



Tiverton Wastewater District Mandatory Connection Policy and Penalty Enforcement

Effective Date

This policy supersedes the policy documentation that was adopted on November 21, 2022, and is effective upon approval until another policy is enacted.

Approval

This policy has been approved by the Tiverton Wastewater District (TWWD) Board of directors at their regular meeting on September 22, 2025.

Background

The TWWD was created by an act of legislation in 2014: RIGL 14 LA-162 RIGL §2805 2014. This enabling legislation Section 7. Powers (20) allows TWWD to “Establish rules, regulations, policies, procedures, regarding extensions to the sewer system, including but not limited to, financing and construction standards; sanitary sewer standards; service connection standards; inspection programs; discharge standards; pre-treatment standards; wastewater discharge permitting; and metals discharge limits.” TWWD has an interest in property owners connecting to the sewer system, particularly in areas where properties are adjacent to sewer lines. These properties are known as abutters. A good portion of the Town of Tiverton drains to Mount Hope Bay, which is impaired for Fecal Coliform Bacteria, Dissolved Oxygen, and Total Nitrogen. Elimination of failing septic systems and cesspools by connecting these properties to the sewer system is in the interest of public health and safety and will have environmental benefit.

Policy

In the interest of public health and safety, any abutting owner or occupant of land upon any street in which there is a sewer or in which sewer may hereafter be constructed, shall be ordered to connect the sewerage of their premises within one year from the date that the sewer is constructed. After the connection is completed, the property owner will fill up and destroy any cesspool, privy vault, drain or other arrangement for the reception of sewage on their property.

Additional Requirements.

Also in the TWWD enabling legislation, in Section 8. Building sewers, sewer extensions and connections. (2). *“Separate and connecting building sewers. A separate and independent building sewer shall be provided for every building. Where one 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 building sewer. No sewer service connection shall serve more than one building except by permission of the district.”*

For billing purposes each separate service connection will be charged a separate OMA fee according to the current fee schedule as posted on the TWWD website. Additionally, if multiple properties are connected through a single service connection, for example in a multi-family property, each shall be considered individually and will be billed a separate OMA fee. Details on OMA and usage fees are



available in the TWWD OMA and Usage Fee Policy approved by the Board of Directors at the regular board meeting on May 20, 2024. This policy is posted on the TWWD website.

Applicability

Lots that are on Tiverton Tax Assessor Plat Maps that generate wastewater and are abutters to public sewer lines owned or maintained by the TWWD must be connected at the lot owner's expense within 1 year of sewer construction.

Delay, Deferment, or Exemption

Property owners may not be required to connect under certain circumstances. Examples are listed below. In cases other than those described herein, TWWD staff, in consultation with the board of directors (BOD), will make the determination to either delay, defer, or exempt the property owner from connection. In most cases the property owner will be responsible for a portion of the costs of construction of the sewer main (project assessment), and a quarterly operations and maintenance (O&M) fee as published in the TWWD Schedule of Fees on the TWWD website.

Delayed connection: New individual systems

Property owners with newer individual onsite systems may be allowed to delay their connection. Property owners may apply for a delay to connect to an available sewer if an existing septic system is less than 25 years old, and they can provide supporting documentation that the system is currently functioning properly. Proof of inspection of the septic system by a New England Onsite Wastewater Training Program registered inspector approved by the Town of Tiverton must be provided to the TWWD. This delay can be extended for three consecutive two-year periods for a total of six (6) years. **Therefore, any septic systems 31 years old, or older, will be subject to mandatory connection within 1 year.** Upon transfer of the property, new property owners will have to connect within 1 year of the transfer of the property if the system is over 25 years old.

Deferred connection: Vacant lots upon which the property owner does not intend to build.

If the property is vacant, defined as a property where there is not a structure on the property that can be occupied, and the property owner has no intention to build a structure on the property that can be occupied. In such cases the connection can be deferred. Such lots are not charged a project assessment and are not charged a quarterly Operations, Maintenance and Administration Fee. If the owner Does eventually develop the property, they will be required to connect their property to the sewer prior to obtaining an occupancy permit. The property owner will be required to pay an inflation corrected portion of the costs of construction of the sewer main (project assessment). The amount of the assessment will be calculated on a project-by project-by-project basis. For example, properties in the Phase 1 expansion area will be required to pay 18,761, based in July 2024. Inflation will be calculated using publicly available consumer price index (CPI) compounded yearly.

Exempt connection: Lots where connection is technically impossible or extremely unlikely.

If the property is either vacant or occupied, and there is unlikely ever to be a connection made. This determination will be made by staff in coordination with the BOD. Examples include, but are not limited to: Coastal lots that do not appear to have enough buildable land for a structure, narrow or odd-shaped lots that are unlikely to be able to accommodate a structure, municipal lots where the use is unlikely to require a sewer connection (e.g. boat ramps, shoreline access, rail easements)



Notice to Comply

After 30 days of the acceptance of the sewer by TWWD, lot owners shall be notified of their requirement to connect within one year and penalties for not connecting. Periodic reminders shall be sent.

Failure to Connect Notification Protocol and Penalties

The following actions will be taken based on how many days a particular customer is out of compliance.

Days of Non-Compliance	Action Taken
395 Days	Notice of Non-Compliance sent with current quarterly bill for sewer usage at 25% penalty surcharge and quarterly OMA fee.
485 Days	New quarterly bill issued with 50% penalty surcharge and quarterly OMA fee sent.
575 Days	New Quarterly Bill with 75% penalty surcharge and quarterly OMA fee sent.
665 Days	Same Quarterly Bill as previous with 100% penalty surcharge and quarterly OMA fee sent.
755 Days	Same Quarterly Bill as previous with 100% penalty surcharge and quarterly OMA fee sent.
755 Days	\$50.00 Daily Violation begins, unpaid balance sent to collections, vehicle registrations blocked, lien on property,
845 Days	Civil litigation recourse, TWWD attorney fees paid by the property owner.