

IN THE CITY COUNCIL
OF THE CITY OF WALTHAM
IN THE YEAR TWO THOUSAND FOUR
Ordinance # 30078

ORDERED: That Chapter 16 of the General Ordinances of the City of Waltham entitled "Sewers, Drains and Sewage Disposal", Article II entitled "Building Sewers and Connections," as most recently amended, is hereby further amended by adding the following new Section 16-32:

Sec. 16-32. Infiltration and Inflow Mitigation Fee

Any person or entity changing, altering, repairing, adding to or improving their property in any way that may or should impact the city of Waltham sewer system, or any person or entity proposing to add additional wastewater to an existing sewer connection or any applicant for a new Class 1 or Class 2 building sewer permit shall be required to mitigate infiltration/inflow sources, which add extraneous water to the City's sewer system thereby reducing its capacity and capability, at a rate of 4 gallons of infiltration/inflow removal for each additional gallon of wastewater that will be discharged to the sewer system. In the event a connection is subject to a state sewer connection/extension permit under Code of Massachusetts Regulations, Chapter 314 and such permit is conditioned upon the completion of removal of infiltration/inflow prior to connection said removal of infiltration/inflow shall be credited toward complying with the requirements of this ordinance.

Applicants for Class 1 Permits (Residential) or any person or entity changing, altering, repairing, adding to or improving their property in any way that may or should impact the city of Waltham sewer system, or any person or entity seeking to add additional wastewater to an existing residential sewer connection shall remove 4 gallons of infiltration/inflow from the sewer system for each 1 gallon of wastewater flow requested in the permit or request (Title 5 (310 CMR 15) shall be used to determine flow rates) or in lieu of said removal shall be charged a one-time infiltration/inflow mitigation fee of \$1,000/unit equivalency except owner occupied single family houses which shall be charged a \$750 infiltration/inflow mitigation fee.

Applicants for Class 1 Permits (Commercial) and Class 2 Permits or any person or entity changing, altering, repairing, adding to or improving their property in any way that may or should impact the city of Waltham sewer system, or any person or entity seeking to add additional wastewater to an existing non-residential sewer connection shall remove 4 gallons of infiltration/inflow from the sewer system for each 1 gallon of wastewater flow requested in the permit or request (Title 5 (310 CMR 15) shall be used to determine flow rates), or in lieu of said removal shall be charged a fee. Said fee shall be calculated based on Title 5 flows, a 4 to 1 removal factor, and a cost of \$3.00 per gallon of flow per day. For example, a 10,000 square foot office building has an associated Title 5 flow of 750 gpd, therefore the fee for this connection is \$9,000.00 (750gpd x 4 x \$3.00).

The Director may determine that sources of infiltration or inflow are either not present or are not appropriate for removal at the time of the permit or request, and the Director may therefore assess the monetary mitigation fee. Alternatively, the Director may require a combination of infiltration/inflow removal and mitigation fee.

Any infiltration/inflow removed from the sewer system as part of the infiltration/inflow requirements of this Section shall be verified by a pre-rehabilitation and post-rehabilitation testing program adequate to demonstrate compliance with the removal requirements of this ordinance. In addition, any infiltration/inflow removed from the sewer system as part of the infiltration/inflow requirements of this ordinance shall be the property of the City of Waltham and may not be applied to future removal requirements without the written authorization of the Director.

The removal of infiltration and inflow and payment of any monetary fee assessed shall be required prior to the issuance of a building sewer permit or any other permit, order or permission for any change, alteration, repair, addition or modifications improving the subject property.

The City Council, for good cause shown upon petition, may abate in whole or in part infiltration/inflow fees for connections to any residence existing as of the date of the Administrative Consent Order (May 7, 2003).

The Director shall calculate the infiltration/inflow fee using "Unit Equivalencies" for non-owner occupied Class 1 (Residential) Permits based on the sanitary sewer flow rates described in the Massachusetts Title V Regulations, 310 CMR 15.00, and described as follows:

One (1) unit is equal to three (3) bedrooms is equal to 330 gpd is equal to 4,400 square feet.

Residential Equivalency units shall be calculated in thirds with a minimum unit equivalency of one (1). For example, a four-bedroom house would pay an application/connection fee of \$1,400 (one and one third (1 1/3) unit equivalencies multiplied by \$1,000. All monetary values shall be rounded up to the nearest one hundred dollar increment.

Non-Residential (Commercial/Industrial) Equivalency Units shall be calculated as whole units (all decimals shall be rounded up to the nearest whole number) with a minimum application/connection fee of \$1,000.

Unit equivalencies for all facilities connected to the City's Wastewater System shall be determined using Title V flows and the equivalencies stated above.

For purposes of Section 16-32, "residential" shall mean the uses as defined as residential uses in the Waltham Zoning Ordinance as amended from time to time.

For purposes of Section 16-32, "director" shall mean the director of Public Works, after review, approval and consent by and of the City Engineer.

FURTHER ORDERED: That Chapter 16 of the General Ordinances of the City of Waltham entitled "Sewers, Drains and Sewage Disposal", Article I entitled "In General", Section 16-1 entitled "Definitions" as most recently amended, is hereby further amended by adding the following new definitions within the list of alphabetically arranged terms:

Infiltration. Water other than wastewater that enters a sewer system (including sewer service connections and foundation drains) from the ground through means which include, but are not limited to, defective pipes, pipe joints, connections, or manholes. Infiltration does not include, and is distinguished from inflow.

Infiltration/Inflow. The quantity of water from both infiltration and inflow without distinguishing the source.

Inflow. Water other than sanitary flow that enters a sewer system (including sewer service connections) from sources which include, but are not limited to, roof leaders, cellar drains, yard drains, area drains, drains from springs and swampy areas, manhole covers, cross connections between storm sewers and sanitary sewers, catch basins, cooling towers, storm waters, surface runoff, street wash waters, or drainage. Inflow does not include, and is distinguished from infiltration.

First Reading December 13, 2004

Attest Rosario C. Malone, CMC
City Clerk

Second Reading December 27, 2004

Third and Final Reading December 27, 2004

Approved December 29, 2004

Jeannette A. McCarthy, Mayor