

TOWN COUNCIL  
**Town of Trumbull**  
CONNECTICUT  
www.trumbull-ct.gov

TOWN HALL  
Trumbull

TELEPHONE  
(203) 452-5000



AGENDA No. 823

- I CALL TO ORDER
- II MOMENT OF SILENCE
- III PLEDGE OF ALLEGIANCE
- IV ROLL CALL
- V PUBLIC COMMENT
- VI APPROVAL OF MINUTES
- VII NEW BUSINESS

DATE: April 5, 2021  
TIME: 7:30 p.m.  
PLACE: Via Videoconference

NOTICE is hereby given that the Town Council of the Town of Trumbull, Connecticut will hold its meeting on April 5, 2021 at 7:30 p.m. via videoconference for the following purpose: The above meeting will be conducted remotely. In person public attendance is not permitted. The public can access the meeting remotely on [insert attendance media] by accessing the URL or phone number below, and entering the specified Meeting ID and Password:

Town Council Regular Meeting  
Apr 5, 2021 7:30 PM

<https://zoom.us/j/99981823113?pwd=MTJmWEY1NHRxd3l4ZGdtTS9NQ1FaZz09>

Webinar ID: 999 8182 3113

Password: 358586

Join by telephone: (301) 715-8592 or (888) 475-4499 (Toll Free) / Webinar ID: 999 8182 3113

The agenda of the meeting, material for which it is known will be submitted to the Council in connection with the meeting, and for the agenda items for the Council meeting are, or will be, posted on the Town's website [insert website] and will be available for viewing during and after the meeting.

The meeting will be for the following purpose:

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**DISCUSSION ITEM:**

- Sexual Assault Awareness Month and Child Abuse Awareness Month
- Member-Directed Community Project Funding from the Federal Government

## NEW BUSINESS:

1. RESOLUTION TC28-159: To consider and act upon a resolution which would appoint Abigail Whitmoyer of 30 Lansing Avenue as a member of the Trumbull Day Commission for a term extending to September 1, 2022. (Miller) (Finance)
2. RESOLUTION TC28-160: To consider and act upon a resolution which would appoint Jennifer Uriguen of 235 Tashua Road as a member of the Trumbull Day Commission for a term extending to September 1, 2024. (Lepore) (Finance)
3. RESOLUTION TC28-161: To consider and act upon a resolution which would approve the recommendation of the First Selectman and appoint Kathleen Champion of 39 Under Cliff Road as a member of the Police Commission for a term extending to the first Monday of December 2021. (Vazzano) (Finance)
4. RESOLUTION TC28-162: To consider and act upon a resolution which would declare the Town of Trumbull a Pollinator-Friendly Community and encourages and supports pollinator health and urges the community members to adopt pollinator-friendly practices. (L&A)
5. RESOLUTION TC28-163: To consider and act upon a resolution which would authorize the submission of a funding application for the Caregiver Services Grant, and identify Vicki A. Tesoro, First Selectman, as the individual authorized to sign the application and all subsequent amendments, reports and related documents in order to administer and implement the project. (L&A)
6. RESOLUTION TC28-164: To consider and act upon a resolution entitled "RESOLUTION WITH RESPECT TO THE AUTHORIZATION, ISSUANCE AND SALE OF NOT EXCEEDING \$10 MILLION TOWN OF TRUMBULL GENERAL OBLIGATION REFUNDING BONDS, AUTHORIZING COMBINING INTO ONE ISSUE AND MAKING DETERMINATIONS WITH THE REFUNDING BONDS ANY OTHER AUTHORIZED BUT UNISSUED BONDS OF THE TOWN, AUTHORIZING AGREEMENTS FOR THE INVESTMENT OF REFUNDING ESCROW AND ITS REINVESTMENT OVER ITS TERM." (Finance)
7. RESOLUTION TC28-165: To consider and act upon a resolution which would approve a labor agreement between the Town of Trumbull and the Fire Marshal's Union Local 1303-277, Council 4, AFSCME, AFL-CIO July 1, 2020 through June 30, 2022 and would further approve the funding therefor. (L&A)
8. RESOLUTION TC28-166: To consider and act upon a resolution which would authorize the Town attorney to settle a workers compensation claim known as Brian Orkisz v. the Town of Trumbull. (L&A)
9. RESOLUTION TC28-167: To consider and act upon a resolution which would authorize the submission of the funding application to the LOTCIP program for the Spring Hill

Road improvements and identify Vicki A. Tesoro, First Selectman as the individual authorized to sign the application and all subsequent amendments, reports and related documents in order to administer and implement the project. (L&A)

10. RESOLUTION TC28-168: To consider and act upon a resolution which would repeal and replace Chapter 19 of the Municipal Code (Utilities). (L&A) (Public Hearing Town Council April 5, 2021)
11. RESOLUTION TC28-169: To consider and act upon a resolution which would approve the transfer of ownership of 104 square feet of property at 366 Church Hill Road from the Town of Trumbull to the State of Connecticut for the maintenance of the culvert. (L&A)
12. RESOLUTION TC28-170: To consider and act upon a resolution which would amend Chapter IV, Sections 2D, 3A, and 3B of the Charter of the Town of Trumbull for the sole purpose of modifying its budget adoption dates pursuant to Section 7-191b of the Connecticut General Statutes. (L&A)
13. RESOLUTION TC28-171: To consider and act upon a resolution which would affirm the existence and importance of the EDIT Task Force and EDIT's Mission "to strengthen Trumbull's identity as a diverse, equitable, and inclusive community". Said resolution, to further assist the EDIT Task Force to accomplish its mission, requires that the EDIT Task Force shall not meet or conduct business until such time as it has its full complement of 8 members appointed by the Town Council and at which time the Town Council also will appoint a new Chairman and Vice Chairman. (L&A)
14. RESOLUTION TC28-172: To consider and act upon a resolution which would expand the Equity, Diversity and Inclusion Task Force to a nine (9) member body to include a member of the Trumbull Police Department and that such member be and the same is here by appointed. (L&A)
15. RESOLUTION TC28-173: To consider and act upon a resolution which would suspend its activities of the Equity, Diversity and Inclusion Task Force until such time as the Town Council reviews its charge, the Task force provides a quarterly report to the Town Council and a new Chairperson of the Task Force is selected. (L&A)
16. RESOLUTION TC28- 174: To consider and act upon a resolution whereby the TOWN COUNCIL of the TOWN OF TRUMBULL declares its opposition to SB 1024. (L&A)

## VIII ADJOURNMENT

COPY OF THE RESOLUTION ATTACHED HERETO  
Dawn Cantafio, Chairman Trumbull Town Council

## RESOLUTIONS

1. RESOLUTION TC28-159: BE IT RESOLVED, That Abigail Whitmoyer of 30 Lansing Avenue, be and the same is hereby appointed as a member of the Trumbull Day Commission for a term extending to September 1, 2022.
2. RESOLUTION TC28-160: BE IT RESOLVED, That Jennifer Uriguen of 235 Tashua Road, be and the same is hereby appointed as a member of the Trumbull Day Commission for a term extending to September 1, 2024.
3. RESOLUTION TC28-161: BE IT RESOLVED, That the First Selectman having recommended the appointment of Kathleen Champion of 39 Under Cliff Road, as a member of the Police Commission, Kathleen Champion be and the same is hereby appointed to the Police Commission for a term extending to the first Monday of December 2021.
4. RESOLUTION TC28-162: BE IT RESOLVED, That the Town of Trumbull is hereby declared a Pollinator-Friendly Community and encourages and supports pollinator health and urges the community members to adopt pollinator-friendly practices.
5. RESOLUTION TC28-163: BE IT RESOLVED, That the submission of a funding application for the Caregiver Services Grant is hereby authorized, and identifies Vicki A. Tesoro, First Selectman, as the individual authorized to sign the application and all subsequent amendments, reports and related documents in order to administer and implement the project. (Full Resolution Attached)
6. RESOLUTION TC28-164: BE IT RESOLVED, That “RESOLUTION WITH RESPECT TO THE AUTHORIZATION, ISSUANCE AND SALE OF NOT EXCEEDING \$10 MILLION TOWN OF TRUMBULL GENERAL OBLIGATION REFUNDING BONDS, AUTHORIZING COMBINING INTO ONE ISSUE AND MAKING DETERMINATIONS WITH THE REFUNDING BONDS ANY OTHER AUTHORIZED BUT UNISSUED BONDS OF THE TOWN, AUTHORIZING AGREEMENTS FOR THE INVESTMENT OF REFUNDING ESCROW AND ITS REINVESTMENT OVER ITS TERM” is hereby approved. (Full Resolution Attached)
7. RESOLUTION TC28-165: BE IT RESOLVED, That a labor agreement between the Town of Trumbull and the Fire Marshal’s Union Local 1303-277, Council 4, AFSCME, AFL-CIO July 1, 2020 through June 30, 2022 and the funding therefor is hereby approved.
8. RESOLUTION TC28-166: BE IT RESOLVED, That the Town attorney is hereby authorized to settle a workers compensation claim known as Brian Orkisz v. the Town of Trumbull.

9. RESOLUTION TC28-167: BE IT RESOLVED, That the submission of the funding application to the LOTCIP program for the Spring Hill Road improvements is hereby authorized and identifies Vicki A. Tesoro, First Selectman as the individual authorized to sign the application and all subsequent amendments, reports and related documents in order to administer and implement the project. (Full Resolution Attached)
10. RESOLUTION TC28-168: BE IT RESOLVED AND ORDAINED That Chapter 19 of the Municipal Code (Utilities) be and the same is hereby repealed and the following substituted in its place. (Full Ordinance Attached).
11. RESOLUTION TC28-169: BE IT RESOLVED, That the transfer of ownership of 104 square feet of property at 366 Church Hill Road from the Town of Trumbull to the State of Connecticut for the maintenance of the culvert is hereby approved and Vicki A. Tesoro, First Selectman, is authorized to execute all documents required to complete said conveyance.
12. RESOLUTION TC28-170: BE IT RESOLVED, That Chapter IV, Sections 2D, 3A, and 3B of the Charter of the Town of Trumbull are hereby amended for the sole purpose of modifying its budget adoption dates pursuant to Section 7-191b of the Connecticut General Statutes. (2/3 Vote of the Town Council Required) (Full Resolution Attached)
13. RESOLUTION TC28-171: BE IT RESOLVED, That the Town Council affirms the existence and importance of the EDIT Task Force, EDIT's Mission "to strengthen Trumbull's identity as a diverse, equitable, and inclusive community", and to further assist the EDIT Task Force to accomplish its mission, the EDIT Task Force shall not meet or conduct business until such time as the EDIT Task Force has its full complement of 8 members appointed by the Town Council and at which time the Town Council also will appoint a new Chairman and Vice Chairman. (Full Resolution Attached)
14. RESOLUTION TC28-172: BE IT RESOLVED, That Resolution TC28-87 is hereby amended that the Equity, Diversity and Inclusion Task Force be expanded to a nine (9) member body to include a member of the Trumbull Police Department and that such member be and the same is here by appointed.
15. RESOLUTION TC28-173: BE IT RESOLVED, The Equity, Diversity and Inclusion Task Force shall suspend its activities until such time as the Town Council reviews it charge, the Task force provides a quarterly report to the Town Council and a new Chairperson of the Task Force is selected.
16. RESOLUTION TC28-174: BE IT RESOLVED, That the TOWN COUNCIL of the TOWN OF TRUMBULL opposes any State Mandated one size fits all Zoning Legislation and the ability of any outside housing authority to have jurisdiction on our town's Affordable Housing plan and any similar legislation that would further overrule, remove or diminish local control and decision making related to planning and zoning or affordable housing from the Town OF Trumbull. (Full Resolution Attached)

## FULL RESOLUTIONS

### **RESOLUTION TC28-163**

Whereas, the Southwestern Connecticut Agency on Aging, through Older Americans Act funds, offers grants for Caregiver Assistance; and

Whereas, grants are to be used to fund caregiver services including support groups and related services; and

Whereas, grants cannot exceed \$18,000 and shall be used towards salary, public education and printing costs;

Whereas, the Town of Trumbull will submit an application for funding to provide caregivers with information and assistance, conduct outreach within the community, and provide public education;

NOW, THEREFORE, BE IT RESOLVED, That the Trumbull Town Council authorizes the submission of a funding application for the Caregiver Services Grant, and identifies Vicki A. Tesoro, First Selectman, as the individual authorized to sign the application and all subsequent amendments, reports and related documents in order to administer and implement the project.

**RESOLUTION TC28-164:**

RESOLUTION WITH RESPECT TO THE AUTHORIZATION, ISSUANCE AND SALE OF NOT EXCEEDING \$10 MILLION TOWN OF TRUMBULL GENERAL OBLIGATION REFUNDING BONDS, AUTHORIZING COMBINING INTO ONE ISSUE AND MAKING DETERMINATIONS WITH THE REFUNDING BONDS ANY OTHER AUTHORIZED BUT UNISSUED BONDS OF THE TOWN, AUTHORIZING AGREEMENTS FOR THE INVESTMENT OF REFUNDING ESCROW AND ITS REINVESTMENT OVER ITS TERM

Section 1. \$10 Million principal amount of refunding bonds of the Town of Trumbull, or so much thereof as shall be necessary, are hereby authorized to be issued and the proceeds therefrom appropriated for the purpose of refunding, including advance refunding, all or any portion of the aggregate principal amount of any issue of Town of Trumbull (hereinafter, the "Town") General Obligation Bonds now or hereafter outstanding or hereafter authorized, issued and outstanding, (the "Prior Bonds"), including but not limited to outstanding bonds of the Town's 2013 and 2014 (March) issues and for the payment of all fees and expenses incurred in connection therewith, including redemption price, legal, fiscal advisor, underwriting, accounting, escrow verification, investment broker, printing, rating agencies, registrar, transfer and paying and escrow agents, printing, and such other costs and expenses, and those necessary, appropriate or customarily incurred in connection with the refunding of bonds.

Section 2. The bonds shall be in the denomination of \$1,000 or a whole multiple thereof, be issued in bearer form or in fully registered form, be executed in the name and on behalf of the Town by the manual or facsimile signatures of the First Selectman and Town Treasurer (the "Town Officials"). They shall bear such rate or rates of interest or be sold at such price or prices, including discount or premium with respect to par, as shall be determined by the Town Officials pursuant to Section 7-370 of the General Statutes. The bonds shall be general obligations of the Town, and each bond shall recite that every requirement of law relating to its issue has been duly complied with, that it is within every debt and other limit prescribed by law, that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon, and will be paid from property taxation to the extent not paid from other sources. The aggregate principal amount of refunding bonds to be issued, the particular issue or portion thereof they shall refund, the annual installments of principal, redemption provisions, if any, the date, time and manner of issue and sale, interest rate on the bonds, designation of registration transfer and paying agent, financial advisor, underwriter, verification agent or other service providers to facilitate the issuance of the bonds and the transactions herein authorized, and other terms, details and particulars of such bonds, and their issuance and the use and investment of proceeds, including issuance premium, if any, shall be determined by the Town Officials in accordance with the General Statutes of the State of Connecticut, as amended, including but not limited to 7-370 et. seq. The refunding bonds authorized herein may be issued in one or more series, at one or more times and from time to time, provided that, the aggregate principal amount of all such refunding bonds issued shall not exceed \$10 Million.

