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WESTPORT LOCAL SEPTIC SYSTEM REGULATION

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1.0 AUTHORITY

The following regulation is adopted by the Westport Board of Health in accordance with the provisions of Massachusetts General Laws (MGL) Chapter 111, Section 31. The regulation is enacted under the authority, which includes, but is not limited to, one or more of the following: MGL Chapter 111, Sections 31, 122, 122A 127, 143, 187, 188, Section 310 CMR 11.02 and 310 CMR 15.00 et. seq. Board of Health regulations are an exercise under which the various levels of government are responsible for protection of the public health, safety, welfare and the environment. The minimum standards for the disposal of sewage are set by Title 5 (310 CMR

15.000). Where the provisions of this Westport Board of Health regulation are stricter, they shall prevail.

The Board of Health may also establish administrative policies regarding septic plan submission requirements and other operational requirements, which shall be published.

2.0 FINDINGS

Water defines and influences much of the character of the Town of Westport. The Westport River is an essential part of the Town's history and a vital natural resource used for recreation, fishing, shell fishing and general enjoyment. The landscape also features abundant wetlands, coastal beaches and small streams. Almost all residents rely on private wells that draw from the groundwater and aquifers to supply drinking water to their homes. In addition, virtually all properties in Town use onsite sewage disposal, which disperses septic effluent into surrounding soils and ultimately discharges to local waters.

The Westport River is degraded due to nitrogen pollution and it has failed to meet water quality standards for over 15 years. Excess nitrogen contributes to algae growth, which reduces water clarity and harms habitats like eelgrass and saltmarshes. The Westport River is on the federal 303d list of impaired waters and is currently over the Total Maximum Daily Load (TMDL) allowable limit for nitrogen. The TMDL report identifies septic effluent as a primary contributor to excess nitrogen in the Westport River.

High nitrogen levels in drinking water can also harm human health, especially in vulnerable populations. Drinking water wells in many areas of Town are unsafe because of high nitrogen levels as well as bacterial contamination. Westport does not have a public water supply as a backup for homeowners with contaminated wells. Contaminated well hotspots are found in areas of town with denser development and/or cesspool locations. Hundreds of homes within the town of Westport use old cesspools for wastewater disposal. Cesspools do not treat wastewater and are often found in the water table. They have not been permitted for over 40 years because they do not meet the minimum standards of Title 5 septic systems, threaten public health and fail to protect the environment.

The 2020 Targeted Integrated Water Resource Management Plan for Westport, which was developed with extensive community input, has identified and prioritized the most realistic and effective strategies for preserving and improving the quality of the water resources in Town. Nitrogen reduction is a key priority. Development buildout using conventional septic systems would add more nitrogen to the existing total load. Nitrogen reducing septic systems have the ability to substantially reduce the amount of new nitrogen discharged to our critical water resources.

3.0 PURPOSE

This regulation of the Board of Health has been adopted to protect public health and the environment. Westport has very limited access to a public water supply and will never have public sewer in many parts of town. Since Title 5 of the state environmental code sets only minimum common standards for septic systems, local Board of Health regulations are needed to provide

more complete protection of the Town's water resources from pollution. This updated regulation is a compilation of all previously adopted regulations in Westport that focused on the reducing negative environmental and health impacts of septic systems by requiring the proper siting, construction, upgrade and maintenance of on-site sewage disposal systems and appropriate means for the transport and disposal of septage. Local regulation is also necessary for efficient administration and management, as well as to ensure proper operation and maintenance of systems, which is essential to avoid public health hazards and to protect the environment.

4.0 DEFINITIONS

The terms and provisions of this regulation shall be applied consistent and in conjunction with the State Environmental Code, 310 CMR 15.000 (Title 5) and the Wetland Regulations, 310 CMR 10.00, except as otherwise specifically provided herein.

“A” Flood Zone – Area that is flooded by a 100-year storm or the magnitude of a storm that is the greatest to be expected every 100 years.

Barrier Beach – A resource area that is a narrow low-lying strip of land generally consisting of coastal beaches and coastal dunes extending roughly parallel to the trend of the coast. It is separated from the mainland by a narrow body of fresh brackish or salt water or marsh system. A barrier beach may be joined to the mainland at one or both ends. It is a fragile buffer that protects landward areas from coastal storm damage and flooding.

