

**AN ORDINANCE AMENDING CHAPTER 191, TO ADOPT AND INCORPORATE A
NEW SECTIONS 191-56a OF THE CODE OF THE CITY OF WEST HAVEN
ENTITLED SEWER CONNECTIONS; PERMITS AND FEES; CONSTRUCTION
REQUIREMENTS.**

BE IT ORDAINED THAT An Amendment to Chapter 191, to Adopt and Incorporate a new Section that will be known as Section 191-56a of the Code of the City of West Haven Entitled Sewer Connections; Permits and Fees; Construction Requirements.

191-56a. - Sewer Connections; Permits and Fees; Construction Requirements.

A. No unauthorized person(s) shall uncover, make any connections with or opening into, use, alter, repair or disturb any public sewer or appurtenance thereof.

B. Any person proposing a new discharge into the public sewer system or a change in the volume or character of pollutants that are being discharged into the public sewer shall notify the Director of Water Pollution at least 45 days prior to the proposed change or connection.

C. Any person proposing to extend the public sewer shall, in addition to the provisions of this § 191-56a, file the plan or design of the same with the commissioner in accordance with Section 22a-416 of the Connecticut General Statutes. No such extension shall be constructed until the plan for the same has been approved by the Commissioner and the WPCC. All sewers privately constructed or repaired shall be installed and/or repaired by a qualified contractor who possesses a valid plumbing license grade P-7 or better issued under Chapter 393 of the Connecticut General Statutes, as amended.

D. A person intending to connect a building drain from his property to the public sewer shall first obtain a permit to discharge from the Director of Water Pollution. The application shall be made on forms provided by the Director of Water Pollution and it shall be accompanied by a sketch or plan showing the proposed installation in sufficient detail to enable the Director of Water Pollution to determine that the proposed installation meets the requirements of this regulation and other applicable specifications, codes and laws. The application shall be signed by the owner of the premises to be served or his authorized

agent and by the qualified contractor (see Subsection P.) who has been chosen to perform the work. Upon approval of the application and plan and payment of the applicable fees as set forth in Subsection H below, a permit shall be issued to have the work performed by the stated contractor. In the event that the premises changes ownership before the work is completed or if another contractor is chosen to perform

or finish the work, the original permit becomes void and a new permit must be obtained by the new parties in interest. Permits shall be valid for a period not to exceed 60 days and are nonrenewable. The fee for the Permit shall be \$70.00.

E. A connection to the public sewer will be made only after the building's plumbing has been approved by the City Building Inspector in order to ensure that minimum standards are met for the installation. All plumbing shall be in good working order. No trench containing a building drain or connection to the sanitary sewer shall be backfilled until the Water Pollution Director or his designated representative has completed an inspection of and approved the work. The water level in the trench shall be maintained at a level below the sewer connection before the cap is removed and while the connection is being made and until such time as it has been inspected, approved and backfilled. The contractor shall notify the Engineering Department 48 hours before starting any work authorized under this permit.

F. All properties served by the City of West Haven public sewer system shall have on file with the Water Pollution Control Commission a valid Sewer Discharge Permit designating the appropriate fee and capacity allocation for said property.

G. Permits to connect to the public sewer may be denied or annulled by the Director of Water Pollution for such cause and at such time as he may deem sufficient. No permit to connect to the public sewer shall be issued unless capacity exists to accommodate the additional discharge. The City of West Haven shall be held harmless as a consequence of said denial or revocation or cause thereof. All other parties in interest shall be deemed to have waived the right to claim damages from the City of West Haven, its agents, servants or employees on account of such revocation or denial.

H. Costs and expenses; Capacity Reserve fee.

(1) All costs and expenses incidental to the installation and connection of the building sewer shall be borne by the owner(s). A fee for connection of the building sewer shall be charged to the owner(s) for connecting to the public sewer, payable to the City of West Haven WPC, in accordance with the following schedule:

(a) Residential: Each dwelling unit: \$3,500.00.

