

ORDINANCE NO. 875
Final Publication No. 1899.
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January 27, 1977.
City of Cambridge
In the Year One Thousand,
Nine Hundred, Seventy-Six
AN ORDINANCE

In amendment to an ordinance formerly entitled: "The General Ordinances of the City of Cambridge" as revised in 1972 and now designated as "The Code of the City of Cambridge."

Be it ordained by the City Council of the City of Cambridge as follows:

Chapter 17 entitled: "Public Works" is hereby amended by striking out therefrom Sections 17-52 through and including Section 17-62, and substituting in place thereof the following:

Sec. 17-52 Definitions.

Unless the context specifically indicates otherwise, the meaning of terms used in this ordinance shall be as follows:

"BOD" (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20 degrees C, expressed in milligrams per liter.

"Building Drain" shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five (5) feet (1.5 meters) outside the inner face of the building wall.

"Building Sewer" shall mean the extension from the building drain to the public sewer or other place of disposal.

"Combined Sewer" shall mean a sewer receiving both surface runoff and sewage.

"Commissioner" shall mean the Commissioner of Public Works of the City of Cambridge, or his authorized deputy, agent, or representative.

"Garbage" shall mean solid wastes from the domestic and commercial preparation, cooking, and dispensing of food, and from the handling, storage, and sale of produce.

"Industrial Wastes" shall mean the liquid wastes from industrial manufacturing processes, trade, or business as distinct from sanitary sewage.

"Watercourse" shall mean a channel in which a flow of water occurs, either continuously or intermittently.

Sec. 17-53. Building Sewers and Connections.

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

b) There shall be two (2) classes of building sewer permits: (1) for residential and commercial service, and (2) for service to establishments producing industrial wastes. In either case, the owner or his agent shall make application on a special form furnished by the City. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgement of the Commissioner. A permit and inspection fee of () dollars for residential or commercial building sewer permit and () dollars for an industrial building sewer permit shall be paid to the City at the time the application is filed.

c) All costs and expense incident to the installation and connections of the building sewer shall be borne by the owner. The owner shall indemnify the City from any loss or damage that may directly or indirectly be 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, courtyard, or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.

e) Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Commissioner to meet 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 State building and plumbing codes, and other applicable rules and regulations of the City. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the ASTM and WPCF 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 discharged to the building sewer.

h) No person shall make connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or ground water to a building sewer or building drain 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 State building and plumbing code, other applicable rules and regulations of the City, and the procedures set forth in appropriate specifications of the ASTM and WPCF Manual of Practice No. 9. All such connections shall be made gas-tight and watertight. Any deviation from the prescribed procedures and materials must be approved by the Commissioner before installation.

j) The applicant for the building sewer permit shall notify the Commissioner when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Commissioner or his representative.

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.

Sec. 17-54. Use of Sewer for Unpolluted Drainage: Restriction.

a) No person shall discharge or cause to be discharged any storm-water, surface water, groundwater, roof runoff, subsurface drainage, or contaminated cooling water, or unpolluted industrial process waters to any sanitary sewer.

b) Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers, or to a natural outlet approved by the Commissioner. Industrial cooling water or unpolluted process waters may be discharged on approval of the Commissioner to a storm sewer, combined sewer, or natural outlet.

Sec. 17-55. Prohibited Sewage and Wastes.

No person shall discharge or cause to be discharged, any of the following described waters or wastes to any public sewers:

a) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas.

b) Any waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant.

c) Any waters or wastes having a pH lower than (5.5), or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.

d) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to, ash, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, etc. either whole or ground by garbage grinders.

Sec. 17-56. Prohibited Sewage and Wastes subject to variance.

