



TOWN OF SUNAPEE
WATER & SEWER COMMISSION
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Ordinance Establishing Sewer Rates, Rules, Regulations & Sewer Attachment Fees

The Rules and Regulations, herein set forth for the maintenance and operation of the Sunapee Municipal Sewer System, established by the Selectmen of the Town of Sunapee, as necessary or desirable for the efficient operation of said Sunapee Municipal Sewer System and for accomplishing the purposes of RSA 149-I, as it may be amended from time to time, and for the protection of the health and safety of the people and for accomplishing the purpose of RSA 147, as it may be amended from time to time.

On March 10, 1970, the Town of Sunapee, in Town Meeting assembled, adopted, through Article 23, the election of a Water & Sewer Commission who, through the authority of Chapter 149-I of the Revised Statutes of the State of New Hampshire, is authorized to act in place of the Selectmen on all matters of construction and completion of sewer facilities. The Water & Sewer Commission hereby adopts and ordains the following rules and regulations pursuant to RSA 147 and RSA 149-I, as they may be amended from time to time.

ARTICLE I

Definitions

Section 1.01. Unless the context specifically and clearly indicates otherwise, the meaning of terms and phrases used in this ordinance shall be as follows:

- A. 'Biochemical Oxygen Demand (BOD)' shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20 degrees C expressed in milligrams per liter.
- B. 'Building Drain' shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five (5) feet (1.5 meters) outside the inner face of the building wall.
- C. 'Building Sewer' shall mean the extension from the sewer drainage system of any structure to the lateral of a sewer.
- D. 'Domestic Wastewater', or 'Sanitary Sewage' shall mean normal water-carried household and toilet wastes or waste from sanitary conveniences, excluding ground surface or storm water.
- E. 'Easement' shall mean an acquired legal right for the specific use of land owned by others.

- F. 'Floatable Oil' is oil, fat, or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. Wastewater shall be considered free of floatable fat if it is properly pretreated and the wastewater does not interfere with the collection system.
- G. 'Garbage' shall mean the animal and vegetable waste resulting from the handling, preparation, cooking, and serving of foods.
- H. 'Improved Property' shall mean any property located within the Town of Sunapee upon which there is erected a structure intended for continuous or periodic occupancy or use by human beings or animals and from which structure sanitary sewage and/or industrial waste shall be or may be discharged.
- I. 'Industrial Establishment' shall mean any room, group of rooms, building or other enclosure used or intended for use in the operation of one (1) business enterprise for manufacturing, processing, cleaning, laundering or assembling any product, commodity or article or from which any process waste, as distinct from sanitary sewage, shall be discharged.
- J. 'Industrial Wastes' shall mean the wastewater from industrial processes, trade, or business as distinct from domestic or sanitary waste.
- K. 'Interference' shall mean a discharge by an industrial user which, alone or in conjunction with discharges by other sources, inhibits or disrupts the POTW (Public Owned Treatment Works), its treatment processes or operations, or its sludge processes, use or disposal and which is a cause of a violation of any requirement of the POTW's NPDES permit including an increase in the magnitude or duration of a violation.
- L. 'Lateral' shall mean the part of the sewer system extending from a sewer to the curb line or, if there shall be no curb line, to the property line or, if no such lateral shall be provided, then 'Lateral' shall mean that portion of, or place in, a sewer which is provided for connection of any building sewer.
- M. 'May' is permissive (see 'Shall').
- N. 'National Categorical Pretreatment Standard' or 'Categorical Pretreatment Standard' shall mean any regulations containing pollutant discharge limits promulgated by the US EPA in accordance with Section 307(b) and (c) of the Clean Water Act (33U.S.C.1347) which applies to a specific category of industrial users and that appear in 40 CFR Chapter I, Subchapter N, Parts 405-471.
- O. 'Natural Outlet' shall mean any outlet into a watercourse, pond, ditch, lake or other body or surface of groundwater.
- P. 'Owner' shall mean any person vested with ownership, legal or equitable, sole, or partial, or possession of any improved property.
- Q. 'Pass Through' shall mean the discharge of pollutants through the POTW into navigable waters in quantities or concentrations, which, alone or in conjunction with discharges from other sources, which cause a violation of any requirements of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation) or of applicable water quality criteria.

- R. 'Person' shall mean any individual, partnership, company, association, society, corporation or other legal entity.
- S. 'pH' shall mean the logarithm of the reciprocal of the hydrogen-ion concentration. The concentration is the weight of hydrogen-ions, in grams, per liter of solution. Neutral water, for example, has a pH of 7 and a hydrogen-ion concentration of 10^{-7} .
- T. 'POTW' shall mean Public Owned Treatment Works.
- U. 'Properly Shredded Garbage' shall mean the wastes from the preparation, cooking, and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than 1/2 inch (1.27 centimeters) in any dimension.
- V. 'Public Sewer' shall mean a common sewer controlled by a governmental agency or public utility.
- W. 'Sanitary Sewer' shall mean a sewer that carries liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions together with minor quantities of ground, storm, and surface waters that are not admitted intentionally.
- X. 'Sewage' is the spent water of a community. The preferred term is 'wastewater'.
- Y. 'Sewer System' shall mean all facilities, as of any particular time, for collecting, pumping, transporting, and treating of sanitary sewage and industrial wastes, situated in the Town and owned, maintained and operated by the Town of Sunapee. It shall not include the system of storm sewers in use in the Town of Sunapee prior to March 10, 1970.
- Z. 'Shall' is mandatory (see 'May').
- AA. Significant Indirect Discharger. An indirect discharger that meets one or more of the following criteria established by the DES:
- a. Is subject to national categorical pretreatment standards under 40 CFR 403.6;
 - b. Discharges an average of 10,000 gallons per day or more of process wastewater;
 - c. Discharges a process wastewater which contributes 5 percent or more of the hydraulic or organic loading to the wastewater treatment plant;
 - d. Discharges medical/infectious waste, pharmaceutical waste, or radiological waste; or
 - e. Is designated as such by the municipality as having a reasonable potential for adversely affecting the POTW's operation or performance or for violating any pretreatment standard or requirement.