Section 3. The Town Officials are hereby authorized on behalf of the Town to enter into bond purchase contracts for the sale of the bonds, insurance or other credit enhancement

contracts, escrow agreements, investment contracts to invest the proceeds of the bonds pending their use for the purposes of the issue, including purchasing open market treasury securities, State and Local Government Series, or any investment permitted by law, and to execute and deliver such other contracts or certificates necessary or appropriate to consummate the issuance of bonds and transactions herein contemplated, to contract with agents to act on behalf of the Town with respect to any of the foregoing and to apply the proceeds of such bonds for the purposes herein authorized. The agreements contemplated by this section may consist of more than one agreement entered into with more than one party. Any portion of the payment derived from such contracts may be deposited to the refunding escrow or expended to reduce, directly or indirectly, the amount of bonds required to be issued to refund the Town's Prior Bonds.

Section 4. The Town Officials are hereby authorized, on behalf of the Town, to enter into agreements or otherwise covenant for the benefit of bondholders to provide information on an annual or other periodic basis to nationally recognized municipal securities information repositories or state based information repositories (the "Repositories") and to provide notices to the Repositories of material events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the bonds and notes authorized by this resolution.

Section 5. The Town Officials are authorized to combine with the issue of refunding bonds herein authorized, bonds for any other purpose which the Town has authorized but, as of the issue date of the applicable series of refunding bonds, are unissued, including any bonds authorized subsequent to the date of adoption of this resolution. Solely in connection with such combined issue, the Town Officials in addition to the authority conferred upon them by any bond resolution authorizing the issue of the bonds to be combined into one issue with the refunding bonds, are hereby delegated the authority to enter into contracts of purchase for such bonds and to determine their interest rate, and to exercise with respect to such combined issue of bonds the authority herein conferred.

Section 6. The Town Officials are hereby authorized on behalf of the Town to enter into contracts and to execute and deliver certificates necessary, appropriate or advisable in their determination to consummate the issuance of the bonds and the transactions authorized herein.

Section 7. This Resolution shall remain in full force and effect until repealed by the Town Council.

Section 8. It is hereby found and determined that it is in public interest to issue all, or a portion of, the Bonds, Notes or other obligations of the Town as qualified private activity bonds, or with interest that is includable in gross income of the holders thereof for purposes of federal income taxation. The Town Officials are hereby authorized to issue and utilize without further approval any financing alternative currently or hereafter available to municipal governments pursuant to law including but not limited to any "tax credit bonds" or "Build America Bonds" including Direct Payment and Tax Credit versions.



**RESOLUTION TC28-167**

WHEREAS, the Town of Trumbull will apply for funding under the Local Transportation Capital Improvement Program (LOTICIP) for Spring Hill Road improvements; and

WHEREAS, the purpose of the project is to improve the traffic flow and safety on Spring Hill Road where a number of key town facilities and businesses are located; and

WHEREAS, project improvements will include pavement rehabilitation with some new pavement construction; provision of dedicated turning lane to the transfer station and queuing lanes; minor drainage improvements in select locations; new bituminous curbs along its length; relocation of the existing Pequonnock River Trail Crossing; and installation of Rapid Flashing Beacons (relocated from an existing location on Monroe Turnpike); and

WHEREAS, the project has been fully designed with Town of Trumbull funding; and

WHEREAS, funding from LOTICIP will not exceed \$2,000,000 for construction;

NOW THEREFORE, BE IT RESOLVED, the Trumbull Town Council hereby authorizes the submission of the funding application to the LOTICIP program for the Spring Hill Road improvements and identifies Vicki A. Tesoro, First Selectman as the individual authorized to sign the application and all subsequent amendments, reports and related documents in order to administer and implement the project.

## RESOLUTION TC28-168

(Highlighted in yellow = Language added to the existing ordinance)

### Chapter 19 - UTILITIES <sup>[1]</sup>

Footnotes:

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**Cross reference**— Buildings and building regulations, Ch. 5; housing, Ch. 9; tax exemption for solar energy systems, § 18-27.

**State Law reference**— Power of Town to lay out, 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 et seq.; sewer revenue bonds, G.S. §§ 7-259—7-266.

### ARTICLE I. - IN GENERAL

Secs. 19-1—19-17. - Reserved.

Sec. 19-18. - Costs for improvements.

Whenever the Town the Trumbull has extended or caused to be extended water mains to residential or commercial property, the Town shall assess the property for its proportionate share of the cost of these improvements. Notice of the assessment shall be given in accordance with CGS section 7-250 regarding the assessment of benefits for sanitary sewer lines.

The Town, through its Tax Collector, shall have a certificate of lien placed on the subject property for the assessment pursuant to CGS section 7-137d. The amount of the lien shall be paid by the property owner in the same manner and over the same period of time as the assessments for sanitary sewer lines are paid.

The property owner shall have the right to appeal the assessment in accordance with CGS section 7-137c.

(Ord. No. TC20-134, 8-24-04)

Secs. 19-19—19-25. - Reserved.

### ARTICLE II. - SEWERS AND SEWAGE DISPOSAL <sup>[2]</sup>

Footnotes:

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**Cross reference**— Sewage disposal facilities prerequisite to issuance of certificate of occupancy, § 5-2; health and sanitation, Ch. 9.

**State Law reference**— Municipal sewerage systems, G.S. § 7-245 et seq.; injuring sewers, G.S. § 53-46.

### DIVISION 1. - GENERALLY

Sec. 19-26. - Reserved.

Sec. 19-27. - Connection to storm sewer—When required; construction of dry well upon waiver of connection requirement; time limit on construction.

- (a) When any public storm drainage facilities shall exist in any street or area abutting or adjacent to private property upon which a building is to be constructed and within the boundaries of such private property as defined by the continuation of any two (2) lot lines of such private property so as to intersect both road right-of-way lines, surface water or stormwater drainage and gutters and leaders

for the disposition of surface water or stormwater or cellar drainage shall be connected to and discharged into such storm drainage facilities; in no event shall such surface water or stormwater or cellar damage be permitted to discharge into public streets or sidewalks. Waiver of this requirement may be obtained only from the Building Inspector or Town Engineer, who shall be empowered to grant such waiver upon application to the Building Inspector. Such application shall be accompanied by satisfactory engineering proof that dry wells shall be constructed upon such property in a manner and size sufficient to accept such surface water or stormwater or cellar drainage or that no danger exists that surface water or stormwater or cellar drainage will discharge into public streets or sidewalks and thereby create a condition of flooding in or accumulation of water or ice upon a public street or streets of the Town. In no event shall connection to a storm sewer be required unless such storm sewer shall exist within one hundred fifty (150) lineal feet of such discharge of water, measured parallel to the road right-of-way line from the existing storm sewer to the point of discharge.

- (b) The Town Engineer and the First Selectman shall, in the event of making such a decision as to any such property in the Town, give notice in writing to the owner of such property to construct satisfactory dry wells upon such property in a manner and size sufficient to accept such drainage and to rectify the condition of flooding in or accumulation of water or ice upon such public street or streets or connect such drainage to such public storm drainage facilities as exist in the street and to accomplish such work within sixty (60) days from receipt of such notice.

(Code 1962, § 10A-2)

Sec. 19-28. - Same—Connection by Town upon failure of property owner; recovery of costs.

Upon notice duly given pursuant to section 19-27, if such property owner neglects or refuses to comply with either of such alternatives within the time allocated, the First Selectman may order connection of such drainage to the public storm sewer drainage facilities. Such work shall be done by the Town or an agent of the Town, and the actual cost thereof shall be charged against the property owner.

(Code 1962, § 10A-3)

Sec. 19-29. - Extension of time limit for making connection or constructing dry well when weather conditions extreme.

In periods of extreme weather conditions, the First Selectman, upon application of a property owner, may extend the time within which the work of constructing dry wells or connecting to the public storm drainage facilities shall be accomplished.

(Code 1962, § 10A-4)

Sec. 19-30. - Septic system repair permit.

- (a) No person shall repair, alter or otherwise modify an existing septic system or any part thereof or cause the same to be repaired, altered or modified or construct a new septic system without obtaining a permit therefor from the Health Department. The cost of the permit for the repair, alteration or modification shall not exceed thirty dollars (\$30.00). The cost of a permit for a new septic system shall not exceed one hundred fifty dollars (\$150.00).
- (b) Any person who so repairs, alters, modifies or constructs a septic system as set forth above without obtaining the required permit shall be subject to a fine of fifty dollars (\$50.00).
- (c) No septic system which has been so constructed, repaired, altered or modified shall be covered or recovered until the same has been inspected by the Sanitary Inspector or any person designated by the Town Health Officer and until his approval has been endorsed on such permit.
- (d) For the purpose of this section, the term "septic system" shall include all dry wells, grease traps and other means of disposal of contaminated liquids.

(Code 1962, §§ 10A-6—10A-9; Res. No. TC12-172, 12-24-88; Res. No. TC13-100, 10-7-91)

Secs. 19-31—19-40. - Reserved.

## DIVISION 2. - ADMINISTRATION AND EXTENSION OF SEWERAGE SYSTEM

Sec. 19-41. - Definition.

As used in this division the term "sewerage system" shall mean any pipes, devices, equipment, buildings, pumping stations, treatment works, outfall sewers or other structures or facilities useful for the collection, treatment or disposal of sewage or the effluent or sludge resulting from the collection or treatment of sewage, and shall include any extensions, additions, alterations or enlargements of all or any part of a sewage system.

(Code 1962, § 10A-11)

**Cross reference**— Definitions and rules of construction generally, § 1-2.

Sec. 19-42. - Sewer authority designated.

The Sewer Commission of the Town of Trumbull shall hereafter be known as the Water Pollution Control Authority. It shall be the sewer authority for the Town in accordance with the provisions of the Connecticut General Statutes and shall have authority to plan, lay out, acquire, construct, reconstruct, equip, repair, maintain, supervise and manage and, in conjunction with the Department of Public Works, operate a sewage system for the Town.

(Code 1962, § 10A-11; Res. TC17-163, § B, 10-12-99)

Sec. 19-43. - Acquisition of private system by purchase, condemnation or otherwise.

The Water Pollution Control Authority is authorized to enter upon and to take and hold, by purchase, condemnation or otherwise, the whole or any part of any existing private sewerage system and any real property or interest therein which it determines is necessary or desirable for use in connection with such sewerage system. Whenever the Authority is unable to agree with the owner of such property as to the compensation to be paid for the taking thereof, the Authority, in the name of the Town, may commence proceedings in accordance with Connecticut General Statutes Section 7-247 and Sections 8-129 et seq. to acquire the property and determine the appropriate compensation therefor.

(Code 1962, § 10A-12; Res. No. TC17-163, § B, 10-12-99)

Sec. 19-44. - Apportionment and assessment of cost of acquisition, construction or reconstruction.

At the time after voting to acquire, construct or reconstruct any sewerage system or portion thereof, the Water Pollution Control Authority may apportion and assess the whole or any portion of the cost thereof upon the lands and buildings in the Town which shall, in its judgment, be especially benefitted thereby, whether they abut on such sewerage system or not, and upon the owners of such land and buildings subject to the right of appeal as hereinafter provided. Such assessment may include a proportionate share of any expenses incidental to the completion of such sewerage system such as fees and expenses of attorneys, engineers, surveyors, superintendents or inspectors, the cost of any property purchased or acquired for such work, interest on securities, the cost of preparing maps, plans and specifications, and the cost of printing, publishing or serving advertisements or notices incidental thereto. The Authority may divide the total territory to be benefitted by any sewerage system into districts and may levy assessments against the property benefitted in each district separately. In assessing benefits against the property in any district, the Authority may add to the cost of the part of the sewerage system located in such district a proportionate share of the cost of any part of the sewerage system located outside the district which is useful for the operation of that part of the sewerage system within the district and of any of the other items of cost or expense above enumerated.

(Code 1962, § 10A-13; Res. No. TC17-163, § B, 10-12-99)

Sec. 19-45. - Rules for apportionment of assessments.

Whenever any assessment shall be made as provided in this division, the amount to be raised thereby shall be apportioned among the properties benefitted according to such rule as the Water Pollution Control Authority may adopt, based upon area, frontage or assessed valuation of the land in the last completed grand list of the Town, the present or permitted use of any real property in the district, or any combination thereof. The Authority may make reasonable allowances in the case of properties having a frontage on more than one (1) street or when for any reason the particular situation or frontage of any property shall require such allowance. No benefits shall be assessed against any property in excess of the special benefit to accrue to such property.

(Code 1962, § 10A-14; Res. No. TC17-163, § B, 10-12-99)

Sec. 19-46. - Public hearing prerequisite to assessment; appeal from assessment.

- (a) No assessment shall be made pursuant to this division until after a public hearing before the Water Pollution Control Authority Commission at which the owner of the property to be assessed shall have an opportunity to be heard concerning the proposed assessment. Notice of the time, place and purpose of such hearing shall be given in accordance with the requirements of the Connecticut General Statutes. A copy of the proposed assessment shall be on file in the Office of the Town Clerk where it shall be available for inspection by the public. The Authority shall thereafter determine the amount of the assessment to be levied.
- (b) Any person aggrieved by such assessment may appeal to the Superior Court as provided in Section 7-250 of the Connecticut General Statutes.

(Code 1962, § 10A-15; Res. No. TC17-163, § B, 10-12-99)

Sec. 19-47. - Reassessment in event of invalid assessment.

If any assessment shall not be valid or enforceable for any reason, a new assessment may be made in the manner hereinbefore provided for the determination of the original assessment. If any assessment shall be made which shall not be sufficient to cover the entire cost of the work to be paid for by such assessment, a supplementary assessment may be made by the Water Pollution Control Authority against those properties previously assessed, to the end that a sum sufficient to pay the cost of such work may be obtained. No such supplementary assessment, together with the original assessment, shall exceed the value of the special benefit to accrue to the property against which the benefit is assessed.

(Code 1962, § 10A-16; Res. No. TC17-163, § B, 10-12-99)

Sec. 19-48. - Payment of assessment; due date; notice.

Assessments under this division shall be due and payable at such time as may be fixed by the Water Pollution Control Authority; provided, that no assessment shall become due until the work or particular portion thereof for which such assessment was levied has been completed. The Water Pollution Control Authority shall give notice of the date when such assessments are due and payable by publication at least twice within a period of fifteen (15) days in a newspaper having a circulation in the Town listing the streets and describing the area within which are located the properties against which assessments are due. Such notice shall state the date when such assessments are due and payable, which date shall be at least thirty (30) days after the date of the first such publication.

