

PART XI – SEWER REGULATIONS

ARTICLE 1 - Sewer Connection ~~Criteria during the State of Limited Capacity Pending Phase 6 Expansion~~

~~Per the Provincetown Water and Sewer Board's Sewer Rules and Regulations, during a State of Limited Capacity the Board of Health may determine a property to be a public health priority as a means of connecting to the municipal sewer system. During a State of Limited Capacity, the Board of Health shall use the following criteria to determine whether a property presents a public health priority as a means of connecting to the municipal sewer system.~~

~~Only those properties within a reasonable distance from the existing municipal sewer system may be approved by the Board of Health for a public health connection to the sewer. The Board of Health will use the following criteria to determine whether the subject property constitutes a public health priority and shall be ordered to be connected to the Town Sewer.~~

~~A property may be determined to be a public health priority, on a case-by-case basis, if it has any of the following features:~~

- ~~1. The current system is wholly or in part a cesspool~~
- ~~2. The septic system is abutting Provincetown harbor or a wetland area~~
- ~~3. The system is a mounded or raised septic system~~
- ~~4. The system design requires variances to 310 CMR 15.000 and is deemed in failure by a Title V inspection.~~

~~If a property is within a reasonable distance from the existing municipal sewer system, has a subsurface wastewater disposal system that is functioning, or that can function with minimal remediation (so-called "quick fixes"), the property may be placed in an Administrative Consent Order with the Board of Health as a means of prioritizing a future connection to the sewer when and if the State of Limited Capacity has ended.~~

The November 2022 Special Town Meeting vote approved "Phase 6" construction expanding the municipal sewer system to serve all properties through the end of this decade. The Board of Health supports full sewer availability to address public health and environmental risks for the following reasons:

- Onsite systems are not the future of wastewater management in Provincetown;
- Provincetown's density makes it more difficult to manage wastewater with onsite systems;
- Cesspools or older non-engineered systems need to be replaced with responsible wastewater disposal; and
- Increased climate-induced flooding risk is expected to worsen this decade and beyond.
- Sewer collection and professionally wastewater treatment results in the highest quality disposal, protecting ground- and surface water resources.

Properties that fail a Title 5 Septic Inspection either by vintage of construction or findings in the field will be offered Administrative Consent Orders (ACOs) or Public Health Failure (PHF) determinations as applicable, for sewer connection planning. This is the Board of Health's preference over ordering on-site system upgrades. For properties electing to pursue an engineered upgrade, all local regulations outlined in Section 600: Sanitary Sewage Disposal and Wastewater Flow Allocations shall apply.

The following regulations regarding sewer connections shall apply:

- Properties with Administrative Consent Orders (ACOs) or Public Health Failure (PHF) determinations will need to connect as soon as notified that sewer is available.
- Properties with cesspools or other substandard or non-engineered systems will need to connect no later than one year from the notice of pre-construction betterment unless a Disposal System Construction Permit for an approved upgrade Title 5 plan is obtained by that deadline.
- Properties with engineered Title 5 septic systems installed prior to January 1, 2000 will be bettered for sewer availability, but may choose to defer connection until failing an inspection.
- Properties with engineered Title 5 septic systems installed January 1, 2000 and after may choose to defer connection until failing an inspection and pay betterment when connecting to the sewer.
- All properties that remain on engineered Title 5 septic systems are subject to an inspection program commencing at 20 years from installation according to Health records, required at least once every five years, unless is it a property subject to more frequent inspections.

Revised: December 7, 2017, **May 18, 2023**

Effective: December 13, 2017, **June 1, 2023**