- BB. 'Slug' shall mean any discharge of water or wastewater which, in concentration of any given constituent or in quantity of flow, exceeds for any period of duration longer than fifteen (15) minutes, more than five (5) times the average twenty-four (24) hour concentration of flows during normal operation or which shall adversely affect the collection system and/or performance of the wastewater treatment works.
- CC. 'Storm Sewer' shall mean a drain or sewer for conveying storm water, groundwater, subsurface water, or unpolluted water from any source.
- DD. 'Superintendent' shall mean the superintendent of wastewater facilities of the Town of Sunapee, or his authorized deputy, agent or representative.
- EE. 'Suspended Solids' shall mean total suspended matter that either floats on the surface of, or is in suspension in water, wastewater, or other liquids, and that is removable by laboratory filtering as prescribed in 'Standard Methods for the Examination of Water and Wastewater' and referred to as non-filterable residue.
- FF. 'Town' shall mean the Town of Sunapee, Sullivan County, New Hampshire, a municipality of the State of New Hampshire, acting through it's Board of Water & Sewer Commissioners.
- GG. 'Unpolluted Water' is water of quality equal to or better than the effluent criteria in effect or water that would not cause violation of receiving water quality standards and would not be benefited by discharge to the sanitary sewers and wastewater treatment facilities provided.
- HH. 'Wastewater' shall mean the wastewater of a community. From the standpoint of source, it may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions, together with any groundwater, surface water, and storm water that may be present.
- II. 'Wastewater Facilities' shall mean the structures, equipment, and processes required to collect, carry away and treat domestic and industrial wastes and dispose of the effluent.
- JJ. 'Wastewater Treatment Works' shall mean the arrangement of devices and structures for treating wastewater, industrial wastes, and sludge. Sometimes used as synonymous with 'waste treatment plant' or 'wastewater treatment plant' or 'water pollution control plant'.
- KK. 'Watercourse' shall mean a natural or artificial channel for the passage of water either continuously or intermittently.

ARTICLE II

Use of Public Sewers Required

Section 2.01. Pursuant to the provisions of RSA 147 and 149-I, as they may be amended from time to time, and any other authority thereto enabling the Owner of any improved property benefited, improved, serviced or accommodated by any sewer, or to which any sewer is available, shall connect such improved property therewith, in a manner acceptable to the Town to make such connection, for the purpose of discharge of all

sanitary sewers and industrial wastes from such improved property into the sewer system, subject to such limitations and restrictions as shall be established herein or otherwise shall be established by the Town of Sunapee from time to time. Each Owner shall connect directly with the proper public sewer in accordance with the provisions of this ordinance within one year after date of official notice to do so provided that said public sewer is within three hundred (300) feet (93 meters) of the said house or building.

The Commissioners, at their discretion, can extend the connection time up to three years, provided proof is presented that the existing septic system meets the current State standards, is less than three (3) years old, and is in good working condition. However, if there is either a change of use or a change of ownership, the connection will have to be made immediately.

Section 2.02. All sanitary sewage and industrial wastes from any improved property, after connection of such improved property with a sewer as required under 2.01, shall be conducted into a sewer, subject to such limitations and restrictions as shall be established herein or otherwise shall be established by the Town of Sunapee, from time to time.

Section 2.03. No person shall place or deposit or permit to be placed or deposited upon public or private property within the Town of Sunapee, any sanitary sewage or industrial wastes in violation of Section 2.01.

No person shall discharge, or permit to be discharged, to any natural outlet within the Town of Sunapee, any sanitary sewage or industrial wastes in violation of Section 2.01, except where suitable treatment has been provided which is satisfactory to the Town of Sunapee and the New Hampshire Department of Environmental Services-Water Division.

Section 2.04. No privy vault, cesspool, sinkhole, septic tank or similar receptacle shall be used and maintained at any time upon any improved property which has been connected to a sewer or which shall be required under Section 2.01 to be connected to a sewer.

Section 2.05. No privy vault, cesspool, sinkhole, septic tank or similar receptacle at any time shall be connected with a sewer.

ARTICLE III

Building Sewers and Connections

Section 3.01. Each improved property shall be connected separately and independently with a sewer. Grouping of more than one (1) improved property on one (1) building sewer shall not be permitted except under special circumstances and for good sanitary reasons or other good cause shown, but then only after special permission of the Town of Sunapee, in writing, shall have been secured and subject to such rules, regulations and conditions as may be prescribed by the Town of Sunapee.

Section 3.02. During the construction of the originally planned sewer system, the Town of Sunapee will, at its expense, initially construct each building sewer to the curb or property line (where the lateral ends). All cost and expense of construction of the remainder of the building sewer, including connection to the structures served, shall be borne by the Owner of the improved property to be connected, and such Owner shall indemnify and save harmless the Town of Sunapee, its officers and agents, from all loss or damage that may be occasioned, directly or indirectly, as a result of construction of a building sewer on his premises or its connection to the lateral sewer. The Owner shall thereafter be obligated to pay all cost and expense of

construction, operation, repair and maintenance and of reconstruction (if needed) of both building sewer and lateral sewers beginning at the street sewer and ending at the building.

Section 3.03. A building sewer shall be connected to a lateral at the place designated by the Town of Sunapee and where the lateral is provided. The invert of a building sewer at the point of connection shall be at the same or higher elevation than the invert of the lateral. A smooth, neat joint shall be made and the connection of a building sewer to the lateral shall be made secure and watertight and acceptable to the Town of Sunapee.

Section 3.04. If the Owner of any improved property located within the Town of Sunapee and benefited, improved, served or accommodated by any sewer, or to which any sewer is available, fails to connect such property to such sewer, after ten month's notice from the Town of Sunapee in accordance with Section 2.01, shall be subject to the actions and penalties prescribed in the RSA 147 and RSA 149-I, as they may be amended from time to time, and regulations issued pursuant thereto; or the Town of Sunapee may make such connection and may collect from such Owner the costs and expense thereof by such legal proceeding as may be permitted by Law. The Town of Sunapee shall have full authority to enter the Owner's property to do whatever is necessary to properly drain the improved property into the lateral sewer.

Section 3.05. No person shall uncover, connect with, make any opening into or use, alter or disturb in any manner any sewer or any part of the sewer system without first obtaining a permit, in writing, from the Town, and paying to the Town any tapping fee charged and imposed by the Town against the Owner of each improved property who connects such improved property to a sewer.

ARTICLE IV

Rules and Regulations Governing Building Sewer and Connections to Sewers

Section 4.01. No building sewer shall be covered until it has been inspected and approved by the Water and Sewer Commission or its authorized agents. If any part of a building sewer is covered before being so inspected and approved, it shall be uncovered for inspection and all expenses shall be paid by the Owner of the improved property to be connected to a sewer. The department requires 48 hours notice for all inspections. All requests must be scheduled through the Water and Sewer Office at 603-763-2115.

Section 4.02. Every building sewer of any improved property shall be maintained in a sanitary and safe operating condition by the Owner of the improved property.

Section 4.03. Every excavation for a building sewer shall be guarded adequately with barricades and lights to protect all persons from damage and injury. Streets, sidewalks and other public property disturbed in the course of repair or maintenance of a building sewer shall be restored, at the cost and expense of the Owner of improved property being served, in a manner satisfactory to the Town.