(Code 1962, § 10A-17; Res. No. TC17-163, § B, 10-12-99)

Sec. 19-49. - Installment payment of assessments.

The Water Pollution Control Authority may permit the payment of assessments under this division in such manner of substantially equal annual installments, not exceeding thirty (30), as it shall determine together with interest in accordance with Section 7-253 of the Connecticut General Statutes. Any owner of property against which an assessment has been levied may, prior to the date thereof, notify the Authority in writing of his intention to pay his assessment in such installments. In each such case, the first installment shall be paid at the time that the assessment otherwise would be due. Any person who may have elected to pay his assessment in more than one (1) installment, may at any time make payment in full of the whole or such part of such assessment as shall still remain unpaid.

(Code 1962, § 10A-18; Res. No. TC17-163, § B, 10-12-99)

Sec. 19-50. - Segregation of proceeds of assessments.

The proceeds of assessments under this division, whether or not pledged for the payment of securities, shall be segregated from other funds of the Town and shall be used only to pay for the construction or reconstruction of the sewerage system or particular portion thereof in respect to which such assessments are made or, as the case may be, for the payment of the interest on or principal of any securities issued to pay for such sewerage system or particular portion thereof, as hereinafter provided. When such construction or reconstruction has been or is to be paid for in whole or in part with the proceeds of securities issued under this article the proceeds of such assessments shall be placed in an enterprise fund established as hereinafter provided. When the particular securities for which an enterprise fund has been established have been paid, any moneys remaining in such sinking fund may be transferred to any other sinking fund established as hereinafter provided by vote of the Town Council upon the recommendation of the Board of Finance; and if all debts incurred by the Town for the construction or reconstruction of its sewerage system have been paid or other funds sufficient to pay such debts when due have been made available and have been segregated for such purpose, any moneys remaining in any sinking fund established as hereinafter provided may be transferred to the general funds of the Town by vote of the Town Council upon the recommendation of the Board of Finance.

(Code 1962, § 10A-19; Res. No. TC17-163, § B, 10-12-99)

Sec. 19-51. - Establishment and revision of charges and rates; right of appeal.

- (a) The Water Pollution Control Authority may establish and from time to time revise just and equitable charges or rates for connection with and for use of the sewerage system. Such charges shall be paid by the owner of any property which is connected with the system. No rate or charge shall be established or revised until after a public hearing at which any person having an interest in the subject matter may be heard thereon. Notice of the time and place and purpose of the hearing shall be published in a newspaper having a circulation in the Town at least ten (10) days before the date thereof. A copy of the proposed rates and charges shall be on file in the Office of the Town Clerk and available for inspection by the public for at least ten (10) days before the date of the hearing. No rate or charges established after hearing shall be effective until the Authority has published in a newspaper having a circulation in the Town a notice of adoption of the rates and has filed a complete schedule of such rates in the Office of the Town Clerk.
- (b) For the purpose of establishing or revising rates or charges for connection with and for the use of the sewerage system, the Water Pollution Control Authority may classify the users and may establish the rates or charges, including minimum rates or charges, upon the basis of:
  - (1) The volume of water discharged;
  - (2) The type or size of building;
  - (3) The number of plumbing fixtures;
  - (4) The number of persons customarily using the property served;
  - (5) In case of commercial or industrial property, the average number of persons customarily using the property served;

- (6) The quality and character of the material discharged into the sewerage system; or
- (7) Any one (1) or combination of more than one (1) of the foregoing methods or any other equitable method.

The Water Pollution Control Authority shall prescribe the time and the manner of paying such rates or charges.

- (c) Any person aggrieved by any action of the Water Pollution Control Authority establishing or revising any rate or charge for connection with or for the use of the sewerage system may appeal to the Superior Court in accordance with the provision of Section 7-255 of the Connecticut General Statutes.

(Code 1962, § 10A-20; Res. No. TC17-163, § B, 10-12-99)

Sec. 19-52. - Securities secured by pledge of revenues; issuance, effect.

- (a) Whenever the Town shall have issued securities which are secured by a pledge of revenues to be derived from sewerage system use charges, the Water Pollution Control Authority shall establish and maintain such charges at rates which will produce sufficient revenue for the punctual payment of the annual interest and amortization requirements of such securities and, together with any money which may be available from other sources, for the fulfillment of any covenant or agreement which may have been made by the Town with the holders of any of such securities with respect to the operation, repair, maintenance or replacement of such sewerage system.
- (b) As used in this section, the term "securities" shall mean and include bonds, notes or other evidences of indebtedness, whether secured or unsecured.

(Code 1962, § 10A-21; Res. No. TC17-163, § B, 10-12-99)

Sec. 19-53. - Segregation of proceeds of use charges.

The proceeds of sewerage system use charges, whether or not pledged for the payment of securities, shall be segregated from other funds of the Town and may be placed in an enterprise fund or funds established as may be provided. The proceeds of such sewerage system use charges shall be disbursed only to pay for the construction of the sewerage system or to pay debts or the interest on debts incurred for the construction of the sewerage system or to pay the cost of maintenance, operation, repair or replacement of the sewerage system.

(Code 1962, § 10A-22; Res. No. TC17-163, § B, 10-12-99)

Sec. 19-54. - Unpaid assessments declared delinquent; accrual of interest; lien.

- (a) Any assessment against benefitted property, or charge for connection with or the use of a sewerage system, or installment or portion thereof, not paid within thirty (30) days of the due date, shall thereupon be delinquent and shall be subject to interest from the due dates at the same interest rate and in the same manner as shall be provided by the Connecticut General Statutes in the case of delinquent taxes; provided that, in the case of an assessment payable in installments, interest shall be computed on the entire unpaid balance of such assessment from the due date of the last installment which has been paid, or from the due date of the assessment if no previous installment has been paid and shall be collectible as a part of such assessment or sewerage system use charges. Whenever any installment of any assessment shall become delinquent, any remaining unpaid installments of such assessment shall also become delinquent.
- (b) Any assessment or sewerage system use charge established under this division shall constitute a lien upon the real estate benefitted or served thereby from the date of levy of such assessment or sewerage system use charge. Each such lien may be continued, recorded and released in the same manner that tax liens are continued, recorded and released under the Connecticut General Statutes.

Each such lien shall take precedence over all other liens and encumbrances, except taxes and prior liens in favor of the Town, and may be foreclosed in the same manner as a tax lien. The Tax Collector or other person authorized to collect such assessments or sewerage system use charges shall have authority to do so in accordance with any mandatory provision of the Connecticut General Statutes for the collection of taxes and the Town may recover any such assessment or charge in a civil action against any person liable therefor.

(Code 1962, § 10A-23; Res. No. TC17-163, § B, 10-12-99)

**Sec. 19-55. - Payment plan for elderly and those eligible for tax relief.**

Any property owner who is eligible for tax relief for elderly taxpayers or other tax relief programs as enumerated in Section 7-253a of the Connecticut General Statutes may apply to the Water Pollution Control Authority for approval of a plan of payment of such property owner's assessment in a manner other than as provided under Section 7-253 of the Connecticut General Statutes. This section may allow optional methods of payment of any sewer assessment by an eligible property owner, subject to approval of the authority, including an option to pay only the annual interest charge, as provided in Section 7-253 of the Connecticut General Statutes, on any deferred payments of outstanding balance of principal, provided in any such optional method of payment, the outstanding balance of principal shall become due upon any transfer of title to the property subject to such assessment or upon the death of such property owner. Any such optional method of payment shall be subject to annual review by the authority.

(Code 1962, § 10B-23; Res. No. TC17-163, § B, 10-12-99)

**Cross reference—** Taxation, Ch. 18.

**Sec. 19-56. - Borrowing, financing deemed advisable by Water Pollution Control Authority.**

The Water Pollution Control Authority shall determine the amount necessary to borrow, and shall recommend to the Board of Finance the amount and type of financing it deems advisable. Upon approval by the Board of Finance it shall be submitted for approval by the Town Council. If the Board of Finance does not concur with the recommendations of the Water Pollution Control Authority, the Water Pollution Control Authority may in any event present its proposals to the Town Council for its action in the same manner as set forth in the Charter, Chapter V, Section 5 or Chapter V, Section 6, whichever section may be appropriate.

(Code 1962, § 10A-24; Res. No. TC17-163, § B, 10-12-99)

**Secs. 19-57—19-70. - Reserved.**

**DIVISION 3. - USE OF PUBLIC SEWERS**

**Sec. 19-71. - Definitions.**

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*BOD (denoting biochemical oxygen demand)* means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at twenty (20) degrees Celsius, expressed in milligrams per liter.

*Building drain* means 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* means the extension from the building drain to the public sewer or other place of disposal.



*Garbage* means solid wastes from the domestic and commercial preparation, cooking and dispensing of food, and from the handling, storage and sale of produce.

*Industrial wastes* means the liquid wastes from industrial manufacturing processes, trade or business as distinct from sanitary sewage.

*Natural outlet* means any outlet into a watercourse, pond, ditch, lake or other body of surface water or groundwater.

*pH* means the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

*Properly shredded garbage* means the wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half inch (1.27 centimeters) in any dimension.

*Public sewer* means a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.

*Sanitary sewer* means a sewer which carries sewage and to which stormwaters, surface waters and groundwaters are not intentionally admitted.

*Sewage* means a combination of the water-carried wastes from residences, business buildings, institutions and industrial establishments, together with such groundwaters, surface waters and stormwaters as may be present.

*Sewage treatment plant* means any arrangement of devices and structures used for treating sewage.

*Sewage works* means all facilities for collecting, pumping, treating and disposing of sewage.

*Sewer* means a pipe or conduit for carrying sewage.

*Slug* means any discharge of water, sewage or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes, more than five (5) times the average twenty-four-hour concentration of flows during normal operation.

*Storm drain or storm sewer* means a sewer which carries stormwaters and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.

*Suspended solids* means solids that either float on the surface of or are in suspension in water, sewage or other liquids, and which are removable by laboratory filtering.

*Watercourse* means a channel in which a flow of water occurs, either continuously or intermittently.

For additional definitions related to miscellaneous industrial users, miscellaneous industrial wastewater etc., please refer to Sec. 19-110.

(Code 1962, § 10A-31; Res. No. TC17-163, § B, 10-12-99)

**Cross reference**— Definitions and rules of construction generally, § 1-2.

Sec. 19-72. - Required.

- (a) *Deposits on public or private property.* It shall be unlawful for any person to place, deposit or permit to be deposited in any unsanitary manner on public or private property within the Town, or in any area under the jurisdiction of the Town, any human or animal excrement, garbage or other objectionable waste.
- (b) *Discharges to natural outlets.* It shall be unlawful to discharge to any natural outlet within the Town, or in any area under the jurisdiction of the Town, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this division.

- (c) *Privies and similar facilities.* Where public sewers are available, it shall be unlawful to construct, repair or maintain any privy, privy vault, septic tank, cesspool or other facility intended or used for the disposal of sewage.
- (d) *Installation of toilet facilities; connection to sewer.*
- (1) The owners of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes situated within the Town and abutting on any street, alley or right-of-way in which there is now located or may in the future be located a public sanitary sewer of the Town is hereby required at his expense to install suitable toilet facilities therein, and at the option of the Water Pollution Control Authority to connect such facilities directly with the proper sewer in accordance with the provisions of this division, within ninety (90) days after the date of official notice to do so, provided that the public sewer is within one hundred (100) feet (30.5 meters) of the property line.
  - (2) Any such owner who receives a notice to connect may, within fifteen (15) days of the mailing of the notice, make a written application to the Water Pollution Control Authority for an extension of time to connect. The application shall state the reasons therefor.
  - (3) Within thirty (30) days of the receipt of an application to extend the time to connect, the Sewer Administrator or his delegate may either grant or deny the application.
  - (4) Hearing.
    - a. If the Sewer Administrator either denies the application or fails to act within the aforesaid thirty (30) days, the applicant may, within fifteen (15) days thereafter, make a written request for a hearing on the application before the Water Pollution Control Authority.
    - b. The Water Pollution Control Authority shall thereupon schedule the application for hearing at a regular or special meeting. After the hearing the Water Pollution Control Authority shall issue such order as it deems appropriate either:
      1. Denying the application for extension of time; or
      2. Granting the application.
  - (5) Upon the granting of any application for extension of time to connect pursuant to subsection (d)(3) or (4), the Water Pollution Control Authority shall cause a notice of same to be filed on the land records of the Town on a form approved by the Water Pollution Control Authority.
  - (6) Any grant shall be personal to the property owner making the application therefor and shall become null and void upon the transfer of the property.
  - (7) The owner of any property which has sewers available and which has not connected prior to the effective date of the ordinance from which this section derives shall have two (2) months from the effective date to file an application for extension in accordance herewith.
  - (8) Any property owner aggrieved by the final decision of the Water Pollution Control Authority denying an application to extend the time to connect shall have the right to appeal in accordance with the provisions of Section 7-257 of the Connecticut General Statutes.
  - (9) Whenever an application for extension of time to connect has been granted and a notice placed on the land records, such notice may be terminated by the Water Pollution Control Authority after giving the property owner written notice of its intention to terminate, stating the reasons therefor, and holding a hearing thereon. The hearing shall comply with the requirements of subsection (d) of this section.
  - (10) In considering an application to extend the time to connect, the Sewer Administrator or the Water Pollution Control Authority, as the case may be, shall consider:
    - a. The condition and age of the existing septic system;
    - b. Any financial hardship which the property owner might face if required to connect;

- c. Whether the applicant is eligible for tax relief for the elderly; and
- d. Such other factors as may be relevant to the application.

(Code 1962, § 10A-32; Res. No. TC11-138, 1-5-87; Res. No. TC17-163, § B, 10-12-99)

Sec. 19-73. - Discharge of stormwater, similar drainage.

No person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water or unpolluted industrial process waters to any sanitary sewer.

(Code 1962, § 10A-33(a))

Sec. 19-74. - Discharge to storm sewer, natural outlet.

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

(Code 1962, § 10A-33(b))

Sec. 19-75. - Discharge of steam and hot water.

No live exhaust or waste steam, and no water of a temperature above one hundred forty (140) degrees Fahrenheit shall be discharged into the public sewers or into any drain connection with them. No blowoff from any steam boiler shall be connected directly or indirectly with the public sewers or drains without permission from the Town. Every blowoff connected directly or indirectly with the public sewers or drains shall first discharge into a suitable tank or condenser of a capacity approved by the Town. The tank or condenser shall be provided with a vent pipe, leading from its dome to the outer air of a diameter of not less than twice that of the pipe discharging into the same; and no contraction in the sectional area of the pipe as it enters the tank shall be allowed. The sectional area of the outlet pipe shall be at least twice that of the pipe discharging into the tank. No such connection shall be made until a plan thereof has been submitted to and approved by the Town.

(Code 1962, § 10A-33(c))

Sec. 19-76. - Prohibited discharges enumerated.

