



TOWN OF COLEBROOK

SEWER ORDINANCE

October 26, 2020



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Article 1. Definitions

Unless the context specifically indicates otherwise, the meaning of terms in this ordinance shall be as follows:

- 1.1 “Town” shall mean the Town of Colebrook, NH acting through the Board of Selectmen under the provisions of RSA 149-I.
- 1.2 “Board” shall mean the Board of Selectmen.
- 1.3 “Sewer Works” shall mean all facilities for collecting, pumping, treating and disposing of sewage.
- 1.4 “Superintendent” shall mean the Superintendent or designated employee of the Board.
- 1.5 “Sewage” shall mean a combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments, together with such groundwater and surface water as may be present.
- 1.6 “Sewer” shall mean a pipe or conduit for carrying sewage.
- 1.7 “System” shall mean the wastewater collection system.
- 1.8 “Public Sewer” shall mean a sewer owned by the Town and controlled by the Board.
- 1.9 “Storm Drain” shall mean a pipe or conduit which carries storm and surface waters and drainage, but excludes sanitary waste and industrial waste.
- 1.10 “Septage” shall mean the sludge waste from the septic disposal system.
- 1.11 “Industrial Wastes” shall mean the liquid wastes from industrial processes as distinct from sanitary sewage.
- 1.12 “Wastewater Treatment Facility” shall mean the devices and structures used to provide treatment of wastewater.
- 1.13 “Owner” shall mean the person(s) who is the legal owner of the property connected to the building sewer.

- 1.14 "Garbage" shall mean solid wastes from the preparation, cooking, and dispensing of food that has been shredded to such a degree that all the particles will be carried freely under the flow conditions normally prevailing in public sewers.
- 1.15 "Building Drain" shall mean the part of the lowest horizontal piping of a drainage system which receives discharge from soil, wastes and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five feet outside the inner face of the building wall.
- 1.16 "Building Sewer" shall mean the connection between the building drain (starting at the end of the house plumbing line five feet outside the building) to the public sewer.
- 1.17 "B.O.D" (Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20 degrees C. expressed in milligrams per liter, mg/l.
- 1.18 "pH" shall mean the acidity of sewage.
- 1.19 "Suspended Solids" shall mean solids that either float on the surface of, or are in suspension in water, sewage, or other liquid; and which are removable by laboratory filtering.
- 1.20 "Natural Outlet" shall mean any outlet into a water course, pond, ditch, lake or other body of surface or ground water.
- 1.21 "Watercourse" shall mean a channel in which a flow of water occurs, either continually or intermittently.
- 1.22 "Person" shall mean any individual, firm, company, association, society, corporation, or group.
- 1.23 "Customer Units" are defined to include each single-family residence, commercial, industrial or other building equipped with independent sewer facilities.
- 1.24 "Sewer Rental Charge" shall mean a charge for defraying the operating cost of the system and wastewater treatment facility. Said charge consists of a service charge and a user charge.

- 1.25 "Service Charge" shall mean a basic charge for the convenience of sewer disposal services and which shall be charged per customer unit.
- 1.26 "User Charge" shall mean a charge based on the volume and strength of wastewater discharge.
- 1.27 "Assessment" shall mean an assessment to defray the expense to the Town for new sewer mains to be assessed against property abutting streets in which new mains are laid.
- 1.28 "ASTM" is the American Society for Testing Materials.
- 1.29 "NH DES" is the New Hampshire Department of Environmental Services.

Article 2. Building Sewers and Connections

- 2.1 No person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Superintendent.
- 2.2 There shall be three (3) classes of building sewer permits as follows:
 - a. residential service;
 - b. commercial service;
 - c. industrial or manufacturing service (for establishments producing industrial wastes).

Residential sewer permits may be issued and signed by the Superintendent. Commercial, industrial or residential project permits shall only be issued by the Board.

To obtain a permit, a property owner shall make application to the Superintendent on a special form furnished by the Board. The

permit application shall be supplemented by any plan, specifications or other information considered pertinent in the judgement of the Superintendent.

