

**2019 -- H 5798 SUBSTITUTE A**

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LC002004/SUB A  
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**STATE OF RHODE ISLAND**

**IN GENERAL ASSEMBLY**

**JANUARY SESSION, A.D. 2019**

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A N A C T

RELATING TO COVENTRY SEWER AUTHORITY

Introduced By: Representatives Serpa, Noret, Jackson, Roberts, and Nardone

Date Introduced: March 01, 2019

Referred To: House Municipal Government

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 for a part or the whole of its territory and for such purposes to take by eminent domain or  
6 otherwise any lands, water rights, rights-of-way, or easements, public or private, in said town  
7 necessary for accomplishing any purpose mentioned in this act. Such sewage works may include  
8 sewers and sewer service connections, pumping stations, sewage treatment works, sewage  
9 disposal works, and other works essential to the proper collection and disposal of the sewage of  
10 said town.

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

12           "Preliminary plans" shall mean engineering reports which shall conform to all applicable  
13 state 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  
18 drawings, specifications, detailed estimate of cost of construction, and shall include all other  
19 engineering work which 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, parkway,  
4 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 to  
11 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  
17 of business and industrial buildings. In general, sanitary sewage shall not include storm water  
18 from roofs, yards, streets or open spaces, water from land surfaces or brooks, clean waste  
19 overflows from springs, wells, or subsoil drainage, large volumes of clean water from air  
20 conditioning or other cooling or condensing facilities, clean wastewater from hydraulically  
21 operated contrivances and those wastes included within the definition of "industrial wastes" next  
22 following.

23 "Industrial wastes" shall include the liquid or water-carried wastes of any industrial  
24 process not clearly included within the definitions of sanitary sewage, storm water, cooling water  
25 or subsoil drainage herein. In general, wastewaters carrying any quantity of oils, grease, fats,  
26 abrasives, chemicals, residues of manufacturing processes, wastes from commercial food  
27 preserving or canning, from slaughterhouses or meat processing plants, and similar substances,  
28 whether dissolved, in suspension, or mechanically carried by water, shall be considered as  
29 industrial wastes.

30 "Storm water" shall include the runoff or discharge of rain and melted snow or other  
31 clean water from roofs, surfaces of public or private lands or elsewhere. For most purposes within  
32 the scope of this act, storm water shall not include the flow of any natural brook, rivulet or stream  
33 even if the source of such water is storm runoff from land or other property once that runoff has  
34 entered the channel of such brook or natural watercourse. In general, storm water shall include

1 only water which is sufficiently clean and unpolluted to admit of being discharged, without  
2 treatment or purification, into any natural open stream or watercourse without offense.

3 "Cooling water" shall include the clean wastewater from air conditioning, industrial  
4 cooling, condensing and similar apparatus and from hydraulically powered equipment. In general,  
5 cooling water will include only water which is sufficiently clean and unpolluted to admit of being  
6 discharged, without treatment or purification, into any natural open stream or watercourse without  
7 offense.

8 "Seepage" or "subsoil drainage" shall include water from the soil percolating into subsoil  
9 drains and through foundation walls, basement floors, or underground pipes or from similar  
10 sources.

11 "Lateral sewer" means a sewer which does not receive the sewage from any other  
12 common sewer.

13 "Submain sewer" means a sewer into which the sewage from two (2) or more lateral  
14 sewers is discharged.

15 "Main sewer" means a sewer into which the sewage from two (2) or more submain  
16 sewers is discharged.

17 "Land" means and includes any land, including building and other improvements thereon,  
18 estate, riparial or other right, easement, interest or waterway.

19 The Town of Coventry may provide for the construction of sewers and for other sewage  
20 works for said town and may raise funds therefor by borrowing or otherwise, and for that purpose  
21 may issue bonds or notes of the town in accordance with the provisions hereinafter stated or  
22 under other authority.

23 The town council shall provide that annual charges shall be made upon the owners of the  
24 lands using the sewage works and that sewer assessments shall be made upon the owners of lands  
25 for which the use of sewage works is available. [The town of Coventry may charge the owners of](#)  
26 [lands using the sewage works, monetary interest charges in excess of those interest charges](#)  
27 [actually paid by the town for the funds it has borrowed for sewage works' purposes, up to a](#)  
28 [maximum of one-half of one percent \(.05%\) of the interest charges paid by the town. The excess](#)  
29 [interest charges shall only be used for administrative purposes.](#)

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

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

7 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 enable the town of Coventry to charge owners of lands using the sewage  
2 works monetary interest charge in excess of those interest charges actually paid by the town for  
3 the funds it has borrowed for sewage works purposes. The excess interest charges shall be a  
4 maximum of one-half of one percent (.05%) and shall be used only for administrative purposes.

5           This act would take effect upon passage.

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