

Phone: (207) 622-3701

GREATER AUGUSTA UTILITY DISTRICT  
12 Williams Street  
Augusta, ME 04330-5225  
www.greteraugustautilitydistrict.org

Fax: (207) 622-4539

Normal business hours: 7:00 AM to 4:00 PM (excluding weekends and holidays)

info@greteraugustautilitydistrict.org

*Approved by GAUD Board by unanimous vote on August 26, 2013*

## TERMS AND CONDITIONS

The Greater Augusta Utility District (“Utility”) finds that all property owners benefit from the services of a well maintained and highly functional wastewater management system that provides for the effective management of the wastewater that is collected within its service area, improves the general health and welfare of the citizens through reduction of undesirable or unsanitary conditions and improves water quality in receiving waters.

It is further found, determined and declared that these Terms and Conditions are in furtherance of the Utility’s ability to implement its goals and strategies and to comply with the regulatory requirements contained in its Maine Pollutant Discharge Elimination System (MEPDES) Permit including, but not limited to, the preparation of the annual Combined Sewer Overflow (CSO) Report.

The following Terms and Conditions established by the Utility constitute a contract between the Customer and the Utility. The Customer agrees to adhere to these Terms and Conditions and to dispose of wastewater flow at the established rates as stated in Schedule A attached hereto and to pay for all such services associated therewith as outlined in this document.

Nothing in the Terms and Conditions is intended to conflict with or modify the Utility’s Sewer Use Ordinance and Industrial Pretreatment document including any Board approved amendments, a copy of which is available at the Utility office or on line at:

[http://www.greteraugustautilitydistrict.org/acrobat/GAU\\_Sewer\\_Use\\_Ordinance\\_2008.pdf](http://www.greteraugustautilitydistrict.org/acrobat/GAU_Sewer_Use_Ordinance_2008.pdf)

In the event of a conflict, the Ordinance shall rule.

**SECTION I: Definitions**

The following terms have the following meanings, unless the context clearly indicates a different meaning:

- A. Account Balance. "Account balance" means the total amount owed by a Customer that has been properly billed by the Utility in accordance with this Rule.
- B. Active Sewer Connection. An "active sewer connection" is a sewer service that is in regular use supplied by either a public, private or other means of water supply and is connected to the Utility's sewer mains. An Active Sewer Connection may serve a single Customer or multiple Customers within the same establishment. The Utility may determine whether or not a sewer connection is active by means of a physical inspection.
- C. After Hours. "After hours" are defined as:
  - a. Weekdays; after 4:00 PM and before 7:00 AM
  - b. Weekends; after 4:00 PM Friday and before 7:00 AM the following Monday.
  - c. Holidays; Holidays commence at 12:01AM of the observed holiday and end at midnight of that day. They are observed according to the published State of Maine government holiday schedule.
- D. Amount Overdue. "Amount overdue" means the amount that the Utility has properly billed to a Customer that has not been paid in full by the due date of the bill.
- E. Applicant. "Applicant" means any person or business that applies for Utility service and who has not been a Customer of the Utility within the previous 30 calendar days.
- F. Basic Service. "Basic service" means Utility service where the rate or charge for the service is contained in the Utility's rate schedules. Sewer charges constitute a "basic service".
- G. Bill or Properly Billed. A "bill" is a statement provided either in written or electronic form, from the Utility to a Customer that states the amount owed by the Customer for the current billing period, the amount overdue, the account balance, late fees and any other charges lawfully owed by the Customer.
- H. Combined Sewer. A "combined sewer" is a pipe that receives both wastewater and surface runoff stormwater and sewage through connected public and private catch basins or building drains.
- I. Combined Sewer Overflow. A "combined sewer overflow (CSO)" is the permitted location where the discharge of excess wastewater occurs from the Utility's wastewater collection system during periods of high stormwater runoff and/or snowmelt conditions.
- J. Corporation. "Corporation" is a body created and authorized by law to act and be treated as a single legal entity with an identity distinct from that of its individual members. This definition includes private companies, and municipal and quasi-municipal corporations.

