



Contract for Incentive

Eco-Toilet Incentive Program – Demonstration Group I

This contract is entered into by and between the Town of Falmouth, having an address of 59 Town Hall Square, Falmouth, Massachusetts 02540 (the "Town") and _____ having an address at _____ (the "Property Owner") pursuant to the Falmouth Eco-toilet Incentive Program (the "Program"). The Program provides for cash incentives to Falmouth property owners for installation of eco-toilets that comply with the terms of the Program ("Incentives"). For purposes of this contract eco-toilets shall include composting toilets, urine-diverting toilets and other alternative means of diverting portions of wastewater that comply with all federal, state and local laws and have received all necessary permits and approvals. The receipt of any cash incentive under this program requires the beneficiary to provide certain information, and access to the property so that the Town can develop an accurate cost/benefit analysis of this alternative wastewater management technology.

Property Owner(s)/Applicant(s)

Name(s): _____

Address _____

Mail Address 2 _____

City/Town _____ State _____ Phone 1 _____

Mobile _____ E-mail _____

Location of
Property _____

Map _____ Parcel _____ (the "Premises")

Number of Bedrooms: _____ Number of Bathrooms/Toilets _____

Is Septic System Title 5 certified? Yes/No

Has Septic System been "Failed" by Board of Health? Yes/No

Do you have a cesspool? Yes/No

Is this a seasonal or year round residence? (Please circle one)

Present occupancy of residence _____



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The cash incentive provided under this program is structured as an interest free loan from the Town to the Property Owner, which loan will be forgiven upon compliance with the terms of the Program as described herein.

OBLIGATIONS OF THE PROPERTY OWNER:

- Property Owner obtains all required permits for the installation of the eco-toilet and adheres to all applicable codes and regulations. Eco-toilets must be installed by a licensed plumber.
- Property Owner agrees to the following for a minimum of 2 years following installation:
 - Pay for the installation of a sampling port for gray water from the residence, and allow access to the property by a Barnstable County Department of Health and Environment representative for the purpose of sampling gray water monthly during reasonable hours.
 - Provide access to all water use records for the property.
 - Provide information on the occupancy of the residence.
 - Allow inspection of the toilets during reasonable hours by appointment. Such inspections shall include two inspections per calendar year by a representative of the Eco-Toilet Incentive Program.
 - If deemed necessary by the Town, pay for the installation of an additional interior meter for exterior water use such as irrigation, watering, showers, and allow monthly readings of this meter during reasonable hours.
 - Remove all toilets of unmodified traditional design (water flush without urine diversion) from the premises and agree to not connect any such unmodified toilets to onsite septic systems.
 - Preserve the installation of, and properly maintain eco-toilet(s).
 - Operate the eco-toilet(s) in accordance with the manufacturers' recommendations and report all problems encountered to the Board of Health or their representative after contacting the system installer.
 - Submit a maintenance plan or service contract (if required) and provide notice of all repairs and removal of compost, and/or leachate of the eco-toilet to the Board of Health. No residuals may be removed without first notifying the Board of Health or their representative. The Town may require compost and/or residuals to be removed off-site for water quality management purposes.
- Property Owner agrees that after the two year project period, they will bear any costs for a conversion to conventional toilets.
- Property Owner agrees to disclose any and all agreements related to the Town of Falmouth Eco-Toilet Incentive Program in any purchase and sale agreement for the Premises.
- Property Owner acknowledges that the installation of the eco-toilet may not exempt them from future betterment assessment related to a public sewer system.



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PAYMENT TERMS:

The cash incentive provided by the Program of up to \$5,000 is in the form of an interest-free loan. The Incentive shall be granted by the Town after the following conditions are met:

- Property Owner presents an executed Promissory Note requiring repayment in full of the Incentive if the Property Owner fails to comply with the terms of this contract.
- Property Owner provides an executed copy of the Standard Installation Contract.
- Property Owner presents receipts for goods and/or services related to the installation of the eco-toilet at the Property to verify use of the Incentive as authorized by the terms of this contract and the Standard Installation Contract.
- Property Owner presents proof that all applicable permits and inspections have been obtained for the installation, including but not limited to plumbing, building, and Board of Health permits and inspections.

HOLD HARMLESS:

The Property Owner is voluntarily participating in the Falmouth Eco-Toilet Incentive Program and agrees to hold the Town harmless for all damages of any kind that may result from installation of eco-toilets(s) at the Property.

INTEREST-FREE LOAN FORGIVENESS:

Forgiveness of the Promissory Note shall only occur at the end of the two-year term of the monitoring component of the Falmouth Eco-toilet Incentive Program. The loan shall be forgiven if the owner has complied with the terms of the Program as described herein. When the Property Owner has complied with the terms of the Program, they may submit a Cancellation of Promissory Note form to the Board of Selectmen seeking forgiveness of the loan.

I/we understand that by signing below I/we agree to all of the requirements stated above for participation in the Town of Falmouth Eco-Toilet Incentive Program

Dated: _____

By and Between:

Property Owner

Name: _____



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Town of Falmouth,
By

Julian M. Suso, Town Manager, duly authorized

Approved as to form:

Patricia Harris,
Associate Town Counsel

Certification that funds are available:

Victoria Rose,
Assistant Town Accountant

Additional Signatories:

Barnstable County Rep (appropriate test equipment): _____ Date: _____

Falmouth Plumbing Inspector _____ Permit number _____ Date: _____

Falmouth Board of Health Agent _____ Permit number _____ Date: _____