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

- (1) Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas; it being noted that a volatile inflammable liquid is any liquid that will emit an inflammable vapor at a temperature below sixteen (16) degrees Fahrenheit.
- (2) Any waters or wastes containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by interference 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, including but not limited to cyanides in excess of two (2) mg/l as CN in the wastes as discharged to the public sewer.
- (3) Any sewage 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 water pollution control facilities. The upper limit of pH for any industrial wastewater discharge shall be established under the discharger's state discharge permit.

- (4) Solids 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, 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.

(Code 1962, § 10A-33(d))

**Sec. 19-77. - Discharges likely to cause injury, damage.**

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 Town 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 an opinion as to the acceptability of these wastes, the Town 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:

- (1) Any liquid or vapor having a temperature higher than one hundred (100) degrees Fahrenheit.
- (2) Any 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 Fahrenheit (zero and sixty-five (65) Celsius).
- (3) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths horsepower (0.76 hp metric) or greater shall be subject to the review and approval of the Town.
- (4) Any waters or wastes containing strong acid iron pickling wastes, or concentrated plating solutions whether neutralized or not.
- (5) Any waters or wastes containing iron or any 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 Town for such materials.
- (6) Sewage with a concentration of pollutants in excess of **any of** the following limits:

<b>Pollutant</b>	<b>Concentration <sup>5</sup> (mg/L or ppm)</b>
Biochemical Oxygen Demand (BOD <sub>5</sub> )	500.0 <sup>2</sup>
Chemical Oxygen Demand (COD)	1200.0
Total Suspended Solids (TSS)	600.0 <sup>2</sup>
Total Kjeldahl Nitrogen (TKN)	40.0 <sup>3</sup>
Nitrate-Nitrite (as N)	40.0 <sup>3</sup>
Total Fats, Oils, Grease (FOG) <sup>4</sup>	100.00
Boron as B	5.0
Cyanides as CN (Amenable)	0.1
Fluoride as F	20.0

Magnesium as Mg	100.0
Manganese as Mn	5.0
Mercury	0.01
Antimony (Total)	4.0
Arsenic as As (Total)	0.05
Barium as Ba (Total)	5.0
Beryllium (Total)	2.0
Cadmium (Total)	0.1
Chromium (Total)	1.0
Chromium (Cr +6)	0.1
Cobalt (Total)	4.0
Copper as Cu (Total)	1.0
Lead (Total)	0.1
Molybdenum (Total)	4.0
Nickel (Total)	1.0
Selenium (Total)	0.5
Silver (Total)	0.1
Strontium (Total)	2.0
Thallium (Total)	2.0
Tin (Total)	2.0
Titanium (Total)	4.0
Vanadium (Total)	2.0
Zinc as An (Total)	1.0
Zirconium (Total)	2.0
Total Volatile Organic	5.0
Formaldehyde	10.0 <sup>3</sup>
Methylene Chloride	1.0
Phenols (Total)	10.0
Phthalate Esters	2.0
Polynuclear Aromatic Hydrocarbons	0.5
Ethylene Glycol	300 <sup>3</sup>
Propylene Glycol	300 <sup>3</sup>

*Note: All metals are to be measured as total metals.*

<sup>1</sup> Under the MIU GP, all above pollutant effluent limits do not apply to residuals generated by water treatment facilities that are transported to the solids handling portion of a POTW.

<sup>2</sup> Under the MIU GP, this pollutant concentration may be exceeded provided that the total mass loading (flow x concentration) of such pollutant discharged to the Receiving POTW Authority does not exceed 100.0 lbs/day or 2% of the Receiving POTW Authority's design loading, whichever is less. This limit does not apply to discharges of Food Processing Wastewater that have implemented the practices specified in Appendix H(3) of this general permit or Water Treatment Wastewater.

<sup>3</sup> The pollutant concentration may be exceeded provided that the total mass loading (flow x concentration) of each pollutant discharged to the POTW does not exceed 8.0 lbs/day for total Kjeldahl nitrogen or nitrate-nitrite (as N) and 10 lbs/day for formaldehyde, ethylene glycol, or propylene glycol.

<sup>4</sup> Food processing wastewaters only, report as Total Oil & Grease. For all other wastewaters, report as Total Petroleum Hydrocarbons.

<sup>5</sup> The use or addition of water to dilute a discharge of wastewater in order to meet any effluent limits is prohibited.

- (7) Any waters or wastes containing phenols or other taste- or odor-producing substances, in such concentration exceeding limits which may be established by the Town as necessary, after treatment of the composite sewage, to meet the requirements of the state, federal or other public agencies of jurisdiction for such discharge to the receiving waters.
- (8) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Town in compliance with applicable state or federal regulations.
- (9) Any waters or wastes having a pH less than 5.0 or in excess of 9.0.
- (10) Materials which exert or cause:
  - a. Unusual concentrations of inert suspended solids (such as, but not limited to, fuller's earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate).
  - b. Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).
  - c. Unusual volume of flow or concentration of wastes constituting slugs.
- (11) Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes 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.
- (12) The admission into the public sewers of any waters or wastes having a five-day biochemical oxygen demand greater than fifty (50) parts per million by weight, or containing more than six hundred (600) parts per million by weight of suspended solids, or containing more than fifteen (15) parts per million by weight of chlorine demand, or containing any quantity of substances having the characteristics described in this subsection, or having an average daily flow greater than two (2) percent of the average daily sewage flow of the Town, shall be subject to the review and approval of the Superintendent. Where necessary in the opinion of the Town, the person discharging or causing the discharge of any such waters or wastes into the public sewers shall provide, at his own expense, such preliminary treatment as may be necessary to reduce the biochemical demand to not more than five hundred (500) parts per million by weight, and the chlorine demand to not more than fifteen (15) parts per million by weight, and to reduce objectionable characteristics or constituents of the substances described in this section to the limits permitted thereunder, and to control the quantities and rates of discharge of such waters and wastes.

(Code 1962, § 10A-33(e))

Sec. 19-78. - Authority to reject wastes, require treatment.

- (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 19-77, and which in the judgment of the Town 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 Town 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; and/or
  - (4) Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions of this article.
  - (5) Notify the POTW Authority and Receiving POTW Authority (receiving Trumbull's sanitary collection wastewater including discharges from Miscellaneous Industrial Users (MIUs)), as well as notify the Connecticut Department of Energy and Environmental Protection's Water Permitting and Enforcement Division of the Bureau of Materials Management and Compliance Assurance, if any analytical results or monitoring data or any other information regarding an MIU discharge indicates that a violation of an effluent limitation or another condition of the *General Permit for Wastewater Discharges from Miscellaneous Industrial Users (MIU GP)* has occurred, or upon becoming aware of any discharge that could cause problems to the Receiving POTW Authority, including but not limited to slug loadings of pollutants which may cause a violation of the Receiving POTW Authority's NPDES permit, or which may inhibit or disrupt the Receiving POTW Authority, its treatment processes or operations, or its sludge processes, use or disposal.
- (b) If the Town 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 Town, and subject to the requirements of all applicable codes, ordinances and laws.

(Code 1962, § 10A-33(f))

Sec. 19-79. - Interceptors.

- (a) Grease, oil and sand interceptors shall be provided when in the opinion of the Town 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 Town, and shall be located as to be readily and easily accessible for cleaning and inspection.
- (b) Grease and oil interceptors shall be constructed of impervious materials capable of standing abrupt and extreme changes in temperature. They shall be of substantial construction, watertight and equipped with easily removable covers which, when bolted in place, shall be gastight and watertight. Where installed, all grease, oil and sand interceptors shall be maintained in continuous and effective operation by and at the expense of the person discharging or causing the discharge into the public sewers of the waters or wastes for which such interceptors are required.

(Code 1962, § 10A-33(g))

Sec. 19-80. - Maintenance of treatment facilities.

Where preliminary treatment or flow-equalizing facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

(Code 1962, § 10A-33(h))

Sec. 19-81. - Control manhole.

When required by the Town, 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 accessibly and safely located, and shall be constructed in accordance with plans approved by the Town. 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.

(Code 1962, § 10A-33(i))

Sec. 19-82. - Measurements, tests and analyses.

All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in this division 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 the control manhole. If no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. 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-hour composite of all outfalls of a premises is appropriate or whether a grab sample should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from twenty-four-hour composites of all outfalls whereas pH's are determined from periodic grab samples.

(Code 1962, § 10A-33(j))

Sec. 19-83. - Restrictions on permits.

No permit for the erection, installation, alteration or construction of any garage, filling station, plant, storage tanks, dry cleaning or dyeing establishments, or other structures shall be granted unless the person requesting such permit submits plans and specifications showing compliance with the provisions of this division.

For all Miscellaneous Industrial Users (MIUs) that discharge wastewater to Trumbull's sanitary collection system that eventually discharges to the authorized receiving POTW, a detailed Discharge Notification Form and associated applicable attachments defined in the *General Permit for Wastewater Discharges from Miscellaneous Industrial Users (MIU GP)* must be filled out and sent to the POTW Authority and Receiving POTW Authority, as defined in Sections 19-109 and 19-112 of this Sewer Ordinance. New MIUs shall not discharge until the POTW Authority and Receiving POTW Authority receives and approves the proposed discharge.

(Code 1962, § 10A-33(k))

Sec. 19-84. - Proposed changes in discharge character or volume.

Any person proposing a new discharge into the public sewer system or a substantial change in the volume or character of pollutants that are being discharged into the public sewer system shall notify the Sewer Administrator at least forty-five (45) days prior to the proposed change or connection.

Under the *General Permit for Wastewater Discharges from Miscellaneous Industrial Users (MIU GP)*, if wastewater discharge flows from MIUs are expected to differ from the flow reported to the POTW Authority or Receiving POTW Authority, the POTW Authority and Receiving POTW Authority must be notified and a new Detailed Discharge Notification Form, as described in Section 19-112, must be submitted for approval by both the POTW Authority and the Receiving POTW Authority.



(Code 1962, § 10A-33(l))

Sec. 19-85. - Self-monitoring of discharges.

All industries discharging into the public sewer shall perform such monitoring of their discharge as required by the Commissioner of Environmental Protection of the state in any state discharge permit issued pursuant to Section 25-54i of the General Statutes, including, but not limited to, installation, use and maintenance of monitoring equipment, keeping records and reporting the results to the Commissioner. Such records shall be made available, upon request, to the Commissioner and to the Sewer Administrator of the Town.

(Code 1962, § 10A-33(m))

Sec. 19-86. - Accidental discharge.

- (a) Each industrial or commercial user shall provide protection from accidental discharge of prohibited materials or other substances regulated by this Code. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the owner's or user's own cost and expense. The Commissioner of Environmental Protection may require that plans showing facilities and operating procedures be submitted for review and approval prior to construction of the facilities.
- (b) Within five (5) days following an accidental discharge, the user shall submit to the Sewer Administrator and to the Commissioner a detailed written report describing the cause of the discharge and the measures to be taken by the user to prevent similar future occurrences. Such notification shall not relieve the user of any expense, loss, damage or other liability which may be incurred as a result of damage to the water pollution control facilities, fish kill, aquatic plants or any other damage to persons or property; nor shall such notification relieve the user of any fines, civil penalties or other liability which may be imposed by applicable law.
- (c) A notice shall be permanently posted on the user's bulletin board or other prominent place advising employees whom to call in the event of a dangerous or other accidental discharge. Employers shall insure that all employees are advised of the emergency notification procedure.

(Code 1962, § 10A-33(n))

Sec. 19-87. - Permit to initiate.

- (a) In accordance with Section 25-54i of the General Statutes, a permit from the Commissioner of Environmental Protection is required prior to the initiation of a discharge of any of the following wastewaters to a public sewer:
  - (1) Industrial wastewater (not considered "miscellaneous industrial wastewaters") of any quantity.
  - (2) Domestic sewage in excess of five thousand (5,000) gallons per day through any individual building sewer to a public sewer.
- (b) A potential discharger must submit a permit application to the Department of Environmental Protection not later than ninety (90) days prior to the anticipated day of initiation of the proposed discharge.

(Code 1962, § 10A-33(o))

Sec. 19-88. - Building sewers and connections.

- (a) *Scope of permit requirement.* 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 Town.
- (b) *Classes of building sewer permits.* 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 shall make application on a special form furnished by the Town. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the Town. A permit fee and inspection fee shall be paid to the Town at the time the application is filed in amounts as established by the Water Pollution Control Authority.

- (c) *Costs and expense of installation.* All costs and expense incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the Town from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.
- (d) *Building sewers to be separate; exception.* A separate and independent building sewer shall be provided for every building; except where one (1) 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, court, yard or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one (1) building sewer.
- (e) *Use of old building sewers.* Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Town to meet all requirements of this division.
- (f) *Work to comply with building code, other regulations.* 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 building and plumbing code or other applicable rules and regulations of the Town. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the A.S.T.M. and W.P.C.F. Manual of Practice No. 9 shall apply.
- (g) *Elevation.* 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) *Prohibited connections.* No person shall make connection of roof downspouts, exterior foundation drains, areaway drains or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.
- (i) *Minimum distance from well.* The building sewer shall not pass within seventy-five (75) feet of a well unless the sewer is constructed of cast iron with leaded or equivalent joints. No sewer, however constructed, shall pass within twenty-five (25) feet of a well.
- (j) *Standards for connection to public sewer.* The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the Town, or the procedures set forth in appropriate specifications of the A.S.T.M. and the W.P.C.F. Manual of Practice No. 9. All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the Town or its authorized agent before installation.
- (k) *Inspection, supervision of connection.* The applicant for the building sewer permit shall notify the Town or its authorized agent when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Town or its authorized agent.
- (l) *Protection from injury; restoration of surface.* 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 Town.
- (m) *Costs and expense of submitting forms under the General Permit for Wastewater Discharges from Miscellaneous Industrial Users (MIU GP).* All costs and expense incident related to the submission of

the Discharge Notification Form and associated applicable attachments shall be borne by the Miscellaneous Industrial User (MIU) discharging to the sanitary collection system.

(Code 1962, § 10A-34; Res. No. TC17-163, § A, 10-12-99)

**Cross reference**— Buildings and building regulations, Ch. 5.

Sec. 19-89. - Damaging, tampering with facilities.

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 sewerage system. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

(Code 1962, § 10A-35)

Sec. 19-90. - Powers and authority of inspectors.

