

LUNENBURG BUILDING ACCESS REGULATION (2/26/13)

PREFACE

All sewer connections must conform to the Town of Lunenburg Sewer Use Regulations and are subject to inspection at any time.

PURPOSE

The purposes of this Building Access Regulation include ensuring that all buildings are properly connected to and are not contributing inflow to the sanitary system. Inflow is stormwater or groundwater which enters the sanitary sewer system through improperly connected drainage sources such as sump pumps, down spouts and yard drains. Inflow not only causes higher flows to the Leominster and Fitchburg Treatment Plants but also takes up valuable sewer capacity and adds unnecessary wear and tear on the sewer system. Increased flows within the sewers caused by inflow can also lead to overflows into streets, rivers, streams and basements.

BUILDING ACCESS REGULATION (Excerpts from Town of Lunenburg Sewer Use Regulations)

Article IV – Administration

IV-1 General Powers of Commission

G. The Commission has the authority to:

1. Inspect all public and private residences for violations of the regulations, which may include sampling and testing of internal plumbing, building drains, building sewers or service connections, pumps and grinder pumps, grease traps and all other structures and conduits designed or used for the purpose of collecting, treating or disposing of wastewater and stormwater;
2. Require owners to repair or disconnect services which violate the regulations;
3. Require owners to pay for all work in connection with repairs or disconnections on their service connection; and
4. Assess civil penalties if owners remain non-compliant with these regulations.

H. No owner, occupant, or other person shall refuse, impede, inhibit, interfere with, restrict or obstruct entry and free access to properties, including within buildings, by the Commission or duly authorized employees of the Town, bearing proper credentials and identification, where inspection is sought at reasonable times, with or without prior notice, in order to assure compliance with applicable by-laws, statutes, codes and/or regulations.

I. While performing inspections on private properties referred to in paragraphs G and H above, the Commission or duly authorized employees of the Town shall observe all safety rules applicable to the premises reasonably established by the occupant and the

Town shall hold harmless the occupant against claims of personal injury to Commissioners or Town employees or damage or loss to Town property unless such injury, loss or damage is due to negligent failure of the occupant to maintain safe conditions upon the premises or other negligence or deliberate act by the occupant.

- J. An owner's refusal to grant permission of access shall be a violation of these regulations and will be subject to civil penalty.

Article VI – Penalties

VI-1 Civil Penalties

- H. Failure to disconnect or redirect sources of improper drainage shall result in a Sewer Inflow civil penalty of \$500 per month until the violation has been removed and verified by the Commission.
- I. Failure to permit entry to premises for the purpose of inspection shall be subject to a civil penalty of \$50. Each day until access is permitted shall be deemed a separate offense.
- J. These regulations may be enforced through non-criminal disposition procedures of G.L. Chapter 40, Section 21D and Section Article X, Section 3 of the Town's General Bylaws, or any other means allowed by law.