No person shall discharge or cause to be discharged the following described substances, materials, waters, or wastes if it appears likely in the opinion of the Commissioner that such wastes can harm either the sewers, sewage treatment process, or equipment, have an adverse effect on the receiving stream, or can otherwise endanger life, limb, public property, or constitute a nuisance. In forming his opinion as to the acceptability of these wastes, the Commissioner will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant, and other pertinent factors. The substances prohibited are:

a) Any liquid or vapor having a temperature higher than one hundred fifty (150 degrees C).

b) Any water or waste containing, fats, wax, grease, or oils, whether emulsified or not, in excess of one hundred (100) mg-l or containing substances which may solidify or become viscous at temperatures between thirty-two (32) and one hundred fifty (150 degrees F) (0 and 65 degrees C).

c) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths (¾) horsepower (0.76 HP metric) or greater shall be subject to the review and approval of the Commissioner.

d) Any waters or wastes containing strong acid iron pickling wastes, or concentrated plating solutions whether neutralized or not.

e) Any waters or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the Commissioner for such materials.

f) Any waters or wastes containing phenols or other taste or odor producing substances, in such concentrations exceeding limits which may be established by the Commissioner as necessary, after treatment of the composite sewage to meet the requirements of the State, Federal, or other public agencies or jurisdiction for such discharge to the receiving waters.

g) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Commissioner in compliance with applicable State or Federal regulations.

h) Any waters or wastes having a pH in excess of 9.5.

i) Materials which exert or cause:

(1) Unusual concentrations of inert suspended solids (such as, but not limited to, Fullers earth, lime slurries, and lime residues) or dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate).

(2) Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).

(3) Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.

(4) Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.

j) Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment process employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

Sec. 17-57. Powers of Commissioner over Discharges.

a) If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in Section 17-56 of this Article, and which in the judgement of the Commissioner, may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Commissioner may: (1) Reject the wastes; (2) Require pretreatment to an acceptable condition for discharge to the public sewers; (3) Require control over the quantities and rates of discharge; (4) Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges.

b) If the Commissioner permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Commissioner, and subject to the requirements of all applicable codes, ordinances, and laws.

c) Grease, oil, and sand interceptors shall be provided when, in the opinion of the Commissioner they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Commissioner and shall be located as to be readily and easily accessible for cleaning and inspection.

d) Where preliminary treatment or flow-equalizing facilities are provided for any waters or wastes, they shall be maintained continuously by the Owner at his expense, in a manner deemed satisfactory to the Commissioner.

e) When required by the Commissioner the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters, and other appurtenances in the building sewer to facilitate observation sampling, and measurement of the wastes. Such manhole, when required, shall be accessible and safely located, and shall be constructed in accordance with plans approved by the Commissioner. The manhole shall be installed by the owner at his expense, and shall be maintained by him so as to be safe and accessible at all times.

f) All industries discharging into a public sewer shall perform such monitoring of their discharges as the Commissioner and/or other duly authorized employees of the City may reasonably require, including installation, use, and maintenance of monitoring equipment, keeping records and reporting the results of such monitoring to the Commissioner. Such records shall be made available upon request by the Commissioner to other agencies having jurisdiction over discharges to the receiving waters.

Sec. 17-58. Powers and Authority of Inspectors.

a) The Commissioner and other duly authorized employees of the City bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this ordinance. The Commissioner or his representative shall have no authority to inquire into any processes including metallurgical, chemical, oil, refining, ceramic, paper, or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for wastes treatment.

b) While performing the necessary work on private properties referred to in Article V, Section 1, above, the Commissioner or duly authorized employees of the City shall observe all safety rules applicable to the premises established by the company and the company shall be held harmless for injury or death to the City employees and the City shall indemnify the company against loss or damage to its property by City employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in Article III, Section 8.

c) The Commissioner and other duly authorized employees of the City bearing proper credentials and identification shall be permitted to enter all private properties through which the City holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewage works lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

Sec. 17-59. Standard for Measurements; Sampling Techniques.

All measurements, tests, and analyses of the characteristics of water and wastes to which reference is made in this ordinance shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater", published by the American Public Health Association, and shall be determined at the control manhole provided, or upon suitable samples taken at said control manhole. In the event that no special manhole has been provided the control manhole shall be determined by the Commissioner. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb, and property. (The particular analyses involved will determine whether a twenty-four (24) hour composite of all outfalls of a premise is appropriate or whether a grab sample or samples should be taken.) Normally, but not always, BOD and suspended solids analyses are obtained from 24-hour composites of all outfalls whereas pH's are determined from periodic grab samples.

Sec. 17-60. Destruction of Property Prohibited.