- (a) *Generally.* The Director of Public Works and other duly authorized employees of the Town 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 division. The Town 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 waste treatment.
- (b) *Authority to require compliance.* If the Director finds that there exists good reason to believe that the requirements of this division have not or are not being strictly observed, he may require the owner, lessee or tenant of the offending property to furnish him with adequate proof that the requirements hereof are being and will continue to be conformed to and strictly complied with. If it shall appear that the requirements have not been or are not being conformed to or complied with or that good reason exists to believe that they may not thereafter be conformed to and complied with the Director may order and require that such owner, lessee or tenant immediately take such measures to provide and install such interceptors or treatment facilities, and make such changes in the manner of discharging waters and wastes into the public sewers as will assure the Town that the requirements of this division will be conformed to and complied with thereafter. All proof, equipment, facilities and changes required by this subsection shall be promptly furnished by such owner, lessee or tenant without expense to the Town. If any person, after proper order or direction from the Director, shall fail to take the remedial steps or perform the acts required by this subsection, or fails thereafter to observe strictly the requirements of this division and any orders and directions made pursuant hereto, the Director may disconnect or otherwise act to prevent the building sewer from the premises in which such violation of the requirements of this division shall have occurred from discharging into the public sewer. The Town may collect the cost of such disconnection or other act by which the wrongful discharge of waters or wastes into the public sewers is prevented from the person responsible for or willfully concerned in or who profited by such violation of the requirements of this division. If the Town shall be so required to act, such building sewer shall not again be connected to or permitted to discharge into the public sewers until such cost and expense have been paid.
- (c) *Indemnity and liability arising out of work.* While performing the necessary work on private properties referred to in subsection (a) above, the Town 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 Town employees and the Town shall indemnify the company against loss or damage to its property by Town 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 section 19-80.

- (d) *Authority as to properties subject to easements.* The Director of Public Works and other duly authorized employees of the Town bearing proper credentials and identification shall be permitted to enter all private properties through which the Town 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 sewerage works lying within the easement. All entry and subsequent work, if any, on the easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

(Code 1962, § 10A-36)

Sec. 19-91. - Violations; penalties.

- (a) Any person found to be violating any provision of this division except section 19-89 shall be served by the Town with written notice stating the nature of the violation and providing a reasonable time limit 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 continues any violation beyond the time limit provided for in subsection (a), shall be guilty of a misdemeanor, and on conviction thereof, shall be fined seventy-five dollars (\$75.00) for each violation, or imprisoned not more than thirty (30) days or both. Each day in which such violation shall continue shall be deemed a separate offense.
- (c) Any person violating any of the provisions of this division shall become liable to the Town for any expense, loss or damage occasioned the Town by reason of such violation.
- (d) Refer to Sections 19-114(b) and 19-118 for specifics on violations and penalties related to the discharges from *Miscellaneous Industrial Users (MIUs)* under the *General Permit for Discharges from Miscellaneous Industrial Users (MIU GP)*.

(Code 1962, § 10A-37; Res. No. TC13-100, 10-7-91)

Secs. 19-92—19-100. - Reserved.

DIVISION 4. - FATS, OILS AND GREASE DISPOSAL

Sec. 19-101. - Purpose.

The purpose of this division is to outline the wastewater pretreatment requirements for food preparation establishments and other commercial facilities that discharge fats, oils, and grease in their wastewater flow. All new and existing facilities that generate and discharge fats, oils, and grease in their wastewater flow shall install, operate, and maintain a FOG pretreatment system. The requirements of this ordinance shall supplement and be in addition to the requirements of Trumbull's Sewer Use Ordinance.

(Res. No. TC23-165, § 1, 7-13-11)

Sec. 19-102. - Definitions.

[The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:]

*Agency* means the Water Pollution Control Authority for the Town of Trumbull.

*Agent* means authorized representative of the Town of Trumbull.

*Alternate FOG pretreatment system* means a pretreatment system approved by the Agency designed to remove FOG from wastewater discharge initiated, created, originated or maintained at a food preparation establishment other than an outdoor in-ground FOG interceptor or an indoor automatic grease recovery unit.

*Authorize discharge* means a discharge authorized under the General Permit for the Discharge of Wastewater Associated with Food Preparation Establishments issued on September 30, 2005, by the Connecticut Environmental Protection Agency.

*Contact person* means the individual responsible for overseeing daily operation of the food preparation establishment and who is responsible for overseeing the food preparation establishment's compliance with the FOG pretreatment program or alternate FOG pretreatment system.

*Facility* means a business determined by the Agency to discharge FOG above the set limits in Section 5(b)(2) of the Department of Environmental Protection's General Permit for the Discharge of Wastewater Associated with Food Preparation Establishments issued on September 30, 2005, by the Connecticut Environmental Protection Agency.

*FOG* means animal- and plant-derived substances that may solidify or become viscous between the temperatures of 32°F and 150°F (0°C to 65°C), and that separate from wastewater by gravity. Any edible substance identified as grease per the most current EPA method as listed in 40-CFR 136.3.

*FOG interceptor cleaner* means a vendor specializing in the business of cleaning FOG pretreatment systems or alternate FOG pretreatment systems.

*FOG pretreatment system* refers to a properly installed and operated outdoor in-ground FOG interceptors and indoor automatic grease recovery units as approved by the Agency.

*Food preparation establishments* means Class III and Class IV food service establishments and any other facility determined by the agency to discharge FOG above the set limits in Section 5(b)(2) of the Department of Environmental Protection's General Permit for the Discharge of Wastewater Associated with Food Preparation Establishments. These facilities shall include, but not be limited to, restaurants, hotel kitchens, hospital kitchens, school kitchens, bars, factory cafeterias, and clubs. Class III and Class IV food service establishments shall be as defined under section 19-13-B42 of the State of Connecticut Public Health Code.

*General permit* means the authorization by the Connecticut Environmental Protection Agency to initiate, create, originate or maintain a wastewater discharge containing FOG at a food preparation establishment.

*Indoor automatic grease recovery unit* means all active indoor mechanical systems designed to remove FOG by physical separation from flowing wastewater, as further defined herein.

*Noncomplying FOG pretreatment system* means a pretreatment system at a food establishment existing at the time this division before effective designed to removed FOG from wastewater initiated, created, originated or maintained at the facility which does not qualify as a outdoor in-ground FOG interceptor or in-door automatic recovery unit pursuant to section 19-105(b)(1)a. or b., of this division.

*Notification of approved alternate FOG pretreatment system* means a written notification from the agency for authorization to install and/or operate an alternate FOG pretreatment system.

*Operation and maintenance plan* means pretreatment system designed to remove FOG from wastewater discharge initiated, created, originated or maintained at a food preparation establishment which does not qualify under this division as an outdoor in-ground FOG interceptor or an indoor automatic grease recovery unit.

*Outdoor in-ground FOG interceptor* means a passive tank installed in the ground outside a building and designed to remove FOG from flowing wastewater while allowing wastewater to flow through it.

*Permittee* means a contact person authorized by the EPA's General Permit and the agency to initiate, create, originate or maintain a wastewater discharge containing FOG at a food preparation establishment.

*Regional FOG disposal facility* means a facility for the collection and disposal of non-renderable FOG approved by the Connecticut Department of Environmental Protection.

*Renderable FOG* means FOG materials that can be recovered and sent to renderers for recycling into various usable products. Renderable grease is created from spent products collected at the source, such as frying oils and grease from restaurants. This material is also called yellow grease.

*Renderable FOG container* means a closed, leak-proof container for the collection and storage of food grade FOG.

*Vacuum test* means a process for inspection of an outdoor in-ground FOG interceptor for approval for continued use by a food preparation establishments. The process is as follows: Seal the empty tank and apply a vacuum to two (2) inches of mercury. The tank is approved if ninety (90) percent of the vacuum is held for two (2) minutes.

*Water-pressure test* means a process for inspection of an outdoor in-ground FOG interceptor for approval for continued use by a food preparation establishments. The process is as follows: Seal the tank, fill with water, and let stand for twenty-four (24) hours. Refill the tank. The tank is approved if the water level is held for one (1) hour.

*Violation* means any action, inaction or result as set forth in subsection 19-105(d)(14).

(Res. No. TC23-165, § 2, 7-13-11)

#### Sec. 19-103. - Authorization.

A food preparation establishment may make an authorized discharged pursuant to the General Permit issued by the Connecticut Department of Environmental Protection; provided that the facility complies with this division.

(Res. No. TC23-165, § 3, 7-13-11)

#### Sec. 19-104. - Duty to install and application for approval.

(a) *Duty to install a FOG pretreatment system.*

- (1) All new and existing food preparation establishments or facilities, including restaurants, cafeterias, diners, and similar nonindustrial facilities using food preparation processes that have the potential to generate FOG in wastewater at concentrations in excess of the limits defined in this division shall be required to install a FOG pretreatment system compliant with subsection 19-105(b)(1) of this division unless the agency grants approval to the food preparation establishments for installation and/or use of an alternate FOG pretreatment system as defined in subsection 19-105(b)(2) of this division.
- (2) A FOG pretreatment system shall not be required for private living quarters or dwelling units.

(b) *Application for approval of FOG pretreatment system.*

- (1) *New food preparation establishments:* All new food preparation establishments which generate and discharge wastewater containing FOG and which will require a FOG pretreatment system, shall include the design and specifications for the FOG pretreatment system as part of the sewer connection application as described in the Town of Trumbull's Sewer Use Ordinance.
- (2) *Existing food preparation establishments:*
  - a. All existing food preparation establishments which generate and discharge wastewater containing FOG and require a FOG pretreatment system, shall submit an application to the agency for the installation and utilization of a FOG pretreatment system within twelve (12) months of adoption of this division. The application shall be in accordance with the Town of Trumbull's Sewer Use Ordinance or as set forth herein. The approved FOG pretreatment system shall be installed within three (3) years of adoption of this division.
  - b. Existing food preparation establishments which generate and discharge wastewater containing FOG and which have an existing noncomplying FOG pretreatment system may,

upon and application and approval thereof by the agency, operate the existing systems which we be deemed to qualify as an approved alternate FOG pretreatment system. Such food preparation establishments shall submit an application for an alternate FOG pretreatment system as described in subsection 19-105(a). Such application shall be submitted within twelve (12) months of adoption of this division.

- (3) *[Responsibility of costs and related expenses.]* All costs and related expenses associated with the installation and connection of the FOG pretreatment system or alternate FOG pretreatment system shall be borne by the food preparation establishment. The food preparation establishment shall indemnify the Town of Trumbull and its agents for any loss or damage that may directly or indirectly occur due to the installation of the approved FOG pretreatment system or alternate FOG pretreatment system.

(Res. No. TC23-165, § 4, 7-13-11)

Sec. 19-105. - Condition for approval, installation and use of a FOG pretreatment system.

(a) *General requirements.*

- (1) An application for the design and installation of a FOG pretreatment system shall be subject to review and approval by the agency per the Town of Trumbull's Sewer Use Ordinance, and subject to the requirements of all other applicable codes, ordinances, and laws.
- (2) The wastewater generated from food preparation establishments shall be treated to remove FOG using either an outdoor in-ground FOG interceptor or indoor automatic grease recovery unit as defined in subsection 19-105(b)(1), unless the agency approves the installation and/or use of an alternate FOG pretreatment system as defined in subsection 19-105(b)(2).
- (3) Every structure at a food preparation establishment requiring a FOG pretreatment system shall be constructed, operated, and maintained, in a manner to ensure that the discharge of food preparation wastewater is directed solely to the approved FOG pretreatment system (i.e., outdoor in-ground FOG interceptor or indoor automatic grease recovery unit) or alternate FOG recovery system. No valve or bypass piping that could prevent the discharge of food preparation wastewater from entering the approved FOG pretreatment system or alternate FOG pretreatment system shall be present.
- (4) The contact person at each food preparation establishment shall notify the agency when the FOG pretreatment system or alternate FOG pretreatment system is ready for inspection and connection to the public sewer. The connection and testing shall be made under the supervision of the plumbing inspector, and/or agent.
- (5) All applicable local plumbing/building codes shall be followed during the installation of the FOG pretreatment system or alternate FOG pretreatment system.

(b) *Treatment requirements for wastewater containing FOG.* The food preparation establishment shall install and solely utilize a FOG pretreatment system that meets the specifications in either subsection 19-105(b)(1)a. or b., when making an authorized discharge pursuant to the EPA's General Permit unless the agency approves the use of an alternate FOG pretreatment system pursuant to subsection 19-105(b)(2). In the event that the agency approved the use of an alternate pretreatment system, the food preparation establishment shall install and solely utilize that pretreatment system when making an authorized discharge pursuant to the EPA's General Permit.

(1) *FOG pretreatment systems.*

a. *Outdoor in-ground FOG interceptor.*

- (i) An outdoor in-ground FOG interceptor shall be installed on a separate building sewer line servicing kitchen flows and shall be connected to those fixtures or drains which would allow FOG to be discharged. This shall include: pot sinks; prerinse sinks; any sink into which FOG are likely to be introduced; soup kettles or similar devices; wok stations; floor drains or sinks into which kettles may be drained; automatic hood wash

units; dishwashers without pre-rinse sinks; and any other fixtures or drains that are likely to allow FOG to be discharged.

- (ii) No pipe carrying any wastewater other than from those listed in subsection 19-105(b)(1)a. shall be connected to the outdoor in-ground FOG interceptor.
- (iii) No food grinder shall discharge to the outdoor in-ground FOG interceptor.
- (iv) An outdoor in-ground FOG interceptor shall have a minimum depth of four (4) feet and a minimum volume of: the volume equivalent to the maximum daily flow over a twenty-four-hour period from all fixtures connected to the outdoor in-ground FOG interceptor based on water meter records or other methods of calculation as approved by the authorized agent; or one thousand (1,000) gallons, whichever is greater.
- (v) The outdoor in-ground FOG interceptor shall be watertight and constructed of concrete or other durable material. It shall be located so as to be accessible for convenient inspection and maintenance. No permanent or temporary structures or containers shall be placed directly over the outdoor in-ground FOG interceptor. Outdoor in-ground FOG interceptors installed in areas subject to traffic shall be designed to accommodate traffic loading.
- (vi) If the outdoor in-ground FOG interceptor is constructed of concrete, the following requirements shall apply:
  - A. All concrete outdoor in-ground FOG interceptors shall be produced with minimum four thousand (4,000) psi concrete per ASTM standards with four (4) to seven (7) percent air entrainment;
  - B. The minimum liquid depth of the outdoor in-ground FOG interceptor shall be thirty-six (36) inches, measured from the bottom of the tank to the outlet invert;
  - C. The air space provided between the liquid height and the underside of the tank top shall be a minimum of eight (8) inches;
  - D. All structural seams and/or lifting holes shall be grouted with non-shrinking cement or similar material and coated with a waterproof sealant. In areas where seasonal high groundwater is at an elevation greater than the bottom of the outdoor in-ground FOG interceptor, but below the top of the outdoor in-ground FOG interceptor, the exterior of the outdoor in-ground FOG interceptor including the exterior top, sides and bottom shall be coated with a waterproof sealant creating a watertight condition for the tank. In areas where seasonal high groundwater is at an elevation greater than the top of the outdoor in-ground FOG interceptor, the exterior of the manhole extensions to grade shall be coated with a waterproof sealant creating a watertight condition for the extension.
  - E. The invert elevation of the inlet shall be between three (3) inches and six (6) inches above the invert elevation of the outlet.
- (vii) All nonconcrete tanks shall meet the requirements set forth in subsection 19-105(b)(1)a.(v) and 19-105(b)(1)a.(vi)B., C., and E., of this division.
- (viii) Separate cleanout covers shall be provided over the inlet and outlet of the outdoor in-ground FOG interceptor so as to provide easy access for inspection and cleaning. Cleanout ports shall be fitted with manhole extensions to grade. In areas subject to traffic, the extensions shall be constructed of a material sufficient to withstand the traffic load. Where concrete covers are used, the lid must either weigh a minimum of fifty-nine (59) pounds or contain a locking mechanism to prevent unauthorized entrance. The manholes, extensions, and inlet and outlet access holes to the grease trap/interceptor shall have a minimum inside diameter of seventeen (17) inches.
- (ix) The inlet and outlet piping shall be PVC ASTM D 1785 Schedule 40 with rubber compression gaskets or solvent weld couplings. The joints must meet ASTM D 3212



specifications. The authorized agent may approve other piping materials for use. The minimum diameter of the inlet and outlet piping shall be four (4) inches. The inlet and outlet shall utilize a tee-pipe fitting on the interior of the outdoor in-ground FOG interceptor. The tee-pipe of the inlet and outlet shall extend to within twelve (12) inches of the bottom and at least five (5) inches above the static liquid level of the tank.