Section 4.04. Any person proposing a new discharge into the system or a substantial change in the volume or character of pollutants that are discharged into the system, shall notify the Commission at least 60 days prior to the proposed change or connection. A permit application must be submitted to the Water and Sewer Commission. Proposed new discharges from residential or commercial sources involving loading exceeding 50 population equivalents (5,000 gpd), any new industrial discharge, or any alteration in either flow or waste

characteristics in industrial discharge must be approved by the New Hampshire Department of Environmental Services (DES).

Section 4.05. If any person shall fail or refuse, upon receipt of a written notice of the Town of Sunapee, to remedy, within 30 days, any unsatisfactory condition with respect to a building sewer, the Town may collect from the Owner the cost and expense thereof by such legal proceedings as may be provided by Law. The Town shall have full authority to enter on the Owner's property to do whatever is necessary to remedy the unsatisfactory condition.

Section 4.06. The Town reserves the right to adopt, from time to time, additions, rules and regulations as it shall deem necessary and proper relating to connections with a sewer and the sewer system, which additional rules and regulations, to the extent appropriate, shall be a part of these regulations.

Section 4.07. All connections must be inspected and approved by the Commissioners or their agents before work is covered over and sewer use is begun.

Section 4.08. Time allowed for completion of hook-up will be one year subsequent to the readiness of the sewer facility. Exceptions to this time limit can be granted only by the Commission after written application showing good cause.

Section 4.09. Recommended and approved guidelines for hook-ups are as follows:

- (a) Gravity lines must not be smaller than 4" I-D, and should have a minimum pitch of 1/4 inch per foot. Materials can be PVC, SDR 35 for gravity lines and SDR 21 or HDPE 3408 SDR 7.3 through SDR 32.5 for pressure lines. The most important requirement is that it be free of leaks that would allow sewage to escape or storm water and ground water to enter the system. All lines must be bedded on a minimum of 6 inches of 1 1/4" or smaller crushed stone and covered by a minimum of 12" of sand. Pressure lines must be bedded on a minimum of 12" of compacted sand and covered by a minimum of 12" of sand.

Pressure systems:

- 1. Tanks are to be water tight.
- 2. Wet or dry pits may be used.
- 3. Check valves and curb stops are required.
- 4.a Sufficient horsepower motor to pump waste 10' above the total head into a gravity sewer.
- 4.b Pumping into a pressure system requires specific specifications from the Department.
- 5. A pump failure alarm system is recommended.

Systems to be used in the winter months should be covered to a depth sufficient to prevent freezing of discharge at any time. Questions on depth can be referred to the Commission for advice. Other approved materials will be considered.

- (b) Existing septic tanks, cesspools, and similar private wastewater disposal facilities shall be emptied and cleaned of sludge and filled with suitable material.
- (c) The Commission reserves the right to inspect any improved property, at any time, to be certain that the above regulations are adhered to by the user.
- (d) No other utility connections will be combined in the same trench with water and sewer lines. It is recommended, wherever practical, that water and sewer lines be installed in separate trenches. Written request must be made to the Department prior to lines being installed in the same trench.

Section 4.10. Exceptions to the requirements, in any part of this Ordinance, may be referred, in writing, to the Commission for consideration and disposition.

Section 4.11. For your protection we suggest a back flow valve be inserted in gravity systems.

Section 4.12. The decision of the Commission is final.

ARTICLE V

Powers of Assessment and Collection

Section 5.01. The assessment and collection of the expense of construction and maintaining the sewer system shall be governed by the provisions of the Sunapee User Charge Ordinance and RSA 149-I inclusive, and any other applicable general laws. The Water & Sewer Commissioners of the Town shall have all the powers granted to boards of mayor and alderman thereunder with reference to establishing and assessing sewer charges and/or rentals.

ARTICLE VI

Sewered Waste Restrictions

Section 6.01. No person(s) shall discharge or cause to be discharged any unpolluted waters such as storm water, ground water, roof runoff, subsurface drainage, non-contact cooling water, or unpolluted industrial process waters to any sanitary sewer.

Section 6.02. Storm water and all other unpolluted drainage shall be discharged to storm sewers, if available, or to a natural outlet approved by the Town. Industrial cooling water or unpolluted process waters may be discharged, on approval of the Town, and the Department of Environmental Services (DES) to a storm sewer, if available, or an approved natural outlet.

Section 6.03.

- A. General Prohibitions. No user shall introduce or cause to be introduced into the POTW any pollutant or wastewater that causes pass-through or interference, or has an adverse effect on the receiving stream. These general prohibitions apply to all users of the POTW whether or not they are subject to categorical pretreatment standards or any other federal, State, or local pretreatment standards or requirements.
- B. Specific Prohibitions. No user shall introduce or cause to be introduced into the POTW the following pollutants, substances, or wastewater:
1. Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, gas, solid, or any substance that may generate or form any flammable, combustible or explosive substance, fluid, gas, vapor or liquid when combined with air, water or other substances present in sewers, including, but not limited to, wastestreams with a closed-cup flashpoint of less than 140°F (60°C) using the test methods specified in 40 CFR 261.21;
 2. Wastewater having a pH less than 5.5 or greater than 9.5, as measured at the point of connection to the sanitary sewer or other available monitoring location, or otherwise causing corrosive structural damage or hazard to the POTW equipment, or personnel, or with alkalinity in such quantities that the pH of the influent to the POTW is caused to exceed 8.0;
 3. Solid or viscous substances including water or wastes containing fats, wax, grease, or oils, whether emulsified or not, or containing substances that may solidify or become viscous at temperatures between thirty-two (32) and one hundred fifty (150) degrees (0-65 degrees C), in amounts that will cause obstruction of the flow in the POTW resulting in interference;
 4. Pollutants, including oxygen-demanding pollutants (BOD, COD, etc.), or chlorine demand requirements released in a discharge at a flow rate and/or pollutant concentration that, either singly or by interaction with other pollutants, will cause interference with the POTW, constitute a hazard to humans or animals, create a public nuisance, exceed any national categorical pretreatment standard, cause process upset, loss of treatment ability or cause pass through;
 5. Wastewater having a temperature greater than 150°F (65°C), or which will inhibit biological activity in the treatment plant resulting in interference, but in no case wastewater that causes the temperature at the introduction into the POTW treatment plant to exceed 104°F (40°C);
 6. Petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin, in amounts that will cause interference or pass-through;
 7. Pollutants that result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems;
 8. Trucked or hauled pollutants, except at discharge points designated by the Superintendent; and
 9. Any medical/infectious wastes, pharmaceutical waste, or radiological waste except as specifically authorized in a discharge permit;

