the engineer shall make a record drawing of the system as installed and submit one copy to the Northeast District Department of Health.

§ 15-14.7. Minimum Separating Distances.

[Ord. 1/20/79 § 14.7]

The following minimum horizontal separating distances shall be preserved between any part of a subsurface sewage disposal system, including a reserve leaching area, and the following points. These distances shall be mandatory save that any lot of record in existence prior to the effective date of this Article may comply with the existing provision of the Public Health Code of the State of Connecticut.

Any dug well	100 feet
Discharge point of surface or storm drain	25 feet
Any well where ledge is less than eight feet from surface	100 feet
Any well installed in an area where the soil percolation rate is faster than two minutes per inch	100 feet
Any well located down grade from a septic system	100 feet
Any river, stream, brook, lake, pond, marsh, swamp, bog, wetland or other water course	50 feet
Any surface or groundwater drain located at a lower elevation	50 feet
Top of embankment or slope exceeding 25 percent	25 feet
Property line	25 feet

§ 15-14.8. Septic Tanks.

[Ord. 1/20/79 § 14.8]

- a. Septic tanks shall be equipped with clean out manholes located over the inlet and outlet manholes. Clean out manholes shall be located a maximum of 12 inches below finished grade.
- b. The use of garbage grinders in connection with a new subsurface sewage disposal system is prohibited unless the size of the septic tank is increased 50% over the size otherwise required.

§ 15-14.9. Leaching Systems.

[Ord. 1/20/79 § 14.9]

- a. General Requirements. In the construction of a leaching system: where trenches are installed at the same elevations, the ends shall be connected. Where trenches are installed at different elevations, serial distribution shall be used. Where serial distribution is required, the slope of the pipe in the leaching trenches shall not exceed one inch in 75 feet, distribution boxes shall be used at all overflow and control points and the overflow invert of distribution boxes shall be a minimum of three inches higher than the inlet invert. Leaching trenches shall be installed parallel to slope contours to the greatest lateral extent possible. A minimum of six inches of soil shall be placed over leaching trenches and the area graded and stabilized so as to direct surface water away from the leaching system. Embankments shall be graded to a maximum three to one slope. All leaching systems shall be protected from siltation and erosion during and after construction.
- b. Additional requirements for multi-family or commercial subsurface sewage disposal systems. The minimum size leaching system for a multi-family dwelling where the percolation rate is less than five minutes per inch, shall be 495 square feet. The minimum size of a leaching system for a commercial building shall be based on an application rate of a maximum of 1.6 gallons per day per foot of effective leaching area. For multi-family dwellings and commercial buildings the Director of Health shall require that the reserve area, where necessary, be prepared with fill and otherwise improved, before approval is granted for the use of a subsurface sewage disposal system on the property.

§ 15-14.10. Groundwater Control Drains.

[Ord. 1/20/79 § 14.10]

Where groundwater control drains are proposed as a means of lowering groundwater so as to provide a suitable area for subsurface sewage disposal either graded aggregate, filter fabric, or other construction approved by the Director of Health shall be used. The operational effectiveness of each groundwater control system must be demonstrated to the satisfaction of the Director of Health. The effectiveness shall be confirmed by installing the drain and monitoring test pits or wells during high groundwater periods. Before installation and monitoring the Director of Health may require the submission of engineering calculations of hydraulic conductivity to demonstrate the effectiveness of a groundwater control drain.

§ 15-14.11. Fill.

[Ord. 1/20/79 § 14.11]

- a. In certain areas of special concern and areas deemed unsuitable for subsurface sewage disposal, fill may be used to meet the requirements of this Article. Such systems placed in fill must meet the applicable standards of subsection 15-14.6. When fill is to be used to make an area suitable, a plan of construction satisfactory to the Director of Health shall be prepared and implemented. Such plans shall include but are not limited to:
 - 1. A plan for preparing the site and existing soil to receive fill,
 - 2. A specification for fill material to be used,
 - 3. A plan for the emplacement of the fill.

§ 15-14.12. Enforcement.

[Ord. 1/20/79 § 14.12]

Who is this?

