

**ATTLEBORO MUNICIPAL COUNCIL  
DOCKET  
FEBRUARY 2, 2021**

**PUBLIC SAFETY**

**Peter Blais, Chairperson**

The Mayor respectfully submits a communication from Chief of Police Kyle P. Heagney regarding a grant that has been awarded via the 2021 Senator Charles E. Shannon Jr. Community Safety Initiative (Shannon CSI) of \$10,765.30. The Attleboro Police Department collaborated with the Taunton Police Department in seeking these funds. The Shannon CSI implements a multi-disciplinary approach to combat gang and youth violence through coordinated programs for prevention and intervention. No matching funds are required by the City. In accordance with Chapter 1, Section 12 of the Revised Ordinances of the City of Attleboro, the Mayor hereby requests Your Honorable Body approve expending of such funds and any future grant amendments.

**TRAFFIC AND TRANSPORTATION**

**Cathleen DeSimone, Chairperson**

**CAPITAL IMPROVEMENTS AND CITY DEVELOPMENT**

**Chairperson**

**Richard Conti,**

A communication from Edward Bayly of Attleboro with questions on the tax breaks for potential new downtown business.

**PERSONNEL, VETERANS AND HUMAN SERVICES**

**Ty Waterman, Chairperson**

The Mayor respectfully submits a communication from City Clerk Stephen Withers regarding the need for funds in order to pay the dues to the Massachusetts City Clerks Association. Therefore, the Mayor hereby requests Your Honorable Body transfer \$25.00 from Account 11241000-578300 (City Wide – Reserve Fund for Transfer) to Account 11611000-573010 (Clerk – Dues).

The Mayor respectfully submits for confirmation by Your Honorable Body the appointment of Laura Abrams, 35 Cumberland Street, Attleboro, to an unexpired term on the Disability Commission. Term to expire February 2023.

The Mayor respectfully submits for confirmation by Your Honorable Body the following reappointments for the positions and for the terms as indicated:

<u>Name</u>	<u>Appointment</u>	<u>Term</u>	<u>Expires</u>
Hans Schaefer February 2026	Board of Park Commissioners		5 Year
Leo Johnson February 2024	Board of Recreation Commissioners	3 Year	
Martha Conti February 2024	Board of Trust Fund Commissioners	3 Year	
Terrance McCrosson February 2022	Constable	1 Year	
Carol O'Connor 2025	Council on Aging	4 Year	February
Stephen Berdos 2024	Council on Human Rights	3 Year	February
John Jacobi 2024	Municipal Building Commission	3 Year	February
Terri DeSisto 2024	Municipal Building Commission	3 Year	February
Fred Uriot 2026	Planning Board	5 Year	February
Richard Correia 2026	Redevelopment Authority	5 Year	February

The Mayor respectfully submits for confirmation by Your Honorable Body the following reappointments for the positions and for the terms as indicated:

<u>Name</u>	<u>Appointment</u>	<u>Term</u>	<u>Expires</u>
Laban O'Brien February 2022	Alt. Inspector of Wiring	1 Year	
Cynthia Amara February 2022	City Solicitor	1 Year	
Gary Ayrassian February 2024	Director of Planning & Development		2 Year
Catherine Feerick February 2023	Director of Economic Development	2 Year	
Nicholas Wyllie 2023	Environmental Planner	2 Year	February
Scott Lachance February 2022	Forest Warden		1 Year
Christopher Quinn February 2022	Health Officer	1 Year	
Kyle Heagney February 2022	Lockup Keeper	1 Year	

Owen Bebeau February 2024	Personnel Director	3 Year	
Thomas Hayes February 2024	Superintendent of Wastewater	3 Year	
Kourtney Wunschel 2024	Superintendent of Water	3 Year	February
Lewis Stevens February 2024	Zoo Director	3 Year	

The Mayor respectfully submits for confirmation by Your Honorable Body the appointment of Thomas Morin, 78 Lincoln Avenue, Attleboro, to fill an unexpired term on the Planning Board. Term to expire February 2025.

The Mayor respectfully submits a communication from Building Commissioner William McDonough requesting the reappointment of Brian Germain as the Inspector of Gas Piping & Gas Appliances as well as the Inspector of Plumbing for terms of three years. Terms to expire February 2024.

**PUBLIC WORKS**

**Kate Jackson, Chairperson**

The Mayor respectfully submits a communication from Superintendent of Public Works Michael Tyler regarding the need to replenish funds, from an internal transfer, in order to make repairs to the traffic lights at the North Main Street and Elizabeth Street intersection that were damaged during a high wind storm. Therefore, the Mayor hereby requests Your Honorable Body transfer \$9,000.00 from Account 11241000-578300 (City Wide – Reserve Fund for Transfer) to Account 14201000-530101 (Professional Services).

The Mayor respectfully submits a communication from Superintendent of Public Works Michael Tyler regarding the need for funds to have State mandated inspections done at Farmer’s Pond Dam, Simmons Pond Dam and Mechanics Dam. Therefore, the Mayor hereby requests Your Honorable Body transfer \$12,600.00 from Account 11241000-578300 (City Wide – Reserve Fund for Transfer) to Account 14201000-530101 (Public Works – Professional Services).

**BUDGET AND ADMINISTRATION**

**Jay DiLisio, Chairperson**

The Mayor respectfully submits a communication from Director of Budget & Administration Jeremy Stull regarding the need to pay an FY20 invoice to *Passport Labs, Inc.* Therefore, the Mayor hereby requests Your Honorable Body authorize payment of \$956.02 from 2602-538095 (Off Street Parking Revolving Fund – Parking Professional Services).

**ZONING AND LAND USE**

**Todd Kobus, Chairperson**

The Mayor respectfully recommends that the City accept a land donation from New England Power Company d/b/a National Grid of 9.5 acres in the Chartley Brook Watershed area at 0 Pike Avenue (Plat #205, Lot #3). The subject property, with an assessed value of \$106,900.00, will be donated to the Conservation Commission to achieve permanent protection of rare wildlife in the City. It should be noted that real estate taxes are current through the end of fiscal year 2021.