10. Wastewater causing, alone or in conjunction with other sources, the treatment plant's effluent or sludge to fail a toxicity test;
11. Household hazardous wastes including but not limited to paints, stains, thinners, pesticides, herbicides, anti-freeze, transmission and brake fluids, motor oil and battery acid.
12. Any hazardous waste listed or designated by DES under Env-Hw 400.
13. Wastewater that imparts color that may not be removed by the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions, which consequently may impart color to the treatment facility's effluent, thereby violating the [City/Town]'s NPDES permit;
14. Noxious or malodorous liquids, gases, solids, or other wastewater that, either singly or by interaction with other wastes, are sufficient to create a public nuisance or a hazard to life, or to prevent entry into the sewers for maintenance or repair;
15. Wastewater containing any radioactive wastes or isotopes except in compliance with applicable State or federal regulations;
16. Storm water, surface water, ground water, artesian well water, roof runoff, subsurface drainage, swimming pool drainage, condensate, deionized water, non-contact cooling water, or otherwise unpolluted wastewater;
17. Sludges, screenings, or other residues from the pretreatment of industrial wastes unless specifically authorized by the [Superintendent] in a wastewater discharge permit;
18. Detergents, surface-active agents, or other substances that may cause excessive foaming in the POTW;
19. Wastewater causing a reading on an explosion hazard meter at the point of discharge into the POTW, or at any point in the POTW, of more than 10 percent (10%) of the Lower Explosive Limit of the meter;
20. Garbage that has not been properly shredded (garbage grinders may be connected to sanitary sewers from homes, hotels, institutions, restaurants, hospitals, catering establishments, or similar places where garbage originates from the preparation of food in kitchens for the purpose of consumption on the premises or when served by caterers);
21. Any quantities of flow, concentrations, or both that constitute a "slug" as defined in Section 1.01 of this Ordinance;
22. Waters or wastes that, either singly or by interaction with other water or wastes in the POTW, release dangerous or noxious gases, form suspended solids that affect the operation of the collection system, or create a condition deleterious to structures and treatment processes; or
23. Any materials that exert or cause unusual concentrations of inert suspended solids (such as, but

not limited to, Fullers earth, lime, slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate).

Section 6.04. No person shall discharge or cause to be discharged the following described substances; materials, waters or wastes if it appears likely, in the opinion of the Town, that such wastes can harm either the sewers, wastewater treatment process, or equipment, have an adverse effect on the receiving stream or can otherwise endanger life, limb, public property, or constitute a nuisance. In forming such opinion as to the acceptability of these wastes, the Town will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the wastewater treatment, plant, and other pertinent factors. The substances prohibited are:

- (a) Wastewater containing more than 25 milligrams per liter of petroleum oil, non-biodegradable cutting oils, or product of mineral oil origin.
- (b) Any water or waste containing fats, wax, grease, or oils, whether emulsified or not, in excess of one hundred (100) mg/L.

Section 6.05. If any waters or wastes are discharged, or proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in Section 6.04 of this Article, and which, in the judgement of the Superintendent, may have a deleterious effect upon the wastewater facilities, processes, equipment, or receiving water, or which otherwise create a hazard to life or constitute a public nuisance, the Superintendent may:

- (a) Reject the waste.
- (b) Require pretreatment to an acceptable condition for discharge to the public sewers.
- (c) Require control over the quantities and rates of discharge, and/or
- (d) Require payment to cover the added cost of handling and treating the wastes.

If the Town permits the pretreatment or equalization of waste flows, the design and installation of the pretreatment facilities shall be subject to the review and approval of the Town and the NHDES, and subject to the requirements of all applicable codes, ordinances and laws. A 60-day review period is required for this process. Such facilities shall not be connected until said approval is obtained in writing. Such approval shall not relieve the Owner of the responsibility of discharging treated waste meeting the requirements of this ordinance. Plans and specifications for a proposed pretreatment facility shall be the result of the design of a professional engineer.

All Significant Indirect Dischargers must receive DES approval for any new industrial discharge, or any alteration in either flow or waste characteristics, in accordance with the Town's NPDES permit. Upon receipt of a complete New Hampshire Industrial Wastewater Indirect Discharge Request (IDR) by the user, available from the DES, the IDR will be submitted by the Town to DES on behalf of the user. All applicable DES review fees shall be provided by the user.

Section 6.06. Grease, oil, and sand interceptors shall be provided when, in the opinion of the Superintendent, required by plumbing code, or when they are necessary for the proper handling of liquid wastes containing floatable oil or grease in excessive amounts, or sand, or other harmful ingredients, except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Superintendent and shall be located as to be readily and easily accessible for cleaning and inspection. In the maintaining of these interceptors, the Owner(s) shall be responsible for the proper removal and disposal by appropriate means of the captured material and shall maintain records of the dates, and means of disposal which are subject of review by the Superintendent. Any removal and hauling of the collected materials not performed by Owner or personnel must be performed by currently licensed waste disposal firms.

A Dental practice which manages dental amalgam shall install and maintain an amalgam separator in accordance with federal and/or state regulations.

Section 6.07. All industrial waste shall be pretreated in accordance with Federal and State regulations and this ordinance to the extent required by applicable National Categorical Pretreatment Standards, State pretreatment standards or standards established by the Superintendent, whichever is more stringent. Where pretreatment or flow-equalizing facilities are provided or required for any waters or wastes, they shall be installed and maintained continuously in satisfactory and effective operation by the Owner at the Owner's expense.

Section 6.08. When required by the Town, the Owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such manhole, when required, shall be accessible and safely located, and shall be constructed in accordance with plans approved by the Town. The manhole shall be installed by the Owner(s) at his expense, and shall be maintained by him so as to be safe and accessible at all times.

All industries discharging into a public sewer shall, at the industry's expense, perform such monitoring as the Board of Water & Sewer Commissioners or duly authorized employees of the Town may reasonably require including installation use and maintenance of monitoring equipment, keeping records and reporting the results of such monitoring to the Board. Such records shall be maintained for a period of at least five (5) years and made available upon request by the Board to other agencies having jurisdiction over discharges to the receiving waters.

Section 6.09. All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this ordinance shall be determined in accordance with the latest edition of 'Standard Methods for the Examination of Water and Wastewater', published by the American Public Health Association or with the EPA approved methods published in the Code of Federal Regulations, Title 40, part 136 (40 CFR 136), and shall be determined at the control manhole provided, or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole to the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb and property. (The particular analyses involved will determine whether a twenty-four (24) hour composite of all outfalls of a premise is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from twenty-four (24) hour composites of all outfalls, whereas pH's are determined from periodic grab samples.)

The Superintendent may require a user of sewer services to provide information needed to determine compliance with this ordinance. These requirements may include:

- (a) Wastewater discharge peak rates and volume over a specified time period.
- (b) Chemical analyses of wastewater.
- (c) Information on raw materials, processes, and products affecting wastewater volume and quality.
- (d) Quantity and disposition of specific liquid, sludge, oil, solvent, or other materials important to sewer use control.
- (e) A plot plan of sewers on the user's property showing sewer and pretreatment facility location.
- (f) Details of wastewater pretreatment facilities.
- (g) Details of systems to prevent and control the losses of materials through spills to the municipal sewer.