- K. Customer. "Customer" is any person, business, corporation, government or governmental division that has applied for or been accepted to receive or is receiving or has the benefit of receiving or has agreed to be billed for any Utility service. This term also includes a person, business, corporation, government, or governmental division that was a Customer of the Utility within the previous 30 days and who requests service at the same or a different location.
- L. Deposit. "Deposit" means any payment, however designated, that is held as security for future payment or performance.
- M. Disconnection. "Disconnection" of the water service for the non-payment of sewer charges is authorized pursuant to Rule 35-A MRSA Section 6111-C;
- N. Dispute. "Dispute" means a grievance by a Customer or Applicant about the Utility's application of any provision of these Terms and Conditions. Disputes include, but are not limited to:
- a. deposit requirements;
  - b. accuracy of meter readings or bill amounts;
  - c. person to be charged as the Customer;
  - d. terms of a payment arrangement;
  - e. terms to avoid a pending disconnection;
  - f. terms to obtain a reconnection; and
  - g. transfer of an account balance incurred in one Customer's name into another Customer's account.
- If a Customer or Applicant has a grievance and then indicates that the response from the Utility was satisfactory, the interaction between the Customer or Applicant and the Utility will not be considered a dispute.
- O. Establishment. An "Establishment" is a location at which any utility service is sought or is being rendered.
- P. Flat Rate Customer. A Flat Rate Customer is a sewer customer who is not a water customer. A flat rate customer is charged a quarterly sewer service charge and a quarterly sewer user fee.
- Q. Fraud. The term "Fraud" means a false representation, by words or conduct, or the concealment of facts which should have been disclosed, which is intended to deceive a Utility and upon which the Utility reasonably relies in taking actions with respect to a Customer.

- R. Inactive Sewer Connection. An "inactive sewer connection" is:
- a. a location where a sewer connection has previously existed but has been physically disconnected from the Utility's sewer main; OR
  - b. a location that fronts on a street where a sewer connection could be made between an existing sewer main and that location through the installation of a service line.
- The Utility may determine whether or not a sewer connection is inactive by means of a physical inspection. There is no fee or charge for an inactive sewer connection.
- S. Make-up Bill. A "make-up bill" is a bill issued for previously unbilled Utility service.
- T. New Customer. A "New Customer" means any person or business that has applied and been accepted for service that has not taken service from the Utility within the past 30 days.
- U. Occupant. "Occupant" means any person who resides at a premise that is provided with Utility service.
- V. Payment Arrangement. "Payment arrangement" means an agreement between a Customer or Applicant and the Utility that allows the account balance or deposit to be paid in one or more installments.
- W. Person. "Person" means an individual, partnership, non-profit or volunteer association.
- X. Premise(s). "Premise(s)" means any residential or non-residential building or property.
- Y. Refund. "Refund" means a cash or cash equivalent reimbursement to a Customer. The application of a credit to a Customer's account is not a refund.
- Z. Residential Utility Service. "Residential Utility service" means Utility service provided to a dwelling. It includes service provided for a non-residential purpose if a dwelling and the non-residential use is discharging wastewater through the same or separate service or stormwater through the same or separate drainage pipe and/or receiving drinking water through the same water meter.
- AA. Seasonal Customer. "Seasonal Customer" means anyone who is a Customer for only a portion of the year and receives service from a seasonal or year-round service. Except as provided herein, a seasonal Customer will be subject to the rules and charges of seasonal rates in effect.
- BB. Service Pipe. "Service Pipe" means the pipe running from the Utility's sewer main to the Customer's establishment.
- CC. Sewage. "Sewage" is water-carried human excrement and gray water (household showers, dishwashing operations, etc.).
- DD. Sewer Main. A "sewer main" or sewer is a pipe, other than a service pipe or private line which is owned, operated, and maintained by the Utility, and used for the transmission or collection of sanitary wastes.

