

1 H.857

2 Introduced by Representatives McCormack of Burlington and Marcotte of

3 Coventry

4 Referred to Committee on

5 Date:

6 Subject: Conservation and development; wastewater and potable water supply;

7 change of use

8 Statement of purpose of bill as introduced: This bill proposes to authorize the
9 Secretary of Natural Resources to issue a potable water supply or wastewater
10 system permit for a change in use of a residential building when a connection
11 of the building to a public potable water supply or wastewater system is
12 required, provided that the operator of the potable water supply or wastewater
13 system to which the building is connected certifies that the system has
14 adequate capacity for the connection.

15 An act relating to the permitting of a potable water supply or wastewater
16 system change of use

17 It is hereby enacted by the General Assembly of the State of Vermont:

1 Sec. 1. 10 V.S.A. § 1973 is amended to read:

2 § 1973. PERMITS

3 (a) Except as provided in this section and sections 1974 and 1978 of this
4 title, a person shall obtain a permit from the Secretary before:

5 * * *

6 (7) making a new or modified connection to a new or existing potable
7 water supply or wastewater system; or

8 (8) changing the use of a building or structure in a manner that increases
9 the design flows or modifies other operational requirements of a potable water
10 supply or wastewater system.

11 * * *

12 (d) No permit shall be issued by the Secretary unless the Secretary receives
13 a statement from a licensed designer certifying that, in the exercise of his or
14 her reasonable professional judgment, the design-related information submitted
15 with the permit application is true and correct and the design included in an
16 application for a permit complies with the rules.

17 (e) No permit issued by the Secretary shall be valid for a substantially
18 completed potable water supply and wastewater system until the Secretary
19 receives a statement from an installer or a licensed designer certifying
20 that, in the exercise of his or her reasonable professional judgment, the

1 installation-related information submitted is true and correct and the potable
2 water supply and wastewater system:

3 (1) were installed in accordance with:

4 (A) the permitted design and all permit conditions; or

5 (B) record drawings and such record drawings are in compliance with
6 the applicable rules, were filed with the Secretary, and are in accordance with
7 all other permit conditions;

8 (2) were inspected;

9 (3) were properly tested; and

10 (4) have successfully met those performance tests.

11 * * *

12 (k) Notwithstanding the requirements of subsections (d) and (e) of this
13 section, the Secretary shall issue a permit under this chapter for change in use
14 of a building or structure that increases the design flows or modifies other
15 operational requirements of a potable water supply or wastewater system and
16 that requires making a modified connection to a new or existing public potable
17 water supply or wastewater system, if:

18 (1) the building or structure is a residential dwelling with no more than
19 10 living units; and

1 (2) the operator of the potable water supply or wastewater system to
2 which the building is connected certifies that the system has adequate capacity
3 for the connection.

4 Sec. 2. EFFECTIVE DATE

5 This act shall take effect on July 1, 2014.