

Scheduling Installation

Does the municipality limit months when septic systems can be installed/constructed?

Issue Overview Title 5 does not limit the months when a septic system can be installed. Some municipalities prohibit installation during the winter months.

Research Coding Researchers looked for language such as “installation of septic systems is prohibited during the months of December, January and February,” or “construction of new systems shall not be started between December 15 and February 14.”

Acton *Does the municipality limit months when septic systems can be installed/constructed?*

No Researcher found no limit in the Acton Regulations to the months in which a septic system can be constructed.

Amesbury *Does the municipality limit months when septic systems can be installed/constructed?*

Yes From amendment 1, "[c]onstruction of new septic systems or repairs of septic systems will not occur from December 1st to March 1st, unless and existing septic system is in failure and it is a danger to public health and safety."

(Amesbury Title V Septic Regulations Amendments, Amended 1999,2003)

Ashland *Does the municipality limit months when septic systems can be installed/constructed?*

No Researcher found no reference in the Chelmsford Regulations to a limit of the time in which septic systems can be installed.

Auburn *Does the municipality limit months when septic systems can be installed/constructed?*

No No reference in the Auburn regulations to a limit on the months when septic systems can be installed.

Avon *Does the municipality limit months when septic systems can be installed/constructed?*

No

Ayer *Does the municipality limit months when septic systems can be installed/constructed?*

No No reference in the Ayer regulations to months when septic systems can be installed.

Bellingham *Does the municipality limit months when septic systems can be installed/constructed?*

No Survey received from Bellingham Health Agent Mike Graf on 6/1/05 marks that Bellingham has local septic regulations. He writes that they were adopted before 1995 and the Title 5 changes in 1995 superceded most of the local regulations. The only answer he marked as "different from Title 5" is the setback from wells.

Berkley *Does the municipality limit months when septic systems can be installed/constructed?*

No No reference in the Berkley regulations to months when septic systems can be installed.

Berlin *Does the municipality limit months when septic systems can be installed/constructed?*

No No reference in the Berlin regulations to months when septic systems can be installed.

Beverly *Does the municipality limit months when septic systems can be installed/constructed?*

No According to J. Reale, the City of Beverly follows Title 5, except for a rule on minimum size of leaching fields.

The Beverly regulations permit installation when the ground is frozen only when "such ground is frozen less than twelve (12) inches in depth and all frozen material is removed and replaced with unfrozen, clean material. Work in the leaching area should be complete and inspected in one (1) day." Regulations for Individual Sewerage Disposal Systems, Chapter 16, Section 1 (adopted 1981)

Billerica *Does the municipality limit months when septic systems can be installed/constructed?*

Yes Marked on survey received from Billerica on 3/31/05:

"Yes, no construction during winter."

Bolton *Does the municipality limit months when septic systems can be installed/constructed?*

No No reference in the Bolton regulations to a limit on the months when septic systems can be installed.

Boxborough *Does the municipality limit months when septic systems can be installed/constructed?*

No On 11/16/04 the researcher confirmed that septic systems can be installed at any time of the year with the Boxborough Health Agent.

Boxford *Does the municipality limit months when septic systems can be installed/constructed?*

No No reference in the Boxford Regulations to a limitation on the months in which a septic system can be installed.

Boylston *Does the municipality limit months when septic systems can be installed/constructed?*

No No reference in the Boylston regulations to months when septic systems can be installed.

Bridgewater *Does the municipality limit months when septic systems can be installed/constructed?*

No No reference in the Bridgewater regulations to limits on the months when septic systems can be installed.

Canton *Does the municipality limit months when septic systems can be installed/constructed?*

No The regulations do not contain any reference to dates when a system can be installed.

Carlisle *Does the municipality limit months when septic systems can be installed/constructed?*

Yes The Town of Carlisle Supplementary Regulations provide that "Installation of septic systems is prohibited during the months of December, January and February. Any system already in progress prior to December 1 shall have all work including all inspections, final grading, loaming and seeding completed prior to the winter cut off date of November 30. If circumstances such as freezing temperatures do not permit the application of loam and seed, the installer shall stabilize all sloped areas susceptible to soil erosion using either hay, anchored filter fabric or jute mesh." Town of Carlisle Supplementary Regulations for Sewage Disposal Systems, Additional Town Regulations Section 6 (adopted 12/1/83, effective with amendments 7/1/98).