Building Renovation – Any addition, replacement, reconstruction or modification to an existing structure with an onsite subsurface sewage disposal system, which may include, but is not limited to, construction that:

- a. Increases the “footprint” of the foundation and/or
- b. Increases the floor living space of the existing structure and/or
- c. Converts a space into a bedroom, as defined under Title 5

The following activities are excluded from the definition, including but not limited to: decks, replacement roofs, replacement windows and detached structures that are not connected to the disposal system.

Cesspool – A pit with open-jointed linings or holes in the bottom and/or sidewalls into which raw sewage is discharged, the liquid portion of the sewage being disposed of by seeping or leaching into the surrounding soils and the solids or sludge being retained in the pit.

Change in Use – The term “change in use” shall refer to any change in occupancy or building use, which could increase the quantity of sanitary sewage being disposed of.

Commercial Septic System – A system that receives non-toxic, non-hazardous wastewater from commercial facilities, including but not limited to institutional and commercial food operations, self-service laundries and animal holding facilities.

Design Flow – The quantity of sanitary sewage, expressed in gallons per day (gpd), for which a system must be designed in accordance with 310 CMR 15.203.

Existing System – Any on-site subsurface sewage disposal systems including cesspools, nonconforming, conforming and failed systems that existed prior to the effective date of this regulation.

Failed System – A system, which fails to protect public health and safety or the environment, as set forth at 310 CMR 15.303 or 15.304.

Hold Harmless Agreement - A written agreement between the Town of Westport Board of Health and the property owner that the owner assumes responsibility for and shall indemnify the Town and Board from any and all claims, injuries, damages and litigation costs associated with the grant of any variance for the property specified in the Agreement. A sample Hold Harmless Agreement is in Appendix A to the regulation.

Innovative/Alternative (I/A) Systems – Systems designed to provide or enhance onsite sewage disposal pursuant to the definition of Alternative Systems in 310 CMR 15.002.

Nitrogen reducing septic system – An innovative/alternative (I/A) on-site sewage disposal system specifically designed and operated to enhance the removal of nitrogen approved pursuant to 310 CMR 15.000, including systems designed to reduce, convert or remove nitrogenous compounds and composting toilets.

On-Site Subsurface Sewage Disposal System, Septic System or System – A system or series of systems for the treatment and disposal of sanitary sewage below the ground surface of real property and any building thereon. The standard components of the system include, without limitation, a sewer pipe, septic tank, distribution system and soil absorption system containing effluent distribution lines to distribute and treat septic effluent prior to discharge to subsurface soils and a reserve area. These terms also include tight tanks, shared systems and alternative systems. Unless the text of 310 CMR 15.000 indicates otherwise, these terms also include non-conforming systems.

Regulatory Floodway – Any area exhibiting the characteristics of a Regulatory Floodway as defined by 310 CMR 15.02, including areas designated as floodways on the current FIRM (NFIP map) and other areas that exhibit said characteristics, as may be determined by reference to any other information that is available to the Board.

Surface Water – All waters other than groundwater within the jurisdiction of the Commonwealth, including without limitation, rivers, streams, lakes, ponds, springs, reservoirs, impoundments, estuaries, wetlands, coastal waters and certified vernal pools.

Surface Water Boundary – The highest point of the surface water body that historically is reached under normal conditions. For tidal waters, the boundary shall be the Mean High-Water Elevation.

Title 5 – The State Environmental Code at 310 Code of Massachusetts Regulations (CMR) 15.000.

Velocity Zone – Any zone that either: (1) is designated on the most recent FIRM (NFIP map) with the letter “V”; or (2) exhibits the characteristics of a Velocity Zone, as defined by 310 CMR 15.02, as may be determined by reference to any other information that is available to the Board.