- EE. Sewer Use Ordinance (SUO). As approved by the Utility Board on 23 June 2008 including amendments approved by the Board. A copy is available at the Utility office or on the Utility's website at:
- [www.greataugustautilitydistrict.org/acrobat/GAU\\_Sewer\\_Use\\_Ordinance\\_2008.pdf](http://www.greataugustautilitydistrict.org/acrobat/GAU_Sewer_Use_Ordinance_2008.pdf)
- FF. Temporary Establishment. "Temporary establishment" means an establishment that the Utility reasonably believes to be of a temporary nature after giving due consideration to the location, setting, structures and use of the establishment. The absence of a cellar or permanent foundation shall not be the sole criterion used by the Utility in determining that an establishment is temporary. As a general rule, temporary establishments are expected to last no longer than 5 years. The owner must enter into a temporary service agreement with the Utility before any temporary establishment can be served.
- GG. Unauthorized Use. "Unauthorized use" means the interference or diversion of Utility service. Unauthorized use includes, but is not limited to:
- a. Making connections to Utility infrastructure without prior permission;
  - b. Restoring or reconnecting the service without authorization from the Utility.
- HH. Utility. "Utility" refers to the Greater Augusta Utility District.
- II. Wastewater. "Wastewater" is liquid and water-carried industrial wastes and sewage from residential dwellings, commercial buildings, industrial and manufacturing facilities and institutions, whether pre-treated or untreated, which are transmitted to, and ultimately treated at, the Utility's Wastewater Treatment Facility.
- JJ. Wastewater Treatment Facility. The "Wastewater Treatment Facility (WWTF)" is the regional publicly owned treatment works, located on Jackson Avenue, which is owned, operated, and maintained by the Utility that serves portions of the Cities of Augusta and Hallowell, Towns of Manchester, Winthrop and Monmouth, and the Togus Veterans Administration Hospital in Chelsea.

## **SECTION II: Establishment of Service**

### **1. Application for Sewer Service.**

Applications for service may be made at the office of the Utility, over the phone or via electronic means. Applications for service may be made by the owner, the owner's agent, or the occupant of the establishment to be served. Tenant occupants applying for sewer service for a single or multi-unit property must co-sign a form along with the owner of the property. If water service is being simultaneously requested, a \$20.00 application fee is collected. The size and location of the service pipe for a new service or service upgrade shall be determined by the Utility. If this is a New Sewer Connection, additional fees apply.

### **2. New Sewer Connections.**

Permits are required for all new sewer connections pursuant to the District's Sewer Use Ordinance. Refer to section 2 of the Sewer Use Ordinance for specific requirements for new connections to the sewer system. The rates and fees are assessed at the rate established by the Utility and set forth in Schedule A attached hereto and made a part hereof, which may be amended from time to time.

### **3. Service Pipe or "building sewer".**

Sewer service pipes are also known as "building sewers" in Section 2 of the District's Sewer Use Ordinance. All service pipes from the building to the sewer main shall be installed, owned and maintained by the Customer. The service pipe must be installed per the Utility's standards and specifications and only after approval of the Utility is obtained. Any service pipe shall be financed in full by the Customer.

### **4. Access to Premises**

Employees or Agents of the Utility having proper identification shall have access to all premises connected to the sewer system, at all reasonable hours to permit the inspection of plumbing and fixtures, to ascertain the amount of sewer contributed to the system and to enforce rules and regulations related to sewer discharge.

The Customer shall provide an authorized adult, 18 years or older to escort Utility personnel throughout the premises as needed.

### **SECTION III: Credit and Collections**

#### **1. Billing Procedures.**

All bills are past due no less than twenty-five (25) days after the bill is mailed. A bill is considered “mailed” on the date it is postmarked. Bills may be rendered monthly, quarterly or by the season at the option of the Utility. All billings are in arrears unless otherwise noted. Customers are responsible for providing a correct billing address. Failure to receive a bill does not relieve the Customer of the obligation of his or her payment, nor from the consequences of non-payment.