The Mayor respectfully submits a communication from Director of Planning and Development Gary Ayrassian and Environmental Planner Nick Wyllie informing me that the Federal Emergency Management Agency's (FEMA) Region 1 Office has completed its review of the City's HAZARD MITIGATION PLAN 2020 UPDATE and found that it meets the requirements of 44 CFR 201 pending adoption by your Honorable Body. Accordingly, at the request of the Director of Planning and Development and Environmental Planner, I hereby request the Honorable Municipal Council adopt the City of Attleboro's HAZARD MITIGATION PLAN 2020 UPDATE pursuant to FEMA's finding and the Massachusetts Emergency Management Agency's (MEMA) Competitive PDMC 17-10ATT grant contract requirements. Included is a proposed resolution of adoption for the Municipal Council's consideration, which contains the requisite language. After the Municipal Council votes to adopt the plan, the adoption documentation, as well as any additional requisite documentation will be submitted to MEMA. After MEMA receives the adoption documentation, it will issue a Formal Approval Letter to the City.

## CITY OF ATTLEBORO

### **A Resolution Adopting the City Of Attleboro's Hazard Mitigation Plan 2020 Update**

**WHEREAS:** The City of Attleboro established a 26-member Steering Committee consisting of community volunteers and municipal officials to prepare the City of Attleboro's Hazard Mitigation Plan 2020 Update; and

**WHEREAS:** The City of Attleboro participated in the development of the Hazard Mitigation Plan 2020 Update; and

**WHEREAS:** A duly-noticed public meeting was held by the Honorable Municipal Council on November 17, 2020 for public and municipal review; and

**WHEREAS:** The Hazard Mitigation Plan 2020 Update contains several potential future projects to mitigate potential impacts from natural hazards in the City of Attleboro; and

**WHEREAS:** The City of Attleboro authorizes responsible departments and/or agencies to execute their responsibilities demonstrated in the plan.

**NOW THEREFORE BE IT RESOLVED:** The City of Attleboro Honorable Municipal Council adopts the City of Attleboro’s Hazard Mitigation Plan 2020 Update as approved by the Federal Emergency Management Agency (FEMA) and in accordance with MGL Ch. 40.

**ADOPTED AND SIGNED this date:** \_\_\_\_\_

**Signature:** \_\_\_\_\_  
**Mark Cooper, Municipal Council President**

**LICENSES**

**Laura Dolan, Chairperson**

A new Class II License application from Matthew Borgellas dba N.E. Autos, Inc. at 71 County Street with 6 customer spaces and 40 display spaces.

A correction on the Certificate of Vote from January 5, 2021. Due to a scrivener's error the correct Class II license that was voted was from Seekonk Gas Repair, Inc. d/b/a 123 Mobil with 4 customer parking spaces and 9 storage spaces. The certificate of vote reflected a Class II license for South Attleboro Auto Sales, Inc. with 10 customer parking spaces and 30 display spaces, which was an error.

**CITY PROPERTY AND CLAIMS**

**Sara-Lynn Reynolds, Chairperson**

As you are aware, the revenues received by CDA, Inc. for 95 Pine Street do not cover the expenses. As such there is a deficit and the Mayor is requesting an appropriation of \$22,000.00 to pay the recurring bills and will amend the license agreement for 95 Pine Street to reflect these changes. The revenue that CDA, Inc. receives for 95 Pine Street will be used to pay the salary of the maintenance grounds keeper and to have a reserve for emergency fixes. Therefore, the Mayor hereby requests Your Honorable Body transfer \$22,000.00 from Account 11241000-578300 (City Wide – Reserve Fund for Transfer) to Account 11241000-573060 (City Wide-Richardson School Expenses).

The Mayor respectfully submits a communication from Director of Veterans’ Services Ben Quelle regarding the donation of \$125.00 in Stop & Shop gift cards from the Holiday Spirit Committee. In accordance with Section 1-12 of the Revised Ordinances of the City of Attleboro, the Mayor hereby requests Your Honorable Body to accept these generous donations to the City of Attleboro.

The Mayor respectfully submits a communication from Health Department Outreach Worker/Case Manager Tecia Silva and Public Health Nurse Jacqueline Joyal O’Brien regarding the donation of \$400.00 in Stop & Shop gift cards from the Holiday Spirit Committee. These cards will be offered by the Health Department’s Public Health Nurse

and Outreach Worker to individuals and families in need. In accordance with Section 1-12 of the Revised Ordinances of the City of Attleboro, the Mayor hereby requests Your Honorable Body to accept these generous gifts to the City of Attleboro.

## **ORDINANCES, ELECTIONS & LEGISLATIVE MATTERS**

**Diana Holmes, Chairperson**

The Mayor respectfully submits a communication from Superintendent of Water Kourtney Wunschel regarding the need for ordinance changes and to increase fees charged by the Water Department. City Solicitor Cynthia Amara reviewed the changes to the Revised Ordinances of the City of Attleboro and approved them as to form.

### **REQUEST FOR REVISION OF SECTIONS 16-10 THROUGH 16-14 OF THE REVISED ORDINANCES OF THE CITY OF ATTLEBORO:**

1.) Delete the title of Section 16-10 “Water Main Installation” and replace it with “New Water Main and Service Installation.”

2.) Delete Section 16-10.2 in its entirety and replace with the following:

16-10.2 If approval is granted, the applicant shall, at his expense, contract for all labor and material necessary for installing the water main extension or new water service. There shall be a street opening permit as provided in section 16-6.7, a connection permit with a fee according to the schedule below, which shall include the inspection of said water main or service. The fee shall be paid to the City of Attleboro at the time of application. A new permit subject to the fees below shall be required for each water main extension or service connection to the City’s water mains:

- a. Water main extension- \$2000.00 plus \$4.00 per linear foot of water main installed.
- b. New service installation- \$1000.00 per inch of diameter of installed service.
- c. Main extension or service installation permits requiring application to MassDOT will be charged an additional \$300.00.
- d. Water main extension permits and new service installation permits will be charged an additional 25% of the total permit cost as a Capital Improvement fee to the City. This fee does not apply to private water main extensions.
- e. A fee for a renewal permit in accordance with section 16-10.9 shall be fifty (\$50.00) dollars.

3.) Delete Section 16-10.3 in its entirety and replace with the following:

16-10.3 The Superintendent of Water shall determine the size of all water mains, and the placing of valves, in conjunction with the Fire Chief, to become the property and responsibility of the City of Attleboro. The installing contractor shall conform to City specifications and be responsible for leaks, defective material, trench settlement and trench pavement patching for a period of one (1) year from the date water is permanently turned on in the main.

4.) Delete Section 16-10.5 in its entirety and replace with the following:

16-10.5 Before commencement of any installation, the installing contractor shall notify the Superintendent of Water as to when the installation is to commence. No work involving any part of the present or proposed water system shall be done except in the presence of the Department of Water Superintendent or designee.

5.) Delete Section 16-10.6 in its entirety.