Carver *Does the municipality limit months when septic systems can be installed/constructed?*

No No reference in the Carver regulations to a limit in the months when septic systems can be installed.

Chelmsford Does the municipality limit months when septic systems can be installed/constructed?

No No reference in the Chelmsford Regulations to the months in which a septic system can be installed.

Cohasset Does the municipality limit months when septic systems can be installed/constructed?

No No limit in the Cohasset Regulations on the months in which septic systems can be installed.

Concord Does the municipality limit months when septic systems can be installed/constructed?

No No reference in the Concord regulations to a limitation on the months in which a septic system can be installed.

Douglas Does the municipality limit months when septic systems can be installed/constructed?

No No reference in the Douglas regulations to a limit on the months when septic systems can be installed.

Dover Does the municipality limit months when septic systems can be installed/constructed?

Yes "No septic system shall be installed until the major plumbing is in the house. Installation of septic systems is prohibited during the months of December, January and February. Any system already in progress prior to December 1 shall have all work, including inspections, final grading, loaming and seeding, completed prior to the winter cutoff date of November 30. If circumstances such as freezing temperatures do not permit the application of loam and seed, the installer shall stabilize all sloped areas susceptible to soil erosion using either hay, anchored filter fabric or jute mesh. This regulation may be waived by the Board of Health or its Agent." Code of the Town of Dover, Massachusetts, Part II, Chapter 217, Section 217-3(10) (updated through 8/1/2004)

Dracut Does the municipality limit months when septic systems can be installed/constructed?

No Representative of the Board of Health said (10/13/04) that they only enforce one regulation that supplements Title 5 -- the setback from wetlands.

Dunstable Does the municipality limit months when septic systems can be installed/constructed?

No No reference in the Dunstable regulations to a limit on the months when septic systems can be installed.

Duxbury Does the municipality limit months when septic systems can be installed/constructed?

No Duxbury's Supplementary Regulations, section 1.05, the "Disposal System Construction Permit" mentions nothing about any additional regulations regarding the months when septic systems can be installed.

Easton *Does the municipality limit months when septic systems can be installed/constructed?*

No Easton regulations contain no limit on the months in which septic systems can be installed.

Essex *Does the municipality limit months when septic systems can be installed/constructed?*

No No reference to a limit on the months in which a septic system can be installed.

Foxborough *Does the municipality limit months when septic systems can be installed/constructed?*

No Foxborough regulations do not limit months when septic systems can be installed.

Georgetown *Does the municipality limit months when septic systems can be installed/constructed?*

Yes Person at the Georgetown Board of Health said (12/15/04) that percolation and new septic system installation begins in April.

Gloucester *Does the municipality limit months when septic systems can be installed/constructed?*

No No reference in the Gloucester regulations to a limit on the months when septic systems can be installed.

Grafton *Does the municipality limit months when septic systems can be installed/constructed?*

No System construction during the winter must be BOH approved 2 days prior to installation.

"Septic System installation between December 15th and March 31st will require both approval by the Agent a minimum of forty-eight hours prior to commencement of excavation." From the Town of Grafton's Supplement to Title V, "Installation" n. 11 (Revised 2004).

Groton *Does the municipality limit months when septic systems can be installed/constructed?*

No No reference in the Groton regulations to a limit on the months when septic systems can be installed.

Groveland *Does the municipality limit months when septic systems can be installed/constructed?*

Yes "Construction of new systems shall not be started between December 15 and February 14. Emergency replacement of failed systems is allowed in this time period"

From the Rules and Regulations of Sewage Disposal, Section II (8) (Adopted 1997).

Halifax *Does the municipality limit months when septic systems can be installed/constructed?*

No No reference in the Halifax regulations to a limit on the months when septic systems can be installed.