Permit and inspection fees shall be assessed as provided in the Town's Fee Schedule. All fees shall be payable at the time an application is filed. Fees for additional inspections required by the nature of the application or construction shall be payable in advance, but, in any event, prior to connection of the building sewer to the public sewer, at the discretion of the Superintendent.

All sewer applications and permits shall be void six months after issuance. In the event actual construction has not started in that period of time, a re-submission of plans for a new permit may, at the discretion of the Board, be required. In any such event a new application fee shall be payable.

- 2.3 All costs and expenses incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the Town from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.
- 2.4 A separate and independent building sewer shall be provided for each dwelling unit or customer unit except in the following circumstances:
 - A. Where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard or driveway. The building sewer from the front

building may be extended to the rear building and each building shall be considered as a separate connect. In no case will more than two (2) buildings be connected to a single sewer line which is not a Town main.

B. Where, because of the layout or elevation of units within a multi-story building, the provision of individual unit services is impracticable.

2.5 Old building sewers may be used in connection with new construction only when they are found on examination and test by the Superintendent to meet all requirements of these regulations.

2.6 The building sewer shall be constructed of materials subject to the approval of the Superintendent. Joints shall be tight and waterproof. If installed in filled or unstable ground, the building sewer shall be laid on a suitable concrete bed or cradle as approved by the Superintendent.

2.7 The size and slope of the building sewer shall be subject to approval of the Superintendent.

2.8 No building sewer shall be laid parallel to or within three (3) feet of any bearing wall, which might thereby be weakened. The depth shall be sufficient to afford protection from frost. The building sewer shall be laid at uniform grade and in straight alignment insofar as possible. Changes in direction shall be made only with properly curved pipe and fittings.

- 2.9 In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage shall be pumped at the owner's expense and discharged to the public sewer.
- 2.10 All excavation required for the installation of a building sewer shall be open trench work unless otherwise approved by the Superintendent. Pipe laying and backfill shall be performed in accordance with ASTM specification (C12) except that no backfill shall be placed until the work has been inspected by the Superintendent. Such inspection shall in all cases be a prerequisite to approval of the building sewers. Any uncovering ordered by the Superintendent for such inspection shall be the responsibility and expense of the owner.
- 2.11 The connection of the building sewer into public sewer shall be to the property line and made at the "Y" branch, if such branch is available at a suitable location; if not available, a saddle shall be used. A smooth, neat joint shall be made, and the connection made secure and water-tight. Special fittings may be used for the connection when approved by the Superintendent.
- 2.12 The applicant for the building sewer shall notify the Superintendent when the building sewer is ready for inspection and connection to the public sewer. The Superintendent will make the inspection within eight (8) working hours from the time of notification. The connection shall be made under the supervision of the Superintendent or his representative. Any violators will be charged all costs incurred by the sewer department to make inspection and any correction.
- 2.13 All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public

from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Town.

2.14 No building sewer shall include, be connected to or service, any septic tank, cesspool or like device.

2.15 Any person proposing a new discharge into the system or a substantial change in the volume or character of waste discharged to the system shall notify the Board at least sixty (60) days prior to the proposed change or connection. Proposed new discharges from residential or commercial establishments exceeding 1,000 gallons per day or any increase in industrial discharge must be approved by the Board and the NHDES.

2.16 The owner is responsible to pay for repairs and maintenance of the building sewer from his building to the public sewer. A contractor hired by the owner and agreeable to the Superintendent may be used for excavation in streets and highways. If the Town does the excavation work, the Board shall charge a reasonable fee for excavation in streets and highways to expose and repair the building sewer. This fee will be payable in advance of the excavation and a refund will be made to the Owner if in the Board's judgement the blockage or breakage was the Town's responsibility.

2.17 All customer connections to the building sewer shall be equipped with proper back water valves to protect the sewer premises from damage in the event of a sewer backup. The Town will not be responsible for damages to private property due to such backup.