The Brooklyn Sewer Enforcement Authority authorizes the Northeast District Department of Health to be the enforcement agency for Section 15-14. Should the Northeast District Department of Health be dissolved or by action of a Town Meeting cease to be the enforcement agency for the Public Health Code of the State of Connecticut in the Town of Brooklyn, the enforcement of this Article becomes the responsibility of the Brooklyn Sewer Authority and the Director of Health for the Town of Brooklyn.

§ 15-15. PROTECTION FROM DAMAGE.

[Ord. 1/20/79 § 15.1]

Any person who willfully breaks, damages, destroys, or injures any structure, appurtenance, or equipment which is a part of the public sanitary sewer system shall be subject to the penalties imposed under Section 53a-117 of the Connecticut General Statutes (Rev. 1958, as amended).

§ 15-16. AUTHORITY OF INSPECTORS.

[Ord. 1/20/79 § 16.1]

The Sewer Authority, the Sanitarian and other duly authorized employees of the Town bearing proper credentials and identification shall be permitted to enter upon all properties for the purpose of inspection, observation, measurement, sampling and testing, in accordance with the provisions of this Article.

§ 15-17. PENALTIES.

§ 15-17.1. Violations; Notice.

[Ord. 1/20/79 § 17.1, § 17.2]

- a. Any person who shall violate any provision of this Article except Section 15-15 shall be served by the Town with written notice stating the nature of the violation and providing a time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.
- b. Any person who shall violate any provision of this Article may be fined not more than \$100.00. Each day that any violation of this Article continues and each day that person continues to discharge prohibited wastes or substances into any public sanitary sewer shall be deemed a separate offense for the purpose of applying the above penalty.

§ 15-18. VALIDITY.

[Ord. 1/20/79 § 18.1]

If any provision, requirements, or section of this Article shall be adjudged invalid or unenforceable by reason of conflict with some other provision of law, such adjudication shall not affect the validity of any other provision hereof but all other provisions, sections and requirements of this Article shall be deemed valid and effective and shall remain in full force and effect.

§ 15-19. HEARING BOARD.

[Ord. 1/20/79 §§ 19.1, 19.2]

- a. A Hearing Board shall be appointed as needed for arbitration of differences between the Sanitarian and sewer users and/or private septic users on matters concerning interpretation and execution of the provisions of this Article by the Sanitarian.
- b. One member of the Board shall be appointed by the Sewer Authority; one member shall be appointed by the aggrieved party; and one member shall be appointed by the appointees of both the Sewer Authority and the aggrieved party.

§ 15-20. APPROVAL OF SEWERAGE FACILITIES REQUIRED PRIOR TO NEW CONSTRUCTION.

[Ord. Town Meeting 1960]

- a. No dwellings, apartments, boarding houses, hotels or commercial buildings shall be constructed in the Town of Brooklyn unless the sewerage facilities in connection with the same have been approved by the Director of Health of the Town, or any inspector appointed by him. The Director of Health or any inspector approved by him shall approve any such sewerage facilities when such facilities meet the requirements of the Sanitary Code of the State of Connecticut.
- b. All applications for approval of the sewerage facilities shall be filed with the Director of Health or the inspector appointed by him. All applications for approval shall be accompanied by a plan of the proposed sewerage facilities. The fee, which shall accompany the application, shall be \$15.00 payable to the Town of Brooklyn. *The current acceptable fee shall be paid ...*
- c. The owner or agent of any building who shall violate any provision of this section shall be deemed guilty of a misdemeanor punishable by a fine of not to exceed \$25.00 for each and every day that such violations shall continue. *\$100 in another provision*

§ 15-21. OPTIONAL METHODS OF PAYMENT OF SEWER ASSESSMENT BY ELDERLY PROPERTY OWNERS.

[Ord. 5/16/80]

- a. Pursuant to Section 7-253a of the Connecticut General Statutes, optional methods of payment of sewer assessments by any property owner who is eligible for tax relief for elderly taxpayers under the provisions of Section 12-129b and Section 12-170aa are hereby authorized.
- b. Such optional methods of payment shall be subject to approval by the Water Pollution Control Authority of the Town of Brooklyn and shall include an option to pay only the annual interest charge, as provided in Section 7-253 of the Connecticut General Statutes, on any deferred payments or outstanding balance of principal.
- c. Any eligible property owner desiring any such optional method of payment shall apply for the same to the Water Pollution Control Authority, and all such optional methods of payment shall be subject to annual review by the Authority.
- d. Upon transfer of title to the property subject to such assessment and optional method of payment or upon the death of such property owner, the outstanding balance of principal shall become due and payable.