Hanover *Does the municipality limit months when septic systems can be installed/constructed?*

No No reference in the Hanover Regulations to a limitation on the months when septic systems can be installed.

Hanson *Does the municipality limit months when septic systems can be installed/constructed?*

No The regulations only cover what needs to be presented in submitted plans.

Harvard *Does the municipality limit months when septic systems can be installed/constructed?*

No No reference in the Harvard regulations to a limit on the months when septic systems can be installed.

Haverhill *Does the municipality limit months when septic systems can be installed/constructed?*

No No reference in the Haverhill regulations to months when septic systems can be installed.

Hingham *Does the municipality limit months when septic systems can be installed/constructed?*

Yes According to Bruce T. Capman, RS, Executive Health Officer, (6/22/04) there is a limit on when septic systems can be installed, specifically because of weather conditions.
According to Mr. Capman, if it is not an emergency then Hingham waits until the conditions are better don't want frost to set in.

[Researcher did not find the restriction in the regulations.]

Holliston *Does the municipality limit months when septic systems can be installed/constructed?*

No No reference to the months in which septic systems may be constructed or installed in the Title V amendments.

Hopedale *Does the municipality limit months when septic systems can be installed/constructed?*

No The Board of Health (11/30/04) indicated that the only local requirement for septic systems related to filters.

Hopkinton *Does the municipality limit months when septic systems can be installed/constructed?*

No No reference in the Hopkinton regulations to a limitation on the months in which a septic system can be installed.

Ipswich *Does the municipality limit months when septic systems can be installed/constructed?*

No No reference in the Ipswich regulations to a limit on the months when septic systems can be installed.

Kingston *Does the municipality limit months when septic systems can be installed/constructed?*

No No reference in the Kingston regulations to a limit on the months when septic systems can be installed.

Lakeville *Does the municipality limit months when septic systems can be installed/constructed?*

No No reference in the Lakeville regulations to a limit on the months when septic systems can be installed.

Lancaster *Does the municipality limit months when septic systems can be installed/constructed?*

No No reference in the Lancaster regulations to a limit on the months when septic systems can be installed.

Leicester *Does the municipality limit months when septic systems can be installed/constructed?*

No No reference in the Leicester regulations to a limit on the months when septic systems can be installed.

Leominster *Does the municipality limit months when septic systems can be installed/constructed?*

No No reference in the Leominster regulations to limits on the months when septic systems can be installed.

Lexington *Does the municipality limit months when septic systems can be installed/constructed?*

No No reference in the Lexington regulations to a limit on months when septic systems can be installed.

Lincoln *Does the municipality limit months when septic systems can be installed/constructed?*

No No reference to months of installation of septic systems.

Littleton *Does the municipality limit months when septic systems can be installed/constructed?*

No No limitation in the Littleton regulations to the months in which septic systems can be installed.

Lunenburg *Does the municipality limit months when septic systems can be installed/constructed?*

No No reference in the Lunenburg regulations to a limit on the months when septic systems can be installed.

Manchester-by- *Does the municipality limit months when septic systems can be installed/constructed?*

No No reference to the months in which septic systems may be constructed or installed in the Title V amendments.

Mansfield *Does the municipality limit months when septic systems can be installed/constructed?*

No No reference in the Mansfield regulations to months when septic systems can be installed.

Marshfield**Does the municipality limit months when septic systems can be installed/constructed?****No**

Survey received on 5/3/05 from Marshfield (completed by Peter Falabella, Director of Public Health) marks the answer as "no."

In regards to the restriction cited below, Mr. Falabella wrote in an email (5/25/05): "The restriction you mention does not apply to most systems."