6.) Delete Section 16-10.8 in its entirety and replace with the following:

16-10.8 General No person shall connect to any water line, main or make any service connections unless a permit to do so has been granted by the Superintendent of Water. This ordinance shall not apply to employees of the City of Attleboro acting under the direction of the Superintendent. Whoever is found installing a water service connection or water main extension before applying for and obtaining a signed permit shall be punished by a fine of not more than double the cost of the required permit, as well as an additional fine in the same amount for any subsequent offense. Until said amount is paid in full, said person will not be allowed to apply for any additional water or sewer permits in the City of Attleboro.

7.) Delete Section 16-10.9 in its entirety and replace with the following:

16-10.9 Application Application for said permit shall be made to the Superintendent in such form as he may determine. The Superintendent shall grant the permit in accordance with the provisions of this ordinance on such conditions as he deems appropriate. The permit shall expire in sixty (60) days from the date of its issuance, unless it is sooner revoked as provided for herein. The permit may be renewed by the Superintendent for an additional thirty (30) days upon written application thereof by the permit holder. Permit fees will be charged to the applicant according to the fee schedule in 16-10.2.

8.) Delete Section 16-10.14 in its entirety.

9.) Delete Section 16-10.15 in its entirety.

10.) Delete Section 16-10.16e in its entirety and replace with the following:

e. Upon connection of any new water line located in a public or private way to the municipal water system, such line shall be deemed under the jurisdiction of the City, and all sections of this ordinance shall apply.

11.) Delete Section 16-10.19 in its entirety and replace with the following:

16-10.19 In conjunction with the installation of a water main to a subdivision, an analysis for Total Coliform and HPC will be conducted. The Water Department will supply the contractor with the appropriate sample bottles. All sampling must be performed or witnessed by an employee of the Water Department. The sample shall be analyzed by the Water Department laboratory or by a state certified laboratory that has been approved by the Department of Water.

12.) Delete Section 16-10.20 in its entirety and replace with the following:

16-10.20 The Water Department laboratory is certified by the Commonwealth of Massachusetts to conduct bacteria testing. The fee for this testing service shall be \$30.00 per sample.

13.) Delete Section 16-11.2 in its entirety and replace with the following:

16-11.2 For each meter set there shall be a minimum charge of twenty-five dollars and thirty cents (\$25.30) for each three months. This minimum charge shall cover 500 cubic feet of water used at each connection; Excess over 500 cubic feet shall be charged at a rate of four dollars and sixty-five cents (\$5.06) per 100 cubic feet, effective July 1, 2020.

14.) Revise the title of Section 16-1 “Regulations of Water Use and Connections” to “Regulations of Water Use and Existing Connections.”

15.) Delete Section 16-12.1 in its entirety and replace with the following:

16-12.1 No person shall uncover, make any connection with or opening into, use, alter, repair, or disturb any public water main or appurtenances thereof without first obtaining a written permit from the Superintendent of Water. Whoever is found installing water service connection or water main extension before applying for and obtaining a signed permit shall be punished by a fine of not more than double the cost of the required permit, as well as an additional fine in the same amount for any subsequent offense. Until said amount is paid in full, said person will not be allowed to apply for any additional water or sewer permits in the City of Attleboro.

16.) Delete Section 16-12.2 in its entirety and replace with the following:

16-12.2 Application to said permit of 16-12.1 shall be on a form furnished by the Superintendent of Water and shall be supplemented by plans, specifications or other information considered pertinent in the judgment of the Superintendent of Water. There shall be a street opening permit as provided in 16-6.7 and a fee of three hundred (\$300.00) dollars for an inspection of alterations or replacements of existing services. All fees shall be paid to the City of Attleboro at the time of application.

17.) Delete Section 16-12.3 in its entirety and replace with the following:

16-12.3 The installation, alteration, or repair of any water service line from a water main to any premises shall be done at the expense of the property owner, except as noted elsewhere in this subsection. All such work shall be done in accordance with standards set by the Superintendent of Water. Contractors hired to do such work shall be bonded and shall have a minimum of three (3) years experience in such installations. Such work shall be inspected by an authorized representative of the Department of Water during said work and prior to the back filling or covering of such work.

Installations requiring the operation of distribution system valves by Water Department personnel will be charged a fee of two hundred and fifty dollars (\$250.00).

After a water service line is in place, tested and accepted by the City of Attleboro, the portion of said line extending from the water main to and including the curb stop shall

become the property and responsibility of the City, except that the property owner shall be responsible for leaks, defective materials, trench settlement and trench pavement patching for a period of one (1) year from the date of acceptance.

18.) Delete Section 16-12.4 in its entirety and replace with the following:

16-12.4 After a service has been laid to any premises, the Department of Water, in furnishing water, or material, or performing labor for said service, shall deal only with the owner of said premises. Such owner shall keep the Department of Water advised of the address to which bills, notices, and other communications to him may be delivered. The owner of the premises shall be held responsible for all rates and charges. Water having been shut off for non-payment shall not be turned on so long as there is an unpaid charge against the premises. A fee of twenty-five dollars (\$25.00) will be charged for all final readings and inspections related to sale or transfer of property.

19.) Delete Section 16-12.5 in its entirety and replace with the following:

16-12.5 All persons receiving water shall keep the fixtures, valves and service pipe within the owner's property in good repair and fully protected from frost and shall prevent all unnecessary waste of water. Water shall not be left running for the purpose of preventing the freezing of pipes, faucets, fixtures or hydrants, unless the same is ordered or permitted by the Superintendent of Water. The City shall not be liable for leakage of hydrants, faucets, pipes, fixtures, or valves upon the premises of the water users nor any obstructions therein by frost or otherwise, nor for any damage resulting from any of the foregoing causes.

- a.) All new construction of buildings regardless of use, are required to install water saving devices and low flow appliances, if said building is supplied with water.
- b.) All substantial renovations or alterations to existing buildings regardless of the building's use are required to install water saving devices and low flow appliances if said building is supplied with water.
- c.) For the purposes of this section the term "substantial renovation or alteration" shall mean work, which cost more than (20%) of the assessed value of the building before the renovations or alterations.
- d.) Any change of use of an existing building shall be required to install water saving devices and low flow appliances where the change in use is deemed to be an intensification of the previous use as determined by the Building Inspector.
- e.) The Water Department, at the discretion of the Superintendent, may charge a fee of four hundred and fifty dollars (\$450.00) for assistance related to the repeated freezing of private plumbing or the water service.

20.) Delete Section 16-12.6 in its entirety.

