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**TOWN OF DEDHAM**  
**TOWN MANAGER**

**SEWER INFLOW REMOVAL PROGRAM**  
**DOOR-TO-DOOR INSPECTION REGULATION**

**I. Introduction**

In 2007, the Town of Dedham began an Inflow and Infiltration (I/I) Program to identify and remove I/I from the Town sewer system. The targeted I/I represent sources of clean water that enter the Town sewer system, including groundwater and rainwater, that are then transported to the Massachusetts Water Resources Authority (MWRA) for treatment at the cost of all private property owners (through sewer billing) currently connected to the Town sewer system. In addition to increased costs to the ratepayer, the additional volume of clean water reduces the valuable capacity within the sewer system designed to transport just wastewater, causing a surcharge (capacity overload). As a result of reduced capacity and surcharge within the sewer system, private property owners within the Town may experience sewer backups that create unnecessary health risks and unsanitary conditions.

To continue the Town's initiative to remove I/I from the sewer system, the Town has initiated a Door-To-Door Inspection program to identify and remove sources of inflow so as to mitigate sewer surcharge events. Inflow comes from sources such as roof gutters, yard and driveway drains, and sump pumps that are improperly connected to the sewer system. The flow contributed by these sources is clean water that does not require treatment. However, when this clean water enters the sewer system, it may contribute to sewer backups and overflows and results in increased sewer rates for all rate payers. Due to these and other adverse impacts, **these connections are prohibited.**

The Town, through its Department of Infrastructure Engineering (hereinafter referred-to as the "Department") is conducting an extensive investigation of the sewer system to identify and eliminate sources of inflow. According to Section 4.6 of the latest version of the Town's Sewer Regulations, "*No person(s) shall make connection of*

*roof downspouts, foundation drains, sump pumps, area 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 the public sewer. The Director or his representative reserves the right to inspect any property to confirm that there are none of the aforementioned unauthorized connections to the public sewer”.*

As part of this investigation, the Department has made arrangements with an outside consultant to send teams of inspectors to inspect private properties for the purpose of identifying prohibited connections. You may recall that the Town engaged in a similar effort a number of years ago through a voluntary inspection program. Despite the Town’s efforts in this regard, the sewer system continues to experience frequent and severe sewer backups and surcharging events during wet weather events leading to the conclusion that many prohibited connections remain connected to the system.

Pursuant to Section 3.4 of the Regulations, any property owner maintaining a prohibited connection is subject to a fine of \$250 per day for each day the connection is in existence. However, for those property owners who cooperate with the inspection program, all fines associated with any prohibited connection discovered will be waived. Those that participate will also receive a one-time \$25 credit on their sewer bill upon completion of the program (not the inspection) and, subject to availability of funding and development of a removal policy, the Town will cover the cost of removing the connection.

Those owners who fail to cooperate with the program will be assessed a penalty of \$50 per quarter added to their sewer bill until the inspection occurs and they may be assessed an additional fine of \$250 per day and a civil penalty up to \$5,000 if a prohibited connection is eventually discovered. Owners who have been assessed a penalty for failure to participate will also not be eligible for the one-time \$25 credit on their sewer bill and they will not be eligible for any financial assistance that may be available for removal of prohibited connections and the cost of removing any such connections will be borne entirely by the homeowner.

In order to ensure that such inspections are conducted in a manner that protects the safety of residents and the Town’s consultants, and to ensure that such inspections do not unnecessarily infringe upon individual rights of privacy, the Town Manager hereby adopts this Regulation establishing a protocol for conducting prohibited sewer connection inspections.

## **II. Registration**

1. Every person intending to conduct inspections of private property must first register with the Chief of Police at least fourteen (14) days prior to conducting the first inspection by submitting an application on a form provided by the Chief.
2. The application shall include the following information:

- Name;
  - Address for all places of residence within the last three years;
  - Date of birth;
  - Name and address of all employers within the last three years;
  - A recent photograph of the applicant; and
  - Make, model, registration number and owner of any vehicle to be used while conducting inspections.
3. The applicant shall complete a Cori Acknowledgment form authorizing the Chief or his designee to access the applicant's conviction and criminal case data.
  4. Consistent with the Town's CORI Policy, following notification to an individual and an opportunity to dispute the criminal history findings, the Police Chief shall refuse to register an individual who has been convicted of murder/manslaughter, rape, robbery, arson, burglary/breaking and entering, assault, larceny, firearms charges and drug distribution charges, as such persons pose a substantial degree of dangerousness to minors and other persons vulnerable to becoming victims of the violent crimes so listed. The Police Chief shall also refuse to register a person who is a sex offender required to register with the Sex Offenders Registry Board and who is finally classified as Level 2 or Level 3 Sex Offender, as such persons have been found to have a moderate to high risk of re-offense and pose a substantial degree of dangerousness to minors and other persons vulnerable to becoming victims of sex crimes.
  5. The Police Chief, after a review, shall furnish each person accepted into the program with a registration card which shall contain the following information:
    - The name of the person;
    - Expiration date;
    - A recent photograph;
    - A statement that the individual has been registered with the Town of Dedham.
  6. Registration cards are non-transferable and are valid only for the specific applicant and for the specific period of time specified by the Chief.

The Chief may revoke the registration of any person who violates any provision of this Regulation or who is found, after investigation by the Chief or his designee, to have conducted himself in a threatening, abusive or illegal fashion in the course of participating in the inspection program.

