

TOWN OF CHELMSFORD

CHAPTER 201 BOARD OF HEALTH REGULATIONS

ARTICLE XIX ON SITE WASTEWATER SYSTEM MAINTENANCE AND INSPECTION

(Adopted February 3, 2026)

§ 201-150 Purpose and Authority

The purpose of this regulation is to protect public health and groundwater resources by requiring the proper maintenance, inspection, and repair of all on-site wastewater systems (septic systems) within the Town of Chelmsford.

The Chelmsford Board of Health enforces the following additional regulations in conjunction with all applicable State Regulations (Title 5 – The State Environmental Code). In the event of any conflict between the provisions of this regulation and other applicable state or local law, the stricter provision shall control.

Therefore, in furtherance of its mission to protect, promote, and preserve the health and well-being of its residents, and pursuant to the authority granted to the Chelmsford Board of Health pursuant to G.L. c. 111, §31, the Board of Health enacts this Regulation - On site Wastewater System Maintenance and Inspection.

§ 201-151 Applicability

This regulation applies to all new and existing on-site wastewater systems located within Chelmsford. All systems shall be maintained for the life of the system.

§ 201-152 Definitions

Terms used in this regulation shall have the same meaning as defined in **310 CMR 15.002**.

§ 201-153 Determination of Aquifer Protection Area Location

This section establishes the procedure for determining whether a parcel of land is located within the Aquifer Protection Area as defined by the Town of Chelmsford.

(1) Procedure

- a. The property owner or applicant shall access the Town of Chelmsford official website.
- b. Navigate to the GIS (Geographic Information System) Mapping application provided by the Town.
- c. Enter the complete street address of the subject property into the search field.
- d. Within the GIS interface, select the “Themes” option.
- e. Activate the “Town Water Resources” layer.

(2) Determination

The resulting map display shall serve as the official reference for confirming whether the property lies within the Aquifer Protection Area. See the map graphic generated by the GIS system for final determination. This determination shall be binding for the purpose of compliance with all requirements contained in this regulation.

§ 201-154 Septic System Age Determination

The purpose of this section is to establish a uniform method for determining the age of a septic system for regulatory enforcement, pumping and inspection requirements, and Board-mandated evaluations.

(1) The septic system shall be deemed to be the same age as the dwelling unless the property owner submits credible evidence establishing an alternative installation date.

(2) Credible Evidence Definition

Credible evidence shall mean original or certified documentation that reliably demonstrates the septic system's installation date, including but not limited to:

- a. As-built plans, with Certificate(s) of Compliance issued by the approving authority;
- b. Installation or repair records certified and signed by a licensed or registered septic system installer, attesting to the date of installation or repair;
- c. Approved septic system permits accompanied by documentation confirming completion of construction, such as inspection reports, installer certifications, or Board of Health approval; and
- d. Other verifiable documentation demonstrating system completion and deemed reliable by the Chelmsford Board of Health.

A permit alone, without documentation of completion, shall not constitute credible evidence.

Affidavits unsupported by documentation shall not constitute credible evidence.

(3) Authority to Interpret

The Chelmsford Board of Health retains authority to determine whether submitted materials meet the standard of credible evidence and may require additional verification as needed.

§ 201-155 Pumping/Maintenance Requirements

(1) Basis for Pumping

Pumping requirements shall be determined by the age of the on-site wastewater system, its location relative to designated aquifer areas, and properties equipped with a garbage disposal.

(2) Submission of Reports

All pumping reports shall be filed with the Chelmsford Board of Health no later than August first (1st) of the calendar year in which the pump out is required.

(3) Authorized Personnel

Pumping shall be performed only by a septage hauler duly licensed by the Chelmsford Health Department and in compliance with 310 CMR 15.000 (Title 5 of the State Environmental Code).

(4) Pumping Schedule

- Non-High Aquifer Areas:
 - a. 0 – 16 year old system: Pump at least once every four (4) years.
 - b. 17 - 30 year old system: Pump at least once every two (2) years.
 - c. 30 years and older system: Pump annually.
- High Aquifer Areas:
 - a. 0 – 16 year old system: Pump at least once every two (2) years.
 - b. 17 – 30 year old system: Pump annually.
 - c. 30 years and older system: Pump annually.
- All properties equipped with a garbage disposal—regardless of whether they are located in High Aquifer or Non-High Aquifer areas—must be pumped annually.

(5) Effective from the date of adoption of this regulation through June 30, 2026, any septic system located within the Non-High Aquifer Area or the High Aquifer Area that has been pumped in accordance with the schedule set forth in Section 201.155(4) shall submit the pumping documentation to the Chelmsford Board of Health no later than July 1, 2026, for review and approval.

Upon approval, the documentation shall serve as the initial approved pumping report, from which all future pumping intervals required under Section 201.155(4) shall be calculated. All subsequent pumping reports shall be submitted to the Chelmsford Board of Health no later than August 1st.