21.) Delete Section 16-12.7 in its entirety and replace with the following:

16-12.7 No water shall be supplied to any user except through a meter owned by the City. Any water user requiring a meter larger than the standard five eights (5/8) inch shall purchase the meter from the City vendor that is under contract.

Title and access to the meter shall remain with the City and all present rules and regulations of the Department of Water shall apply thereto.

- (a) The Superintendent of Water or his designee shall have the authority to access any water meter for the purpose of visually inspecting the meter and record the reading. In cases where unusual readings or activities have taken place or suspected of taking place, the Water Superintendent or his designee can make random inspections of the water meter.
- (b) Once a meter has been installed and inspected by the Water Department, any alterations to the water meter and/or meter connections including the piping, cannot be made without written permission from the Water Superintendent.
- (c) If a water meter, meter connections, or piping appears to have been altered, a fine of \$300.00 shall be levied against the owner or person occupying the premises.

22.) Delete Section 16-12.9 in its entirety and replace with the following:

16-12.9 No alteration shall be made in any of the pipes or fixtures under the jurisdiction of the City and no meter shall be removed without the permission in writing of the Superintendent of Water. All persons, firms, or corporations wishing to install air conditioning or cooling units, regardless of size, requiring the use of city water shall notify the Superintendent of Water in writing, and enclose the manufacturer's catalog description of the unit.

23.) Delete Section 16-12.11 in its entirety and replace with the following:

16-12.11 If for any reason the owner of any premises wishes the water shut off or the meter removed and the charges stopped, he must give notice to the Superintendent of Water. A charge of twenty-five (\$25.00) dollars shall be made for shutting off the water and/or removing the meter. When the meter is reset and/or the water turned on, another charge of twenty-five (\$25.00) dollars shall be made. The Superintendent of Water or his designee may enter premises of any water user for any purpose connected with the discharge of his duties and may remove or replace any meter that is not working properly, or may make any repairs necessary.

24.) Delete Section 16-12.12c in its entirety and replace with the following:

c. If it appears that the meter has registered with substantial accuracy, the expense of the examination and test shall be paid by the person applying therefore. The expense for each examination and test shall be eleven (\$11.00) dollars. If it appears that the meter has not registered within two percent of accuracy, the expense of the examination and test

shall be borne by the City. If the person requests the meter to be tested by an independent vendor, that person shall pay the cost of the test.

25.) Delete Section 16-12.16 in its entirety and replace with the following:

16-12.16 The minimum rates shall be due in advance, with billing schedules to be established by the Superintendent of Water. Interest at the rate of twelve (12%) percent per annum from the date of the bill to the date payment shall be collected for water bills not paid within thirty (30) days of the date of the bill. All charges for specific supplies or supplies for fractional parts of the year shall be payable in advance and before the water is turned on. Water shall not be supplied to any premises until connection fees have been paid in full. This fee is to include all materials necessary for meter installation at the current cost to the City as well as the cost of 500 cubic feet of water at the current rate set by the City, and the cost of 450 cubic feet of sewer at the current rate set by the City if there is a sewer connection to the property. Any unpaid water bill, sewer use charge, or pipe and labor charge, together with the interest due, shall constitute a lien on the property, and shall be added to the real estate tax bill in accordance with state statutes. A penalty fee of \$12.00 shall be added to each unpaid balance, and shall become a part of said lien. This ordinance to be effective May 5, 2005, with the Council giving permission to the Collector to enclose a separate notice highlighting the change.

26.) Delete Section 16-12.17 in its entirety and replace with the following:

16-12.17 For non-payment of any of the charges for original installation of piping connection, any subsequent charges for labor, repairs, service and materials, or for the non-payment of water rates, (or sewer) for sixty (60) days after the same are due, the Superintendent of Water, with concurrence of the Health Officer, may shut off the water or sewer provided that the City Collector has first notified the owner or agent responsible for the property management by a personal receipt registered letter with receipt card returned, of the Collector's intention to direct the Superintendent of Water, with concurrence of the Health Officer, to shut off the water. Any mailing expense shall be figured and charged as service expense. The sum of twenty-five dollars (\$25.00) shall be charged for turning on the water.

27.) Delete Section 16-12.19 in its entirety and replace with the following:

16-12.19 No person shall by means of a tree, lumber, brick, or building material of any kind, or other article or hindrance, obstruct the access to any hydrants, valves, curb stops, or covers connected with any water pipe within any street, alley, or public place.

28.) Delete Section 16-12.25 in its entirety and replace with the following:

16-12.25 Irrigation Systems

(1) Irrigation systems connected to the municipal water supply must be equipped with moisture sensors or similar climate control technology. These devices are to be approved

by the Plumbing Inspector and Superintendent of Water. It is the responsibility of the property owner to ensure these sensors are maintained in working order annually.

a. Installation: A property owner that has an irrigation system and is connected to the municipal sewer system may install an irrigation meter. It is the responsibility of the property owner to purchase the meter and obtain all permits and ensure that such meter and its associated components are installed by a licensed plumber in accordance with the Water Department's irrigation meter installation procedural guidelines. There shall be an application fee of fifty dollars (\$50.00), which also includes the cost of inspection of the new meter by Water Department staff. No reductions in the sewer bill will be made until the meter has been inspected and approved.

b. Maintenance The property owner is responsible for the maintenance and any testing of the irrigation meter and its associated components. The cost to test the irrigation meter system shall be borne by the property owner. Whenever an irrigation meter is found to be out of order, it shall be repaired at the owner's expense.

c. Billing: For purposes of billing, 100% of the irrigation meter reading shall be subtracted from the water meter reading and the sewer use shall be charged at 100% of the difference.

d. Enforcement: A property owner who fails to install the irrigation meter system in accordance with the provisions of this ordinance shall be liable to a fine of One Hundred Dollars (\$100.00), said penalty to be assessed in accordance with the provisions for the non-criminal disposition of violations in General Laws, Chapter 40, Section 21D as amended.

A property owner who has water use on an irrigation meter during a water emergency situation as declared by the Mayor shall be liable to penalties in accordance with the provisions of Section 16-12.24, Water Emergency.

29.) Delete Section 16-12.26 in its entirety and replace with the following:

Section 16-12.26 Hydrant Use

If for any reason a contractor wishes to use a hydrant, a fee of two hundred (\$200.00) will be paid and an application form filled out. The Department will designate the hydrant to be used and an employee from the city will turn the hydrant on and off. It will be the contractors' responsibility to provide the valve, meter and backflow preventer for the hydrant (hydrant setup) or to rent the proper equipment from the Water Department. The rental fee shall be \$300.00 per week or \$1000.00 per 30 days, with an additional deposit of \$1500.00 which will be returned to the renter upon return of the hydrant setup to the Water Department. Should the rented equipment be damaged or not returned to the Water Department, the above deposit will remain the property of the Water Department.