- (x) The outdoor in-ground FOG interceptor shall be set level on a consolidated, stable base so that no settling or tipping of the grease trap/interceptor can occur.
  - (xi) The outlet discharge line from the outdoor in-ground FOG interceptor shall be directly connected to sanitary sewer.
  - (xii) No fixture or drain other than those listed in subsection 19-105(b)(1)a., of this section shall be connected to the outdoor in-ground FOG interceptor unless approved by the agent.
  - (xiii) The outdoor in-ground FOG interceptor shall be located so as to maintain separation distances from well water supplies based on flow at the distances set forth in section 19-13-B51d of the Public Health Code.
  - (xiv) Minimum separation distances shall be maintained between the outdoor in-ground FOG Interceptor and items such as, but not limited to, buildings, watercourses, drains, etc., as listed in local municipal ordinances.
  - (xv) Should the authorized agent notify the contact person that testing is required, the testing shall be performed in either one (1) of the following manners: vacuum test or water-pressure test, as defined in this division.
  - (xvi) All outdoor in-ground FOG interceptors shall reliably meet the effluent limitations established in subsection 19-105(c) of this division.
- b. *Indoor automatic recovery unit.*
- (i) The indoor automatic recovery unit shall meet the following requirements:
    - A. The indoor automatic recovery unit shall be installed immediately downstream of each fixture or multiple fixtures listed in subsection 19-105(b)a.(1) of this division.
    - B. The indoor automatic recovery unit shall be sized to properly pretreat the measured or calculated flows for all connected fixtures or drains.
    - C. The indoor automatic recovery unit shall be constructed of corrosion-resistant material such as stainless steel or plastic.
    - D. The indoor automatic recovery unit shall intercept and separate solids from the effluent flow using an internal or external strainer mechanism. This mechanism shall be an integral part of the unit.
    - E. The indoor automatic recovery unit shall operate using a skimming device, automatic draw-off, or other mechanical means to automatically remove separated fats and oils. This automatic skimming device shall be either hard-wired or cord and plug connected electrically and controlled using a timer or level control. The operation of the automatic skimming device shall be field-adjustable.
    - F. The indoor automatic recovery unit shall operate no less than once per day.
    - G. The indoor automatic recovery unit shall be fitted with an internal or external flow control device to prevent the exceedence of the manufacturer's recommended design flow.
    - H. The indoor automatic recovery unit shall be located so as to permit easy access for maintenance.

- I. No fixture or drain other than those listed in subsection 19-105(b)(1)a.(i) of this division shall be connected to the indoor automatic recovery unit unless approved by the authorized agent.
- J. All indoor automatic recovery unit shall be designed and installed in accordance with the manufacturer's specifications.
- K. All indoor automatic recovery unit shall reliably meet the effluent limitations established in subsection 19-105(c) of this division.

(2) *Alternate FOG pretreatment systems.*

- a. When it is not practical for the food preparation establishment to install an outdoor in-ground FOG interceptor or indoor automatic recovery unit according to the specification of subsection 19-105(b)(1)a. or b., an alternate FOG pretreatment system may be installed and utilized upon approval by the Agency and receiving a "Notification of Approved Alternative FOG Interceptor."
- b. Approval of an alternate FOG pretreatment system shall be based on demonstrated (proven) removal efficiencies and reliability of operation. The Agency will approve these systems on a case-by-case basis. The contact person may be required to furnish the manufacturer's analytical data demonstrating that FOG discharge concentrations do not exceed the limits established in subsection 19-105(c) this division.
- c. Alternate FOG pretreatment systems shall consist of a system meeting the requirements of subsection 19-105(b)(2)d. below, unless there are special circumstances that preclude such installation, in which case, a permittee may apply for authority to install and utilize a system pursuant to subsection 19-105(b)(2)e., of this division.
- d. Alternate FOG pretreatment systems shall meet the requirements of subsection 19-105(a) and subsection 19-105(b)(1)a.(ii) and (iii) and shall be installed immediately downstream of each of the fixtures and drains listed in subsection 19-105(b)(1)a.(i).
- f. Other alternate FOG pretreatment system requirements.
  - (i) Alternate FOG pretreatment system shall be sized to properly pretreat the measured or calculated flows using methods approved by the Agency.
  - (ii) Alternate FOG pretreatment system shall be constructed of corrosion-resistant material such as stainless steel or plastic.
  - (iii) Alternate FOG pretreatment system shall intercept and separate solid from the effluent flow using a strainer mechanism that is integral to the unit.
  - (iv) Alternate FOG pretreatment system shall operate using a skimming device, automatic draw-off, or other mechanical means to automatically remove separated FOG. This skimming device shall be controlled using a timer, FOG sensor, or other means of automatic operation.
  - (v) Alternate FOG pretreatment system operated by timer shall be set to operate no less than once per day.
  - (vi) Alternate FOG pretreatment system shall be included with an internal or external flow control device.
  - (vii) Alternate FOG pretreatment system shall be located to permit frequent access for maintenance and inspection.

(3) *De minimis discharges.*

- a. At the request of the contact person, the Agency may grant a waiver of the treatment requirements of subsections 19-105(b)(1) and (2), inclusive, of this division if, in the judgment of the Agency, there is limited potential for FOG in the discharge when

considering, including, but not limited to, the frequency of operation, the volume of flow and the potential for FOG based upon the menu.

(c) *Effluent emissions.*

- (1) At no time shall the pH of the wastewater discharged from the FOG pretreatment system or alternate FOG pretreatment system and prior to mixing with any other wastewater from the food preparation establishment be less than five (5.0) nor greater than ten (10.0) standard units at any time.
- (2) At no time shall the concentration of FOG in wastewater from the FOG pretreatment system or alternate FOG pretreatment system and prior to mixing with any other wastewater from the food preparation establishment exceed one hundred (100) milligrams per liter. All analyses shall be conducted according to the current method as listed in Title 40 CFR 136 or as approved in writing by the department. The current method, as of 2005, is EPA 1664.

(d) *Pollution prevention requirements and FOG pretreatment system maintenance.*

- (1) The FOG pretreatment system or alternate FOG pretreatment system shall be maintained continuously in satisfactory and effective operation, at the food preparation establishment's expense.
- (2) The contact person shall be responsible for the proper removal and disposal, by appropriate means, of the collected material removed from the FOG pretreatment system or alternate FOG pretreatment system.
- (3) A record of all FOG pretreatment system or alternate FOG pretreatment system maintenance activities shall be maintained on the premises for a minimum of five (5) years.
- (4) The contact person shall ensure that the FOG pretreatment system or alternate FOG pretreatment system is inspected when pumped to ensure that all fittings and fixtures inside the interceptor are in good condition and functioning properly. The depth of grease inside the tank shall be measured and recorded in the maintenance log during every inspection along with any deficiencies, and the identity of the inspector.
- (5) At a minimum, the contact shall perform quarterly inspections of all FOG pretreatment system or alternate FOG pretreatment system.
- (6) An outdoor in-ground FOG interceptor shall be completely emptied by a FOG pretreatment system interceptor cleaner whenever twenty-five (25) percent of the operating depth of the outdoor in-ground FOG interceptor is occupied by FOG and settled solids or a minimum of once every three (3) months whichever is more frequent. The contact person may request approval for a less frequent cleaning interval from the authorized agent following a minimum one (1) year of operation of the outdoor in-ground FOG interceptor. The contact person shall be required to show through at least four (4) quarterly inspections or other means of determining FOG and settled solids that the operating depth of the outdoor in-ground FOG interceptor occupied by FOG and settled solids is less than twenty-five (25) percent during each of the three-month intervals. The agent may extend the minimum frequency of cleaning in writing beyond three (3) months based upon the quarterly inspections. The contact person shall maintain a written log on-site of outdoor in-ground FOG interceptor cleaning and maintenance, shall maintain copies of the FOG interceptor cleaner's receipts and shall maintain a copy of such approval for five (5) years.
- (7) All indoor automatic recovery units shall be maintained in accordance with the manufacturer's recommendations.
- (8) All alternate FOG pretreatment systems shall be maintained by the food preparation establishment.
- (9) For cleaning or servicing of a FOG pretreatment system or alternate FOG pretreatment system, including the removal and hauling of FOG, and food wastes which are components of sewage, the contact person shall hire a FOG pretreatment system cleaner.

- (10) All removal and hauling of the collected materials must be performed by State-approved waste disposal firms. Pumped material shall be disposed of at a regional FOG disposal facility. Pumping shall include the complete removal of all contents, including floating materials, wastewater and settled sludge. Decanting back into the FOG pretreatment system or alternate FOG pretreatment shall not be permitted. FOG pretreatment system or alternate FOG pretreatment cleaning shall include scraping excessive solids from the wall, floors, baffles and all piping.
  - (11) The contact person may use hot water, steam, chemicals, or biological additives in the normal course of facility maintenance, but may not intentionally use hot water, steam, physical means, chemicals, or biological additives that will cause the release of FOG from the FOG pretreatment system or alternate FOG pretreatment.
  - (12) No food grinder or food pulper shall discharge to any FOG pretreatment system or alternate FOG pretreatment.
  - (13) All wastewater flows connected to the FOG pretreatment system or alternate FOG pretreatment shall be screened to prevent solids from entering the treatment units. Screened solids shall be disposed of in accordance with applicable solid waste regulations.
  - (14) The contact person shall be responsible for the cost and scheduling of all installation and maintenance of FOG pretreatment system or alternate FOG pretreatment components. Installation, maintenance and time to correct violations, which may include, but are not limited to, equipment not registered, installation violations (outdoor and indoor), operational violations, failure being to remit records, disallow an inspection, failure to maintain records, failure to maintain interceptors in proper working order, failure to clean out interceptor, source of sewer blockage and/or source of sanitary sewer overflow, shall be set at the discretion of the Agency.
  - (15) The contact person shall make every practical effort to reduce the amount of FOG contributed to the sewer system.
  - (16) Renderable FOG shall not be disposed of, in any sewer or FOG pretreatment system or alternate FOG pretreatment. All renderable FOG shall be stored in a separate, covered, leak-proof, renderable FOG container, stored out of reach of vermin, and collected by a renderer.
  - (17) Small quantities of FOG scraped or removed from pots, pans, dishes and utensils shall be directed to the municipal solid waste stream for disposal.
  - (18) No valve or piping bypass equipment that could prevent the discharge of wastewater associated with the food preparation establishment from entering appropriate treatment equipment shall be present at such facility.
- (e) *Reporting and record keeping requirements.*
- (1) A written log of all inspections required pursuant to subsection 19-105(d)(3), (4), (5) and (6) of this division shall be maintained for each discharge authorized by this division. The log shall document: the date of the inspection; the inspector's name, title and signature; the depth, as measured at the time of the inspection of FOG and food waste located within the FOG pretreatment system or alternate FOG pretreatment system; and any maintenance work or changes in equipment associated with such discharge that has taken place at the site since the last inspection.
  - (2) Except as provided in subsection 19-105(e)(1) of this division, the contact person shall retain, for a period of five (5) years at the subject facility, all inspections, cleaning and maintenance logs and analytical results from any monitoring elected to be done by the contact person. All records and reports shall be made available in writing to the agent upon request.
  - (3) Immediately upon learning or having reason to believe that an authorized discharge may cause or has caused a sewer blockage or may adversely affect the operations of a sanitary sewer systems, the contact person shall notify the agency.

- (4) Records required under this subsection as well as installation of the FOG pretreatment system or alternate FOG pretreatment system as specified in either subsection 19-105(b)(1) or (2) of this division shall be sufficient to demonstrate compliance with the effluent limits established in subsection 19-105(c) of this division.
- (f) *Inspections/violations.*
- (1) Food preparation establishments shall be subject to inspection by the Agency on a regular basis to determine whether the requirements set forth in this division and the general permit are being met. Inspections may include, but are not limited to, review of records for the quarterly inspections performed by the food preparation establishment and review of cleaning and maintenance logs.
  - (2) The Agency may conduct inspections of the food preparation establishment as the Agency deems necessary to ascertain whether the purpose and requirements of this division and the general permit are being met. Contact person where wastewater is created, discharged or suspected to be discharged, shall allow Agency personnel ready access at all reasonable times to all parts of the premises for the purpose of inspection, sampling, and records examination. The Agency shall have the right to set up on the property such devices as are necessary to conduct sampling, inspection, and compliance monitoring operations. Denial of the Agency access to the property shall be deemed a violation. Unreasonable delays may be considered denial of access.
  - (3) If any owner of the premises or food preparation establishment is determined to be the source, in whole or in part, of a sanitary sewer blockage and/or overflow, the owner or food preparation establishment will be assessed a fine of not less than five hundred dollars (\$500.00) and not more than ten thousand dollars (\$10,000.00), plus remediation costs for clean up, in addition to any fines dispensed from the State of Connecticut. The fines contained herein are not exclusive and the State of Connecticut or Agency may use other methods to remedy the situation, including, but not limited to, legal action or enforcement.
  - (4) In the event that a food preparation establishment fails to meet the recordkeeping requirements or discharge limit, the Agency will issue a written notice of violation for the noncompliant condition. The food preparation establishment shall take immediate steps to bring the establishment into compliance.
  - (5) Any violation of the Agency's FOG management program will be subject to violation fees as set forth herein or later adopted by the Agency. Each day that a violation continues shall be considered a separate occurrence.
  - (6) The Agency reserves the right to notify the Connecticut Department of Environmental Protection of any establishment that continues to be noncompliant with the Agency's FOG management program.
- (g) *Recording and reporting violations.*
- (1) If any analytical results from monitoring data elected to be done by the contact person or other information indicates that a violation of an effluent limitation or another condition of this division permit has occurred, the contact person shall immediately take steps to identify and correct any and all conditions causing or contributing to such violation. A log of such violations shall be maintained on site and contain, at a minimum, the following information:
    - a. The permit condition(s) or effluent limitation(s) violated;
    - b. The analytical results or other information demonstrating such violation;
    - c. The cause of the violation, if known;
    - d. Dates and times during which the violation continued;
    - e. If the violation was not corrected immediately upon being discovered, the anticipated time it is expected to continue; and upon correction, the date and time of correction;