(6) Any septic system located within the Non-High Aquifer Area or the High Aquifer Area that has not been pumped in accordance with the schedule in Section 201.155(4) shall have the system pumped, and the pumping documentation submitted to the Chelmsford Board of Health, no later than August 1, 2026.

Upon approval, the documentation shall serve as the initial approved pumping report, from which all future pumping intervals required under Section 201.155(4) shall be calculated. All subsequent pumping reports shall be submitted to the Chelmsford Board of Health no later than August 1st.

§ 201-156 Inspection Requirements

(1) Basis for Inspection

Inspection requirements shall be determined by the age of the on-site wastewater system and its location relative to designated aquifer areas.

(2) Submission of Inspection Reports

All inspection reports shall be filed with the Chelmsford Board of Health no later than August first (1st) of the calendar year in which the inspection is required.

(3) Authorized Personnel

Maintenance and inspections shall be performed only by a Massachusetts-licensed Class 2 Wastewater Treatment Plant Operator or a licensed Disposal System Installer duly licensed by the Chelmsford Health Department and in compliance with 310 CMR 15.000 (Title 5 of the State Environmental Code).

(4) Inspection Schedule

- Non-High Aquifer Areas:
 - a. 0 – 16 year old system: Inspect every four (4) years.
 - b. 17 – 30 year old system: Inspect every four (4) years.
 - c. 30 years and older system: Inspect every four (4) years
- High Aquifer Areas:
 - a. 0 – 16 year old system: Inspect every four (4) years.
 - b. 17 - 30 year old system: Inspect every four (4) years
 - c. 30 years and older system: Inspect every three (3) years

(5) Effective from the date of adoption of this regulation through June 30, 2026, any septic system located within the Non-High Aquifer Area or the High Aquifer Area that has been inspected in accordance with the schedule set forth in Section 201.156(4) shall submit the inspection documentation to the Chelmsford Board of Health no later than July 1, 2026, for review and approval.

Upon approval, the documentation shall serve as the initial approved inspection report, from which all future inspection intervals required under Section 201.156(4) shall be calculated. All subsequent inspection reports shall be submitted to the Chelmsford Board of Health no later than August 1st.

(6) Any septic system located within the Non-High Aquifer Area or the High Aquifer Area that has not been inspected in accordance with the schedule in Section 201.156(4) shall have the system inspected, and the inspection documentation submitted to the Chelmsford Board of Health, no later than August 1, 2026.

Upon approval, the documentation shall serve as the initial approved inspection report, from which all future inspection intervals required under Section 201.156(4) shall

be calculated. All subsequent inspection reports shall be submitted to the Chelmsford Board of Health no later than August 1st.

§ 201-157 Inspection Outcomes

(1) Passing System: No corrective action required.

(2) Conditional Pass

- a. The property owner shall retain a Disposal System Installer duly licensed and permitted by the Town of Chelmsford.
- b. The Installer shall submit an application for a Disposal Works Construction Permit, required documentation, and accompanied by the required fee.
- c. Component repairs generally do not require design plans unless the repair involves a change in system placement.
- d. The Chelmsford Board of Health, or its designated consultant, shall conduct inspections throughout all repair or replacement activities.
- e. If system placement changes, the application shall comply with the requirements of the Chelmsford Board of Health “New Septic System Process.”

(3) Failed System

- a. The inspector shall notify both the Chelmsford Board of Health and the property owner within twenty-four (24) hours of any system failure or alarm event, including a description of corrective actions taken.
- b. For systems located within High Aquifer Areas, the property owner shall request a hearing before the Chelmsford Board of Health at their next scheduled meeting prior to initiating the Repair and/or New Septic System Installation Process.
- c. For systems located outside High Aquifer Areas, the property owner shall proceed directly to the Repair and/or New Septic System Installation Process.
- d. Pumping Requirements for Failing Systems

Regular pumping is required for any failing septic system until it is fully repaired or replaced. Property owners are responsible for arranging and completing all pumping requirements, using a licensed septic hauler, and retaining pumping records as proof of compliance.

i. Emergency Conditions

Immediate pumping is required when sewage backs up into a structure or surfaces on the property. The property owner shall ensure pumping every 2 weeks until the system is repaired or replaced.

- ii. Severely Failing Systems
For systems demonstrating severe failure or posing a breakout risk, the property owner shall ensure pumping every 2 weeks until the system is repaired or replaced.
 - iii. Moderately Failing Systems
For systems showing moderate failure, the property owner shall ensure pumping every month until the system is repaired or replaced.
- e. Emergency repairs or replacements addressing imminent hazards shall comply with the timelines and actions specified for septic systems posing an imminent hazard under 310 CMR 15.353

§ 201-158 Enforcement

Failure to comply with these requirements may result in enforcement actions under G.L. c.111, §31 and/or 310 CMR 15.000, including fines, orders, and other remedies available to the Board of Health.

As advertised, a public hearing was held on February 3, 2026, at a regularly scheduled Board of Health meeting. These regulations were accepted and approved by vote of the Chelmsford Board of Health on February 3, 2026, and are in full force and in effect as of February 3, 2026.