The backflow preventer shall be tested and certified in the last twelve months or be tested by the City before used. If the contractor damages the hydrant because of improper use,

he will be charged the cost of repair or replacement of the hydrant. The water used will be billed at the current rate set by the City.

30.) Delete Section 16-12.27 in its entirety and replace with the following:

Section 16-12.27 Any water user requiring a meter larger than 5/8 inch will be required to purchase the meter. The meter shall be the type required by the Department. It will be the owners' responsibility to have the meter tested annually and to maintain the meter in proper working order. Access to the meter shall remain with the City and all present rules and regulation of the Department shall apply.

31.) Add new Section 16-12.28 with the following:

Section 16-12.28 Any person who fails to be present for a scheduled appointment without prior notification to the Water Department may be charged a twenty-five dollar (\$25.00) missed appointment fee at the discretion of the Superintendent.

32.) Add new Section 16-12.29 with the following:

Section 16-12.29 Any person, business, company, or other entity requesting a hydrant flow test shall be charged an application fee of one hundred dollars (\$100.00). If the flow test is requested to be performed after the regular hours of the Water Department distribution crew or on a weekend or holiday, the entity requesting the flow test will be required to pay in advance the 4-hour call-back rate of the Water Department staff that are on site for the flow test.

33.) Delete Section 16-13.4.2 in its entirety and replace with the following:

16-13.4.2 Any new building proposed to be connected to the City's water system is required to have a backflow prevention device located immediately after the water meter. The Water Department has sole responsibility to determine the type of backflow preventer required based on the degree of hazard. The property owner will be responsible for the cost of the device and associated installation cost. The backflow preventer must be maintained according to Massachusetts Department of Environmental Protection regulations 310CMR22.22.

34.) Delete Section 16-13.6 in its entirety and replace with the following:

16-13.6 Fees

The Department shall charge the following fees in connection with the administration of the Cross Connection and Backflow Prevention Program:

Cross Connection Survey	\$85 per unit per day
Cross Connection Survey after Initial Non-Compliant Survey	\$50.00
Test of Backflow Prevention Device by City	\$65 per device

Administrative Fee for Test of Backflow Prevention Device by an Approved Alternate Tester.	\$25 per device
Permit for Back Flow Prevention Device	\$50 per device
Permit for Hydrant Connection	\$200 per connection

35.) Delete Section 16-14 in its entirety and replace with the following:

Section 16-14 Private Hydrants and Sprinklers

16-14.1 All persons, firms or corporations wishing to have private hydrants or sprinkler system service lines connected with the City water supply or to alter or repair such installations, shall make application to the Superintendent of Water. For the purposes of this ordinance, the term "sprinkler system service line" shall include all piping from the water main to and including the base of the sprinkler riser. All such applications and plans for installation, alteration, or repair of private hydrants or sprinkler system service lines shall be submitted in duplicate and shall be subject to the inspection and approval of the Superintendent of Water. Water shall not be turned on unless authorized by the Superintendent. The Superintendent may inspect the hydrants or sprinkler system service lines as often as he deems necessary. Permit and inspection fees will be charged according to 16-10.2. All such fees shall be paid to the City of Attleboro at the time the application is filed.

16-14.2 The installation, alteration or repair of private hydrants and sprinkler system service lines shall be done at the expense of the property owner. All such work shall be done in accordance with the standards set by the Superintendent of Water. Contractors hired to do such work shall be bonded and shall also have the proper indemnification and liability insurance as required under section 16-6.5 and shall have a minimum of three (3) years experience in such installations. Such work shall be inspected by an authorized representative of the Department during said work and prior to the backfilling or covering of such work. Permit and inspection fees will be charged according to 16-12.2. All such fees shall be paid to the City of Attleboro at the time the application is filed.

All materials used in the installation, alteration or repair of a private hydrant or sprinkler service shall conform to American Water Works Standards (A.W.W.A.) standards and those of the National Board of Fire Underwriters and shall be of the current make and model specified by the City. Sprinklers systems and valves shall be provided with tamper-proof protection as directed by the Fire Chief or under the discretion of his assistants. Devices designed to detect tampering shall be tied to the municipal fire alarm system.

16-14.3 The water supplied through sprinklers and hydrants shall not be used for any purpose except extinguishing fires without permission from the Superintendent of Water.

Relative to the proposed fee increases, the attached spreadsheet shows the fees that the Water Department currently charges for its services, as well as the proposed increase to

each fee, if any increase is needed. The spreadsheet shows what is charged for similar services in the three other cities in Bristol County (Fall River, New Bedford, and Taunton), the three communities with which Attleboro currently has emergency water connections (Seekonk, North Attleborough, and Norton), as well as one community where Attleboro has direct water customers (Mansfield).

There are several services to which no increase is needed. I will not discuss those services in this memo, except to state that there is no increase needed because the fees currently charged per the ordinance cover all Water Department costs related to those particular services.

This ordinance shall become effective immediately upon passage.

The Mayor respectfully submits a communication from Superintendent of Wastewater Thomas Hayes regarding the need for ordinance changes and to increase fees charged by the Wastewater Department. City Solicitor Cynthia Amara reviewed the changes to the Revised Ordinances of the City of Attleboro and approved them as to form.

Therefore, the Mayor hereby requests the following amendments of the revised ordinances.

**1.) Delete section 16-15.6 “Building Sewers and Connections” in its entirety and replace with the following:**

16-15.6 Building Sewers and Connections (amended 10/16/07, 4/5/16)

a. No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenances thereof without first obtaining a written permit from the Superintendent. 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 Superintendent at least forty-five (45) days prior to the proposed change or connection.

b. There shall be three (3) classes of building sewer permits: for residential and commercial service. There shall be a street opening fee as indicated in Section 16-6.7 of the Ordinance, and a five hundred (\$500.00) dollar fee for each sewer connection inspection to a single residence and a six hundred fifty (\$650.00) dollar fee for each sewer connection to a multi-unit, condominium, or commercial building. Each residential unit shall be considered as a single residence and will require an individual sewer service to the main. The permit shall expire in sixty (60) days from the date of its issuance, unless it is sooner revoked as provided from herein. The permit may be renewed by the Superintendent for an additional thirty (30) days upon written application thereof by the permit holder. The fee for a renewal permit shall be fifty (\$50.00) dollars. All fees shall be paid to the City of Attleboro at the time the permit is issued. A dig safe

certificate number and a sidewalk opening permit will be required before any sewer connection permits are issued.