Section 6.10. No statement contained in this Article shall be construed as preventing any special agreement or arrangement between the Town and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the Town for treatment, provided that such agreements do not contravene any requirements of existing Federal or State laws, and/or regulations promulgated thereunder, are compatible with any User Charge System in effect, and do not waive applicable National Categorical Pretreatment Standards.

Section 6.11. Septic tank waste (septage) will be accepted into a designated receiving structure within the treatment plant area, and at such times as are established by the Superintendent, provided such wastes do not contain toxic pollutants or materials, and provided such discharge does not violate any other special requirements established by the Town. Permits to use such facilities shall be under the jurisdiction of the Board of Commissioners.

Section 6.12. It shall be illegal to meet requirements of this Sewer Ordinance by diluting wastes in lieu of proper pretreatment.

Section 6.13. An Industrial Discharge Permit shall include such conditions as are deemed reasonably necessary by the Superintendent to enforce this Ordinance, prevent pass through or interference, protect the quality of the water body receiving the treatment facility's effluent, protect worker health and safety, facilitate sludge management and disposal, and protect against damage to the POTW.

A. Industrial Discharge Permits for significant indirect dischargers shall contain:

- 1. Indirect discharger name, street address, mailing address, and daytime telephone number;
- 2. Dates of issuance and expiration;
- 3. The general and specific prohibitions from the sewer use ordinance which apply to the discharge;

4. A list of pollutants, allowable parameters, and discharge limits;
5. Identification of applicable EPA categorical standards;
6. A list of pollutant to be monitored and the monitoring requirements applicable thereto;
7. Sampling frequency, techniques, and locations;
8. Special conditions of the state IDR approval;
9. Reporting requirements;
10. Inspection requirements;
11. Notification requirements, including for:
 - a. Slug loading;
 - b. Spills, bypasses, and upsets;
 - c. Changes in volume or characteristics of the discharge for which a permit revision is not required; and
 - d. Permit violations.
12. Record keeping requirements;
13. Applicable definitions and special conditions from the sewer use ordinance;
14. Applicable civil and criminal penalties for violations;
15. Notification requirements prior to any new or increased discharge;
16. A requirement to submit a complete new application at a specified frequency, which shall be not less than once every five years; and a statement that indicates Industrial Discharge Permit duration, which in no event shall exceed five (5) years;
17. A statement that the Industrial Discharge Permit is nontransferable without prior notification to the Town in accordance with Section 5.6 of this Ordinance, and provisions for providing the new owner or operator with a copy of the existing Industrial Discharge Permit;
18. For users with reporting requirements, such reports at a minimum shall require:
 - a. Periodic monitoring results indicating the nature and concentration of pollutants in the discharge from the regulated processes governed by pretreatment requirements and the

average and maximum daily flow for these process units;

- b. A statement as to whether the applicable pretreatment standards and requirements are being met on a consistent basis and, if not, then what additional operation and maintenance practices and/or pretreatment systems are necessary; and
 - c. Submittal of any monitoring results performed in addition to the requirements of the Industrial Discharge Permit using procedures prescribed in the permit.
19. A description of identified pollution prevention opportunities at the facility;
 20. A statement that compliance with the Industrial Discharge Permit does not relieve the permittee of responsibility for compliance with all applicable federal and State pretreatment standards, including those that become effective during the term of the Industrial Discharge Permit.
 21. A statement that the industrial user shall fully comply with the Town's Sewer Use Ordinance.
 22. A statement that the industrial user shall not dilute its effluent as a substitute for proper pretreatment.
 23. A statement that the Industrial Discharge Permit is based on and shall apply only to the subject discharge request and the associated plans and supporting information as submitted in the completed Industrial Permit Application.
 24. A statement that a copy of the permit shall be provided to the DES upon request.
 25. A statement that the Industrial Discharge Permit may be directly enforced by the State of New Hampshire.

ARTICLE VII

Section 7.01. Policy for Allocation of Sewer Capacity. The Sunapee Sewer Collection and Treatment Facilities have limited capacity due to design and based on agreement with the Town of New London. The Sunapee Water & Sewer Commission will commit 10% of the remaining reserve system capacity to a development in a given year.

During the planning and designing stages of a development of multiple units, approval will be required, from the Sunapee Water & Sewer Commission, for allocation of sewer capacity.

Before approval of final plans from the Water & Sewer Commission, the developer shall submit, in writing, the number of residential and commercial units that are included in the design plan.

The Water & Sewer Commission will allocate sewer capacity by estimating flows based on design figures from Table 1008-1, Unit Design Flow Figures, from the 'Subdivision and Individual Sewage Disposal System Design Rules', NH Code of Administrative Rules, Chapter Env- Wq 1000, NH Department of Environmental Services, Water Division, latest edition. The Commission determines flow estimations by using one half of the flow figures on Table 1008-1.

The commitment for allocation of sewer capacity is effective for one year. Any connections not made within that year, shall be forfeited. The developer must submit a new request for allocation(s) for the next year.

ARTICLE VIII

Section 8.01. No person(s) shall break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance or equipment which is part of the wastewater facilities. Any person(s) violating this provision shall be guilty of a misdemeanor.

ARTICLE IX

Powers and Authority of Inspection

Section 9.01. The Superintendent and other duly authorized employees of the Town, bearing proper credentials and identification, shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing pertinent to discharge to the community system in accordance with the provisions of this ordinance.

Section 9.02. The Superintendent or other duly authorized employees are authorized to obtain information concerning industrial processes which have a bearing on the kind and source of discharge to the public sewer. The industry may request that the information in question not be made available to the public if it can establish that revelation to the public might result in an advantage to competitors. The information in question shall be made available upon written request to governmental agencies for uses related to this ordinance, the NPDES permit, or the pretreatment program. The burden of proof that information should be held confidential rests with the industry. Information about wastewater discharged by the industry (flow, constituents, concentrations and characteristics) shall be available to the public without restriction.

Section 9.03. While performing the necessary work on private properties referred to in Article IX, Section 9.01 above, the Superintendent or duly authorized employees of the Town, shall observe all safety rules applicable to the premises established by the company. The company shall be held harmless for injury or death to the Town employees, and the Town shall indemnify the company against loss or damage to its property by Town employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in Article VI, Section 6.08.

Section 9.04. The Superintendent and other duly authorized employees of the Town, bearing proper credentials and identification, shall be permitted to enter all private properties through which the Town holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair and maintenance of any portion of the wastewater facilities lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

Section 9.05. Any Industrial Discharge Permit issued to a significant indirect discharger will stipulate that the Town will at a minimum annually inspect the discharger's facility or sample the facility's wastewater discharge for compliance with the Industrial Discharge Permit.

