



Town of Harwich Board of Health

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HARWICH BOARD OF HEALTH SEWER CONNECTION REGULATION

AUTHORITY AND PURPOSE

These regulations are enacted under the authority of Massachusetts General Laws, Chapter 83, Sections 3, 10, and 11, and Chapter 111, Sections 31, 122, and 127, and are enacted for protection of the public health safety, welfare, and environment, and for the further purpose of ensuring the protection of wetland resources and the public water supply.

CONNECTION TO THE SANITARY SEWER SYSTEM

- a. The owners of all houses, buildings or properties used for human occupancy, employment or recreation, or structures which in any way generate wastewater flows, situated within the Town of Harwich and abutting on any street, alley or right-of-way in which there is located a public sanitary sewer line of the building sewer as defined in the Town of Harwich Sewer Regulations. Such connection shall be within two years from the official mailed notice of sewer availability, by the Town of Harwich, acting by and through the Board of Health.
- b. All properties as to which such notice has been mailed and to which ownership is thereafter transferred, shall be required to connect to the sewer line within 30 days of transfer, or two years from the date of the official notice to connect, whichever is later.
- c. The Board of Health shall have the authority to defer deadlines in this regulation if, in the opinion of said Board, the provisions of this regulation impose an exceptional burden on a property owner. Requests for deferment must be submitted in writing.
- d. Any property owner who has installed an alternative septic system, as defined in 310 CMR: Department of Environmental Protection, Title 5, less than 10 years prior to an order to connect may, upon approval by the Board of Health, defer connection to town sewer to allow them to utilize their alternative septic system for a total of ten years from the date of the issuance of the certificate of compliance for said system. The owners of said system must prove a history of compliance in operation and maintenance of the system, as contained in the Board of Health and Department of Environmental Protection approval. If the property is transferred during that time, the property shall be connected to the public sewer at the time of transfer, unless the Board of Health has approved an extension prior to the transfer. Requests for extension must be submitted in writing to the Board of Health.
- e. All costs and expenses associated with the installation and connection to the public sewer shall be the sole responsibility of the property owner, and shall be governed by the Town of Harwich Rules and Regulations of the Wastewater Department.

- f. Property owners shall immediately following connection to the public sewer abandon any septic tanks, cesspools, and similar private wastewater disposal facilities serving said property in a manner approved by the Board of Health, in accordance with the requirements of Title 5. Any abandonment procedure requires a Disposal Works Construction Permit issued by the Board of Health.

SEVERABILITY

If any portion, sentence or clause is held invalid, the remainder of the regulation shall remain in full force and effect.

VIOLATIONS AND PENALTIES

Any person who violates these regulations shall be subject to a fine or \$200.00 per day. Each day a violation continues shall be deemed a separate offense. Violation of this order may be enforced through non-criminal disposition per Chapter 1 of the Code of the Town of Harwich. In addition, the Board of Health may enforce these regulations through the assessment of a civil penalty of up to \$5,000 for each day of violation in accordance with Massachusetts General Law Chapter 83 Section 10. The Board of Health may also seek injunctive relief in court to enforce these regulations.

Adopted: September 24, 2021

Effective: Immediately

Harwich Board of Health

Chair, Pamela Howell, R.N.

Vice Chair, Sharon Pfleger, M.S.

Ronald Dowgiallo, D.M.D.

Matthew Antoine

Kevin DuPont, R.N.