SERVICE	FEE
Installation single-family residential sewer connection	\$500.00
Installation multi-unit, condominium sewer connection	\$650.00
Installation commercial sewer connection	\$650.00

For the alteration, or repair of any residential or commercial building sewer from a sewer main to any premises, there shall be a fee of three hundred dollar (\$300.00). All fees shall be paid to the City of Attleboro at the time the permit is issued. A dig safe certificate number and a sidewalk opening permit shall be obtained before any sewer connection permit shall be issued.

SERVICE	FEE
Alteration or Repair single-family residential sewer connection	\$300.00
Alteration or Repair multi-unit, condominium sewer connection	\$300.00
Alteration or Repair commercial sewer connection	\$300.00

There shall be a fee of six hundred fifty (\$650.00) dollars for each commercial grease interceptor (trap) installed. All fees shall be paid to the City of Attleboro at the time the permit is issued. A dig safe certificate number and a sidewalk opening permit shall be obtained before any sewer connection permits are issued.

SERVICE	FEE
Installation of a commercial grease interceptor(trap)	\$650.00

For the alteration, or repair of any commercial grease interceptor (trap), there shall be a fee of three hundred dollar (\$300.00). All fees shall be paid to the City of Attleboro at the time the permit is issued. A dig safe certificate number and a sidewalk opening permit shall be obtained before any sewer connection permits are issued.

SERVICE	FEE
Alteration or Repair commercial grease interceptor (trap)	\$300.00

A Street opening permit as described in Section 16-6.7 and a sewer connection inspection fee of six hundred fifty (\$650.00) dollars shall be required of any establishment producing industrial wastes. All fees shall be paid to the City of Attleboro at the time the permit is issued. Further regulations and penalties shall apply in accordance with M.G.L. c. 83, § 8.

The owner or his agent shall complete a permit application furnished by the Department of Wastewater. The permit shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the Superintendent.

SERVICE	FEE
Installation industrial sewer connection	\$650.00

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

d. 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, or driveway. The building sewer from the front building may be extended to the rear building and the whole considered as one building.

e. Old building sewers may be used in connection with new buildings only if the Superintendent determines that such old sewers comply with all requirements of this ordinance.

f. 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 and other applicable ordinances of the City. In the absence of code provisions, or in amplification thereof, the materials and procedures set forth in the A.S.T.M. and W.P.C.F. Manual of Practice No. 9 shall apply.

g. 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 discharge to the building sewer. All clean-outs to said connections shall be installed a minimum of eighteen (18) inches from the floor. In addition, a clean out is required within four (4) feet outside of the building foundation.

h. No person shall make connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or ground water including sump

pumps, swimming pools or to basement drains to a building sewer which in turn is connected directly or indirectly to a public sanitary sewer.

i. The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code and other applicable ordinances of the City, and the procedures set forth in appropriate specification of the A.S.T.M. and W.P.C.F. Manual of Practice No. 9. All such connections shall be made gas tight and water tight. Any deviation from the prescribed procedures and materials must be approved by the Superintendent before installation.

j. The applicant for the building sewer permit shall notify the Superintendent when the building sewer is ready for inspection to the public sewer. The connection shall be made under the supervision of the Superintendent or his representative. Upon connection of any sewer line located in any land or way, public or private, opened or proposed to be opened for public travel to the municipal wastewater system, such line shall be a "public sewer" as defined in Section 16-15.3 (i).

k. 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.

l. The installation, alteration, or repair of any building sewer from a sewer main to any premises shall be done at the expense of the property owner. All such work shall be done in accordance with standards set by the Superintendent. Contractors hired to do such work shall be bonded and shall have a minimum of three (3) years experience in such installations. An authorized representative of the Department shall inspect such work during said work and prior to the backfilling or covering of such work.

m. Whoever is found installing or repairing a sewer connection or extension before applying and obtaining a signed proper permit shall be punished by a fine of not more than one hundred dollars (\$100.00) for the first offense and two hundred dollars (\$200.00) for any subsequent offense. Until said amount is paid in full, said person will not be allowed to apply for any additional water or sewer permits in the City of Attleboro. All permits issued herein shall be physically present at the job site. If any person is found to be installing or repairing a sewer connection or extension without a permit at the job site, a fifty (\$100.00) dollar fine will be assessed to said person. (amended 4/5/16)

n. If a contractor covers or backfills any work on a sewer or sewer connection before an inspection has been completed by the Superintendent or his designee, a \$100.00 fine will be assessed to said contractor. In addition, the contractor will be required to reopen the trench to the inspector's satisfaction exposing the work in order for the inspection to be completed.

**2.) Delete section 16-15.11 “Wastewater Discharge Permit Application” in its entirety and replace with the following:**

16-15.11 Wastewater Discharge Permit Application

1. Wastewater Analysis

When requested by the Superintendent, a user must submit information on the nature and characteristics of its wastewater within 30 days of the request. The Superintendent is authorized to prepare a form for this purpose and may periodically require users to update this information.

2. Wastewater Discharge Permit Requirement

a. No significant industrial user shall discharge wastewater into the POTW without first obtaining a wastewater discharge permit from the Superintendent, except that a significant industrial user that has filed a timely application pursuant to 16-15.11 (3) of this ordinance may continue to discharge for the time period specified.

b. The Superintendent may require other users to obtain wastewater discharge permits as necessary to carry out the purposes of this ordinance.

c. Any violation of the terms and conditions of a wastewater discharge permit shall be deemed a violation of this ordinance and subjects the wastewater discharge permittee to the sanctions set out in Section 16-15.22 and 16-15.2 of this ordinance. Obtaining a wastewater discharge permit does not relieve a permittee of its obligation to comply with all Federal and State pretreatment standards or requirements or with any other requirements of Federal, State, and local law.

d. An Industrial User Permit fee is hereby established for each industry that participates in the Industrial Pretreatment Program. The fee for said permit shall be ten thousand dollars (10,000.00) for a CLASS I permit and two thousand dollars (\$2,000.00) for a CLASS II Closed Loop permit. All such permits shall be renewed every five years.