5.0 BUILDING RENOVATION

- A. No Person shall begin any construction, building renovation and/or change in use of any structure with an onsite subsurface sewage disposal system without first obtaining review and approval by the Board of Health. A review will be conducted by the Board of Health case by case including any existing structure that has obtained prior septic system variances.
- B. Applicants subject to the Building Renovation provisions shall obtain a written decision from the Board prior to proceeding with construction. The applicant shall include a detailed description of the proposed renovation in the building application. The applicant shall be bound by all conditions set by the Board, which may include but is not limited to:
 - 1. Title 5 septic inspection and certification by a Massachusetts Licensed System Inspector
 - 2. On-site and abutting well testing and certification from a qualified professional as to the impact of the proposed project on public health and the environment
 - 3. A bedroom/room count of the dwelling/dwellings
 - 4. Soil Inspection
 - 5. Deed restrictions
- C. All disposal system designs must meet the intended use of the proposed renovation and be consistent with the Town of Westport Tax Assessors' records, Building Department and the Board of Health's determinations regarding use. The determination may require an on-site inspection of the building by a Board of Health representative and/or a Title 5 inspection.
- D. Any building uninhabited for three (3) years or more requiring an upgrade to a septic system not approved under Title 5, will be considered as new construction under Title 5 and will require all percolation tests, permits, fees and plans necessary at the time of the application.
- E. An occupancy permit will not be signed off by the Board of Health and/or until project is in compliance with Title 5 and the regulations of the Westport Board of Health.

6.0 SEPTIC SYSTEM LOCATION REQUIREMENTS

- A. No soil absorption system (a components of an onsite sewage disposal system that receives effluent from a septic tank or treatment system) for new construction shall be constructed or located within one hundred (100) feet of any waters of the Commonwealth or Waters or Water bodies as defined by Title 5, Section 15.002 or Wetland as defined by the Massachusetts Wetland Protection Act, M.G.L. Chapter 131, Section 40 and regulations promulgated pursuant thereto at 310 CMR 10.00 or pursuant to Section 404 of the Federal Water Pollution Control Act 33, U.S.C. 1341, unless the Board of Health approves a variance allowing installation of a nitrogen reducing system meeting the performance standards as provided in Section 12.0 of this regulation as the on-site subsurface sewage disposal system.
- B. No newly constructed or increased flow septic system or humus/composting toilet, shall be located in the following areas: coastal beach, barrier beach, bank (inland or coastal), dune, regulatory floodway, velocity zone or "A" flood zone (100 year flood plain), except a septic system or humus/composting toilet that replaces a septic system or cesspool in existence on the site as of March 31, 1995 that has been damaged, removed or destroyed and where placement of the tank outside said areas either horizontally or vertically is not feasible.

1. Where reconstruction of a system in existence on March 31, 1995 occurs or where reconstruction of a building or buildings is allowed in accordance with the Wetlands Protection Act and 310 CMR 10.00 et seq., it shall be presumed to be feasible to elevate the septic tank, if the building is elevated above the velocity zone, "A" flood zone or regulatory floodway.
- C. Any design for repair of a septic system that is required to be sited within 50 feet of a surface water boundary or wetlands bordering the surface water boundary, must meet the standards for nitrogen loading limitations set forth in Section 12.0. The applicant is responsible for documenting to the Board of Health that the repair design meets this standard.
- D. For any septic system repair or upgrade that requires a drinking water well setback approval for distance less than 100 feet, the applicant must comply with the following requirements:
1. A letter requesting a hearing for the local upgrade approval/variance submitted together with the septic system plans, which includes the name of the engineer, property owner, address of the repair and specific provision of the regulation.
 2. A completed and signed DEP form 9A must be included with the application.
 3. The engineer or other qualified representative must be present at the hearing.
 4. Any abutters with wells less than 100 feet from the proposed septic system repair must be notified of the purpose of the hearing by certified mail, no less than 10 days prior to the scheduled hearing date, with proof of delivery along with any returned green cards, to be provided prior to or at the hearing.
 5. A copy of the abutter letter, a list of abutters and a plot plan delineating all affected abutters must be provided prior to the hearing but no later than at the hearing.
 6. A standard water analysis, including at a minimum total coliform, ammonia, nitrate, nitrite, copper, iron, and lead, for all affected wells must be performed by a MassDEP (Massachusetts Department of Environmental Protection) certified laboratory with results provided to the Board of Health prior to or at the hearing.
 7. A notarized Hold Harmless Agreement signed by the owner must be submitted no later than at the hearing. If approval is granted, the Agreement must be recorded at the New Bedford Registry of Deeds;
 8. A Deed Restriction may be required, which will need notarization and recording at the New Bedford Registry of Deeds.
 9. Payment (required before installation permit is issued) of the water testing fee, which is set by the Board of Health to cover three years of well testing and an administrative fee, for each affected well. If any test results are above the State's maximum contaminant level (MCL), the Board of Health reserves the right to require five years of consecutive testing and require additional water testing fee payment.
- E. Any sanitary sewage or gray water, no matter how treated, shall not be discharged into a wetland as defined by the Massachusetts Wetland Protection Act or Waters of the Commonwealth as defined by Title 5.

