

Chapter 18
UTILITIES*

Art. I. In General, §§ 18-1-18-20

Art. II Water Pollution Control Authority, §§ 18-21-18-29

Art. III Wastewater Management Regulations of Sewage Disposal Systems, I. – XI.

ARTICLE I. IN GENERAL

Sec. 18-1. Reserved

Editor's note-A resolution of Aug. 29, 1995, repealed § 18-1, pertaining to approval of sewerage facilities, as derived from a resolution of Feb. 10, 1961, § 3.

Secs. 18-2-18-20. Reserved.

ARTICLE II. WATER POLLUTION CONTROL AUTHORITY†

Sec. 18-21. Purpose.

The purpose of this ordinance is to:

1. Confirm the establishment of the Water Pollution Control Authority of the Town of Westbrook (“WPCA”).
2. Define the membership, organization and rules of the WPCA.
3. Define the compensation of WPCA members.
4. Establish the functions of the WPCA.
5. Authorize the WPCA to establish regulations to implement a policy of wastewater management for the Town of Westbrook that protects the public health, welfare and the environment through the prevention of public health nuisances and environmental degradation that may have a detrimental impact on the quality of the Town’s groundwater and surface water resources.
6. Reaffirm the Right of Entry onto Private Property for the purpose of investigating potential public health nuisances and sources of filth in accordance with the provisions of the Connecticut General Statutes Section 19a-206.

Sec. 18-22. Establishment.

Pursuant to the provisions of section 7-246 of the Connecticut General Statutes; the town hereby adopts an Ordinance establishing a Water Pollution Control Authority for the Town of Westbrook (Town).

Sec. 18-23. Membership; Organization; Rules.

The Water Pollution Control Authority (WPCA) shall consist of seven (7) members, each of whom shall be an elector in the town, to be appointed by the Board of Selectmen. Current members shall continue to serve their appointed terms. Members shall be appointed for three-year terms except in the case of a mid-term resignation, in which case the newly appointed member shall serve out the remainder of that term.

*Cross references-Buildings and building regulations, Ch. 5; water and sewage requirements for marinas, § 8-82; streets and sidewalks, Ch. 16; subdivision regulations, App. A.

State law references-Power of town to layout, construct, etc., sewer and drainage systems and sewage disposal plants, G.S. § 7-148(c)(6)(B)(i); power of town to contract for the furnishing of water, G.S. § 7-148(c)(4)(G); power of town to create, etc., all things in the nature of public works and improvements, G.S. § 7-148(c)(6)(A)(ii); power of town to regulate the laying, etc., of water pipes, drains, sewers, etc., in the streets and public places, G.S. § 7-148(c)(6)(B)(iii); power of town to regulate and prohibit the construction, etc., of sinks, cesspools, G.S. § 7-148(c)(7)(C); municipal waterworks systems, G.S. § 7-324 et seq.; municipal sewerage systems, G.S. § 7-245 et seq.; sewer districts, G.S. § 7-324 et seq.; water resources, G.S. § 25-1 repealed, et seq.; sewer revenue bonds, G.B. §§ 7-259-7-266.

†Cross reference-Boards, Authorities and committees, § 2-150 et seq. shall be for a term of three (3) years. Any vacancy in the membership of the commission shall be filled for the unexpired portion of the term by the board of selectmen. The commission may adopt rules for the conduct

55 of its business and elect such officers as the commission may deem appropriate. Any member may be removed by the board of selectmen for
 56 cause after hearing.
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58 **Sec. 18-24. Compensation of Members.**

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 60 The members of the Water Pollution Control Authority shall receive no compensation for their services
 61 but shall be reimbursed for the necessary expenses incurred in the performance of their official duties,
 62 provided such expenses are authorized by the Authority.
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64 **Sec. 18-25. Function.**

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 66 The Town hereby designates the Water Pollution Control Authority and the Authority shall have all of the
 67 rights, powers, duties and obligations set forth in Chapter 103, Sections 7-245 et seq., of the Connecticut
 68 General Statutes. This designation shall supersede the designation of the Board of Selectmen as the Water
 69 Pollution Control Authority of the Town, adopted at a Special Town Meeting on June 21, 1981, and the
 70 Town does hereby ratify any and all actions taken pursuant to such designation by the Board of Selectmen
 71 to January 16, 1990, and the designation of the Water Pollution Control Authority as such authority as of
 72 January 16, 1990, shall in no manner rescind, abrogate or make ineffective any of the actions by the
 73 Board of Selectmen in such capacity.
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75 **Sec. 18-26 Authority to Establish Wastewater Management Regulations.**

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 77 1. The Water Pollution Control Authority is authorized to establish and amend from time to time
 78 Wastewater Management Regulations in order to:
 79 a. Regulate and control the design, construction, operation and maintenance of sewage
 80 disposal systems in the Town;
 81 b. Require periodic inspection and maintenance of sewage disposal systems;
 82 c. Define wastewater management practices and to generate inspection data;
 83 d. Develop and modify a wastewater management plan; and to
 84 e. Educate property owners about proper care and maintenance procedures of sewage
 85 disposal systems.
 86 2. The Water Pollution Control Authority is authorized to adopt other such rules, regulations and
 87 any amendments thereto necessary to implement this Ordinance.
 88 3. The Water Pollution Control Authority shall hold at least one public hearing on any such
 89 Wastewater Management Regulations or any amendments thereto; or any other proposed rules,
 90 regulations, or amendments thereto. Legal notice of any such public hearing shall be published,
 91 in a newspaper having general circulation in the town, not less than five (5) days prior to such
 92 hearing. All such rules, regulations and any amendments thereto shall be in writing and must be
 93 approved by the Westbrook Director of Health prior to any such public hearing. Rules,
 94 regulations, or any amendment thereto, shall be effective following approval by the WPCA and
 95 publication of such in a newspaper having general circulation in the town.
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97 **Sec. 18-27. Right of Entry.**

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 99 The Director of Health or his/her authorized agent shall have right of entry to any property in accordance
 100 with the provisions of the Connecticut General Statutes Section 19a-206.
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102 **Sec. 18-28. Conflicting Provisions; Effective Date.**

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 104 In any case where this article or any regulation enacted herein under is found to be in conflict with any
 105 provision of the Connecticut Public Health Code or any State Statute, the more restrictive shall apply.

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107 Upon ratification by a Westbrook Town Meeting, this Ordinance shall become effective fifteen (15) days
108 following the publication in a newspaper having general circulation in the Town of Westbrook.
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