"On any lot where a subsurface septic disposal system is to be constructed that will involve the removal of impervious material(s) as defined in 310 CMR 15.01 and/or the bringing in of fill as defined in 310 CMR 15.02 (17) from off-site in amounts greater than 1200 cubic yards or if any part of the system is above existing grade the following shall be required in addition to 310 CMR 15.00:

A permit from the Board of Health based on the following:

- a. Future reserve area shown on plan to be prepared in conjunction with the primary system;
- b. Work can not be done in any calendar year from November 15 to March 15th without explicit Board approval:

The repair, reconstruction or alteration of an existing subsurface septic disposal system which will involve the removal of impervious material(s) as defined in 310 CMR 15.01 and/or the bringing in of fill as defined in 310 CMR 15.02(17) in amounts greater than 1200 cubic yards or if any part of the system is above existing grade - the following shall be required:

The applicant's engineer after a field survey of site conditions and prior to the development of plans may review site conditions with the Board to discuss the application of all items listed and required for new construction. From this discussion the Board shall indicate which provisions must be adhered to and which are to be waived with the Board stating reasons for conditions and any waivers." From Marshfield Rules and Regulations for the Disposal of Sanitary Sewage, Section 2.4 (G) (Adopted 1978, Amended 2000).

Medfield**Does the municipality limit months when septic systems can be installed/constructed?****No**

No reference in the Medfield regulations to the months when septic systems can be installed.

Medway**Does the municipality limit months when septic systems can be installed/constructed?****Yes**

"Installation of new sewage systems shall not be allowed from December 1st to March 1st, unless authorized by the Board of Health."

Medway Board of Health, Rules and Regulations for the Subsurface Disposal of Sanitary Sewage, Section D1 (2/92, revised 2/95).

Merrimac**Does the municipality limit months when septic systems can be installed/constructed?****Yes**

From Section 1. Minimum General Requirements, "j)The sanitary agent must be notified no later than the day before an installation is started, or if there is to be a delay in the start or progress of work. No disposal system for a new service shall be constructed during the months of December, January, February or March, unless prior approval is obtained from the Board of Health."

(Merrimac Subsurface Sewage Disposal Systems Regulations, Amended 2000)

Middleborough**Does the municipality limit months when septic systems can be installed/constructed?****No**

No reference in the Middleborough regulations to months when septic systems can be installed.

Middleton *Does the municipality limit months when septic systems can be installed/constructed?*

Yes No reference in the Middleton regulations to a limit on the months in which a septic system can be installed.

According to survey received from Middleton on 3/28/05: "Yes, when stone is unavailable + ground is frozen"

Millbury *Does the municipality limit months when septic systems can be installed/constructed?*

No No reference in the Millbury regulations to a limit on the months when septic systems can be installed.

Millis *Does the municipality limit months when septic systems can be installed/constructed?*

No According to Karon Skinner Catrone, Administrative Assistant, Millis Board of Health, (6/17/04) there is no limit to the months when septic systems may be installed.

Natick *Does the municipality limit months when septic systems can be installed/constructed?*

No According to Roger Wade, Director of Public Health, (8/5/04) Natick determines on a case by case basis (based on soil evaluation) when systems can be installed but there is no limitation in place. He said that it is not a big issue because most of the town is on sewer.

Newbury *Does the municipality limit months when septic systems can be installed/constructed?*

No No reference in the Newbury regulations to a limit on the months when septic systems can be installed.

Norfolk *Does the municipality limit months when septic systems can be installed/constructed?*

No No reference in the Norfolk regulations to a limitation on when septic systems can be constructed.

North Andover *Does the municipality limit months when septic systems can be installed/constructed?*

Yes The North Andover regulations restrict installation of septic systems to the time "between March 1st and December 1st, weather permitting, with all systems completed by December 1st of each year." Town of North Andover, Minimum Requirements for the Subsurface Disposal of Sanitary Sewage, Section 3.05 (revised June 1997).

North Attleboro Does the municipality limit months when septic systems can be installed/constructed?

No No reference in the North Attleborough regulations to months when septic systems can be installed.

North Reading Does the municipality limit months when septic systems can be installed/constructed?

No No reference in the North Reading regulations to a limitation on the months in which a septic system can be installed.

Northbridge Does the municipality limit months when septic systems can be installed/constructed?

No No reference in the Northbridge regulations to a limit on the months when septic systems can be installed.

Norton Does the municipality limit months when septic systems can be installed/constructed?