§ 15-22. through § 15-29. (RESERVED)

Article III. SEWER CAPITAL COLLECTION FEE

§ 15-30. SEWER AUTHORITY OF THE TOWN OF BROOKLYN SEWER CAPITAL CONNECTION FEE.

§ 15-30.1. Facilities and Improvements Subject to Capital Connection Fee.

[Ord. No. 06-5 § 1]

- a. The Sewer Authority shall charge and collect a capital connection fee for:
 1. Each new connection to the sewer system; and
 2. Each improvement to a facility connected to the sewer system that has the effect of any one or more of the following: (a) Increasing the estimated sewage discharge by greater than or equal to 200 gallons/day; (b) Increasing the number of Equivalent Dwelling Units ("EDU") in a multi-unit residential facility; (c) Improvements to a facility resulting in the issuance of a certificate of occupancy for a building which (1) does not currently and for the prior two years did not possess a certificate of occupancy, or was not otherwise suitable for occupancy or use for the prior two years; and (2) which was not previously subject to a Capital Connection Fee as in effect on the effective date, or (d) In the case of a commercial laundry, or facility for washing vehicles, manufacturing or processing facilities or other high water use processes utilizing at least 1,000 gallons per day water consumption, in addition to an improvement to the facility, a change in the number or type of washing or other equipment resulting in an increased discharge of greater than or equal to 200 gallons/day. In the case of a facility that falls within the scope of clause (c) and any other clause, the Capital Connection Fee shall be based on clause (c).
 3. The issuance of a DEP (general/industrial) discharge permit or modification of an existing permit.
- b. In the case of subsection 15-30.1a2 clauses (a), (b) and (d), the Capital Connection Fee shall be applied to the increase in EDUs resulting from the change in the facility, and in the case of subsection 15-30.1a2(c), the EDUs discharged by the facility. In the case of subsection 15-30.1a3, the Capital Connection Fee shall be applied (1) in the case of a new permit, the maximum allowable discharge, and (2) in the case of a permit modification, the increase, if any, in the maximum discharge permitted by the modification. This subsection 15-30.1b is subject to the provisions of subsection 15-30.2d.

§ 15-30.2. Determination of Capital Connection Fee.

[Ord. No. 06-5 § 2]

