

Woodridge Lake Sewer District Sewer Authority
Town of Goshen
County of Litchfield
State of Connecticut

Rules and Regulations

Adopted April 3, 1972

Amended & Adopted:

Revision 1 13 October 1998				

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1. **GENERAL** - Pursuant to the provisions of Connecticut General Statutes 7-247, the following are adopted as rules and regulations of the Authority:
 - 1.1. All users and prospective users of the Woodridge Lake District Sewerage System ("The System"), must comply with these regulations, the Woodridge Lake Sewer District Sewer Ordinance as amended from time to time, and with all other requirements of law.
 - 1.2. The Authority and its representatives shall continue to enforce and abide by the provisions of the Woodridge Lake Sewer District Sewer Use Ordinance as amended from time to time.
 - 1.3. The Secretary of the Authority is designated to continue to serve as custodian of the books, papers and documents of the Authority.
 - 1.4. The Secretary of the Authority shall maintain a record of the proceedings of the Authority.
 - 1.5. Applications for permits to connect to the Woodridge Lake Sewer System shall be made on forms approved by the Authority Board of Directors.
 - 1.6. Appeals from any decision of the Plant Superintendent shall be on forms approved by the Authority Board of Directors.
 - 1.7. The Secretary shall keep a supply of all forms on hand, as amended by the Authority Board of Directors from time to time.
 - 1.8. In consideration of such permit applications as may come before him, The Plant Superintendent shall take into consideration the following factors:
 - 1.8.1. The remaining provisions of these regulations;
 - 1.8.2. The provisions of the Woodridge Lake Sewer District Sewer Ordinance as amended from time to time;
 - 1.8.3. The requirements of any governmental authority having jurisdiction over the operation of the system;
 - 1.8.4. All other provisions of law;
 - 1.8.5. Then existing operating conditions of the system;
 - 1.8.6. The amount and nature of the proposed discharge;

- 1.8.7. The probable frequency or fluctuation of the proposed discharge;
- 1.8.8. The then existing capacity of the system to service all of the properties in the District whether developed or not;
- 1.8.9. Any unusual health hazards then existing;
- 1.8.10. The need for extension of any sewer lines required by the proposed application;
- 1.8.11. The proximity of any other connections or other engineering factors or conditions which, in the judgment of the Plant Superintendent, should be taken into account within the scope of his duties and job description.
- 1.8.12. All Woodridge Lake sewer taxes must be paid in full by the owner(s).
- 1.9. The Plant Superintendent shall render a written decision within 30 days of receipt by him of a completed application, including receipt of any DEP approval which may be required, together with payment of all required fees.
 - 1.9.1. The sewer permit fee and connection/inspection charge for residential service shall be as defined in sections 3. and 4. of this document.
 - 1.9.2. The sewer permit fee and connection/inspection charge for multiple family dwellings service and commercial service shall be as defined in sections 3. and 4. of this document.
- 1.10. If DEP approval is required for any application, the Plant Superintendent shall initiate a request for such approval within 15 days of the time when he has received the application otherwise completed in proper form, with payment of all necessary fees, and he shall furnish all information required by the DEP to that agency promptly so as not to unreasonably delay any application. Any fees required by the DEP shall be paid by the applicant, and the applicant shall pay for any engineering or other professional services required in connection with seeking DEP approval.
- 1.11. Any permit which is approved shall be valid for one year from the date of approval and shall expire at the end of such year unless before then connection to the system is made and approved by the Plant Superintendent or his designee.
- 1.12. Connections to the system shall be made only in the presence of the Plant Superintendent or his designee who shall be available on 24 hour notice on non-holiday weekdays.

