

TOWN OF AUBURN
BOARD OF HEALTH
CODE OF REGULATIONS

The Town of Auburn hereby adopts 310 CMR 15.00, Title V of the State Environmental Code with the following superseding amendments and additions

Section 5.0: Title V Amendments

These amendments shall supersede all previous amendments or regulations in the Town of Auburn, MA pertaining to Title V in effect prior to this date of adoption, November 28, 2005.

Section 5.1: The following shall amend Title V section 310 CMR 15.002: Definitions

Bedroom:

A bedroom shall meet the definition of habitable room and additionally shall:

1. Provide, or with minimal construction, privacy, and
2. Have at least one window capable of being opened or a second means of egress.

Habitable room:

A habitable room shall

1. Have a floor space of no less than seventy square feet as determined by 105 CMR 410.401, and
2. Is capable of meeting the temperature requirements of 105 CMR 410.000, and
3. Conform to the lighting and electrical requirements delineated within the minimum standards for fitness for human habitation, as set out in 105 CMR 410.000.

Bathrooms, utility rooms, laundry room, unfinished basements, unfinished attics connecting hallways and foyers shall not be considered habitable rooms.

Board of Health (Board):

The legally constituted Board of Health of the Town of Auburn, Massachusetts, or a lawfully appointed agent acting on behalf of the Board.

Minimal construction:

Construction that does not require a building permit in accordance with 780 CMR, or
Construction that does not involve alteration of framing or other structural members.

Minimal construction may include but not be limited to addition of a standard door without structural alteration

Storm Water:

A flow resulting from surface flow of water across roofs, pavement, ground and other surfaces that may or may not be mixed with chemicals harmful to an on site subsurface disposal facility

Temporary Disposal System Installers Permit license:

A permit issued to an installer to install no more than one disposal system in the Town of Auburn.

5.2: Flow Design

In determining the design flow a dwelling shall be considered to have one living room, one kitchen, and one dining room. Each habitable room additional to those mentioned in the previous sentence shall be assessed as a bedroom.

Section 5.3: Add to 310 CMR 15.203: System Sewerage Flow Design Criteria

- A. Each system installed for residential application shall be designed based on the number of bedrooms, as determined by section 5.2 of this code, plus one.
- B. Design flows resulting from structural renovations or additions shall not exceed the design capacity of the system as determined by 310 CMR 15.000.

Section 5.4: Siting of On-Site Sewerage Disposal Systems

An on-site sewerage disposal system shall be entirely contained on the property of the facility that it serves including, in cases of mounded systems, the side slopes and minimum 15 foot horizontal separation distance.

Section 5.5: Add to 310 CMR 15.021: Certificates of Compliance

- A. A Certificate of Compliance shall not be issued until a current (less than 12 months old) sieve analysis for any fill used in the on-site sewerage disposal system has been filed with the office of the Board of Health.
- B. A Certificate of Compliance shall not be issued until all site work; including grading and re-seeding are completed.

Section 5.6: Strike 310 CMR 15.019 Disposal System Installers Permit and replace with:
Disposal System Installers License

No person shall engage in the construction, repair, alteration, upgrade, or expansion of any on-site system without first obtaining a Disposal System Installers License from the Board of Health. Disposal System Installers Licenses shall expire on the thirty first of December each year.

Disposal System Installers License shall be issued only to those entities who have demonstrated capacity or knowledge of the proper construction and installation of systems in accordance with 310 CMR 15.000.

Disposal System Installers License shall be valid from the date of issuance and shall expire on the last day of December in the year they are issued and must be renewed annually.

New installer applicants must satisfy one of the following:

- A. For a full Disposal System Installers License: Submit letters from 3 other Massachusetts municipalities indicating that the applicant has, within the previous two years, successfully installed on-site sewerage disposal systems in accordance with 310 CMR 15.000.
- B. For a Temporary Disposal System Installers License: Submit proof of a passing grade on an approved installer's exam appropriately administered. Upon successful completion of the first system the installer may apply to upgrade the license to a Full Disposal System Installers License in the Town of Auburn.
- C. For an Apprentice Disposal System Installers License: A fully licensed Disposal System Installer may take out a Disposal System Construction Permit and name the applicant as an apprentice under his license. The fully licensed Disposal System Installer will oversee and accept full responsibility for the installation of the system. Once the apprentice has successfully completed two systems in the Town of Auburn he may apply to upgrade the Apprentice license to a Full Disposal System Installers license.

Licenses not maintained over two successive years will be considered abandoned.

Section 5.7: Add to 310 CMR 15.024: Violations

It shall be a violation of the Town of Auburn, Board of Health Code of Regulation for any person to:

- A. Install any system (installation of any system) serving two or more separate properties shall not be allowed in the Town of Auburn except by special permission,
- B. Install any system (installation of any system) serving two or more separate dwelling units shall not be allowed in the Town of Auburn except by special permission,
- C. Install any drain, portal, mechanical device, or other means for disposal of sewerage, "gray" water, spillage, or any other effluent except in accordance with this code, Title V, and any other, legally adopted regulation that may supersede these codes.
- D. Attach a garbage grinder to any appliance serving an on-site system,
- E. Introduce "backwash" flow from water treatment to an on-site system,
- F. Introduce backwash" flow from swimming pools to an on-site system,
- G. Introduce other, non-design flows such as, but not limited to, storm water flows and basement sump pump or floor drain, into the to an on-site system,

H. Introduce non-standard household chemicals such as paints, pesticides, petroleum products or other hazardous chemicals into the to an on-site system.

Section 5.8 (A): (amend section 310 CMR 15.301(5)): Inspections upon change of use or expansion of use with no increase in design flow

Whenever an addition to an existing facility, which changes the footprint of the facility or a change of use with no increase in design flow, is proposed, the system inspection shall be:

- a. If the system was installed or inspected within the previous 60 months and installed in accordance with the requirements of 310 CMR 15.000; an assessment to confirm the location of all components of the system, or
- b. If the system was installed in accordance with the requirements of 310 CMR 15.000 and installed or inspected greater than 60 months previous; a full inspection to determine the location of all components of the system and if the system still functions in a manner that protects public health and the environment, or
- c. If the system is a non-Title V compliant system; a full inspection to determine the location of all components of the system and if the system still functions in a manner that protects public health and the environment

Section 5.8 (B): Inspections upon change of use or expansion of use which include increase in design flow

Whenever an addition to an existing facility, which changes the footprint of the facility, or a change of use, which results in increase in design flow, is proposed, the system inspection shall be to determine:

- a. That the system is functioning in a manner that protects public health and the environment,
- b. That the system is adequately sized to accept the design flow of the intended structure including the additions or renovations; and
- c. The precise location of all system components to ensure the facility expansion does not interfere with the on site sewerage disposal system.

Section 5.9: Maintenance

On-site sewerage disposal systems in the Town of Auburn must be pumped and visually inspected every two years.

APPROVED AND VOTED 11/28/05