- a. New Connections and Improvements shall be assessed a Capital Connection Fee in accordance with the Connection Fee Schedule, provided the facility or improvement is listed thereon. Where the facility or improvement requires a DEP (general/industrial) discharge permit, the Capital Connection Fee will be based on the maximum allowable discharge as outlined in the permit and determined in accordance with these regulations.
- b. *the current connect charge due, as approved by the BWP*
 Each EDU of wastewater discharge to the system shall constitute a connection charge due and payable of \$2,500.00; each fraction of an EDU shall constitute a connection charge due and payable of such fractional EDU multiplied by \$2,500.00.
- c. Each Use Unit of the Capital Connection Fee Schedule shall constitute one EDU. Each fractional Use Unit shall constitute the same fraction of one EDU.
- d.
1. The Capital Connection Fee for Improvements shall be determined based on incremental discharge. The Capital Connection Fee due for an improvement resulting in incremental discharge of greater than or equal to one EDU shall equal (a) where a Capital Connection Fee was previously paid with respect to the facility, the Capital Connection Fee due based on the total discharge of the facility after taking into account the improvement, minus the discharge applicable to the Capital Connection Fee previously received by the Authority with respect to the facility, or (b) where a Capital Connection Fee was not previously paid with respect to the Facility, the incremental number of EDUs resulting from the improvement determined in accordance with this section by comparing such discharge from the facility before and after the improvement. Clause d1(a) discharges shall be determined by reference to the Capital Connection Fee Schedule.
 2. The pre-improvement discharge of a facility for which no Connection Fee has been paid shall be the average yearly water consumption of the facility to be improved over the past three years determined from the date of the Sewer Authority Connection Fee Permit application. This clause shall not apply to a subsection 15-30.1a2(c) Improvement.
- e. In the event the facility or improvement or discharge is not adequately described by the foregoing procedures, the WPCA may take into account other information in arriving at the estimated discharge and Capital Connection Fee, including design capacity, similar uses or facilities, discharge data including but not limited to that from DEP or engineering firms, or permit information.
- f. For a Mixed Use Facility the number of EDUs shall be determined by treating each use separately and applying the Capital Connection Fee separately to each use. The sum of the EDUs for each use shall constitute the number of EDUs applicable to the facility.
- g. In the event a connection to the System serves more than one structure, building, facility, use or parcel, the Capital Connection Fee shall be the sum of each Capital Connection Fee determined separately as to each structure, building, facility, use or parcel, accessing the Sewer System through the connection. Except as provided in subsection 15-30.3, no connection to the Sewer System shall be permitted unless the Capital Connection Fee is paid in full prior to the connection, (or increase of discharge to an existing connection, if applicable) and in accordance with this regulation with respect to each facility or improvement served by the connection. No further or additional connections or use of the Sewer System other than that encompassed by the Capital Connection Fee paid pursuant to the Regulations shall be permitted without the approval of the Authority and payment of the Capital Connection Fee for such further or additional connection, use or Improvement.
- h. Where a facility or improvement is capable of different uses having different Capital Connection Fees, and the actual uses are not known at the time the Capital Connection Fee is payable, the Capital Connection Fee shall be the average of the Capital Connection Fees due with respect to the likely uses. Upon actual use, the Capital Connection Fee shall be recalculated based upon determination of the actual use, and any Capital Connection Fee balance owed shall immediately be paid to the Authority, and any overpayment refunded, as applicable.
- i. The owner shall be liable for payment of the Capital Connection Fee. The Authority shall pay all refunds to the owner of the property connected to the Sewer System, unless otherwise directed by the owner. In the event of disputes as to the proper recipient of the refund, the Authority may hold refunds in escrow pending resolution by the disputing parties.
- j. Exception for relocations within the Town that do not cause additional Sewer System burden. No Connection Fee shall be due where the improvement or facility is for:
1. A business or purpose that vacates its location of operation within the Town;
 2. Relocates its operations to another location within the Town;
 3. The owner of the relocated business or entity does not change in any respect;
 4. Constructs improvements or a facility to replace the same purpose (including for purposes of the Connection Fee Schedule categorization) as that vacated, and
 5. The improvements or facility constructed do not result in a New Connection, or in an increase in discharge compared to the discharge from the vacated location, determined on the basis of applying the Connection Fee Schedule to the vacated facility and the facility at the new location, including improvements.

Examples of the application of this subsection include but are not limited to: the relocation of manufacturing facilities to a building that must be improved to accommodate it; the relocation of a business conducted in office space to rental space that was not previously used as office space; the relocation of a restaurant. Examples to which this subsection do not apply include but are not limited to: the owner of rental office space sells the building, and builds new rental office space; the owner of a condominium or apartment development sells its condominium or apartment development and builds new developments. This subsection shall not apply to any owner, its facility or improvement that is rental space; or to any owner, its facility or improvement consisting of building space or units thereof for sale or lease.

§ 15-30.3. Payment of Capital Connection Fee.

[Ord. No. 06-5 § 3]