ARTICLE X

Penalties

Section 10.01. Any person found to be violating any provision of this ordinance, except Article VIII, shall be served by the Town with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correcting thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations. The Town may, after informal notice to the person discharging wastewater to the public sewer, immediately halt or prevent any such discharge reasonably appearing to present an imminent danger to the health and welfare of person, or any discharge presenting, or which may present, a danger to the environment, or which threatens to interfere with the operation of the public sewer or wastewater treatment facilities. Actions which may be taken by the Town include ex parte temporary judicial injunction relief entry on private property to halt such discharge, blockage of a public sewer to halt such discharge or demand of specific action by the person.

Section 10.02. Any person found to be violating any provisions of this ordinance, except Article VIII, shall be fined in the amount not exceeding \$10,000 for each violation. Each day in which any such violation shall continue shall be deemed a separate offense. REF: RSA 149-I:6. RSA 485-A:22, II (Supp.), as they may be amended from time to time.

Section 10.03. Any person violating any of the provisions of this ordinance shall become liable to the Town for any expense, loss, or damage occasioned by the Town by reason of such violation.

ARTICLE XI

Validity

Section 11.01. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 11.02. The invalidity of any section, clause, sentence or provision of this ordinance shall not affect the validity of any other part of this ordinance which can be given effect without such invalid part or parts.

Effective Date

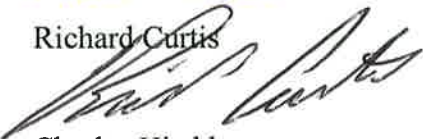
The Rules and Regulations become effective upon their adoption by the Water & Sewer Commission of the Town of Sunapee, October 1, 1973. These amended Rules and Regulations take effect upon their adoption.

Duly Enacted and Ordained this 25 th day of May, 2023 by the Water & Sewer Commission of the Town of Sunapee, Sullivan County, State of New Hampshire at a duly called and duly held session of said Water and Sewer Commission.

Theodore Gallup, Chairman



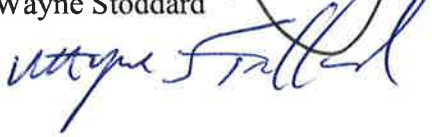
Richard Curtis



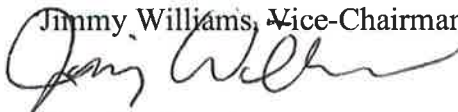
Charles Hirshberg



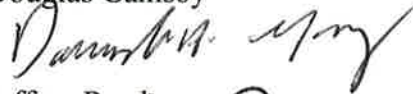
Wayne Stoddard



Jimmy Williams, Vice-Chairman



Douglas Gamsby



Jeffrey Reed



TOWN OF SUNAPEE
WATER AND SEWER COMMISSION
P.O. BOX 347, SUNAPEE, NH 03782
(603) 763-2115

Sewer User Charge Ordinance

ARTICLE I

This ordinance governs the collection of charges by the Sunapee Water & Sewer Commission from all users who contribute wastewater to the Sunapee Water Pollution Control Facility (WPCF). The proceeds of such charges will be used for the purpose of operation and maintenance, including replacement of the Sunapee WPCF. This publication supersedes all previously published schedules governing the collection of sewer charges in accordance with RSA 149-I, as it may be amended from time to time.

ARTICLE II

Definitions

Section 1. Unless the context specifically indicates otherwise, the meaning of terms and phrases used in this ordinance shall be as follows:

- A. 'Attachment Fee' shall mean a one-time fee charged at the initial connection to the Sunapee sewer system.
- B. 'Change of Use' shall mean the change of the purpose of a building or structure (home, apartment, cabin, garage, etc).
- C. 'Commercial unit' shall mean any contributor that does not fit the definition of 'residential unit'.
- D. 'Commissioners' refer to the elected or appointed member of the Board of Water & Sewer Commission in the Town of Sunapee.
- E. 'Construction Bond Payment' refers to Appendix C for finance of a new sewer construction.
- F. 'Customer' shall mean an individual, corporate body, governmental unit, business enterprise, or other legal entity furnished services by the Water & Sewer Department.
- G. 'Improved property' shall mean a property that has been changed to increase the number of bedrooms and/or increase the number of service connections to the Sunapee sewer system.
- H. 'Infiltration/Inflow' shall mean water that gets into the sewer system through a means other than a service connection.
- I. 'Operation and Maintenance' shall mean those functions that result in expenditures for materials, labor, utilities and other items, which are necessary for managing wastewater facilities. The term 'operation and maintenance' includes replacement as defined in Section 1.J.

- J. 'Replacement' shall mean expenditures for obtaining and installing equipment accessories or appurtenances, which are necessary during the life of the wastewater facilities to maintain the capacity and performance.
- K. 'Residential Unit' shall mean any residence (single family home, apartment cabin, etc.) that has a maximum of five bedrooms and is connected by a single service connection to the Town's sewer system, and whose lot, parcel of real estate, or building is used for domestic dwelling purposes only. Any additional buildings on a property that have kitchen facilities will be considered a residential unit. Any additional buildings on a property that do not have kitchen facilities will be charged on the basis of total bedrooms on the property.
- L. 'Shall' is mandatory; 'May' is permissive.
- M. 'Usage Fee' shall mean the wastewater service charge which is levied in a proportional and adequate manner for the cost of operation, maintenance and replacement of the wastewater facilities.
- N. 'Wastewater Facilities' shall mean the structures, equipment and processes required to collect, carry away, and treat domestic wastewater, as defined by the Sunapee Sewer Ordinance, and dispose of the effluent.

ARTICLE III

Sewer Usage Fees

Section 1. Pursuant to Article I, a sewer usage fee is hereby imposed upon every owner whose premises are served by the sanitary sewer system of the Town of Sunapee. This charge is based on the rate set by the Water & Sewer Commission (refer to current schedule of rates and fees) using the budgeted annual operation, maintenance and replacement costs. The Commission will review the user charges annually and revise the rates as necessary to ensure that adequate revenues are generated to pay the costs of operation and maintenance including replacement and that the system continues to provide for the proportional distribution of operation and maintenance including replacement costs among users and user classes.

Section 2. Sewer usage fees shall be paid as follows:

- A. Each residential unit shall be charged at the rate of one (1) unit.
- B. Each commercial unit shall be charged at a rate based on one half of the estimated daily flow rate as determined from Table 1008-1, Unit Design Flow Figures, from the 'Subdivision and Individual Sewage Disposal System Design Rules', Code of NH Administrative Rules, Chapter Env-Wq 1000, NH Department of Environmental Services, Water Division, latest edition. This volume shall be multiplied by the rate set by the Water & Sewer Commission. The minimum for an annual commercial fee will be one equivalent single unit.
- C. Annual fees are based on estimated annual usage, and are not prorated.
- D. If there is no sewer use whatsoever during the billing year, the customer is entitled to an abatement which must be presented to the Commission in writing or brought before the Board of Commissioners for consideration of an abatement of their annual usage fee.