#### **2. Disconnection Process for Overdue Combined Water and Municipal Sewer Balances.**

The Utility may disconnect water service to Customers receiving sewer service from the Utility for nonpayment of an undisputed balance, if the total amount overdue is \$150.00 and more than 26 days old. Refer to the Utility’s Operating Terms and Conditions for drinking water for additional details.

#### **3. Late Payment Charge.**

The Utility will impose the maximum late payment charge permitted under Chapter 870 of the Maine Public Utilities Commission’s Rules and Regulations on all bills not paid by the due date of the bill.

#### **4. Return Trip Fee.**

The Utility will charge a Customer a \$15.00 Return Trip Fee if the Customer fails to appear for their scheduled appointment, without just cause, as determined by the Utility. Customers are required to cancel scheduled appointments with the Utility at least one hour in advance to avoid the Return Trip Fee.

#### **5. Deposits.**

Whenever applicable, the Utility will require the Customer to provide a deposit. The interest rate on customer deposits shall be the rate set by the Public Utilities Commission in accordance with Chapter 870 of the Public Utilities Commission Rules.

#### **6. Charge for Returned Checks.**

The Utility will impose the maximum charge permitted under Chapter 870 of the Maine Public Utilities Commission’s Rules and Regulations for checks returned for nonpayment.

#### **7. Electronic Bill Payment**

The Utility may allow Customers to pay amounts owed the Utility for service by using a credit card, debit card, ACH (automatic clearinghouse) or pre-authorized draft (collectively known as electronic bill payment). The Utility or any vendor retained by the Utility to process any payments by electronic bill payment may charge Customers a fee for processing payments, as long as the Customer is informed of the specific amount of the fee prior to making the payment.

#### **SECTION IV: Customer and Utility Rights and Responsibilities**

1. Unauthorized Disposal of Wastewater.

No Customer shall dispose of wastewater in a manner that violates state law or the Sewer Use Ordinance as related to wastewater disposal.

2. Limited Liability of Utility.

The Utility shall in no event be liable for any damage or inconvenience caused by reason of any break, leak or defect in the Customer's service pipe or fixtures.

The Utility shall not be responsible for maintenance, repair or replacement of Customer's service pipes or fixtures.



## **SECTION V: General Provisions**

### **1. Tampering with Utility Property.**

There shall be no tampering with Utility property. All tampering offenses will be prosecuted under the guidelines of 35-A MRSA Ch. 27, Sub-Sections 2706 – 2708.

### **2. Joint Use of Water Main and Service Pipe Trench.**

Sewer facilities will not be placed in the same trench with water mains, services, hydrant branches etc. State of Maine Rules Relating to Drinking Water 10-144 Chapter 231, Section 4E require that a horizontal separation of ten (10) feet be provided between drinking water system infrastructure and all sewer facilities. Where extenuating, unusual or special circumstances are encountered, a lesser separation may be allowed with mutual written agreement of all parties involved, provided that the installation shall be in compliance with all applicable laws, rules and regulations.

The Utility regulates the horizontal separation between all water, stormwater and sewer mains, services, hydrant branches etc. and all other underground Utility facilities per its Standard Specifications. These specifications can be found at:

[www.augustawater.org/acrobat/GAU\\_specs\\_2008.pdf](http://www.augustawater.org/acrobat/GAU_specs_2008.pdf)

### **3. Low Income Assistance.**

For Utility Customers expressing a need for assistance in paying their sewer bill, the Utility will refer Customers to known state, county, municipal or community agencies that have programs to help Customers with Utility bills. It remains the Customer's responsibility to make bill payments.

### **4. Sewer Fees**

Sewer customers that are connected to the District's sewer collection system are required to pay all fees related to that discharge.