- a. The Capital Connection Fee shall be due and payable in full prior to and as a condition to the issuance of a Sewer Authority Permit to Connect, for the facility or improvement, provided that where the connection occurs within one month of the completion of the extension of the Sewer System authorized to be financed by Town debt, the first \$2,500.00 of the Capital Connection Fee may be payable over a 20 year period plus interest at the rate charged to the Town to finance the project. If the connection charge is paid in installments the Sewer Authority shall record a lien evidencing the charge on the land records and proceed with its collection in accordance with law. In no event shall a certificate of occupancy for a facility or improvement be issued unless the Capital Connection Fee has been paid in full, and a Sewer Authority Permit to Connect has been issued. *Change language*
- b.
1. The Capital Connection Fee shall be due and payable for the entire facility or improvement as a condition of the issuance of a Sewer Authority Permit to Connect and certificate of occupancy. A Sewer Authority Permit to Connect shall be required for any facility or improvement for which a building permit is requested. The improvement or facility to which the Capital Connection Fee applies shall take in account the scope of the building permit. For example, the issuance of a certificate of occupancy for any floor or portion of an office building, or any portion or store of a shopping center requires payment of the Capital Connection Fee due for the entire office building or shopping center. For the issuance of a certificate of occupancy for any one condominium or apartment unit in a condominium or apartment development, the Capital Connection Fee owed shall be for the number of condominiums or apartment units for which a building permit has been issued.
 2. If a building permit has been issued for a facility or improvement prior to the effective date, the Connection Fee shall be due and payable in full upon the earlier of (a) physical connection to the Sewer System or (b) issuance of a certificate of occupancy.
- c. This Regulation and the Capital Connection Fee shall take effect and be applicable to all facilities and improvements on the effective date. The Connection Fee shall be phased-in based upon the date of issuance of a certificate of occupancy. The applicant shall pay the Connection Fee in full as provided in subsection 15-30.3 for all Sewer Permits or Building Permits issued on or after the effective date, and the phase-in will be accomplished by refunding to the applicant a portion of the Connection Fee where the provisions of this section are complied with.
1. No Connection Fee shall be due or payable for any facility or improvement that has received a certificate of occupancy on or before May 1, 2006.
 2. If a facility or improvement receives a certificate of occupancy on or before September 1, 2006, the Capital Connection Fee shall be 50% of the subsection 15-30.2d amount.
 3. If a facility or improvement receives a certificate of occupancy after September 1, 2006, the Capital Connection Fee shall be 100% of the subsection 15-30.2d1 and 2 amount.
 4. In applying the provisions of clauses with respect to condominiums, apartments and other facilities or improvements containing discreet uses, units or structures for which a certificate of occupancy has been issued for a portion of the uses, units or structures, the remaining uses, units, or structures or improvements for which a certificate of occupancy has not been issued by the applicable time frame (whether or not they are constructed or under construction pursuant to the same building permit or permits as those that received the certificate of occupancy within the applicable phase-in time frame), shall not receive the benefit of the phase-in provided by such clause.
 5. In addition to the phase-in of the amount of the Connection Fee set forth in this subsection, the timing of payments shall be phased-in with respect to apartment or condominium developments which received a building permit prior to the effective date, and notwithstanding subsection 15-30.3b1 and 2, the Connection Fee for such apartment and condominium developments shall be due and payable as certificates of occupancy are issued for individual units, and payment shall be a precondition of issuance of a certificate of occupancy for each such unit.
 6. The Connection Fee imposed by this regulation shall take effect on May 1, 2006.
- d. In no event, shall work or construction physically connecting a facility or improvement to the Sewer System or making, improving or repairing an existing connection, or adding users, facilities, or improvements thereto, commence or be permitted unless the Capital Connection Fee has been paid and a Sewer Authority Connection Permit issued to the applicant.
- e. The Authority shall discontinue sewer service, including making the Sewer System unavailable to receive discharge, and not connect to the Sewer System any facility, including any facility or improvement that does not pay the Capital Connection Fee in accordance with these regulations.
- f. In the case of a DEP (general/industrial) discharge permit or modification thereof, the Capital Connection Fee shall be due and paid as a condition to the Authority's approval of the proposed permit or permit modification.

§ 15-30.4. Sewer Authority Connection Fee Permit.

[Ord. No. 06-5 § 4]

- a. Any person or entity who (1) proposes to make a New Connection to the System, or (2) construct an improvement to a facility connected to the System, shall obtain a sewer permit prior thereunto, whether or not the new Connection or improvement will result in an increased wastewater discharge.
- b. The applicant shall submit an application on forms prescribed by the Authority. The Authority shall issue a Sewer Authority Connection Fee Permit upon a determination that the proposed discharge; (1) is adequately described; (2) is suitable for the proposed physical connection to the system; and (3) commencing May 1, 2006, the Capital Connection Fee, if any, has been paid, unless the provisions of subsection 15-30.3a apply; and (4) such other considerations necessary or proper to ensure the safe, efficient and proper operation of the Sewer System. *or their representative*
- c. The Consent of the Owner of the property against which a lien may be recorded to secure payment of the Capital Connection Fee shall appear on the Sewer Authority Connection Fee Permit Application.