ARTICLE IV

Attachment Fees

See Appendix B, excerpt from the Sewer Usage Ordinance, which established a sewer attachment fee.

ARTICLE V

Financial Management System

A separate account shall be kept for the Sewer Department so that an accurate record of revenue received by the Department and expenditures for operation and maintenance for the facility may be maintained.

A capital improvement account will be maintained for the deposit of sewer attachment fees to be used for capital expenditures.

A replacement fund will be maintained and funded in the annual budget. This money may be appropriated at Town Meeting and may be carried over from year to year and kept in a separate account.

These funds will be maintained and monitored by the Town of Sunapee Treasurer.

ARTICLE VI

Billing and Penalties

Billing and penalties are based on the following information:

- A. All users shall be billed in installments, billing dates will be established yearly along with rates. Users will be notified in the first billing of the annual fees, their breakdowns, and the number of billings during the year.
- B. The billing due date shall be a minimum of 30 days from the date the charges are assessed. Any payments made after the billing due date must include interest. When an account is overdue, interest will be added at an annual rate 1% per month computed monthly (12% per annum). A statement will be mailed upon request. Subsequent statements will show interest as a past due amount.
- C. When any bill (including interest) remains unpaid at the end of the calendar year, such bill shall be provided by Warrant to the Tax Collector and recorded in the land records of Sunapee by the Tax Collector, which constitutes a lien on the property, in accordance with RSA 38:22, as it may be amended from time to time. The outstanding amount is then paid to the Sewer Department by the Tax Collector and becomes a debt to the Town of Sunapee.
- D. Any customer whose premises are served by the Town of Sunapee Sewer who knows of the service and collection and who does not receive a bill for the annual usage fee and who does not notify the Water & Sewer Commission within ninety (90) days of when the bill for the fee is usually and customarily mailed, shall be considered a theft of service in accordance with RSA 637:8, as it may be amended from time to time.

TOWN OF SUNAPEE

WATER AND SEWER COMMISSION

P.O. BOX 347, SUNAPEE, NH 03782

(603) 763-2115

APPENDIX A

Code of NH Administrative Rules

Chapter Env- Wq 1000 – October 1, 2016

Table 1008-1: Unit Design
Flow Figures

Use	Unit Design Flow
AIRPORTS	5 GPD/Transient plus 10 GPD/Employee
APARTMENTS	See Dwellings
BARS, LOUNGES	See Food Service
BED & BREAKFAST	60 GPD/Guest, based on the greater of 2 guests per room or the actual number of guests the room is designed to accommodate, plus 10 GPD/Employee
BUNKHOUSE	60 GPD/Person
CAMPS:	
Campground with Central Comfort Station	45 GPD/site, plus 20 GPD/Site for the dump station
Recreational Campgrounds with 3-way hookups	60 GPD/Site
Construction Camps	50 GPD/Person
Day Camps (not including meals)	15 GPD/Person
Dining Facility	3 GPD/Person/meal
Residential Youth Recreation Camps	25 GPD/Person plus 3 GPD/Person/meal
CATERERS – Function Rooms	12 GPD/patron
CHURCHES:	
Sanctuary Seating	3 GPD/Seat
Church Suppers	12 GPD/Seat
COUNTRY CLUBS – PRIVATE	
Dining Room	10 GPD/Seat
Snack Bar	10 GPD/Seat
Locker & Showers	20 GPD/Locker
DAY CARE CENTERS	10 GPD/Person
DENTISTS	10 GPD/Chair plus 35 GPD/Staff Member
DOCTOR'S OFFICES	250 GPD/Doctor
DOG KENNELS	50 GPD/Kennel, with one dog per kennel
DWELLINGS:	
Apartment - Studio or One-Bedroom	225 GPD
Apartment - 2 or More Bedrooms	150 GPD/Bedroom
Residence - Single-Family	300 GPD plus 150 GPD for each bedroom over 2
Residence - Duplex	300 GPD plus 150 GPD for each bedroom over 2 for

Use	Unit Design Flow
	each unit
Rooming House – With Meals	60 GPD/Person
Rooming House – Without Meals	40 GPD/Person
Senior Housing	See Senior Housing
FACTORIES (Exclusive of Industrial Waste):	
Without Cafeteria or Showers	10 GPD/Person
With Cafeteria, No Showers	15 GPD/Person
With Cafeteria and Showers	20 GPD/Person
Warehouses	10 GPD/Person
FIRE STATIONS – Without full-time employees; without floor drains or food preparation	5 GPD/Person
FOOD SERVICE:	
Cafeteria or table service, plus toilet and kitchen waste	40 GPD/Seat plus 20 GPD/Employee
Cafeteria or table service, paper service, plus toilet and kitchen waste	20 GPD/Seat plus 20 GPD/Employee
Ice cream dipper	100 GPD/dipper plus 20 GPD/Employee
Kitchen Waste only	3 GPD/Meal served plus 20 GPD/Employee
Bars and lounges	20 GPD/Seat plus 20 GPD/Employee
Function Rooms	12 GPD/Seat plus 20 GPD/Employee
GYMS	10 GPD/participant plus 3 GPD/Spectator seat
HAIRDRESSERS	150 GPD/Chair plus 20 GPD/Employee
HOSPITALS	200 GPD/Bed plus 20 GPD/Employee
HOTELS AND MOTELS	200 GPD/Room plus 10 GPD/Employee
INSTITUTIONS OTHER THAN HOSPITALS	See Residential Institutions
LAUNDROMATS, COIN-OPERATED	500 GPD/Machine
LOUNGES	See Food Service, Bars/Lounges
MANUFACTURED HOUSING PARKS	150 GPD/ Bedroom/Site with 300 GPD/Site minimum
MOTELS, see HOTELS	
NURSING HOMES	125 GPD/Bed plus 20 GPD/Employee
OFFICE BUILDINGS:	
Without Cafeteria	10 GPD/Employee
With Cafeteria	15GPD/ Employee
Unspecified Office Space	5 GPD/100 ft ²
PICNIC PARKS	See Recreational Facilities
RECREATIONAL FACILITIES	
Toilet Waste Only	5 GPD/person
With Showers and Toilets	10 GPD/person
RESIDENTIAL INSTITUTIONS OTHER THAN HOSPITALS AND NURSING HOMES	135 GPD/Bed plus 20 GPD/Employee
RESTAURANTS	See Food Service
SCHOOLS:	
Boarding	100 GPD/resident student or employee plus Day School loading for non-resident students and employees

