

# SENATE . . . . . No. 1938

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## The Commonwealth of Massachusetts

PRESENTED BY:

***Therese Murray***

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act authorizing the board of selectmen to exempt eco-toilet installations from sewer connections and associated betterments in the town of Falmouth.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Therese Murray</i>	<i>Plymouth and Barnstable</i>
<i>Timothy R. Madden</i>	<i>Barnstable, Dukes and Nantucket</i>
<i>David T. Vieira</i>	<i>3rd Barnstable</i>

# SENATE . . . . . No. 1938

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By Ms. Murray, a petition (accompanied by bill, Senate, No. 1938) of Therese Murray, Timothy R. Madden and David T. Vieira (by vote of the town) for legislation to authorize the board of selectmen to exempt certain eco-toilet installations from sewer connections and associated betterments in the town of Falmouth. Municipalities and Regional Government. [Local Approval Received.]

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## The Commonwealth of Massachusetts

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In the Year Two Thousand Thirteen  
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An Act authorizing the board of selectmen to exempt eco-toilet installations from sewer connections and associated betterments in the town of Falmouth.

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

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

3           Section 1. Notwithstanding any general or special law to the contrary, the Board of  
4 Selectmen of the Town of Falmouth may grant exemptions from future sewer connections and  
5 betterment fees attributed to sewer construction for homeowners or business property owners  
6 who are chosen to participate in Falmouth's eco-toilet demonstration project by installing either  
7 composting toilets or urine diverting toilets (together designated eco-toilets), or any combination  
8 of the two, in all sanitary facilities on their premises. Participants must agree to participate in the  
9 eco-toilet demonstration project and adhere to all the requirements of this demonstration. All  
10 eco-toilets installed for the demonstration project must comply with the provisions of 310 CMR  
11 15.000 (Title 5 Regulations) and 248 CMR (Uniform State Plumbing Code) and implement a  
12 town authorized monitoring and inspection plan approved by the Department of Environmental  
13 Protection (Mass DEP). Such plan may include the assessment of a reasonable fee by the Board  
14 of Health to implement the monitoring and inspection plan.

15           Section 2. Notwithstanding any general or special law to the contrary, said property  
16 owners may opt to connect to the sewer system and will retroactively pay betterment fees if their  
17 property lies within the sewer service area and complies with the Department of Environmental  
18 Protection approved Comprehensive Wastewater Management Plan at the discretion of the Board

19 of Selectmen after a public hearing. The Board of Selectmen shall adopt regulations within 120  
20 days after the adoption of this act establishing publication and notification procedures to carry  
21 out the purposes of this section.

22           Section 3. This act shall take effect upon its passage.