### **III. Pre-Inspection Procedure**

1. At least seven days prior to beginning inspections in a particular area, all residents in that area shall receive a targeted mailing containing an explanation of the program and the purposes of the inspection. Said mailing shall include an outline of this Regulation and directions for accessing the full Regulation on the Town's website.
2. All property owners in the targeted area shall be informed of the starting and ending dates for door-to-door inspections in their area. No inspections shall be conducted before or after those dates unless a property owner makes an individual appointment. The mailing, as mentioned above, will include an email address and phone number that the property owner may use to schedule an appointment for an inspection with the consultant within the dates provided in the mailing.
3. Prior to the commencement of inspections, the Chief shall be provided with a schedule of when each area of the Town is to be inspected.
4. Property owners shall also be given the option of submitting an inspection report from a licensed plumber in the State of Massachusetts of their choosing in lieu of an inspection performed by the Town's consultant. If a licensed plumber is retained by the property owner for the inspection, they are still required to contact the Town's consultant using the email address or phone number in the mailing to inform them that they have decided to move forward with a licensed plumber and provide the date of the scheduled inspection. The property owner is responsible for securing the inspection with the selected licensed plumber within the timeframe provided in the mailing. The licensed plumber's inspection report shall be on company letterhead, shall contain all of the information described in Section V.1 of this Regulation and it shall be submitted to the Town's consultant via the email address provided in the mailing.

#### **IV. Inspection Procedure**

1. Persons engaging in inspections must display their Town issued registration card on the outermost portion of their clothing at all times while participating in the inspection program and show such card to any person whose property is subject to inspection or upon request of any police officer.
2. All inspections shall be conducted by teams of 2 registered individuals.
3. Inspections shall take place Monday through Friday, between 8:00 am and 7:00 pm.
4. Upon approaching any residential premises, the inspectors shall proceed directly to the front door, knock and announce the purpose of their visit. If the door is opened, the inspectors shall not enter the premises until they have

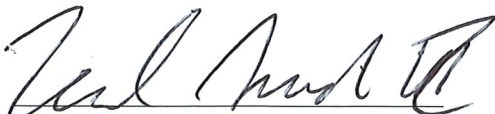
explained the purpose of their presence to the owner or other legal occupant and provided them with a fact sheet provided by the Department, which fact sheet shall include a telephone number that the owner or occupant can call to confirm the identity of the inspectors.

5. No inspector shall enter any portion of private property beyond the driveway and/or walkway leading to the front door, including but not limited to rear and side yards, without the express written consent of the owner or occupant of the premises. Consent must be obtained, in writing, on a form provided by the Chief, which must be signed by an adult over the age of 18. Prior to asking for consent, the inspectors shall clearly inform the owner or occupant that they may withhold consent for any reason, and that they may schedule a more convenient time for the inspection to take place.
6. If the owner or other adult occupant is not present, the inspectors shall immediately and peacefully depart from the premises. The inspectors shall not accept consent from any person under the age of 18 or from who they reasonably believe does not have the capacity to consent. The inspectors will leave a "Sorry We Missed You" notice at locations where an owner or other adult occupant is not present. This notice will contain an email address and phone number that the owner will be required to use to schedule an inspection within 30 days following issuance of the notice.
7. The inspectors shall immediately and peacefully depart from the premises, whether invited or not, when requested to do so by the owner or occupant.
8. Inspectors shall not enter any area of the premises which are not reasonably likely to contain evidence of a prohibited sewer connection and they shall not enter any area of the premises if prohibited from doing so by the owner or occupant. In most cases, the inspection will be limited to outdoor areas, unfinished basements, and garages.
9. Inspectors may take photographs of prohibited sewer connections with the express written consent of the owner or occupant. No other photographs of the premises or its occupants may be taken.
10. No inspector shall conduct himself in a threatening, abusive or illegal fashion in the course of participating in the inspection program.
11. Once consent is given, no person shall threaten, abuse or harass the inspectors, and the inspectors may terminate the inspection for any reason they deem necessary.
12. If the inspectors are unable to obtain consent of the owner or occupant or if the inspection is not completed for any reason, the Department shall follow-up with the owner by mailing notice of the date and time of the attempted

inspection and inviting the owner to schedule an inspection at another time within 30 days of the initial inspection.

**V. Post-Inspection Procedure**

1. Upon conclusion of the inspection, the inspectors will prepare a written report detailing the date of the inspection, the time the inspection began, the time it concluded, all areas inspected and the inspectors' findings. The duly executed consent form and any photographs taken shall be appended to the report, and the report will be sent to the property at the conclusion of the program.
2. All prohibited connections must be removed by the property owner. However, the Town is temporarily suspending this requirement until the completion of the inspection program and the Town will not immediately issue orders to correct if prohibited connections are found unless the connection presents an imminent threat of harm to the Town's sewer system or presents an emergency circumstance.
3. The cost of removing the prohibited connection is ordinarily the responsibility of the homeowner. However, for those homeowners who cooperated in the inspection program, the Town will provide financial assistance to cover the cost associated with the removal of any prohibited connections, subject to availability of funding and development of a removal policy to be determined at a later date. Homeowners who did not participate in the program will not be eligible for any financial assistance that may be available for removal of prohibited connections and the cost of removing any such connections will be borne entirely by the homeowner.
4. Additional information concerning the removal of prohibited connections will be provided upon completion of the inspection program.
5. Any property owner who refuses to cooperate, either by failing or refusing to allow the inspector to inspect the property or by failing or refusing to schedule an inspection within the time specified in the notice if they were not available at the time of the original request, will be in violation and will be subject to the penalties described in Section I of this Regulation.

  
Town Manager

  
Date Adopted