§ 15-30.5. Power of the Authority.

[Ord. No. 06-5 § 5]

The Authority shall possess all powers conferred by law to levy, lien, foreclose and collect the Capital Connection Fee on and from property, facilities, improvements, persons and entities subject to or liable for the Connection Fee, whether located within the Town of Brooklyn or outside of its geographic boundaries.

§ 15-30.6. Severability.

[Ord. No. 06-5 § 6]

The invalidity of any provision or section shall not affect the validity of other provisions of this regulation.

§ 15-30.7. Definitions.

[Ord. No. 06-5 § 7]

As used in this Article:

APPLICANT

Shall mean the person or entity that has filed an application for a Sewer Authority Connection Permit, or is otherwise subject to pay the Connection Fee.

AUTHORITY

Shall mean the Sewer Authority of the Town of Brooklyn Water Pollution Control Authority (WPCA).

BUILDING PERMIT

Shall mean the first permit issued pursuant to Section 29-263 of the Connecticut General Statutes.

CAPITAL CONNECTION FEE

Shall mean the fee payable to the Water Pollution Control Authority (WPCA) pursuant to this regulation, as result of connecting and discharging wastewater to the Sewer System, or increasing such discharge, or obtaining a permit authorizing the increase of such discharge.

CAPITAL CONNECTION FEE SCHEDULE

Shall mean the "Schedule of Sewer Use Charges" as approved and amended by the WPCA from time to time.

EDU

Shall mean each 200 gallon/day of discharge from a facility as determined from the Capital Connection Fee Schedule shall constitute one EDU.

EFFECTIVE DATE

Shall mean the date this regulation and the Capital Connection Fee take effect, and shall be May 1, 2006.

FACILITY

Shall mean a building, structure, or property, or improvement thereto.

IMPROVEMENT

Shall mean the renovation, repair, refurbishment, replacement, expansion or addition to, or reuse of a facility connected to the Sewer System, or the issuance of a DEP (general/industrial) discharge permit, or modification of such permit authorizing an increase in the maximum discharge.

MIXED USE FACILITY

Shall mean a facility, which combines one or more use types (e.g. commercial lease and residential).

MULTI-UNIT RESIDENTIAL FACILITY

Shall mean a residential facility with two or more separate units for rent, lease, use, or occupancy as a residence including a two or more family home, rental apartments, condominiums (including both attached and detached units), or boarding house.

NEW CONNECTION

Shall mean a) a connection to the system of a facility not currently connected to the system or for which the connection must be replaced.

REGULATION

Shall mean this Sewer Capital Connection Fee.

SEWER AUTHORITY CONNECTION FEE PERMIT

Shall mean the required permit described in section 4 prior to constructing a facility or improvement as more fully set forth in this regulation.

SEWER SYSTEM

Shall mean all of the facilities, services and operations of the Town of Brooklyn sewage treatment facilities, including connections, lateral sewers, force mains, pump stations, wastewater treatment plant, operated to collect, treat and discharge wastewater.

§ 15-30.8. Capital Connection Fee Schedule

The Capital Connection Fee Schedule can be found as an attachment to this chapter.

SEWERS

15 Attachment 1

Capital Connection Fee Schedule
[Ord. No. 06-5]