SERVICE	FEE	NOTE
Industrial User Permit CLASS I	\$10,000.00	Renewable every 5 years
Industrial User Permit Closed Loop CLASS II	\$2,000.00	Renewable every 5 years

3. Wastewater Discharge Permitting: Existing Connections

a. Existing Conditions

Any user required to obtain a wastewater discharge permit who was discharging wastewater into the POTW prior to the effective date of this ordinance and who wishes to continue such discharges in the future, shall within 90 days after said date, apply to the Superintendent for a wastewater discharge permit in accordance with 16-15.11 (4) of this ordinance, and shall not cause or allow discharges to the POTW to continue after 30 days of the effective date of this ordinance except in accordance with a wastewater discharge permit issued by the Superintendent.

b. New Conditions

Any user required to obtain a wastewater discharge permit who proposes to begin or recommence discharging into the POTW must obtain such permit prior to the beginning or recommencing of such discharge. An application for this wastewater discharge permit, in accordance with 16-15.11 (4) of this ordinance, must be filed at least 30 days prior to the date upon which any discharge shall begin or recommence.

4. Wastewater Discharge Permit Application Contents

All users required to obtain a wastewater discharge permit must submit a permit application. The Superintendent may require all users to submit as part of an application the following information:

- a. All information required by 16-15.13 (5b) of this ordinance;
- b. Description of activities, facilities, and plant processes on the premises, including a list of all raw materials and chemicals used or stored at the facility which are, or could accidentally or intentionally, be discharged to the POTW;
- c. Number and type of employees, hours of operation, and proposed or actual hours of operation;
- d. Each product produced by type, amount, process or processes, and rate of production;
- e. Type and amount of raw materials processed (average and maximum per day);
- f. Site plans, flow plans, mechanical and plumbing plans, and details to show all sewers, floor drains, and appurtenances by size, location, and elevation, and all points of discharge;
- g. Effluent limits, including Best Management Practices, based on applicable Pretreatment Standards;
- h. Requirements to control Sludge Discharge, if determined by the Superintendent to be necessary;

- i. Time and duration of discharges; and
- j. Any other information as maybe deemed necessary by the Superintendent to evaluate the wastewater discharge permit application. Incomplete or inaccurate applications will not be processed and will be returned to the user for revision.

5. Application Signatories and Certification

All wastewater discharge permit application and user reports shall be signed by an authorized representative of the user and contain the following certification:

*“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted.*

*Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”*

6. Wastewater Discharge Permit Decisions

The Superintendent shall evaluate the data furnished by the user and may require additional information. Within 30 days of receipt of a complete wastewater discharge permit application, the Superintendent shall determine whether to issue a wastewater discharge permit. The Superintendent may deny any application for a wastewater discharge permit.

**3.) Delete section 16-15.12 “Wastewater Discharge Permit Issuance Process” in its entirety and replace with the following:**

16-15.12 Wastewater Discharge Permit Issuance Process

- 1. Wastewater Discharge Permit Duration
  - a. A wastewater discharge permit shall be issued for a specified time period, not to exceed five (5) years from the effective date of the permit. A wastewater discharge permit may be issued for a period less than five (5) years, at the discretion of the Superintendent. Each wastewater discharge permit shall indicate a specific expiration date.
- 2. Wastewater Discharge Permit Classes:

- a. Wastewater Discharge Permit Class I – To be determined by the Superintendent or approval authority to be a Significant Industrial User and/or a Categorical Industrial User and discharges to the sewer system with a potential of pass through or interference;
- b. Wastewater Discharge Permit Class II – To be determined by the Superintendent or approval authority to be a Significant Industrial User and/or a Categorical Industrial User and uses a closed loop system with a potential of pass through or interference;

### 3. Wastewater Discharge Permit Contents

A wastewater discharge permit shall include such conditions as are deemed reasonably necessary by the Superintendent to prevent pass through or interference, protect the quality of the water body receiving the treatment plant's effluent, protect worker health and safety, facilitate sludge management and disposal, and protect against damage to the POTW.

### 4. Wastewater discharge permits shall contain:

- a. A statement that indicates the duration of the wastewater discharge permit, shall not exceed five years;
- b. A statement that the wastewater discharge permit is nontransferable without prior notification to the City of Attleboro in accordance with the permit requirements, and provisions for furnishing the new owner or operator with a copy of the existing wastewater discharge permit;
- c. Effluent limitations based on applicable pretreatment standards, including categorical standards, local limits, or other discharge prohibitions;
- d. Self-monitoring, sampling, reporting, notification, and record-keeping requirements. These requirements shall include an identification of pollutants to be monitored, sampling location, sampling frequency, and sample type based on Federal, State, and local law;
- e. A statement of applicable civil and criminal penalties for violation of pretreatment standards and requirements, and any applicable compliance schedule. Such schedule shall not extend the time for compliance beyond that required by applicable Federal, State, or local law.

### 5. Waste Discharge Permit Modification

The Superintendent may modify a wastewater discharge permit for good cause, including, but not limited to, the following reasons:

- a. To incorporate any new or revised Federal, State, or local pretreatment standards or requirements;
- b. To address significant alternations or additions to the user's operations, processes, or wastewater volume or character since the time of wastewater discharge permit issuance;
- c. A change in the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge;
- d. Information indicating that the permitted discharge poses a threat to the City's POTW, City personnel, or the receiving waters;
- e. Violation of any terms or conditions of the wastewater discharge permit;
- f. Misrepresentations or failure to fully disclose all relevant facts in the wastewater discharge permit application or in any required reporting;
- g. Revision of or a grant of variance from categorical pretreatment standards pursuant to 40 CFR 403.13;
- h. To correct typographical or other errors in the wastewater discharge permit; or
- i. To reflect a transfer to the facility ownership or operation to a new owner or operator.

6. Wastewater Discharge Permit Revocation

The Superintendent may revoke a wastewater discharge permit for good cause including, but not limited to, the following:

- a. Failure to notify the Superintendent of significant changes to the wastewater prior to the changed discharge;
- b. Failure to provide prior notification to the Superintendent of changed conditions pursuant to Section 16-15.14 (3) of this ordinance;
- c. Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application;
- d. Falsifying self-monitoring reports;
- e. Tampering with monitoring equipment;
- f. Refusing to allow the Superintendent timely access to the facility, premises or records;

- g. Failure to meet effluent limitations;
- h. Failure to pay fines;
- i. Failure to pay sewer charges;
- j. Failure to meet compliance schedules;
- k. Failure to complete a wastewater survey or the wastewater discharge permit application;
- l. Failure to provide advance notice of the transfer of business ownership of a permitted facility; or
- m. Violation of any pretreatment standard or requirement, or any terms of the wastewater discharge permit or this ordinance. Wastewater discharge permits shall be voidable upon cessation of operations or transfer of business ownership. All wastewater discharge permits issued to a particular user are void upon the issuance of a new wastewater discharge permit to the current user.

