



Office of the Town Clerk

Town of Chelmsford
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Patricia E. Dzuris, CMC
 Town Clerk

**CERTIFICATE OF VOTE
 ARTICLE 19
 Amend Chapter 132 of the Town Code
 2020 Fall Town Meeting
 Monday, October 19, 2020**

I, Patricia E. Dzuris, Town Clerk of Chelmsford, Massachusetts, do hereby certify the following vote taken under Article 19 at the Fall Town Meeting was opened at the Chelmsford High School Gymnasium, 200 Richardson Road, Chelmsford, MA 01863, was called to order at 7:30 PM by Moderator Jon H. Kurland on Monday, October 19, 2020. At the time of the vote, there were 90 Town Meeting Representatives present which satisfied the quorum requirement of 82 Representatives.

ARTICLE 19. To see if the Town will vote to amend the Town Code, Chapter 132 Sewage Disposal, Section 132-2 Connection to public sewer, by deleting the language shown in strikethrough and adding the language shown in underline, which reads as follows:

§ 132-2 Connection to public sewer.

~~The owners of all dwellings, buildings and other structures used for human occupancy, employment, recreation or other related use abutting on any public or private way, alley or right of way in which there is now located or may be located a public sanitary sewer of the town shall be required, at their expense, to install suitable toilet facilities therein and to connect such facilities directly with the public sewer in accordance with the Sewer Commission regulations within one year from the date of official notice by the Sewer Commission; provided, however, that~~ The Board of Health may order any person to connect with the public sewer at any time if it is deemed to be in the best interest of the town, and if it is informed by the Sewer Division of the Department of Public Works that a connection to the public sewer is reasonably available taking into account whether sufficient sewer capacity exists and whether sewer infrastructure is located within 300' of the subject property, upon giving 30 days' notice to do so. The Board of Health shall not require a connection to the public sewer for properties which have existing and properly functioning septic systems or private wastewater treatment facilities. If a connection to the public sewer is reasonably available, the Board of Health may require a connection for septic systems which are not properly functioning, and which are located within environmentally sensitive areas (as determined by the Board of Health), rather than allowing such improperly functioning septic system to be repaired and replaced.

; or act in relation thereto.

SUBMITTED BY: Town Manager

MOTION UNDER ARTICLE 19. I move that the Town amend the Town Code, Chapter 132 Sewage Disposal, Section 132-2 Connection to public sewer, by deleting the language shown in strikethrough and adding the language shown in underline, which reads as follows:

§ 132-2 **Connection to public sewer.**

~~The owners of all dwellings, buildings and other structures used for human occupancy, employment, recreation or other related use abutting on any public or private way, alley or right of way in which there is now located or may be located a public sanitary sewer of the town shall be required, at their expense, to install suitable toilet facilities therein and to connect such facilities directly with the public sewer in accordance with the Sewer Commission regulations within one year from the date of official notice by the Sewer Commission; provided, however, that~~ The Board of Health may order any person to connect with the public sewer at any time if it is deemed to be in the best interest of the town, and if it is informed by the Sewer Division of the Department of Public Works that a connection to the public sewer is reasonably available (which shall be defined as the Town having sufficient available sewer capacity to allow the connection and whether sewer infrastructure is located within 300' of the subject property) upon giving 30 days' notice to do so. The Board of Health shall not require a connection to the public sewer for properties which have existing and properly functioning septic systems or private wastewater treatment facilities. If a connection to the public sewer is reasonably available (as defined above), the Board of Health may require a connection for septic systems which are not properly functioning, and which are located within environmentally sensitive areas (as determined by the Board of Health), rather than allowing such improperly functioning septic system to be repaired and replaced.

SUBMITTED BY: Town Manager

Recommendations:

Finance Committee: Unanimously recommends approval of article 19

Board of Selectmen: Unanimously recommends approval of article 19

The electronic voting devices registered the following votes:

YES: 81 NO: 7 Abstentions: 2

MOTION UNDER ARTICLE 19: Carries by majority vote

A TRUE COPY ATTEST:



Patricia E. Dzuris, CMC
Town Clerk