7.0 PERCOLATION RATE STANDARDS

- A. Under 310 CMR 15.242 LTAR (Long Term Acceptance Rate) – Effluent Loading Rates, the maximum effluent loading rate gpd/s.f. allowable in the Town of Westport for new construction is set at 30 minutes per inch.
- B. This provision affects lots created or altered after the original adoption of the percolation rate regulation (April 12, 2004). All lots requesting a percolation rate greater than 1”/30 minutes may apply to the Board for approval of such rate. Decision of the Board as evaluated shall run with the property. It will be the determination of the Board as to approval based upon the following criteria:
 - 1. Proximity of environmentally receptive areas or sensitive receptor populations. Environmentally sensitive areas are those areas as defined as wetland resource areas, velocity flood plains and Estimated Habitat of Rare and Endangered Species.
 - 2. Location of seasonal high groundwater to less than four (4) feet from existing ground surface.
 - 3. No work is proposed in surface water buffer area as defined in the Surface Water Protection Regulation as adopted by the Board of Health on March 1, 2002.

8.0 EMERGENCY REPAIRS

- A. The property owner or representative must notify the Board of Health at least 24 hours before beginning an emergency repair in accordance with 310 CMR 15.353.
- B. A disposal system construction permit, including any necessary local approval upgrade requests, must be submitted within 14 days of commencement of any emergency repair that involves repair or replacement of one or more structural components of the System.
- C. In addition to compliance with all other provisions of 310 CMR 15.353, the installer must request an inspection by the Board of Health prior to backfilling of any excavation.

9.0 CESSPOOLS

- A. All cesspools within the Town of Westport shall be upgraded to meet standards set forth in Title 5 by the earliest of the following:
 - 1. The deadline(s) established in Title 5 pursuant to 310 CMR 15.305 for systems that fail to protect public health, safety, welfare or the environment;
 - 2. Availability of sanitary sewer or a cluster/shared nitrogen reducing system; or
 - 3. February 1, 2028.
- B. Pursuant to Title 5, a shorter period of time for a cesspool upgrade can be set by the Board of Health based upon the existence of an imminent health hazard.

10.0 NEW CONSTRUCTION (NEW SYSTEMS OR INCREASE IN FLOW)

Except where the Board determines that it is feasible to connect the facility or any portion of the facility for which a system approval is sought to a sanitary sewer, all New Construction shall install

a nitrogen reducing system meeting the performance standards as provided in Section 12.0 of this regulation as the on-site subsurface sewage disposal system.

For the purposes of this section, the definition of New Construction is: the construction of a new building for which an occupancy permit is required or an increase in the actual or design flow to any existing system as defined herein. New construction shall include the purposeful demolition and replacement of an existing building.

11.0 SEPTIC SYSTEM MAINTENANCE

- A. Every septic tank or cesspool shall be pumped whenever necessary to ensure proper functioning of the system. It shall be the responsibility of the property owner to use a Westport permitted pumping company to clean/pump out the system. The Board of Health shall be notified of said determination, the date of the next pumping and the condition of the system. Pumping records shall be submitted to the Approving Authority within 14 days from the pumping date in accordance with 310 CMR 15.351(1), unless the Board of Health requires more frequent submittals.
- B. The following minimum pumping requirements apply:
1. Unless otherwise specified, all septic tanks or cesspools shall be pumped at least once every three years.
 2. If sludge levels are less than one third of the tank capacity, then the required pumping frequency may be extended up to five years. The pumper and Board of Health agent shall agree and recommend a pumping schedule for the property owner to follow if it is not necessary to pump at three-year intervals. The criteria for making the determination shall be as per 310 CMR 15.351 and the Board of Health shall be notified of said determination, the date of the next pumping and the condition of the system.
 3. When there is a low water flow design for toilets or energy saving device such as a washing machine lint filter or a septic system filter in use, the system pump-out schedule may be extended to once every four years. This information shall be documented in the Board of Health Office files.
 4. When there is a domestic garbage grinder in use, the system shall be pumped annually.
 5. Commercial septic systems shall be pumped annually.
- C. The monitoring of systems may include a visual inspection by the Board of Health agent in areas where:
1. Lots are less than 30,000 square feet in size
 2. Well water tests show Fecal or Nitrate contamination
 3. Watercourses have tested above State Maximum Contaminant Levels (MCL) for Enterococci or Nitrates
 4. Historical drainage is a problem
 5. Properties are within a 100 ft. distance to watercourses
 6. Nitrogen sensitive areas as per 310 CMR 15.215
 7. Lots granted variances for groundwater separation or size reduction

