

Town of Patten Holding Tank Ordinance

Section 1: Title

This Ordinance shall be known as the Holding Tank Ordinance, hereinafter referred to as the Holding Tank Ordinance.

Section 2: Authority

The Holding Tank Ordinance is adopted pursuant to the authority given to the Town of Patten under the Maine Constitution MRSA 30-A, Section 3001, et.al.

The Patten Select Board is authorized and empowered to undertake, within the municipality, the control of and methods for disposal of holding tank wastewater and collection and transportation thereof as approved by the State of Maine Department of Environmental Protection (EPA).

Section 3: Purpose

The purpose of the Holding Tank Ordinance is to establish procedures for the use and maintenance of holding tanks designed to receive and retain wastewater from residential or commercial uses. It is hereby declared that the enactment of this ordinance is necessary for the protection, benefit and preservation of the health, safety, and welfare of the residents of the Town of Patten.

Section 4: Definitions

Holding Tank: Holding Tank refers to a closed, watertight structure designed and used to receive and store wastewater or septic tank effluent. A holding tank does not discharge wastewater or septic tank effluent to surface or ground water or onto the surface of the ground. Holding tanks are designed and constructed to facilitate ultimate disposal of wastewater at another site.

Improved Property: Improved Property means any property within the municipality upon which there is a structure intended for continuous or periodic habitation, occupancy, or use by humans or animals, and from which structure wastewater may be discharged.

Municipality: Municipality refers to the Town of Patten, Penobscot County, Maine.

Holding Tank Ordinance (Continued)

Definitions (Continued):

Owner: Owner means any person vested with ownership, legal or equitable, sole or partial, of any property located within the municipality.

Person: Person means any individual, partnership, company, association, corporation, or other group or entity.

Wastewater: Wastewater means contaminated water that may contain waste products, detergents or cleaning agents discharged from residential homes and offices; and potentially harmful or hazardous chemicals or toxic waste discharged from industrial facilities.

Section 5: Rules and Regulations

All rules and regulations pertaining to holding tanks shall be adopted by, and conform with, State of Maine EPA applicable laws, rules and regulations. Holding tanks cannot be used for seasonal conversions or new construction within the Town of Patten shoreland zone of a major water course. An alternate means of wastewater disposal shall meet first time system criteria. Replacement system criteria shall not be considered.

Section 6: Duties of the Owner of Improved Property

The owner of an improved property that utilizes a holding tank shall:

6.1 Maintain the holding tank in conformance with this Town of Patten Holding Tank Ordinance, or any other Town of Patten Ordinance, the provisions of any applicable laws, rules or regulations of the EPA State of Maine Agency, or any other State of Maine Agency pertaining to holding tanks.

6.2 Only allow authorized Town of Patten municipal personnel to collect, transport, and dispose of the contents of any holding tank or tanks.

Section 7: Fees

The Patten Select Board shall have the right and power to charge and collect fees, assessments, or other related charges, in the areas served by its facilities at a reasonable and uniform rate as authorized by applicable State of Maine laws, rules, and regulations.

Holding Tank Ordinance (Continued)

Section 8: Enforcement, Legal Actions and Penalties

Any violation of this Ordinance shall be abated by the municipality by seeking appropriate equitable legal relief from a court of competent jurisdiction. Any person who violates any provision of this Ordinance shall, upon conviction thereof by summary proceedings, be sentenced to pay a fine of \$500.00, plus costs.

Section 10: Severability

The invalidity of any section or provision of this Ordinance shall not be held to invalidate any other section or provision.

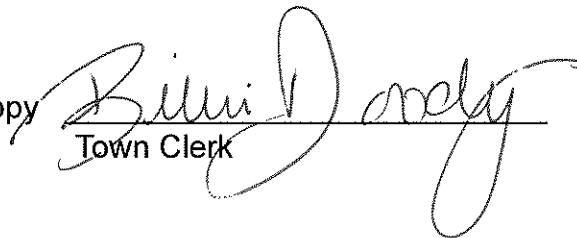
Disclaimer: This Ordinance shall not in any way affect compliance with any other Town of Patten ordinance.

Approved by the Patten Planning Board on March 21, 2024.

Approved by the Patten Select Board on 07/09/2024.

Approved by the Town of Patten residents on 07/23/2024.

Attested: True Copy


Town Clerk

Revised: 12/16/2003
07/09/2024