## 7. Wastewater Discharge Permit Appeals

The Superintendent shall provide public notice of the issuance of a wastewater discharge permit. Any person, including the user, may petition the Superintendent to reconsider the terms of a wastewater discharge permit within thirty (30) days of notice of its issuance.

- a. Failure to submit a timely petition for view shall be deemed to be a waiver of the administrative appeal.
- b. In its petition, the appealing party must indicate the wastewater discharge permit provisions objected to, the reasons for this objection, and the alternative condition, if any, it seeks to place in the wastewater discharge permit.
- c. The effectiveness of the wastewater discharge permit shall not be stayed pending the appeal.
- d. If the Superintendent fails to act within ten (10) days, a request for reconsideration shall be deemed to be denied. Decisions not to reconsider a wastewater discharge permit, not to issue a wastewater discharge permit, or not to modify a wastewater discharge permit, shall be considered final administrative actions for purposes of judicial review.
- e. Aggrieved parties seeking judicial review of the final administrative wastewater discharge permit decision must do so by filing a complaint with a court of competent jurisdiction.

**4.) Delete section 16-15.13 “Reporting Requirements” in its entirety and replace with the following:**

**16-15.13 REPORTING REQUIREMENTS**

**1. Baseline Monitoring Reports**

a. Within either one hundred eighty (180) days after the effective date of a categorical pretreatment standard, or the final administrative decision on a category determination under 40 CFR 403.6 9a) (4), whichever is later, existing categorical users currently discharging to or scheduled to discharge to the POTW shall submit to the Superintendent a report which contains the information listed in paragraph b, below. At least ninety (90) days prior to commencement of their discharge, new sources, and sources that become categorical users subsequent to the promulgation of an applicable categorical standard, shall submit to the Superintendent a report which contains the information listed in paragraph b, below. A new source shall report the method of pretreatment it intends to use to meet applicable categorical standards. A new source also shall give estimates of its anticipated flow and quantity of pollutants to be discharged.

b. Users described above shall submit the information set forth below.

(1) Identifying Information: The name and address of the facility, including the name of the operator and the owner.

(2) Environmental Permits: A list of any environmental control permits held by or for the facility.

(3) Description of Operations: A brief description of the nature, average rate of production, and standard industrial classifications of the operation(s) carried out by such user. This description should include a schematic process diagram which indicates points of discharge to the POTW from the regulated processes.

(4) Flow Measurement: Information showing the measured average daily and maximum daily flow, in gallons per day, to the POTW from regulated process streams and other streams, as necessary, to allow use of the combined waste stream formula set out in 40 CFR 403.6 (e).

(5) Measurement Pollutants:

(a) The categorical pretreatment standards applicable to each regulated process.

(b) The results of sampling and analysis identifying the nature and concentration and/or mass, where required by the standard or by the Superintendent, of regulated pollutants in the discharge from each regulated process. Instantaneous, daily maximum, and long-term average concentrations, or mass, where required, shall be reported. The sample shall be

representative of daily operations and shall be analyzed in accordance with procedures set out in 16-15.14 (7).

(c) Sampling must be performed in accordance with procedures set out in 16-15.14 (8) of this ordinance.

(6) Certification: A statement, reviewed by the user's authorized representative and certified by a qualified professional indicating whether pretreatment standards are being met on a consistent basis, and, if not, whether additional operation and maintenance (O & M) and/or additional pretreatment is required to meet the pretreatment standards and requirements.

(7) Compliance Schedule: If additional pretreatment and/or O & M will be required to meet the pretreatment standards, the shortest schedule by which the user will provide such additional pretreatment and/or O & M must be adhered to. The completion date in this schedule shall not be later than the compliance date established for the applicable pretreatment standard. A compliance schedule pursuant to this section must meet the requirements set out in 16-15.14 of this ordinance.

(8) Signature and Certification: All baseline monitoring reports must be signed and certified in accordance with Section 16-15.11(5) of this ordinance.

**5.) Delete section 16-15.15 in its entirety and replace with the following:**

**16-15.15 POWERS AND AUTHORITY OF INSPECTORS**

The Superintendent and other duly authorized employees of the City bearing proper credentials and identification shall be permitted to enter all properties within the City of Attleboro with the consent of the owner or lessee for the purpose of inspection and observation, taking of measurements and samples, and testing in accordance with the provisions of this ordinance, including the ability to inspect and copy records thereon. While performing the necessary work in private properties, the Superintendent, or duly authorized employees of the City, shall follow fundamental safety precautions while on the premises, and the property owner shall be held harmless for injury or death to the City employees, and the City shall indemnify the property owner against liability claims and demands for personal injury or property damage asserted against the property owner while on the premises except as such may be caused by negligence or failure of the property owner to maintain safe conditions.

**6.) Delete section 16-16.2 in its entirety and replace with the following:**

16-16.2 If approval is granted and prior to any main extension, the contractor must obtain a permit from the office of the Superintendent of Wastewater to perform the work. A fee of one thousand (\$1000.00) dollars plus four dollars (\$4.00) per linear foot and a maintenance fee of 25% of the total permit fee shall be paid prior to issuing a permit. The permit shall expire in sixty (60) days from the date of its issuance, unless it is sooner

revoked as provided from herein. The permit may be renewed by the Superintendent for an additional thirty (30) days upon written application thereof by the permit holder. The fee for a renewal permit shall be fifty (\$50.00) dollars. All fees shall be paid to the City of Attleboro at the time the permit is issued.

SERVICE	FEE	NOTE
Sewer Main Extension	\$1,000.00	plus a \$4 per linear foot and a 25% maintenance fee

**7.) Delete section 16-18.9 in its entirety and replace with the following:**

16-18.9 (amended 9/16/14) No Significant Commercial User shall discharge wastewater into the POTW without first obtaining a Commercial User Permit from the Superintendent of Wastewater. A permit fee of two hundred fifty (\$250.00) dollars shall be paid prior to issuing the Commercial User Permit. A Commercial User Permit cannot be transferred to another person or entity and shall be renewed every two years.

SERVICE	FEE	NOTE
Commercial User Permit	\$250.00	Renewable every 2 years

**8.) Delete section 16-19.7 in its entirety and replace with the following:**

16-19.7 The charge to process septage shall be \$7.00 per 100 gallons. This charge shall be based on the full, registered capacity of the truck.

SERVICE	FEE	NOTE
Disposal of Septic Tank Waste Fee	\$7.00	per 100 gallons based on the full, registered capacity of the truck