- f. Steps taken and planned to reduce, eliminate and prevent a reoccurrence of the violation, and the dates such steps have been or will be executed;
  - g. The name, title and signature of the individual recording the information and the date and time of such recording.
- (2) If any analytical results indicate the pH exceeds the limitation listed in subsection 19-105(c)(1) of this division by greater than one unit or lower than one (1) unit, or that FOG exceeds the limitation listed in subsection 19-105(c)(2) of this division, the contact person shall immediately notify the agency.
- (h) *Duty to correct and report violations, and provide information.*
- (1) Upon learning of a violation of a condition of this ordinance, a contact person shall immediately take all reasonable action to determine the cause of such violation, correct such violation and mitigate its results, prevent further such violation, and report in writing such violation and such corrective action to the commissioner and Agency within five (5) days of the contact person's learning of such violation. Such report shall be certified in accordance with subsection (j) of this section.
  - (2) If the commissioner requests any information pertinent to the authorized discharge or to compliance with this division, the contact person shall provide such information within thirty (30) days of such request. Such information shall be certified in accordance with subsection 19-105(i) of this division.
- (i) *Certification of documents.*
- (1) Any document, including, but not limited to, any notice, information or report, which is submitted to the department under this division shall be signed by the contact person or by a duly authorized representative of the contact person, and by the individual or individuals responsible for actually preparing such document, each of whom shall certify in writing as follows: "I have personally examined and am familiar with the information submitted in this document and all attachments thereto, and I certify that, based on reasonable investigation, including my inquiry of those individuals responsible for obtaining the information, the submitted information is true, accurate and complete to the best of my knowledge and belief. I understand that a false statement made in the submitted information may be punishable as a criminal offense, in accordance with Section 22a-6 of the General Statutes, pursuant to Section 53a-157b of the General Statutes, and in accordance with any other applicable statute."
- (j) *Other applicable law.* Nothing in this general permit shall relieve the contact person of the obligation to comply with any other applicable federal, state and local law, including, but not limited to, the obligation to obtain any other authorizations required by such law.
- (k) *Correction of inaccuracies.* Within fifteen (15) days after the date a contact person becomes aware of a change in any information in any material submitted pursuant to this general permit, or becomes aware that any such information is inaccurate or misleading or that any relevant information has been omitted, such contact person shall correct the inaccurate or misleading information or supply the omitted information in writing to the commissioner. Such information shall be certified in accordance with subsection 19-105(i) of this division.
- (l) *Change in ownership or contact person.* Upon a change in the ownership or the contact person of a food preparation establishment, the new owner or contact person shall comply with the requirements of this division.

(Res. No. TC23-165, § 5, 7-13-11)

#### Sec. 19-106. - Fees.

The Agency may establish and revise fees for the Agency's FOG management program required by this division at its discretion. The fees may include, but are not limited to, annual registration, inspection, variance, and/or maintenance fees. **The establishment owner is financially responsible for all charges**

including installation, maintenance, pumping, disposal, and repair of treatment systems. The establishments are also responsible for any fines or cleanup costs associated with overflows or stoppages.

#### STANDARD FEES

- Initial Application \$ 100.00
- Renewal Application \$ 50.00
- Late Fee \$ 25.00 (per month)

(Res. No. TC23-165, § 6, 7-13-11)

Sec. 19-107. - Effective date.

This Resolution No. TC23-165, shall become effective on July 1, 2011.

(Res. No. TC23-165, § 7, 7-13-11)

Sec. 19-108. - Violations and fines.

The Agency may establish and revise fines for failure to act in accordance with this division at its discretion.

#### VIOLATION FEES

Violations of the Town of Trumbull FOG Program may be subject to Violation Fees. Each day a violation continues may be considered a separate occurrence.

#### VIOLATION FEES

- Failure to submit Registration Form \$100.00
- Disallow a site visit or inspection by the Trumbull WPCA \$100.00
- Failure to maintain records in proper order \$100.00
- Failure to maintain interceptors in properly working order \$500.00
- Failure to clean out interceptor quarterly or when 25% filled with grease, whichever comes first \$500.00
- Source of sewer blockage (minimum) \$500.00
- Source of sanitary sewer overflow (minimum) \$500.00
- Falsification of records \$1,000.00

(Res. No. TC23-165, § 8, 7-13-11)

#### DIVISION 5. – MISCELLANEOUS INDUSTRIAL USERS

Sec. 19-109. - Purpose.

The purpose of this division is to outline the Connecticut Department of Energy and Environmental Protection (CT DEEP)'s General Permit for Discharges of Miscellaneous Industrial User Wastewater, effective date October 31st, 2020. All miscellaneous industrial users in the Town of Trumbull discharge their wastewater to the Town owned and operated sanitary collection system; this flow is eventually conveyed to the Receiving POTW Authority for treatment. By definition in the General Permit, both the Town of Trumbull Water Pollution Control Authority and the Receiving POTW Authority are considered POTW Authorities. Under this condition, the Industrial User shall send notification to both applicable POTW Authorities.

(Res. No. XXXX-XXX, § XXXXX)

Sec. 19-110. - Definitions.

*Applicable POTW Authority* means the POTW Authority with jurisdiction over the POTW which receives or will receive the subject discharge.

*Authorized Activity* means any activity authorized by the General Permit.

*Authorized Discharge* means a discharge authorized under the General Permit.

*Best Management Practice (BMP)* means a practice, procedure, structure, or facility designed to prevent or minimize environmental damage, or to maintain or enhance environmental quality. BMPs include without limit treatment requirements, operating procedures, practices to control spillage or leaks, sludge, or waste disposal, or providing for drainage from raw material storage.

*Categorical Industrial User*, means a source of discharge into a POTW subject to Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR chapter I, subchapter N.

*Categorical Pretreatment Standards or Categorical Standards* are the National Categorical Pretreatment Standards or pretreatment Standards which are any regulation containing Pollutant discharge limits promulgated by EPA in accordance with Section 307(b) and (c) of the Act (33 U.S.C. § 1317) as amended, which apply to a specific category of user and which appear in 40 CFR Chapter 1, Subchapter N Parts 405-471. National Categorical.

*General Permit for Discharges from Miscellaneous Industrial Users or Miscellaneous Industrial User General Permit or MIU GP* refers to the General Permit for Discharges from Miscellaneous Industrial Users.

*Miscellaneous Industrial User (MIU) or Industrial User* means any user that discharges Miscellaneous Industrial wastewater.

*Miscellaneous Industrial User Wastewater or MIU Wastewater* (formerly known as *Miscellaneous Sewer Compatible Wastewater* or *MISC Wastewater*, means any wastewater discharge that is NOT subject to Federal Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR chapter I, subchapter N as amended. Domestic sewage including septage or sewage from portable sources and groundwater remediation wastewater are excluded from this definition. MIU wastewater includes but is not limited to air compressor condensate & blowdown, boiler blowdown, building maintenance wastewater, commercial laundry wastewater, contact cooling & heating water, cutting & grinding wastewater, fire suppression system test-water, food processing wastewater, hydrostatic pressure testing wastewater, non-contact cooling water, non-destruct testing rinsewater, printing and photographic processing wastewater, tumbling or cleaning of parts wastewater, water treatment wastewater, and vehicle maintenance wastewater.

*Non-Process Wastewater* means any MIU wastewater which is not a process wastewater. In the MIU GP, non-process wastewater is referred to as Group II wastewater.

*POTW Authority* means the chairperson of the Water Pollution Control Authority which owns or operates a Publicly Owned Treatment Works or such chairperson's designee.

*Process Wastewater* means any MIU wastewater which, during manufacturing, commercial, mining or silvicultural activities, comes into direct contact with, or results from the production, use or handling of any process, raw material or intermediate or final product, byproduct or waste product. Other wastewaters which comingle with process wastewaters prior to the monitoring location shall be deemed to be process wastewater. This does not include air compressor condensate, hydrostatic pressure testing wastewaters, cooling water (non-contact), domestic sewage, blowdown from heating and cooling equipment, stormwater, or wastewater from agricultural activities. In the MIU GP, non-process wastewater is referred to as Group I wastewater.

*Publicly Owned Treatment Works or POTW* means a system used for the collection, treatment and/or disposal of sewage from more than one lot as defined in section 22a-430-3(a) of the Regulations of Connecticut State Agencies and which discharges to the waters of the state and which is owned by a municipality or the state.

*Receiving POTW Authority* means the POTW Authority holding an NPDES discharge permit for the wastewater treatment and disposal facility.

*Regional Collection / Transfer / Disposal Site* means a facility approved in accordance with law for the collection, transfer or disposal of fats, oils, grease and food waste which in Connecticut means a POTW or privately owned treatment works that is approved by the Commissioner for the transfer, separation or disposal by incineration or other methods of fats, oils, grease and food waste from the wastewater of a



facility. Pursuant to section 22a-174-33 of the Regulations of Connecticut State Agencies related to Title V Sources, an in-state regional incinerator must have an operating permit that lists FOG as a source of fuel.

*Significant Industrial User* or *SIU*, means: (i) all Industrial Users subject to Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR chapter I, subchapter N; and (ii) any other Industrial User that: discharges a cumulative maximum of 25,000 gallons per day or more of process wastewater to the POTW (excluding sanitary, noncontact cooling and boiler blowdown wastewater); contributes a process waste-stream which makes up 5 percent or more of the average dry weather hydraulic or organic capacity of the POTW Treatment plant; or is designated as such by the Commissioner on the basis that the Industrial User has a reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or requirement (in accordance with 40 CFR 403.8(f)(6)).

*Vehicle Maintenance Wastewater* means wastewater generated by (1) floor washdown and incidental drippage from vehicles as a result of routine vehicle servicing operations and (2) washing of vehicle exteriors or steam cleaning of vehicle engines.

(Res. No. XXXX-XXX, § XXXXX)

#### Sec. 19-111. - Authorization.

A miscellaneous industrial user may make an authorized discharge pursuant to the General Permit issued by the Connecticut Department of Environmental Protection, provided that the miscellaneous industrial user complies with this division.

Sewer users that discharge *Miscellaneous Industrial User Wastewater (MIU Wastewater)* in sewers that are under the authority of these Sewer Use Rules and Regulations must do so under the terms of the MIU General Permit, effective date October 31<sup>st</sup>, 2020. These users discharge either Process (Group I) or Non-Process (Group II) wastewater. The aforementioned type, as well as the cumulative maximum daily flow, of the discharge will determine which requirements the MIU will have to adhere to in terms of notifying the WPCA of their discharge and performing monitoring and reporting activities.

As narrated in Sec. 19-109, By definition in the General Permit, both the Town of Trumbull and the receiving POTW Authority are considered POTW Authorities. Under this condition, the Industrial User shall send notification to both applicable POTW Authorities. As such, MIU discharges to the Town of Trumbull's sanitary collection system and the receiving POTW facility must be approved and authorized.

(Res. No. XXXX-XXX, § XXXXX)

#### Sec. 19-112. – New or Existing MIUs and Administration.

##### (a) *All MIUs*

- (1) All Miscellaneous Industrial User establishments or facilities, including but not limited to vehicle maintenance facilities, car washes, hotels, commercial laundry facilities, pools, pool cleaning services, companies that manufacture their products in-house, hotels, etc. that have the potential to generate *MIU Wastewater* at concentrations in at or in excess of the limits defined in Section 19-77(6) shall be required to be registered under the MIU GP as defined in subsections 19-109 and 19-111 of this division.
- (2) Any new MIUs that will be covered under the MIU GP will need to be compliant with the GP before discharge. See details in (b)(3).

##### (b) *Administration of the MIU GP.*

- (1) The notification process consists of the MIU completing a Discharge Notification Form as well as one or more supplemental forms, if required (Refer to Table below for form requirements and additional information.). The form(s) must be submitted to the Receiving POTW Authority AND any POTW Authorities where wastewater is expected to be passed through via sewer system before discharge to the sewers begins. Additional Forms include:
  - a. Attachment A: Detailed Discharge Information.

- b. Attachment B: Qualified Professional Certification for Treatment [See Section 4(c)(3)(B) of the MIU GP Exceptions found in 4(c)(3)(B)(ii)],
- c. Attachment C: Discharge Analysis Results of one screening analysis from the testing of a sample taken within 90 days of notification OR most recent sampling event for pollutants specified in permit. (This is a one time reporting requirement.)
- d. Attachment D – Request for Variance to applicable POTW Authority that will convey or treat the wastewater received, in accordance with Section 7(a) of the MIU GP.

Discharge Type	Form Required				
	Discharge Notification Form	Attachment A	Attachment B	Attachment C	Attachment D
Group I wastewater < 1000 gpd discharged directly to a sanitary sewer that does not require a variance	NA				
Group II wastewater < 5000 gpd discharged directly to a sanitary sewer that does not require a variance	NA				
Group I Wastewater ≥ 1000 gpd and < 25,000 gpd	X				
Group I Wastewater ≥ 1000 gpd and < 25,000 gpd AND any of the following apply: <ul style="list-style-type: none"> <li>- Greater than 2% and less than 5% average organic or</li> <li>- Hydraulic capacity of POTW</li> <li>- Transported</li> <li>- Discharge has had increase in flow/ change in chemistry since last registration/ notification</li> <li>- Requires a variance</li> <li>- Requires treatment prior to discharge to meet limits in GP Table 5-2 or POTW Authority limits, whichever is more stringent</li> </ul>	X	X			
Group I Wastewater ≥ 1000 gpd and < 25,000 gpd AND requires treatment prior to discharge to	X	X	X		

meet limits in GP Table 5-2/ POTW Authority limits					
Group II wastewater ≥ 5000 gpd	X				
Any flow of vehicle maintenance wastewater	X	X			
Any flow of vehicle maintenance wastewater (excluding discharges previously permitted by DEEP)	X	X	X		
Any transported wastewater	X				
Any flow requiring a variance	X				
Any flow that POTW Authority requests notify	X				
All Group I wastewater submitting the Discharge Notification Form	X	X	X		
All Group II wastewater in category "Other" (Refer to GP section 4(a)(1)) submitting the Discharge Notification Form	X	X	X		
All Group I Wastewater that Requires A Variance	X	X	X	X	X

- (2) The Discharge Notification Form and applicable Attachment Forms should be submitted to the Local POTW Authority and any POTW Authorities where wastewater passes through via the sanitary sewer system.
- (3) For new discharges, the Discharge Notification Form and applicable Attachment Forms should be submitted before the discharge is initiated.
- (4) The WPCA shall have the right to inspect such MIU facilities at any time during normal business hours.
- (5) The WPCA shall have the right to request monitoring and compliance testing parameters at any time, including those noted in subsection 19-77(6).

(Res. No. XXXX-XXX, § XXXXX)

Sec. 19-113. – Eligible Activities Authorized to Discharge.

(a) General requirements.