(b) Commercial, industrial and retail buildings: Flows will be determined using actual flow data, Department of Energy and Environmental Protection data, Department of Public Health data for the particular use or sum of square footage for each building discharging to public sewer multiplied by industry standard constant (For further details please see WPC Rules and Regulations). Total flow so derived will be divided

by 65,000 to determine the number of equivalent units and multiplied by the \$3,500.00. In no case will the fee be less than \$3,500.00.

(c) When the Capacity Reserve fee charged the owner is greater than \$15,000.00, the owner may apply to the Water Pollution Control Authority to pay said fee in installments. The WPCA shall have the authority to approve an installment payment schedule and may provide for interest payments thereon in accordance with Section 7-253 of the Connecticut General Statutes. Where an installment payment plan is agreed upon, the WPCA shall cause the City Clerk to record on the land records a certificate of such fact in a form

substantially in compliance with the form provided for by Section 7-253 of the Connecticut General Statutes. No installment plans shall be approved for amounts less than \$15,000.00.

(d) All fees shall be due and payable prior to connection to the public sewer or change of use unless there shall be in place an approved installment plan.

(e) All properties served by the public sewer system that undergo modifications and/or change of use shall apply for a new Sewer Discharge Permit and pay the appropriate Capacity Reserve Fee.

(2) All fees collected under this section shall be deposited in a separate sewer fund account to be used solely for the construction and rehabilitation of public sewer facilities.

(I.) A separate and independent building drain shall be provided for each premises which requires a certificate of occupancy. Building sewers extending through lands of others shall not be permitted. The City of West Haven's responsibility as to the operation, maintenance and repair of any portion of the sanitary sewer system shall end at the point where the building sewers connect to the public sewers.

(J.) Existing building sewers may be used in connection with new buildings only when they have been tested and passed such testing in accordance with the procedures outlined in the City of West Haven WPCC Rules and Regulations and are found, by the Director of Water Pollution, to meet all requirements of this Chapter.

(K.) The size, slope, alignment, materials of construction of the building sewer and the methods to be used in excavating, placing of the pipe, jointing, testing, backfilling and connection of the building sewer to the public sewer shall all conform to the requirements of the Building and Plumbing Code or other applicable laws, rules and regulations of the City of West Haven, WPCC, or any local, state or federal

government entity having jurisdiction. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the American Society for Testing and Materials and WPCF Manual of Practice No. 9 shall apply.

(L.) Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any floor elevation is too low to permit gravity flow to the public sewer, sanitary sewage shall be lifted by an approved means and discharged to the building sewer. Duplex lift systems shall be provided for commercial and industrial buildings.

(M.) No person(s) shall make or allow connection of roof downspouts, 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 sewer.

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

(O.) No building sewer shall be constructed within 25 feet of a water supply well. If a building sewer is constructed within 25 to 75 feet of a water supply well, it shall be constructed in accordance with all applicable guidelines promulgated by the Commissioner.

(P.) All building sewers shall be installed by a qualified contractor who possesses a valid license issued under Chapter 393 of the Connecticut General Statutes, as amended.

(Q.) Prior to entering into an agreement with any municipality or sewer district for use of the City of West Haven's sewer system, the City Council and WPCA shall consider whether the agreement should require that:

(1) Non-Jurisdictional Users shall pay a proportionate share of operation and maintenance expenditures for the WPCC;

(2) Non-Jurisdictional Users shall pay a proportionate share of prior and future capital investments for facilities to be used by Non-West Haven Users;

(3) Non-Jurisdictional Users shall pay a proportionate share for use of prior and future land or asset contributions by the City of West Haven or WPCC;

(4) The contracting municipality or sewer district shall maintain Environmental Pollution Liability Insurance that names the City of West Haven and WPCC as an additional insured and is sufficient to cover the cost of cleanup and any other liability or damages arising out of a sewage spill related to that municipality's or sewer district's or their respective users' use of the City of West Haven sewer system;

(5) An interim review every five years of the terms of the agreement to assess whether changes in practices can be conducted by professional staff for each municipality or sewer district to improve the contractual relationship and to assess the need for mid-term amendments to the agreement;

(6) Such other factors as the City Council and WPCC deem appropriate.

ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST HAVEN:

ENACTED BY THE CITY COUNCIL ON: Aug. 26, 2024

APPROVED BY THE MAYOR: [Signature] DATE: 9/3/24