

By Mr. Moore of Uxbridge, petition of Richard T. Moore and John C. Klimm for legislation to provide for a uniform code for installation of individual sewage disposal systems. Natural Resources and Agriculture.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety-Two.

AN ACT PROVIDING FOR A UNIFORM CODE FOR INSTALLATION OF INDIVIDUAL SEWAGE DISPOSAL SYSTEMS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section 13 of Chapter 21A of the General Laws as most
2 recently amended by Chapter 177 of the Acts of 1990 is hereby
3 further amended by adding after the first paragraph the following
4 two new paragraphs: —

5 Title 5 of the said code shall be the statewide uniform standard
6 for the design, installation, and repair of individual on-site sewage
7 disposal systems; provided, however, that in the case where
8 specific and identified local conditions may require special or
9 additional regulations, the board of health, for any city, town or
10 district may, upon approval of the department, make such
11 regulation.

12 Any such local or regional regulation shall be the subject of a
13 public hearing held by the applicable board of health. A board
14 of health under this section shall give notice of any such public
15 hearing by publishing in a newspaper published in the city or town,
16 or in the case of a health district, in a newspaper of general
17 circulation in all towns of said district, no less than twenty-one
18 days prior to the date of the public hearing on the proposed
19 regulation which notice shall state the date, time and place for
20 the public hearing. Following the public hearing, the proposed
21 regulation shall be submitted with reasons for and data supporting

22 the proposed action to the Department of Environmental
23 Protection for review and approval. Any such regulation shall
24 become effective on the date of department approval. In the event
25 of disapproval, the department shall give reasons therefor, and
26 the proposed regulation shall not become effective.

1 SECTION 2. Chapter 111 of the General Laws as appearing
2 in the 1990 Official Edition, is hereby amended by adding at the
3 end thereof the following new section: —

4 Section 31F. Notwithstanding the provisions of section thirty-
5 one of this chapter, the planning, installation, maintenance and
6 approval of individual on-site sewage disposal systems shall be
7 governed by the applicable provisions of Title 5 of the State
8 Environmental Code.