

2021 -- H 5688

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

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A N A C T

RELATING TO COVENTRY SEWER AUTHORITY

Introduced By: Representatives Serpa, Chippendale, Noret, Nardone, and Morgan

Date Introduced: February 24, 2021

Referred To: House Municipal Government & Housing

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 Chapters  
2   119 and 140 of the Public Laws of 2006, and Chapters 286 and 300 of the Public Laws of 2019, is  
3   hereby amended to read as follows:

4           Sec. 1. The town of Coventry is authorized and empowered in accordance with the  
5   provisions of this act, to plan, lay out, construct, finance, operate, and maintain sewage works for  
6   a part or the whole of its territory and for such purposes to take by eminent domain or otherwise  
7   any lands, water rights, rights-of-way, or easements, public or private, in the town necessary for  
8   accomplishing any purpose mentioned in this act. The sewage works may include sewers and sewer  
9   service connections, pumping stations, sewage treatment works, sewage disposal works, and other  
10   works essential to the proper collection and disposal of the sewage of the town.

11           As used in this act, unless the context otherwise requires

12           "Preliminary plans" shall mean engineering reports that shall conform to all applicable state  
13   and federal guidelines and shall include detailed scope and area to be considered with  
14   recommendations, preliminary and feasibility investigation, environmental assessment, cost  
15   studies, economic comparisons of alternatives, and all application and pre-application work and  
16   other work necessary or desirable before undertaking working plans.

17           "Working plans" shall mean final design plans of facilities, detailed construction drawings,  
18   specifications, detailed estimate of cost of construction, and shall include all other engineering work  
19   that may be required or advisable for actual construction of sewage works.

1 "Town" means the town of Coventry.

2 "Council" means the town council of the town of Coventry.

3 "Highways" means any state or other highway and any public street, alley, park,  
4 parkway, driveway, bridge, or public place.

5 "Sewage works" means all constructions for collection, transportation, pumping,  
6 treatment, and final disposal of sewage.

7 "Common sewer" means a sewer in which all abutters have equal rights of entrance and  
8 use.

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

10 "Sewer service connection" means a pipe to convey sewage and wastes from a building  
11 to a common sewer.

12 "Sewage" shall mean wastewater, water-carried wastes, or a combination of them,  
13 discharged into and conveyed by sewers or intended or customarily so discharged and conveyed.

14 Sewage may be further classified as follows:

15 "Sanitary sewage" shall mean the common wastewater and water-carried wastes from  
16 human dwellings and from toilet and lavatory fixtures, kitchens, laundries, and similar facilities of  
17 business and industrial buildings. In general, sanitary sewage shall not include storm water from  
18 roofs, yards, streets, or open spaces; water from land surfaces or brooks; clean waste overflows  
19 from springs, wells, or subsoil drainage; large volumes of clean water from air conditioning or other  
20 cooling or condensing facilities; clean wastewater from hydraulically operated contrivances; and  
21 those wastes included within the definition of "industrial wastes" next 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 the water is storm runoff from land or other property once that runoff has  
33 entered the channel of the brook or natural watercourse. In general, storm water shall include only  
34 water that is sufficiently clean and unpolluted to admit of being discharged, without treatment or

1 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 that 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  
8 subsoil drains and through foundation walls, basement floors, or underground pipes or from similar  
9 sources.

10 "Lateral sewer" means a sewer that does not receive the sewage from any other common  
11 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  
17 thereon, 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 the 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 under  
21 other authority.

22 The town council shall provide that annual charges shall be made upon the owners of  
23 the lands using the sewage works and that sewer assessments shall be made upon the owners of  
24 lands for which the use of sewage works is available. The town of Coventry may charge the owners  
25 of lands using the sewage works, monetary interest charges in excess of those interest charges  
26 actually paid by the town for the funds it has borrowed for sewage works' purposes, up to a  
27 maximum of one-half of one percent (.05%) of the interest charges paid by the town. The excess  
28 interest charges shall only be used for administrative purposes. [The town of Coventry shall not  
29 assess upon the owners of land the costs associated with repaving the roadway upon completion of  
30 any sewage works within the town.](#)

31 The receipts from annual charges and sewer assessments shall be appropriated for and  
32 applied to the payment of the charges and expenses incident to the planning, construction,  
33 financing, operation, and maintenance of the sewage works, and to the payment of principal costs  
34 for any bonds or notes issued for sewage works. Nothing in this act shall limit or affect the rights

1 or obligations of the town of Coventry, including obligations of the town acting by and through its  
2 financial town meeting or its town council, to appropriate monies from its regular town tax to fund  
3 its obligations under the intermunicipal agreement in wastewater services between the town of West  
4 Warwick and the town of Coventry, as amended and restated from time to time, and the  
5 Loan and Trust Agreement among the Rhode Island economic development corporation,  
6 the town of Coventry and J.P. Morgan Trust Company, National Association dated as of December  
7 1, 2003, as amended from time to time.

8 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 assessing the costs of repaving the
- 2 roadway upon the completion of any sewage works upon the land owners.
- 3           This act would take effect upon passage.

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