2.18 Any dwelling or business establishment located on property within one-hundred (100) feet of a public sewer must within six (6) months of notification be connected thereon unless by written exception of the Board. Such exception shall be founded only upon evidence of extreme financial hardship and/or technical difficulty which burdens the Owner. Any such exception shall be granted for a period not to exceed one (1) year whereupon the Owner shall be considered to be in violation unless an additional time extension has been granted by the Board.

Article 3. Use of Public Sewers

- 3.1 All sewer pipes must be eighteen (18) inches from any water line. For other requirements, refer to State Regulations.
- 3.2 No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof runoff, cellar or floor drains, subsurface drainage cooling water, or unpolluted industrial process waters to any sanitary sewer.
- 3.3 Except as hereinafter provided, no person shall discharge or cause to be discharged any of the following described waters or wastes to any sewer:
- A. Any liquid or vapor having a temperature higher than 150 degrees Fahrenheit.
 - B. Any water or waste which may contain more than 100 parts per million, by weight, of fat, oil, or grease.
 - C. Any gasoline, benzene, naphtha, fuel oil, petroleum product or other flammable or explosive liquid, solid or gas.
 - D. Any garbage that has not been properly shredded.

- E. Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, manure or any other solid or viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage works.
- F. Any waters or wastes have a pH lower than 6.0 or higher than 8.0, or having any other corrosive property capable of causing damage or hazard to structures, equipment, and/or personnel of the sewage works.
- G. Any waters or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with the sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the wastewater treatment facility.
- H. Any waters or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the wastewater treatment facility.
- I. Any noxious or malodorous gas or substance capable of creating a public nuisance, or health hazard.

3.4 Grease, oil and sand interceptors shall be provided when, in the opinion of the Superintendent, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, 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 Board or Superintendent and shall be located as to be readily and easily accessible for cleaning and inspection. Grease and oil interceptors shall be constructed of imperious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial

construction, water-tight, and equipped with easily removable covers which, when bolted in place, shall be gas-tight and water-tight.

3.5 Where installed, all grease, oil and sand interceptors shall be maintained by the owner, at his expense, in continuously efficient operation at all times. The Board may require regular written operation test reports and maintenance reports from any such owner.

3.6 The admission into the sewers of any waters or wastes having:

- A. A five-day biochemical oxygen demand greater than 300 mg/l,
or
- B. More than 100 parts per million by weight of suspended solids,
or
- C. Any quantity of substances with the characteristics described in 3.3 or constituting the quantities and rates of discharge of such wastes or waters; or
- D. An average daily flow greater than 4,000 gallons per day,

shall be subject to the review and approval of the Board. Where necessary in the opinion of the Board, the owner shall provide, at his expense, such preliminary treatment as may be necessary to render its wastes within the limits specified above. Plans, specifications, and other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the Board and the State of New Hampshire, and no construction of such facilities shall be commenced until said approvals are obtain in writing.

- 3.7 Where preliminary treatment facilities are provided for any water or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense and as a specific condition of any associated sewer permit.
- 3.8 When required by the Board, the owner of any property served by the building sewer carrying industrial wastes shall install a suitable control manhole 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 Superintendent. The manhole shall be installed by the owner at his expense, and shall be maintained by him, so as to be safe and accessible at all times.
- 3.9 All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this Article shall be determined in accordance with "Standard Methods for the Examination of Water and Sewage". If no special manhole has been required, the sampling point shall be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected.
- 3.10 Septage waste will be accepted into the sewer system during normal business hours at a designated receiving structure located at the wastewater treatment facility, provided the daily volume and characteristics of such waste are not excessive in the judgement of the Superintendent. Disposal permits for septage shall be issued in accordance with fees and operating procedures approved by the Board. Septage will be received into the system only from septic tanks located in the Town of Colebrook.