- 1.13. The Plant Superintendent or his designee shall approve or disapprove the connection in writing at the job site on the day of inspection.
- 1.14. The Plant Superintendent may approve permits subject to conditions imposed at his discretion reasonably related to the purposes of the Authority and the operation of the system within the scope of his duties and job description.
- 1.15. Any aggrieved person may appeal from any decision of the Plant Superintendent or his designee within 30 days of the date of any such decision by filing a notice of appeal on the form approved by the Authority. This form must be completed as indicated and one copy must be filed with the Plant Superintendent, one copy with the Secretary of the Authority and one copy with the Chairman of the Authority. At the time the notice of appeal is filed, the appellant shall pay a fee of \$250.00 to the Secretary of the Authority.
- 1.16. The Authority shall hold a hearing to consider any appeal filed pursuant to these regulations within 45 days from receipt of the notice of appeal and payment of the required fee.
- 1.17. At the appeal hearing, the Authority shall consider the application or connection or other decision appealed from on a de novo basis and shall reach its own decision concerning the merits of the matters in controversy.
- 1.18. Except as provided in existing contracts with the Town of Goshen, property located outside the boundaries of the Woodridge Lake Sewer District shall not be connected to the Sewerage System.
- 1.19. The following rules of procedure shall apply to any appeal hearing held by the Authority:

2. RULES OF PROCEDURE FOR APPEAL HEARING

- 2.1. The Authority shall provide notice of the time, place and purpose of any appeal hearing to the appellant and such other parties as it may deem appropriate, by public or private notice or both.
- 2.2. The Authority shall have full authority to control the conduct of the hearing, including but not limited to the Authority to limit the scope of the hearing, to administer oaths, to summon and examine witnesses, to control the examination and cross-examination of witnesses, to admit or exclude testimony or other evidence, to make findings and recommendations, and to suspend, reconvene and adjourn the hearing. The Authority shall make full inquiry into all facts at issue and shall obtain a complete record of all facts necessary for a full determination of the issues.

- 2.3. Following service or publication of a notice of hearing, any party or person requesting party status may submit a request to the Authority for a change of the date, time or place of the hearing. The request shall include the reasons for such a change. If, in the Authority's judgment, it is likely that a party will be unduly prejudiced or a complete record will not be compiled without such a change, it shall change the scheduled hearing as requested or it deems appropriate and shall send notice to the person requesting such change and to all parties of record by certified mail, return receipt requested. If the hearing notice was published, it shall be republished in the same manner, if possible, as far in advance of the hearing as possible.
- 2.4. All parties to a hearing may, subject to the limitations specified herein, examine and cross-examine witnesses; introduce records, papers, documents, or other evidence into the record; and present oral arguments and briefs. All parties and their witnesses shall be available for cross-examination without subpoena. The Authority shall strike from the record any comment of a party or witness relating to a subject on which he or she refuses to be cross-examined.
- 2.5. Hearing Conduct
- 2.5.1. Speakers - Anyone who attends a public hearing but is not a party nor called upon to testify by a party shall, subject to the ruling of the Authority, be afforded a reasonable opportunity to present relevant, material and not unduly repetitious oral or written evidence which shall be considered along with all other evidence on the record in reaching a decision. Such persons shall not be entitled to cross-examine other speakers or parties, or to object to the offer of evidence. Speakers may refuse to be cross-examined by parties, but the Authority shall strike from the record any such speaker's comments relating to the subject on which he or she refuses to be cross-examined. The Authority may place a time limit on speaker's presentations.
- 2.5.2. Representatives - Any party or speaker may be represented by another. A representative shall state in writing or on the record that he or she is authorized to represent a specified party or speaker and that such representation is not in violation of any provision of a statute or regulation. A formal written appearance will be filed.
- 2.5.3. Attendance - A person who is not a party to the hearing and does not intend to speak at the hearing shall not be required to give his or her name or any other information or fulfill any condition precedent to attendance at such hearing.