No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is a part of the sewage works. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

Sec. 17-61. Penalty.

a) Any person found to be violating any of the provisions of sections 17-52 to 17-59 shall be served by the City with written notice stating the nature of the violation and providing a reasonable time for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

b) Any person who shall continue any violation beyond the time limit provided for in subsection a, above, shall be guilty of a misdemeanor, and on conviction thereof shall be fined in the amount not exceeding twenty dollars for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.

c) Any person violating any of the provisions of sections 17-52 to and including section 17-61 shall become liable to the City for any expense, loss, or damage occasioned the City by reason of such violation.

Sec. 17-62. Annual Sewer Use Charge.

There be and hereby is established an annual charge for the use of the public sewers of the City by each and every estate in the City having one or more building sewers discharging into said public sewers.

a) For the period commencing on (date of passage of this ordinance), and extending to June 30, 1977, to charge for use of public sewers of the City shall be twenty-seven (\$.27) cents per hundred cubic feet, based upon metered water consumption, and/or other applicable standards for computation of sewer usage, as set forth in subsections c,d,e, and f of this section.

b) For the fiscal year commencing on July 1, 1977, and for each fiscal year thereafter, the City Manager shall recommend as a part of the annual budget submitted to the City Council, a just and equitable sewer service charge based on metered water consumption and/or other applicable standards for computation of sewer usage as set forth in subsections c,d,e, and f of this section. Said charge shall take into account all appropriate sewer related estimated revenues and available surpluses, and shall produce sufficient revenue to equal or exceed the annual appropriations proposed for sewer operation, maintenance, and debt service. The City Council shall adopt the annual sewer service charge in conjunction with its adoption of the annual budget. In so doing, the City Council may increase or decrease the City Manager's recommended sewer service charge in proportion to any increase or decrease it may adopt in the City Manager's recommended appropriations for sewer operations, maintenance, and debt service.

c) The quantity of water supplied by the City through a water meter in good working order shall be determined by the reading of such meter. The quantity of all other water shall be established by the Commissioner of Public Works by any reasonable and equitable method apt in the circumstances of the particular case to determine the quantity of water discharged by the building sewer or sewers of the estate into the public sewers of the City. However, where water not supplied by the City, but derived or received by an estate from another source, and/or water used on an estate in such a manner as not to enter the public sewers of the City and where such water is measured by one or more water meters in good working order installed and maintained on the estate by the Commissioner of Public Works at the request and expense of the owner or tenant of such estate, the quantity of water so derived or received, or the quantity of water so used, or both, shall be determined by the readings of such meter or meters.

d) If water so supplied, derived, or received is used on the estate in such a manner as not to enter the public sewers of the City, determination of the charge established by this ordinance shall be the quantity so used deducted from the aggregate amount of water so supplied, derived, or received during such period.

e) In no case shall the minimum annual charge for public sewer use under the provisions of this ordinance be less than Ten (\$10.00) Dollars.

f) Persons exempt from the payment of water rates and charges, but only such persons, shall be exempt from the charges established by this ordinance. Water supplied by the City or any other source used exclusively for fire pipe purposes shall not be included in the determination of the charges established by this ordinance.

g) The charges established by this ordinance shall be due and payable by the owner of record at such time or times and in such installments if any, as said Commissioner from time to time determines. Said Commissioner shall in his order of assessment designate as the owner of a parcel assessed, the person who was liable to assessment therefore on the preceding January first.

h) A monthly interest charge of one and one half (1.5 percent) percent shall be assessed on the balance of any sewer service use charge remaining unpaid after thirty days from the date of billing. Non payment upon such date shall furthermore be deemed to be delinquent and thereafter such delinquency shall constitute a lien upon the real estate for which such service is supplied. The City Treasurer-Collector be and hereby is authorized and directed to file sworn statements showing such delinquencies in the office of the recorder of deeds of Middlesex County, and the filing of such statements shall be deemed notice of the lien of such charges for such services.

In City Council March 14, 1977.

Passed to be ordained by a yeas and nays vote: Yeas 6; Nays 3; Absent 0.

James L. Sullivan,
City Manager.

ATTEST: Paul E. Healy,
City Clerk.

(C)Ma31