Use	Unit Design Flow
Day, Without Gym, Cafeteria, or Showers	10 GPD/student or employee
Day, Without Gyms or Showers, with Cafeteria	15 GPD/student or employee
Day, With Gyms, Showers, and Cafeteria	25 GPD/student plus 15 GPD/employee
SENIOR HOUSING	125 GPD/2 Bedroom unit, maximum 2 person occupancy
SERVICE STATIONS	75 GPD/Island plus 10 GPD/Employee
SKATING RINKS	See Gyms
SKI AREAS	See Recreational Facilities
STORES:	
Dry Goods	5 GPD/100 ft ² plus 10 GPD/employee
Supermarkets with Meat Dept. without Garbage Grinder	7.5 GPD/100 ft ²
Supermarkets with Meat Dept. with Garbage Grinder	11 GPD/100 ft ²
SWIMMING POOLS, Public	See Recreational Facilities
TENNIS COURTS	See Recreational Facilities
THEATERS	3 GPD/Auditorium Seat/Show
TOWN HALLS	5 GPD/Seat for total seating capacity
TOWN OFFICES	10 GPD/Office employee plus 5 GPD /Transient
TRAVEL TRAILER PARKS	See Camps
WAREHOUSES	See Factories

TOWN OF SUNAPEE

WATER AND SEWER COMMISSION

P.O. BOX 347, SUNAPEE, NH 03782

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APPENDIX B

Ordinance Establishing a Sewer Attachment Fee

In order to more appropriately allocate the costs of construction, maintaining and paying off capital debt and interest incurred in construction and maintaining the sewer system of the Town of Sunapee, the Sunapee Water & Sewer Commission, pursuant to RSA 149-I:7, as it may be amended from time to time, and other provisions of law, ordains as follows:

1. Sewer Attachment Fee. In addition to charges for use of the sewer system and charges to cover the labor and material cost associated with connecting thereto, the owner of improved property shall be liable for a one-time sewer attachment fee. This fee is due and payable after approval and prior to the connection of the property to the sewer system. The sewer attachment fee shall be computed as follows:

Commercial - Industrial:	\$28.00 per gallon per day
Residential/Apartment:	\$6,000 per single family housing unit.

The daily flow rate for Commercial - Industrial customers shall be determined using one half of the daily flow rate as determined from Table 1008-1, Unit Design Flow Figures, from 'Subdivision and Individual Sewage Disposal System Design Rules', NH Code of Administrative Rules, Chapter Env-Wq 1000, NH Department of Environmental Services, Water Division, latest edition. The daily flow rate so determined shall be multiplied by Twenty-eight dollars (\$28.00) to determine the sewer attachment fee.

The sewer attachment fee is separate from and in addition to charges made by the Town of Sunapee to cover labor and material costs associated with physical connection to the system.

1. Penalties and Remedies for Non-Payment of Fees. In the event an owner fails or refuses to pay the sewer attachment fee, such unpaid charges shall result in a lien on the property in accordance with RSA 38:22, as it may be amended from time to time. Interest at the rate of 1% per month computed monthly (12% per annum), from and after the date fees are assessed by the Commission, shall be charged on all fees which remain unpaid 30 days after notification by the Commission. The person against whom fees are assessed shall be responsible for all costs of collection, including reasonable attorney's fees.

2. Definitions. The definitions of terms and phrases set forth in Article I of the Rules and Regulations of the Sunapee Municipal Sewer System apply to this Ordinance.

3. Severability. If any provision of this Ordinance or any application of it to any person or circumstances is held invalid, the invalidity does not affect other provisions or applications of the Ordinance that can be given effect without the invalid provision or application, and to this end, the provisions of this Ordinance are severable.

TOWN OF SUNAPEE

WATER AND SEWER COMMISSION

P.O. BOX 347, SUNAPEE, NH 03782

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APPENDIX C

Policy Established For Commercial Sewer Construction Bond Payment

The intent of the policy is that all property owners pay equally/proportionally - including all past bond payments and interest.

Each customer must pay construction bond charges/fees, calculated by the number of units and construction costs for the specific project.

The following calculation is used to determine construction bond unit allocation:

Commercial sewer construction bond units are proportionate to anticipated gallonage as per the State guidelines Table 1008-1 Unit Design Flow Figures, from 'Subdivision and Individual Sewage Disposal System Design Rules', NH Code of Administrative Rules, Chapter Env-Wq 1000, NH Department of Environmental Services, Water Division, latest edition. One half of the State standard of commercial flow divided by the average residential gallons/per/day is used to determine the number of construction bond units.

Average Residential Gallons Per Day (GPD) is Dwelling GPD (Table 1008-1) x 2.5 bedrooms. Based on the calculation, the current average residential GPD is 375.

The users have the choice to pay the total amount owed in one payment or pay over ten years with the stated interest rate. If the number of units changes during the scheduled payment period, the payments will be recalculated and any applicable rebates will be applied to future payments. In the case that the bond has been paid in full the current property owner will be issued a rebate.

If a property is sold, all unpaid construction charges become the sole responsibility of the new owner. At the time of closing, the construction charges can be paid in full or the payment plan can be continued by the new owner.

In the event an owner fails or refuses to pay the bond payment, such unpaid charges shall result in a lien on the property in accordance with RSA 38:22, as it may be amended from time to time. Interest at a rate of 1% per month computed monthly (12% per annum), from and after the date fees are assessed by the Commission, shall be charged on all fees which remain unpaid 30 days after notification by the Commission. The person against whom fees are assessed shall be responsible for all costs of collection including reasonable attorney's fees.

May 25, 2023

4. Applicability. The fees established in this Ordinance shall apply to improved properties connected to the sewer system.

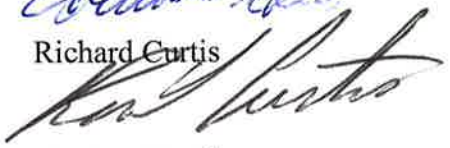
5. Effective Date. This amended Ordinance takes effect upon its adoption. This Ordinance was originally adopted on June 26, 1986.

Adoption of this ordinance by the Water & Sewer Commission replaces any other Sewer Attachment Fee Ordinance in existence prior to this 25th day of *May*, 2023.


Theodore Gallup, Chairman



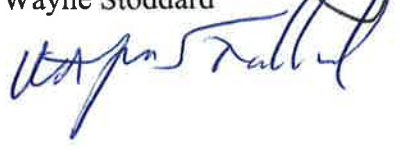
Richard Curtis



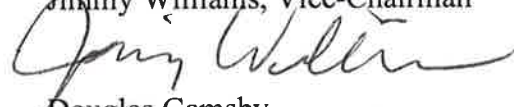
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