- 2.5.4. Oaths - The Authority shall require that testimony be given under oath. The oath administered shall be that for witnesses, as specified in section 1-25 of the general statutes, as amended, and it shall be administered in accordance with sections 1-22 and 1-23 of the general statutes, as amended.
- 2.5.5. Examination of witnesses - The person who commences the direct or cross-examination of a witness shall conduct it through to conclusion, except by permission of the Authority upon consideration of the equities involved and the need to develop a complete record without unduly hindering the progress of the hearing.
- 2.5.6. Evidence - The provisions of section 4-178 of the general statutes shall apply in any hearing in a contested case. Whenever any objection to the admission of evidence is made, the party shall quickly and succinctly state the ground for the objection. Argument upon such objection shall not be made unless the Authority requests it. Exception to the ruling may be taken and shall be noted for the record.
- 2.5.7. Smoking - No person shall light or carry a lighted cigarette, cigar, pipe or similar device in contravention of section 1-21b of the general statutes, as amended.
- 2.5.8. Interruptions - If any hearing is interrupted by any person or group of persons so as to render the orderly conduct of such hearing unfeasible, order may be restored by the removal of individuals who are willfully interrupting the hearing, or by scheduling a reconvening at such time and place as are considered conducive to an orderly proceeding.
- 2.5.9. Adjournment of hearings - The Authority may continue a hearing to a time and place specified either at the session or within a reasonable time thereafter. In a contested case, notice of reconvening shall be given to all parties as far in advance as possible in accordance with applicable statutes and regulations.
- 2.5.10. Recording of proceedings - Oral proceedings shall be recorded either stenographically or electronically, and the proceeding or any part thereof shall be transcribed on request of any party, provided such party shall pay the cost thereof.
- 2.5.11. Record - In addition to the items specified in section 4-177(e) of the general statutes, the record shall include, as applicable, (1.) a copy of the notice provided to parties; (2.) any conference memoranda; (3.) any transcript or recording of proceedings; and (4.) any briefs

submitted. The record shall be available for public inspection at a designated location.

- 2.5.12. Submission of proposed findings and decision - Any party may submit proposed findings of fact, conclusions of law, or a proposed decision within the time specified by the Authority, provided such submission is accompanied by a list of the parties to whom the submission was sent and a certification in substantially the following form:

I hereby certify that a copy of the above was mailed on (date) to all parties or their authorized representatives.

(signature of person making service)

- 2.6. Following receipt of exceptions or briefs, and after oral argument, if any, the Authority shall review the entire record and render a final decision in accordance with section 4-180(a) of the general statutes, as amended.
- 2.7. All final decisions shall be in writing and signed by the Chairman of the Authority, and a copy shall be sent by certified mail, return receipt requested, to each party. A final decision shall be effective upon receipt or as stated in the decision, whichever is later.
- 2.8. Any decision of the Authority shall be based only on evidence produced at the hearing and its own expertise and knowledge as to the issues presented, including but not limited to its knowledge about its plant and system. Any decision of the Authority shall state concisely the reason or reasons which form the basis for the decision.
- 2.9. Any person aggrieved by any decision of the Authority shall have such further right of appeal to the courts as may be provided by law.

3. **BENEFIT CONNECTION AND INCREASED USAGE CHARGE**

- 3.1. In the event an application is made to connect a property to the sewer system or in the event the use of a previously connected property is expanded or altered in such a fashion as to increase the number of "units" as defined in section 3.2 below or to increase the sewer usage of such property, the property shall be subject to a benefit connection charge pursuant to Connecticut General Statutes Section 7-255 if the property and the use of said property is subject to one or more of the following classifications:

- 3.1.1. A property which has never previously been connected to the sewer system or assessed by the Woodridge Lake Sewer District Sewer Authority; or
 - 3.1.2. A property previously assessed by the Woodridge Lake Sewer District Sewer Authority which receives a special benefit resulting from the connection to the sewer system by virtue of the development and use of the property in a manner not contemplated at the time of assessment; or
 - 3.1.3. A property whose proposed or completed physical alteration or whose proposed or completed change in use shall increase the number of "units" as defined in section 3.2 below; or
 - 3.1.4. A property whose proposed or completed physical alteration or whose proposed or completed change in use shall substantially increase its sewer usage.
- 3.2. Properties subject to the benefit connection charge will be charged on a "per unit" basis ranging from a minimum of (1) unit to a maximum of the total number of existing units plus proposed units for which a zoning permit or certificate of occupancy is issued or sought.
- 3.2.1. A "unit" may be located in either a residential or a nonresidential building. A "unit" is defined as any single living facility for one or more persons which includes permanent provision for sanitation. In the case of a residential building with more than one "unit" but with only one building connection to the sewer line, each "unit" will be considered separate and will be charged accordingly.
 - 3.2.2. In a non residential building, a "unit" is defined as any fixture eventually discharging into the sewer line that is reasonably expected to generate or is capable of generating up to seventy (70) gallons of sewer discharge per day. Each such "unit" will be considered separate and will be charged accordingly. Any such "unit" that is reasonably expected to generate or is capable of generating more than seventy (70) gallons of sewer discharge per day will be considered more than one "unit" (a multiple unit) and will be charged in accordance with its discharge as a multiple of seventy (70) gallons per day.
 - 3.2.3. The "per unit" benefit connection charge will be \$5,000.00 for all properties subject to the benefit connection charge as set forth in paragraph 3.1.

- 3.2.4. A piece or parcel of land which has paid a benefit connection charge hereunder shall be exempt from any future benefit connection charge for only those units for which such charges have been levied and paid. Any additional units constructed or created on the property thereafter shall be subject to the benefit connection charges in force at the time of the application to connect or add those units to the sewer system. The Woodridge Lake Sewer District Sewer Authority reserves the right to exempt any property from the benefit connection charge levied against a property when circumstances justify such exemption. Municipally-owned and tax-exempt property shall be subject to such charges under the same conditions as are the owners of other property similarly situated.
- 3.2.5. The benefit connection charge established herein has been adopted in accordance with General Statutes, Section 7-255(a). At the time of application to connect, the Woodridge Lake Sewer District Sewer Authority shall calculate the proposed benefit connection charge to be levied against the property and advise the owner and applicant in writing. Unless all owners of record of the property consent to the proposed benefit connection charge in writing, said benefit charge shall be subject to an appeal as set forth in the Woodridge Lake Sewer District Sewer Authority rules and regulations. Benefit connection charges not paid in full at the time as such charges become final may be liened against the property. Benefit connection charges shall bear interest and be subject to collection in the same manner as provided for delinquent sewer assessment in Connecticut General Statutes Section 7-254.

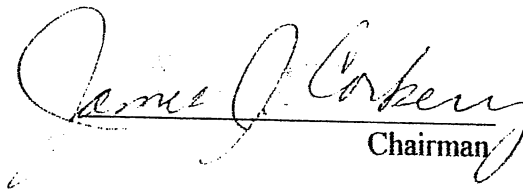
4. RESIDENTIAL SERVICE FEES & CHARGES

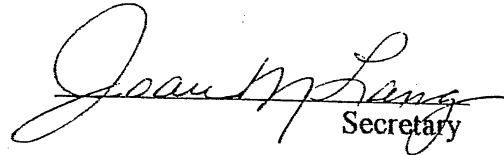
4.1. The table below contains the Sewer Permit Fees and Connection/Inspection Charges for the Woodridge Lake Sewer District, Town of Goshen, County of Litchfield, State of Connecticut. This fee schedule will be in effect upon approval by vote of the WLSA Sewer Authority.

Calendar Year	Sewer Permit Fee	Connection/Inspection Charge
From date of adoption of these rules and regulations by the WLSA to the end of 1998	\$200.00	\$1500.00
1999	\$210.00	\$1550.00
2000	\$220.00	\$1600.00

2001	\$230.00	\$1650.00
2002	\$240.00	\$1700.00
2003	\$250.00	\$1750.00
2004 and future years, unless these rules and regulations are modified.	\$260.00	\$1800.00

Adopted by the Board of Directors of the WLSDSA this the 27th day of FEB., 1999.
(year.)


Chairman


Secretary