No No reference in the Norton regulations to months when septic systems can be installed.

Norwell Does the municipality limit months when septic systems can be installed/constructed?

No No reference to a limit on the months when septic systems can be installed in the Norfolk regulations.

Pembroke Does the municipality limit months when septic systems can be installed/constructed?

No No reference in the Pembroke regulations to a limit on the months when septic systems can be installed.

Pepperell Does the municipality limit months when septic systems can be installed/constructed?

No No reference in the Pepperell regulations to a limit on the months when septic systems can be installed.

Plainville Does the municipality limit months when septic systems can be installed/constructed?

No No reference in the Plainville regulations to months when septic systems can be installed.

Plymouth *Does the municipality limit months when septic systems can be installed/constructed?*

No No reference in the Plymouth regulations to a limit on the months when septic systems can be installed.

Plympton *Does the municipality limit months when septic systems can be installed/constructed?*

No No reference in the Plympton regulations to a limit on the months when septic systems can be installed.

Raynham *Does the municipality limit months when septic systems can be installed/constructed?*

No No reference in the Raynham regulations to a limit on the months when septic systems can be installed.

Rehoboth *Does the municipality limit months when septic systems can be installed/constructed?*

No No reference in the Rehoboth regulations to a limit on the months when septic systems can be installed.

Rockport *Does the municipality limit months when septic systems can be installed/constructed?*

No No reference in the Rockport regulations to a limit on the months when septic systems can be installed.

Rowley *Does the municipality limit months when septic systems can be installed/constructed?*

Yes "Installation of septic systems for new construction shall not occur between December 1 and March 1, inclusive." Town of Rowley Regulations in addition to Title 5 and Relating to Private Water Supplies and Wastewater, Section 2.0 (D) (Adopted 2002).

Salisbury *Does the municipality limit months when septic systems can be installed/constructed?*

No No reference in the Salisbury regulations to a limit on the months when septic systems can be installed.

Scituate *Does the municipality limit months when septic systems can be installed/constructed?*

No No reference in the Scituate regulation to a limit on when septic systems can be installed.

Sharon *Does the municipality limit months when septic systems can be installed/constructed?*

No The regulations do not mention a limitation on when septic systems can be installed/constructed in Sharon.

Jim Andrews, Health Agent for Engineering, said (7/26/04) "No, subject to weather." If the ground is frozen, then there can be no construction, but otherwise, individuals can be build whenever they want to.

Sherborn *Does the municipality limit months when septic systems can be installed/constructed?*

No According to Ellen Hartnett at the Sherborn Health Board, the only limitation is that they can not be installed when the ground is frozen. Researcher found no reference in the Sherborn Regulations to a limitation upon the months when a septic system can be installed.

Shirley *Does the municipality limit months when septic systems can be installed/constructed?*

No No reference in the Shirley regulations to months when septic systems can be installed.

Shrewsbury *Does the municipality limit months when septic systems can be installed/constructed?*

No No reference in the Shrewsbury regulations to a limit on the months when septic systems can be installed.

Southborough *Does the municipality limit months when septic systems can be installed/constructed?*

Yes Southborough limits the time in which septic system installations can occur. According to a one-page Board of Health ruling, due to the often inclement weather and frozen ground conditions "NO SEPTIC SYSTEM INSTALLATIONS will be allowed, in the Town of Southborough, during the months of December, January, February, and March. Any exception to this must be approved by the Southborough Board of Health or their Director of Public Health, and will be reviewed on a case by case basis" (No citation).

Sterling *Does the municipality limit months when septic systems can be installed/constructed?*

No No reference in the Sterling regulations to a limit on the months when septic systems can be constructed.

Stoughton *Does the municipality limit months when septic systems can be installed/constructed?*

No The town engineer said (1/4/05) that the Septic Regulations (Adopted Sept. 1976) follow Title 5 in every way except that the area requirement for the leaching fields is doubled.

Stow *Does the municipality limit months when septic systems can be installed/constructed?*

No No reference in the Stow regulations to a limit on times when septic systems can be installed.