Article 4. Inspections and Violations

- 4.1 The Superintendent and other duly authorized employees of the Town bearing proper credentials and identification shall be permitted to enter upon all properties for the purpose of inspection, observations, measurement, sampling and testing in accordance with the provisions of these rules and regulations
- 4.2 RSA 149-I:23 Malicious Injury; Penalty. Any person who shall wantonly or maliciously injure any part of any sewer system or sewage disposal plant shall be liable to pay treble damages to the owner thereof, and shall be guilty of a misdemeanor if a natural person, or guilty of a felony if any other person.
- 4.3 Any person found to be violating any provisions of these rules and regulations shall be served by the Board with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations. PROVIDED, however, that the Superintendent may take steps to halt or ameliorate any condition he deems imminently harmful to the sewer system or likely to be dangerous to life or property.
- 4.4 In accordance with RSA 149-I:6 (II) Any person who violates any ordinance or bylaw adopted pursuant to paragraph I of this section shall be subject to a civil penalty not to exceed \$10,000 per day of such violation. RSA 149-I:6 (III) A municipality shall give notice of the alleged violation to the department of environmental services within ten days of commencement of any action under this section.

Article 5. Sewer Fund Charges

- 5.1 Pursuant to RSA 149-1:8, a system of sewer fund rental charges is hereby established and assessed for paying the cost of construction, management, maintenance, replacement, operation and repair of the Town's wastewater collection system and treatment facilities. Said sewer rental charges shall consist of a service charge and a sewer use charge.
- 5.2 Sewer rental charges for residential premises, commercial establishments and industrial establishments shall be paid by the owner of the real estate having any structure containing one or more customer units and from which structure sewage discharges into the Town's sewer system.
- 5.3 Service charges shall be payable by the owner of the real estate whether or not the premises are occupied. All service charges shall be at the rate determined by the Board. In the case of structures containing more than one customer unit, a separate service charge shall be payable for each such customer unit.
- 5.4 User Charges – User charges for all customer units shall be based on the consumption of water on the premises connected with the Town sewer system.
- 5.5 RSA 149-1:10 Sewer Funds – The funds received from the collection of sewer rental charges shall be kept as a separate and distinct fund which shall be known as the sewer fund. Any surplus in such fund may, as determined by the Board, be used for the enlargement or replacement of the system and wastewater treatment facilities. Such sewer rental charges may be used to pay previous expansion of the systems or improvements of

wastewater treatment facilities or for any purpose provided in 5.1.

- 5.6 Sewer Rental Charges shall be billed quarterly based upon the most current billing period of the Water Department serving the customer. All bills shall be itemized and shall specify a due date which shall be no less than thirty (30) days from the date that such bills are mailed.
- 5.7 All bills shall be payable on or before the due date specified on the bill. A late payment shall be due and payable on all bills not paid by the due date.

Article 6. Extension of Sewers

- 6.1 New Construction. Any individual, group, partnership, corporation, business or "developer" seeking to obtain sewer service for new housing or business construction, must apply for a sewer line extension to the Department. The proposed extension must conform to all current specifications of the Department and be approved by the Superintendent and the NHDES. A copy of all plans and specifications showing the intended layout of sewers, manholes, lateral sewers, lot boundaries and connections shall be submitted to the Superintendent with a completed application form stating that all labor, materials and related costs including inspection fees for the extension will be paid for in full by the applicant.

Extensions on private property shall be considered as "building sewers" subject to regulation of use by the Department.
Extensions on existing or proposed streets and roads shall

become the property and responsibility of the Department upon completion of construction and approval by the Superintendent.