- D. A Board of Health agent may be present when such systems are pumped. The monitoring of such systems is not intended to constitute or replace the official Title 5 inspection, which is required by a certified systems inspector.
- E. Should a system appear to be in failure and/or a system appears to pose a risk to public health and safety to the waterways, the Board of Health shall require the property owner to obtain a System Inspection Report by an official Title 5 Inspector in accordance with 310 CMR 15.340(7). The report shall be submitted to the Board of Health and follow up action will be required.

12.0 PERFORMANCE STANDARD FOR NITROGEN REDUCING SYSTEMS

- A. Nitrogen reducing septic systems must meet a system performance standard of 19 milligrams per liter or less for the total nitrogen (TN) in effluent sampled according to the procedures approved for each specific technology and tested at a Massachusetts Department of Environmental Protection (Mass DEP) or EPA certified testing laboratory. The 19 milligrams per liter standard shall apply to a rolling average of sampling results over a one-year period.
- B. If a sample value exceeds the permitted performance level by greater than 25%, the maintenance contractor must notify the property owner, the Board of Health and/or its designated entity within seven (7) days of receipt of the laboratory results. The Board of Health, in consultation with the contractor and homeowner, may require a plan for additional sampling requirements and/or order appropriate corrective measures. A nitrogen reducing system shall not be considered out of compliance due to its inability to meet the performance standard in this section, provided it was installed, operated, maintained and monitored in accordance with the regulations, MassDEP approval letter and applicable orders of the Board.

13.0 CONNECTION TO SEWER

In the event sanitary sewer becomes available to a property or facility after the installation of a nitrogen reducing system pursuant to this regulation, the property or facility may delay connection to the sanitary sewer for up to the maximum time period established according to the following formula:

- ❖ 20 years minus the age of the existing nitrogen reducing system = years to connect to public sewer. (For example, if the nitrogen reducing system is 11 years old, the owner will be granted 9 years to connect to public sewer (20-11 = 9)).

14.0 GENERAL CONDITIONS FOR INNOVATIVE/ALTERNATIVE SYSTEMS

Design, installation and use of an I/A system, including nitrogen reducing systems, shall be in strict conformance with the company's MassDEP approved plans and specifications, the MassDEP Approval Letter, 310 CMR 15.000 and this regulation. Prior to the issuance of a Certificate of Compliance by the Board of Health, the System Installer and Designer shall provide, in addition to the certifications required by 310 CMR15.021(3), certifications in writing to the Board of Health that the I/A system has been constructed in compliance with the terms of the MassDEP Approval Letter.

15.0 OPERATION AND MAINTENANCE AGREEMENTS FOR INNOVATIVE/ALTERNATIVE SEPTIC SYSTEMS

- A. At all times, the permit holder for an I/A system, including nitrogen reducing systems, shall maintain and comply with any MassDEP required Operation and Maintenance Agreement, which is subject to the prior approval of the Board of Health and its consultants and agents.
- B. The permit holder shall notify the Board of Health in writing within seven (7) days of any cancellation, expiration or other change in the terms and/or conditions of the Operation and Maintenance Agreement.
- C. The permit holder shall repair, replace or modify the I/A system or take other action as required by the Board, if the Board determines that the I/A system was not installed, operated, maintained or monitored in accordance with Title 5, this regulation or the MassDEP Approval Letter.