Sudbury *Does the municipality limit months when septic systems can be installed/constructed?*

No No reference in the Sudbury regulations to the months when a septic system can be installed.

Sutton *Does the municipality limit months when septic systems can be installed/constructed?*

No No reference in the Sutton regulations to months when septic systems can be installed.

Swansea *Does the municipality limit months when septic systems can be installed/constructed?*

No No reference in the Swansea regulations to months when septic systems can be installed.

Tewksbury *Does the municipality limit months when septic systems can be installed/constructed?*

No No reference in the Tewksbury regulations to a limit on when septic systems can be installed.

Topsfield *Does the municipality limit months when septic systems can be installed/constructed?*

No No reference in the Topsfield regulations to the months when septic systems can be installed.

Townsend *Does the municipality limit months when septic systems can be installed/constructed?*

No No reference in the Townsend regulations to a limit on the months when septic systems can be installed.

Tyngsborough Does the municipality limit months when septic systems can be installed/constructed?

No Although there are no provisions prohibiting installation of a septic system, any installation/construction during winter months is subject to additional inspection.

"Installation of systems in the winter months will require the following additional inspections:

Bottom of bed inspection immediately prior to stone
Inspection of stone prior to placement"

From the Town of Tyngsborough's Supplemental Regulations to Title 5, 4.12 (Adopted 1998).

Upton Does the municipality limit months when septic systems can be installed/constructed?

No No reference in the Upton regulations to a limit on the months when septic systems can be installed.

Uxbridge Does the municipality limit months when septic systems can be installed/constructed?

No No reference in the Uxbridge regulations to a limit on the months when septic systems can be installed.

Walpole Does the municipality limit months when septic systems can be installed/constructed?

No No reference in the Walpole regulations restricting months when septic systems can be installed.

Wayland Does the municipality limit months when septic systems can be installed/constructed?

No No reference in the Wayland regulations to a limit on the months when septic systems can be installed.

Wellesley Does the municipality limit months when septic systems can be installed/constructed?

Yes Town of Wellesley bylaws, Chapter V Subsurface Sewage Disposal Systems, Section 4.00 (revised 2003)

4.00 Installation. No subsurface sewage disposal system may be installed from the first day in December through the second day of March. In case of an extreme public health emergency... (hard to read).

West Bridgewater Does the municipality limit months when septic systems can be installed/constructed?

No No reference in the West Bridgewater regulations to months when septic systems can be installed.

West Newbury *Does the municipality limit months when septic systems can be installed/constructed?*

No The researcher did not find any reference to the months in which septic systems may be constructed or installed in the Title 5 amendments and thus determined it to be the same as the state.
However, according to Section IV (Installation of septic system), B, "[i]nallation of septic system shall not occur when frost is in the ground as determined by the Board of Health."

(West Newbury Board of Health Regulations for Percolation Testing and Septic Systems, Adopted 2003, Amended 2003)

Westford *Does the municipality limit months when septic systems can be installed/constructed?*

No No reference in the Westford regulations to restrictions on months when septic systems can be installed.

Weston *Does the municipality limit months when septic systems can be installed/constructed?*

Yes CHAPTER VI of the Weston Board of Health Regulations - SEWAGE DISPOSAL SYSTEMS, Section 1.3 (Adopted 2001, Amended 2002) Time To Construct Sewage Disposal Systems: "Construction of subsurface sewage disposal systems shall not be allowed from the first day of December through the last day of February. The Board or its agent may allow exceptions for buildings currently in use as a residence if the Board or its agent deems existing conditions pose a hazard to the health and safety of the occupants or the public."

Wilmington *Does the municipality limit months when septic systems can be installed/constructed?*

Yes "5.9.11 No subsurface sewage disposal systems may be installed from December 1 to April 1 in any year unless otherwise determined by the Board of Health."

Town of Wilmington Massachusetts Board of Health Code of Regulations, Section 5.9.11 (Adopted 1989, Revised 2004)

Wrentham *Does the municipality limit months when septic systems can be installed/constructed?*

No No reference in the Wrentham regulations to a limit on the months when septic systems can be installed.