Sewer customers that are connected but not actively discharging wastewater to the District's collection system (e.g. a vacant building that is in the process of being reused, rented or sold) are subject to the Sewer Service Charge.

Sewer customers that have been inspected and documented in writing by the District as being physically disconnected from the sewer are not subject to sewer fees.

**SECTION VI: Rates & Fees** (Please refer to SCHEDULE A for specific rates & fees)

The Fees and Rates are established by the Utility and set forth in Schedule A, which may be amended from time to time.

1. Active Sewer Service Charge-

This fee is charged to every customer connected to the sewer system whether a single or multi-unit establishment.

2. Metered Water Customer – Active Sewer Customer

This sewer user fee is charged when a metered drinking water customer has an active sewer connection.

User charges may be charged quarterly or monthly at the Utility's discretion. The charge appears on the bill as a multiple of the actual or estimated number of hundred cubic feet of water that passed through the water meter, or other volumetric computations deemed acceptable to the Utility utilized to calculate the water use charge at a rate established by the Utility and set forth in Schedule A attached hereto and made a part hereof, which may be amended from time to time.

3. Metered Private Well Customer & Active Sewer Customer

The sewer user fee is charged when a customer with a private metered well water supply is an active sewer customer. The rates and fees are established by the Utility and set forth in Schedule A attached hereto and made a part hereof, which may be amended from time to time.

4. Flat Rate Customer (Unmetered Water Customer - Sewer Customer)

This fee is charged when there is an active sewer connection but no means exist to calculate the amount of flow entering the sewer system. This applies to a sewer Customer who receives their water through an unmetered privately owned well.

This fee is approximately equal to the amount a sewer Customer would pay for 18 HCF of flow plus the Sewer Service Charge. The rates and fees are established by the Utility and set forth in Schedule A attached hereto and made a part hereof, which may be amended from time to time.

The Utility reserves the right to require unmetered customers to install water meters. This fee is charged quarterly but the Utility reserves the right to bill more frequently at its sole discretion.

5. New Customer Permit fees

This fee is charged when a new customer applies for sewer service. Inspection fees may also apply. The rates and fees are established by the Utility and set forth in Schedule A attached hereto and made a part hereof, which may be amended from time to time.

6. Sewer availability fee – charged to new customers

This fee is charged when a customer applies to the Utility for a new sewer connection. The rates and fees are established by the Utility and set forth in Schedule A attached hereto and made a part hereof, which may be amended from time to time.

7. Inspection fee – charged for construction inspection

This fee is charged to compensate the Utility for inspection of new construction with the need for inspection to be determined exclusively by the Utility.

The rate is established by the Utility and set forth in Schedule A attached hereto and made a part hereof, which may be amended from time to time.

**SCHEDULE A:**

**Rates and Fees as of August 26, 2013**

The Fees and Rates are established by the Utility and set forth herein, and may be amended from time to time.

1. Active Sewer Service Charge

The service charge is \$25.49 per quarter.

2. Metered Water Customers & Active Sewer Customer

The sewer user charge is \$4.34 per 100 cubic feet (748.1 gallons) of metered water.

3. Metered Private Water Customer & Active Sewer Customer

The sewer user charge is \$4.34 per 100 cubic feet (748.1 gallons) of metered water.

4. Flat Rate Customer (Unmetered Private Water & Active Sewer Customer)

The user charge is \$103.62 per quarter.

5. New Customer Permit Fee

Residential.....\$75.00

Non-residential.....\$100.00

6. Sewer Availability Fee – charged to new Customers

The fee is calculated at \$10.00 per gallon of wastewater anticipated per day except as shown below.

Residential.....\$1,000.00 flat fee

Apartments .....\$750.00 per unit

Office building .....\$10.00 per gallon x 15 gallons / day / employee

Retail space .....\$10.00 per gallon x 3/4 gallon / 100 square feet

7. Inspection Fee – charged to new Customers

Hourly fee .....\$60.00 per hour

Projects.....\$1.20 / lineal foot of pipe