16.0 MONITORING FOR INNOVATIVE/ALTERNATIVE SEPTIC SYSTEMS

- A. The Board may require additional maintenance and monitoring conditions of an approved I/A system that it deems reasonable and necessary to ensure that the system is performing as designed and approved. This may include, but is not limited to, monitoring that exceeds that specified in the MassDEP Approval Letter. At a minimum, the Board of Health shall require semi-annual measurement of total nitrogen (TN) in the effluent of any nitrogen reducing system installed per Section 10 of this regulation for the first two years after issuance of a Certificate of Compliance by the Board. After two years and upon a finding of compliance with this regulation, the Board of Health may reduce such monitoring.
- B. Any required sample analysis shall be conducted by an independent U.S. Environmental Protection Agency or MassDEP approved testing laboratory or an approved independent university laboratory. It shall be a violation of this regulation to falsify any data collected pursuant to an approved testing plan, to omit any required data or to fail to submit any report required by such plan. All measurements and samples collected shall be collected, transported and stored in such manner as outlined in the most recent edition of Standard Methods for the examination of Water and Wastewater, American Public Health Association and the latest EPA analytical procedures.
- C. Any person or entity that owns, operates, inspects or monitors an I/A system in Westport shall provide the results of all required monitoring and inspections to the Board of Health or an entity designated by the Board of Health, in a format designated by the Health Director. All reports regarding maintenance, monitoring or inspections of I/A systems shall be submitted within 30 days of the time when the maintenance, inspection or monitoring was initiated.
- D. No I/A system operating permit shall be issued until the applicant has filed, if required under its MassDEP I/A approval letter, a notice with the Registry of Deeds that indicates the presence of an approved I/A system and the requirement for an Operation and Maintenance Agreement for the life of the system. Proof of such recording shall be provided to the Board of Health prior to installation, but in no case later than the request for a Certificate of Compliance.
- E. Any I/A system operating permit shall be renewed prior to or concurrent with transfer of ownership of property.

17.0 ENFORCEMENT

The Board of Health or its authorized Agents, under the authority of MGL c. 111, s.31, 310 CMR 11.00 and other governing laws or regulations, may issue administrative enforcement orders, violation notices or other documents to enforce the provisions of this regulation. In addition, the Board of Health may pursue criminal or non-criminal prosecution, civil litigation or a combination of these in the courts of the Commonwealth of Massachusetts to enforce the provisions of this regulation.

18.0 VIOLATIONS AND PENALTIES

- A. Violations of this Regulation will be subject to the provisions of MGL Ch. 40, sec. 21D, regarding Non-Criminal disposition, as adopted by the Town of Westport.
- B. Any proprietor/owner/permit holder who fails to comply with any provision of these regulations shall be subject to the following action for each offense, where each day of non-compliance is considered a separate offense:
 - 1. A warning may be issued for the first offense.
 - 2. A fine of one-hundred dollars (\$100.00) may be issued for the second offense, a fine of two-hundred dollars (\$200.00) may be issued for the third offense and a fine of three-hundred dollars (\$300.00) may be issued for any subsequent offenses.
 - 3. Following a third offense, the Westport Board of Health may, after a public hearing, suspend or withhold the renewal of any license or permit issued by the Board of Health for a period of time to be determined by the Board.
- C. Any person aggrieved by a decision of the Board of Health, or by the failure of the Board to act, may appeal to Superior Court Bristol County, pursuant to the provisions of the Massachusetts General Laws.
- D. The Westport Board of Health may apply for injunctive relief to enforce the provisions of this subsection in a court of competent jurisdiction.

19.0 HEARING

Anyone aggrieved by a finding of non-compliance under this regulation may request a hearing before the Board of Health. The Board of Health must receive requests for a hearing in writing within ten (10) business days of notification of finding of non-compliance.

20.0 VARIANCE

The Board of Health, in any particular case and following a public hearing, may grant a variance of any provision of this regulation, when it determines:

- 1. An alternative will result in equal or greater environmental protection (including but not limited to nitrogen reduction) required under Title 5 and this regulation, or
- 2. Strict enforcement would be manifestly unjust and the variance is not inconsistent with the intent or purpose of Title 5 or this regulation.

In making its determination, the Board may consider all relevant facts and circumstances including, without limitation, the proximity of system to drinking water and surface waters, the physical conditions of the site and the costs of full compliance.

21.0 SEVERABILITY

If any provision of these regulations is declared invalid or unenforceable, the other provisions shall not be affected thereby but shall continue in full force and effect.

22.0 EFFECTIVE DATE

This regulation will take effect on **October 16, 2023** and shall supersede all prior septic regulations by the Board of Health that have been incorporated into this regulation.

Westport Board of Health

FOR REFERENCE: The prior Board of Health regulations incorporated herein include Building Renovation (adopted 9/22/03), Percolation Rate (adopted 4/12/04), Septic System Location (adopted 12/30/05), Septic System Maintenance (adopted 3/01/04), Septic System Water Resource Protection (adopted 2/1/21), Surface Water Protection (adopted 3/01/02), and Well Setback Variance (adopted 2/01/05). It also references Town Bylaw 38: Sewage Disposal Systems, as amended in 2017.