The following eligible activities (listed but not limited to) are authorized to discharge to the Town of Trumbull's sewer collection system in accordance with the terms and conditions of the MIU GP:

- (1) The discharge is not from an Industrial User subject to any provision of 40 CFR 403.6 (National Pretreatment Standards: Categorical Standards) and 40 CFR chapter I, subchapter N for which a regulation containing pollutant discharge limits has been promulgated.
  - (2) The discharge of tumbling or cleaning of parts wastewater is not from an Industrial User that engages in activities that are subject to the Electroplating Point Source Category (40 CFR Part 413) or the Metal Finishing Point Source Category (40 CFR Part 433), regardless of whether any discharges exist from such point source categories.
  - (3) The cumulative maximum daily flow of all Group I process wastewater discharges from such Industrial User, as described in Section 4(a)(1)(A) of the general permit, is less than 25,000 gallons per day.
  - (4) The maximum cumulative discharges from the Industrial User does not contribute a process waste-stream which makes up five percent (5%) or more of the average dry weather hydraulic or organic capacity of the Receiving POTW.
  - (5) The Industrial User is not otherwise designated as a Significant Industrial User by the Commissioner on the basis that the Industrial User has a reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or requirement in accordance with 40 CFR 403.8(f)(6).
  - (6) Such activity is in compliance with the requirements of the applicable POTW Authority and local ordinances or regulations or any variances granted therefrom.
  - (7) Such activity is in compliance with notification requirements of Section 4 of the general permit.
  - (8) The discharge from such activity is in compliance with all terms and conditions of this general permit including, but not limited to, the prohibitions described in Section 5(a)(2) of the general permit.
- (b) *Wastewater discharge prohibitions.*
- (1) Wastewater discharged under the authority of this general permit shall not for any reason cause or threaten either singly or in combination with other discharges:
    - a. Interference or adverse effect upon the maintenance and / or operation of the local POTW Authority and the Trumbull's sanitary collection system;
  - (2) Wastewater discharged under the authority of this general permit shall not:
    - a. Contain any substance which causes or threatens a fire or explosion hazard in Trumbull's sanitary collection system, including but not limited to, wastewaters with a closed cup flashpoint of less than 140°F (60°C) using the test methods specified in 40 CFR 261.21.
    - b. Have a pH of less than 5.0 or more than 9.0 Standard Units.
    - c. Contain solid or viscous pollutants in amounts which will cause or threaten obstruction of flow in the sanitary sewer system or the Receiving POTW.
    - d. Contain heat in amounts which will inhibit biological activity in the POTW, nor contain heat in such quantities that the influent temperature at the POTW exceeds 104°F (40°C).
    - e. Contain pollutants which result in the presence of toxic gases, vapors or fumes within the Town of Trumbull's sewer collection system or the Receiving POTW in a quantity that may cause acute worker health or safety problems.
    - f. Contain pollutants in a quantity or concentration which may cause or contribute to excessive foaming within the Receiving POTW or which may cause foaming within the Receiving POTW's effluent.

- g. Contain, either singly or in combination with other discharges, any pollutant in sufficient amounts to cause acute worker health and safety problems, problems in the collection system or pass through or interference with the Receiving POTW.
  - h. Contain, either singly or in combination with other discharges, flow in excess of the hydraulic capacity of the Receiving POTW or the Town of Trumbull sewer collection system.
  - i. Contain mercury.
- (3) The use or addition of water to dilute a discharge of wastewater in order to meet any effluent limit or condition of this general permit is prohibited.

(Res. No. XXXX-XXX, § XXXXX)

Sec. 19-114. – Monitoring, Reporting, and Record Keeping.

(a) *Monitoring Requirements.*

- (1) MIUs discharging Process/Group I wastewater will have to monitor their discharge for parameters listed in concentration of pollutants table under Division 03 "Use of Public Sewers" Section 19-77(6), at the frequency noted in the MIU GP. Monitoring results shall be recorded in a log kept on site and records made available to the WPCA on request.
- (2) Violations of the limits in Table 5-1 of the MIU GP, or of the limits in these Sewer Use Rules and Regulations, will be recorded in a log of violations kept on site and made available to the WPCA on request. For more information, see Section 5(b)(8) of the MIU GP.
- (3) Some violations or problems in the MIU discharge must be reported to the WPCA immediately or within a specified time frame. For more information, see Section 5(d) of the MIU GP.
- (4) As part of the MIU GP requirements, all discharges (other than vehicle maintenance wastewater) requiring treatment prior to discharge to meet limits in Table 5-1 of MIU GP or limits in these Sewer Use Rules and Regulations must produce an Operation and Maintenance Plan as well as a Spill Prevention Plan. These documents are not required to be submitted to the POTW as part of initial notification, but they must be made available on request to the WPCA. Eligibility is outlined in MIU GP Section 5(e)(2) and components of both Plans are in MIU GP Appendices B and C.
- (5) For discharges of all MIU GP Group I process wastewaters and Group II "Other non-process wastewaters" only (as noted in Sections 19-110 and 19-112 of this Sewer Ordinance), results of one screening analysis from the testing of a sample taken within ninety (90) days of a Miscellaneous Industrial User's (MIU's) notification of discharge or the most recent sampling event for pollutants specified by Section 5(b)(1) of the *General Permit for Wastewater Discharges from Miscellaneous Industrial Users (MIU GP)*.

(b) *Recording and reporting violations.*

- (1) If any analytical results from monitoring data elected to be done by the contact person or other information indicates that a violation of an effluent limitation or another condition of this division permit has occurred, the contact person shall immediately take steps to identify and correct any and all conditions causing or contributing to such violation. A log of such violations shall be maintained on site and contain, at a minimum, the following information:
  - a. The permit condition(s) or effluent limitation(s) violated;
  - b. The analytical results or other information demonstrating such violation;

- c. The cause of the violation, if known;
- d. Dates and times during which the violation continued;
- e. If the violation was not corrected immediately upon being discovered, the anticipated time it is expected to continue; and upon correction, the date and time of correction;
- f. Steps taken and planned to reduce, eliminate and prevent a reoccurrence of the violation, and the dates such steps have been or will be executed;
- g. The name, title and signature of the individual recording the information and the date and time of such recording.

(2) In case a violation occurs, the MIU GP permit holder shall immediately:

- a. Notify each applicable POTW Authority including the Trumbull WPCA,
- b. Notify the CT DEEP Commissioner of the violation, and
- c. Notify the CT DEEP the Water Permitting and Enforcement Division of the Bureau of Materials Management and Compliance Assurance (860-424-3025 during business hours 8:30 a.m. – 4:30 p.m., 860-424-3338 after business hours).
- d. If any analytical results or monitoring data or any other information indicates that a violation of an effluent limitation or another condition of this general permit has occurred, or upon becoming aware of any discharge that could cause problems to the Receiving POTW, including but not limited to slug loadings of pollutants which may cause a violation of the Receiving POTW's NPDES permit, or which may inhibit or disrupt the POTW, its treatment processes or operations, or its sludge processes, use or disposal.
- e. A written report must be submitted to each applicable POTW Authority and the Commissioner that contains the following information within five (5) days of becoming aware of the violation.
- f. In addition to the requirements described in RCSA section 22a-430-3(j)(11)(D), any other actual or anticipated noncompliance with effluent limits or other terms and conditions of the MIU GP shall be recorded within twenty-four (24) hours of becoming aware of such circumstances in a log.
- g. Within sixty (60) days after the deadline for submitting the report specified in Section 5(d)(4) above, the permittee shall submit to the applicable POTW Authority and the Commissioner a certification, as specified in Section 5.d(5) of the MIU GP.
- h. Additional information on how violations should be recorded and reported is found in Section 5.d(5) of the MIU GP.

(Res. No. XXXX-XXX, § XXXXX)

#### Sec. 19-115. - Fees.

The Town of Trumbull / Trumbull WPCA may revise fees for the WPCA MIU management program required by this division at its discretion. The fees may include, but are not limited to, registration / notification, inspection, variance, and/or monitoring fees.

#### STANDARD FEES

- Discharge Notification Form \$100.00
- Attachment A \$ 100.00
- Attachment B \$ 100.00
- Attachment C \$ 100.00
- Attachment D \$ 100.00
- Late Fee \$ 25.00 (per month)

(Res. No. XXXX-XXX, § XXXXX)

Sec. 19-116. - Segregation of proceeds of use charges.

The proceeds of sewerage system use charges, whether pledged for the payment of securities, shall be segregated from other funds of the Town and may be placed in an enterprise fund or funds established as may be provided.

(Res. No. XXXX-XXX, § XXXXX)

Sec. 19-117. - Effective date.

This Resolution No. XXX-XXX, shall become effective on March XX, 2021.

(Res. No. XXXX-XXX, § XXXXX)

Sec. 19-118. - Violations and fines.

The Town of Trumbull / Trumbull WPCA may revise fines for failure to act in accordance with this division at its discretion.

VIOLATION FEES

Violations of the Town of Trumbull MIU GP Program may be subject to Violation Fees. Each day a violation continues may be considered a separate occurrence.

- Failure to submit Discharge Notification Form and Associated Attachments \$100.00
- Disallow a site visit or inspection by the Trumbull WPCA \$100.00
- Failure to maintain records in proper order \$100.00
- Falsification of records \$1,000.00

(Res. No. XXXX-XXX, § XXXXX)

## **RESOLUTION TC28-170**

### **CHAPTER IV. ADOPTING THE ANNUAL BUDGET**

#### **Section 2. Duties of the Board of Finance.**

....

D. The Board of Finance shall, in any event, no later than the second (2nd) Monday in April, submit to the Town Council its recommended budget for the next fiscal year, except for calendar year 2021 only, when the Board of Finance shall submit its recommended budget no later than the fourth (4th) Monday in April.

....

#### **Section 3. Duties of the Town Council.**

A. Upon receipt of the budget recommended by the Board of Finance for the ensuing fiscal year, the Town Council shall cause sufficient copies thereof to be made available for general distribution in the Office of the Town Clerk and shall hold a public hearing thereon no later than the first (1st) Monday in May each year, except for calendar year 2021 only, when the Town Council shall hold a public hearing thereon no later than the third (3rd) Monday in May. At least five (5) calendar days prior to said hearing, the Town Council shall cause to be published, in a newspaper having a general circulation in the Town, as well as the Town's website, a notice of the public hearing together with a summary of the budget recommended by the Board of Finance showing proposed expenditures, anticipated revenues by major sources together with the amount of revenue to be raised by general taxation.

B. The Town Council shall consider the budget recommended by the Board of Finance and shall adopt a budget no later than the second (2nd) Monday in May, except for calendar.



**RESOLUTION TC 28-171:**

Whereas, on July 9, 2020, the Trumbull Town Council overwhelmingly voted to establish the Equity, Diversity & Inclusion Task Force (TC Resolution #28-87, 18 approved, 0 opposed, 2 abstentions) (referred to as the “EDIT Task Force”);

Whereas, on July 9, 2020, the Trumbull Town Council established the purpose of the EDIT Task Force as follows:

“The purpose of this task force shall be to strengthen Trumbull’s identity as a diverse, equitable, and inclusive community. The task force shall identify programmatic, community and legislative practices with regard to racial, social, sexual and gender equity and diversity.” (referred to as “EDIT’s Mission”);

Whereas the Trumbull Town Council duly appointed eight members of the EDIT Task Force;

Whereas the EDIT Task Force conducted an organizational meeting on October 22, 2020, and elected officers;

Whereas the EDIT Task Force conducted its public business in a good and proper manner and held public meetings on November 12, 2020, December 17, 2020 and January 21, 2021, including a public hearing held on January 14, 2021;

Whereas, four members of the EDIT Task Force recently have resigned, and a quorum no longer exists for the EDIT Task Force;

Whereas the Town Council usually appoints the chair and/or vice chair of other committees of the Town Council (for example, various building committees, Charter Revision Commission 2020, 2020 Trumbull Redistricting Committee);

Whereas the EDIT Task Force is a committee established by the Town Council and the Town Council retains jurisdiction with respect to the existence and operations of the EDIT Task Force.

Now, therefore, BE IT RESOLVED:

- 1) The Town Council affirms the existence and importance of the EDIT Task Force.
- 2) The Town Council affirms EDIT’s Mission “to strengthen Trumbull’s identity as a diverse, equitable, and inclusive community”.
- 3) To further assist the EDIT Task Force to accomplish its mission, the EDIT Task Force shall not meet or conduct business until such time as the EDIT Task Force has its full complement of 8 members appointed by the Town Council and at which time the Town Council also will appoint a new Chairman and Vice Chairman.

## **RESOLUTION TC28-174**

### **A RESOLUTION IN SUPPORT OF “HOME RULE” IN MUNICIPAL ZONING DECISION MAKING**

WHEREAS, Connecticut’s towns and cities successfully use local zoning and planning processes to balance private property rights, the community’s interests, demands on infrastructure, housing needs, and economic growth; and

WHEREAS, local control and decision making empowers the residents and taxpayers of each town and city to carefully tailor zoning policies that reflect its unique geography, economy, and housing market; and

WHEREAS, localized decision making ensures the greatest level of accountability while allowing affected community members the greatest level of input and the platform through a public hearing to provide specific, relevant information on potential impacts that only they would have knowledge of; and

WHEREAS, local control and local input enable neighbors and the local community to provide beneficial suggestions, identify errors and maximize community buy-in on zoning proposals; and

WHEREAS, proposals have been introduced in the General Assembly to strip local planning and zoning processes from towns and cities; and

WHEREAS, proposals have been introduced in the General Assembly to allow BY RIGHT market value multi-family development that will not generate any new affordable housing units; and

WHEREAS, proposals have been introduced in the General Assembly to allow outside Housing Authorities within 15 miles radius to develop affordable housing projects within our town; and

WHEREAS, BY RIGHT multi-family development can lead to exponential market value overbuilding and can cause adverse impacts to town infrastructure; and

WHEREAS, BY RIGHT development gives outsized rights to builders over all other property owners and prevents local Planning and Zoning Commissions from identifying the potential impacts of their project and imposing conditions upon a developer to address those direct impacts; and

WHEREAS, eliminating public hearings and community input on zoning matters would have unintended consequences such as increased infrastructure costs, increased local property taxes, and reduced home and business values which will be borne by the town residents; and

WHEREAS, each town and city already has the choice to modify or abolish its zoning ordinances if the elected town or city government decides it best serves the community’s interests.

NOW BE IT RESOLVED that the TOWN COUNCIL of the TOWN OF TRUMBULL opposes any State Mandated one size fits all Zoning Legislation and the ability of any outside housing authority to have jurisdiction on our town’s Affordable Housing plan and any similar legislation

that would further overrule, remove or diminish local control and decision making related to planning and zoning or affordable housing from the Town OF Trumbull; and

BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to all State Representatives and State Senators representing this town, to all members of the State Legislature's Planning and Development, Finance and Housing Committees, and to all legislators sponsoring bills that remove local control of planning and zoning and affordable housing.