USE	UNIT OF MEASURE	NUMBER OF GALLONS (Per Unit of Measure Per Day)**	NUMBER OF EDUs (Per Unit of Measure Per Day)**
RESIDENTIAL			
1 Single Family Homes (up to 4 bedrooms)	per home	200	1.00
2 Multi - Family House	per single family housing unit	200	1.00
3 <u>Apartments and Multi - Family Condominiums:</u>			
a. Apartments attached to a single family house or single bedroom apts or condos or one - bedroom cottages on same lot as a single family house.	housing unit	150	0.75
b. Cottages with more than one bedroom on the same lot as a single family house, one bedroom or den or two bedroom or larger apartments or condominium units.	housing unit	200	1.00
4 <u>Rooming House:</u>			
With up to two rentable rooms	2 rooms	350	1.75
With up to six rentable rooms	6 rooms	400	2.00
5 <u>Mobile Homes (per roadable unit)</u>	trailer	200	1.00
COMMERCIAL			
1 Professional Offices (Other than Doctors/Dentists)	1,000 sq. ft.	100	0.50
2 Doctors & Dentists Offices (1.0 unit of also residence)	1,000 sq. ft.	200	1.00
3 Restaurants, Major Inns with Dining Rooms, Fountains, Bars, Luncheonettes, coffee shops, Buffets	100 sq. ft. of public seating	200	1.00
4 Gas Stations	set of 4 pumps	400	2.00
5 Car washing facilities	wash stall	400	2.00
6 Beauty Parlors	sink or plumbed hook up	100	0.50
7 Personal Cleaners (exclusive of laundries and dry cleaners)	per facility	600	3.00
8 Supermarkets & Grocers	5,000sf	200	1.00

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	USE	UNIT OF MEASURE	NUMBER OF GALLONS (Per Unit of Measure Per Day)**	NUMBER OF EDUs (Per Unit of Measure Per Day)**
9	Hotels (Add 1.0 unit for Managers Residence)	sleeping unit	100	0.50
10	Stores (including retail without fountains, not listed elsewhere)	7,500 sq. ft.	100	0.50
11	Laundries - Self - service	washing machine or plumbed hook-up	200	1.00
12	Photo Shops (Developing on Premises)	per facility	400	2.00
13	Auto Showroom	per facility	300	1.50
14	Body Shop or Auto Garage	per facility	400	2.00
15	Swimming Pools and Bath Houses	pool or bathhouse	200	1.00
16	Bakery	per facility	600	3.00
17	Bowling Alleys	bowling lane	100	0.50
18	Sports Stadium	40 seats	200	1.00
19	Parks (Picnic with bathhouse, showers, and flush toilets)	35 picnic areas	200	1.00
20	Fitness Center	4,000sf	200	1.00
21	Dry Cleaners	25 pieces processed	200	1.00
22	School (Boarding)	student	100	0.50
23	School, High	student	200	1.00
24	School, Elementary	student	200	1.00
25	Theater	40 seats*	200	1.00
26	Cafeteria	35 seats*	200	1.00
27	Gathering Hall	25 seats*	200	1.00
28	Golf Courses and Country Clubs	3 seats*	200	1.00
29	Fairground (based on daily attendance)	Per Person	200	1.00
30	Hotels	3 rooms	200	1.00
31	Prison	prisoner	450	2.25
32	Churches	40 seats	200	1.00
33	General dairy	1,000 lbs of raw milk	350	1.75
34	Creamery	1,000 lbs of raw milk	110	0.55
35	Resort	4 people*	200	1.00
36	Industrial Laundry	100 lbs of cloths	300	1.50

SEWERS

USE	UNIT OF MEASURE	NUMBER OF GALLONS (Per Unit of Measure Per Day)**	NUMBER OF EDUs (Per Unit of Measure Per Day)**
37 Visitor Center	processed		
INDUSTRIAL	40 people*	200	1.00
1 Large Professional Building	1,000 sq. ft.	300	1.50
2 Hospitals & Nursing Homes & Emergency Medical Centers	bed	150	0.75
Additional for non - bedroom areas	1,000 sq. ft.	300	1.50
3 Warehouses / storage (excluding office space) per 10,000 sq ft or fraction thereof	10,000 sq. ft.	100	0.50
Additional per 1,000 sq ft office space		200	1.00
4 Office Building without an assembly or lab facilities	1,000 sq. ft.	200	1.00
Users having manufacturing assembly or lab facilities	1,000 sq. ft.	150	1.50
5 Municipal Buildings will be individual assessed using estimated flow rates			

* Denotes that the units are based on of the maximum capacity allowed by the Fire Marshal

** Any facility that requires a DEP (Industrial/General) Discharge Permit is charged based on the maximum allowable discharge capacity of the permit