- 6.2 Existing Construction. Any owner(s) of property in Town residing on accepted roads may petition the Department for sewer service as prospective customers. These extensions shall be known as "guaranteed extensions". Petitioner(s) must demonstrate to the satisfaction of the Board that sufficient revenue will be generated through user charges and proportionately shared construction costs to amortize the cost of the extension in twenty (20) years or less. If approved, each petitioner will pay for sewer use at the regular rate and a proportionate share of construction costs will be billed quarterly for a specified time period until the investment has been recovered. Each petitioner will be required to sign a contract which shall be binding on the petitioner(s), their heirs, executors, administrators or assigns, or successor of assigns and shall be a lien on the property until the investment has been recovered.
- 6.3 New roadways shall be brought to subgrade before extension work begins. All line and grade stakes shall remain in place until the extension is accepted by the Board. The Board may authorize extensions not in roadways.
- 6.4 The size and kind of pipe, manholes and related materials shall be determined by the Board or Superintendent in accordance with conditions surrounding the extension, including provisions for future expansion.
- 6.5 The Board shall require "as built drawings", both plan and profile, for record purposes prior to acceptance.

6.6 The contractor shall post a performance and payment bond equal to one hundred percent (100%) of the estimated project costs before construction begins. The Board shall retain the bond for a period of ninety (90) days after project acceptance to ensure satisfactory completion of the project.

Town of Colebrook

Permit for Residential or Commercial Building Sewer Connection

Permit No. _____

The undersigned, being the _____
(owner, owner's agent)

of the property located at _____
(street address)

does hereby request a permit to install and connect a building sewer to
serve the _____ at said location.
(residence/commercial building)

1. Initial fees computed as follows:

2. The name and address of the person or firm who will perform the proposed work is _____.

3. Plans and specifications for the proposed building sewer are attached hereto and labeled Exhibit A.

In consideration of the granting of this permit, the undersigned agrees:

1. To accept and abide by all provisions of the Town of Colebrook Sewer Ordinance and of all other pertinent ordinances or regulations that may be adopted in the future.
2. To maintain the building sewer at no expense to the Town.
3. To pay any and all fees, inspection charges and other Board expenses occasioned by this application and work.

Date: _____

Signed: _____
Applicant

Address: _____

Total Fees Paid: _____

APPLICATION APPROVED AND PERMIT ISSUED: _____

Date: _____
Superintendent

Town of Colebrook
Permit for Industrial Building Sewer Connection

Permit No. _____

The undersigned being the _____ of the
(owner, owner's agent)
property located at _____ does hereby
(address)
request a permit to _____ an industrial
(install, use)
sewer connection serving the _____ which
(name of company)
company is engaged in _____ at said
location.

1. A plan of the property covering any work proposed to be performed under this permit is attached hereunto as Exhibit A.
2. Plans and specifications covering any work proposed to be performed under this permit is attached hereunto as Exhibit B.
3. A complete schedule of all process waters and industrial wastes produced or expected to be produced at said property, including a description of the character of each use, the daily volume and maximum rates of discharge, and representative analysis, is attached hereunto as Exhibit C.
4. The name and address of the person or firm who will perform the work covered by this permit is _____.

In consideration of the granting of this permit, the undersigned agrees:

1. To furnish any additional information relating to the installation or use of the industrial sewer for which this permit is sought as may be requested by the Board and/or Superintendent.

2. To accept and abide by all New Hampshire laws and administrative rules and all provisions of the Sewer Ordinance or the Town of Colebrook, New Hampshire and of all other pertinent laws, ordinances and regulations that may be adopted in the future.
3. To operate and maintain any waste pretreatment facilities as may be required as a condition of the acceptance into the public sewer of the industrial wastes involved in an efficient manner at all times, and, at no expense to the Town.
4. To cooperate at all times with the Superintendent and his representatives in their inspecting, sampling, and study of the industrial wastes, and any facilities provided for pretreatment.
5. To notify the Superintendent and his representatives in their inspecting, sampling and study of industrial wastes, and any facilities provided for pretreatment.
6. To pay initial assessment or increased assessment due to increase in use or change in character of waste.

Date: _____

Signed: _____

Applicant

Address: _____

Total Fees Paid: _____

APPLICATION APPROVED AND PERMIT ISSUED: _____

Date: _____

Chairman of the Board

Date: _____

Water-Sewer Superintendent