2018 -- H 7205

S T A T E   O F   R H O D E   I S L A N D

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2018

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A N   A C T

RELATING TO COVENTRY SEWER AUTHORITY

It is enacted by the General Assembly as follows:

1   SECTION 1. Section 1 of Chapter 330 of the Public Laws of 1997, as amended by

2 Chapters 119 and 140 of the Public Laws of 2006, is hereby further amended to read as follows:

3   Sec. 1. The Town of Coventry is authorized and empowered in accordance with the

4 provisions of this act, to plan, lay out, construct, finance, operate and maintain sewage works for a

5 part or the whole of its territory and for such purposes to take by eminent domain or otherwise

6 any lands, water rights, rights-of-way, or easements, public or private, in said town necessary for

7 accomplishing any purpose mentioned in this act. Such sewage works may include sewers and

8 sewer service connections, pumping stations, sewage treatment works, sewage disposal works,

9 and other works essential to the proper collection and disposal of the sewage of said town.

10   As used in this act, unless the context otherwise requires:

11   "Preliminary plans" shall mean engineering reports which shall conform to all applicable

12 state and federal guidelines and shall include detailed scope and area to be considered with

13 recommendations, preliminary and feasibility investigation, environmental assessment, cost

14 studies, economic comparisons of alternatives and all application and pre-application work and

15 other work necessary or desirable before undertaking working plans.

16   "Working plans" shall mean final design plans of facilities, detailed construction

17 drawings, specifications, detailed estimate of cost of construction, and shall include all other

18 engineering work which may be required or advisable for actual construction of sewage works.

19   "Town" means the Town of Coventry.

1   "Council" means the town council of the Town of Coventry.

2   "Highways" means any state or other highway and any public street, alley, park, parkway,

3   driveway, bridge or public place.

4   "Sewage works" means all constructions for collection, transportation, pumping,

5   treatment and final disposal of sewage.

6   "Common sewer" means a sewer in which all abutters have equal rights of entrance and

7   use.

8   "Force main" means a sewer wherein sewage is moved by pressure.

9   "Sewer service connection" means a pipe to convey sewage and wastes from a building to

10 a common sewer.

11   "Sewage" shall mean wastewater, water-carried wastes, or a combination of them,

12 discharged into and conveyed by sewers or intended or customarily so discharged and conveyed.

13 Sewage may be further classified as follows:

14   "Sanitary sewage" shall mean the common wastewater and water-carried wastes from

15 human dwellings and from toilet and lavatory fixtures, kitchens, laundries, and similar facilities

16 of business and industrial buildings. In general, sanitary sewage shall not include storm water

17 from roofs, yards, streets or open spaces, water from land surfaces or brooks, clean waste

18 overflows from springs, wells, or subsoil drainage, large volumes of clean water from air

19 conditioning or other cooling or condensing facilities, clean wastewater from hydraulically

20 operated contrivances and those wastes included within the definition of "industrial wastes" next

21 following.

22   "Industrial wastes" shall include the liquid or water-carried wastes of any industrial

23 process not clearly included within the definitions of sanitary sewage, storm water, cooling water

24 or subsoil drainage herein. In general, wastewaters carrying any quantity of oils, grease, fats,

25 abrasives, chemicals, residues of manufacturing processes, wastes from commercial food

26 preserving or canning, from slaughterhouses or meat processing plants, and similar substances,

27 whether dissolved, in suspension, or mechanically carried by water, shall be considered as

28 industrial wastes.

29   "Storm water" shall include the runoff or discharge of rain and melted snow or other

30 clean water from roofs, surfaces of public or private lands or elsewhere. For most purposes within

31 the scope of this act, storm water shall not include the flow of any natural brook, rivulet or stream

32 even if the source of such water is storm runoff from land or other property once that runoff has

33 entered the channel of such brook or natural watercourse. In general, storm water shall include

34 only water which is sufficiently clean and unpolluted to admit of being discharged, without

1 treatment or purification, into any natural open stream or watercourse without offense.

2 "Cooling water" shall include the clean wastewater from air conditioning, industrial

3 cooling, condensing and similar apparatus and from hydraulically powered equipment. In general,

4 cooling water will include only water which is sufficiently clean and unpolluted to admit of being

5 discharged, without treatment or purification, into any natural open stream or watercourse without

6 offense.

7 "Seepage" or "subsoil drainage" shall include water from the soil percolating into subsoil

8 drains and through foundation walls, basement floors, or underground pipes or from similar

9 sources.

10 "Lateral sewer" means a sewer which does not receive the sewage from any other

11 common sewer.

12 "Submain sewer" means a sewer into which the sewage from two (2) or more lateral

13 sewers is discharged.

14 "Main sewer" means a sewer into which the sewage from two (2) or more submain

15 sewers is discharged.

16 "Land" means and includes any land, including building and other improvements thereon,

17 estate, riparial or other right, easement, interest or waterway.

18 The Town of Coventry may provide for the construction of sewers and for other sewage

19 works for said town and may raise funds therefor by borrowing or otherwise, and for that purpose

20 may issue bonds or notes of the town in accordance with the provisions hereinafter stated or

21 under other authority.

22 The town council shall provide that annual charges shall be made upon the owners of the

23 lands using the sewage works and that sewer assessments shall be made upon the owners of lands

24 for which the use of sewage works is available. Under no circumstances, shall the town of

25 Coventry charge the owners of lands using the sewage works for monetary interest charges in

26 excess of those interest charges actually paid by the town for the funds it has borrowed for

27 sewage works' purposes.

28 The receipts from annual charges and sewer assessments shall be appropriated for and

29 applied to the payment of the charges and expenses incident to the planning, construction,

30 financing, operation and maintenance of the sewage works, and to the payment of principal costs

31 for any bonds or notes issued for sewage works. Nothing in this act shall limit or affect the rights

32 or obligations of the town of Coventry, including obligations of the town acting by and through

33 its financial town meeting or its town council, to appropriate monies from its regular town tax to

34 fund its obligations under the intermunicipal agreement in wastewater services between the town

1   of West Warwick and the town of Coventry, as amended and restated from time to time, and the

2   Loan and Trust Agreement among the Rhode Island economic development corporation, the town

3   of Coventry and J.P. Morgan Trust Company, National Association dated as of December 1,

4   2003, as amended from time to time.

5   SECTION 2. This act shall take effect upon passage.

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EXPLANATION

BY THE LEGISLATIVE COUNCIL

OF

A N   A C T

RELATING TO COVENTRY SEWER AUTHORITY

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1   This act would prohibit the town of Coventry from charging its sewage works' users more

2   than the interest the town has actually paid for its borrowed funds for sewage works' purposes.

3   This act would take effect upon passage.

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