



TOWN OF PITTSFIELD
BOARD OF SELECTMEN
Town Hall, 85 Main Street
Pittsfield, New Hampshire

SANITARY SEWER SYSTEM AND WASTE WATER TREATMENT FACILITY ORDINANCE

Authority

In accordance with, and under the authority Of, New Hampshire Revised Statutes Annotated, Chapter 149-I, authorizing the Board of Selectmen acting as the Board of Sewer Commissioners to enact ordinances for the management and protection of the Town of Pittsfield Waste Water Treatment Facility, the following ordinance is hereby enacted.

Purpose

It is the express intent and purpose of this ordinance to strictly regulate, administer, and protect the Sanitary Sewer System and Waste Water Treatment Facility of the Town of Pittsfield and its appurtenances, through the aggressive administration and enforcement of this ordinance, to protect the welfare of the citizens and residents of the Town of Pittsfield.

Section 1. Definitions

As used in these regulations, the following terms have the meanings indicated;

A. Sewage shall mean waste water, water-carried wastes, or a combination of them, discharged into and conveyed by sewers or intended or customarily so discharged and conveyed. Sewage may be further classified by the other definitions contained within these regulations.

B. Sanitary Sewage shall mean the common wastewater and water-carried wastes from human dwellings and from toilet and lavatory fixtures, kitchens, laundries and similar facilities of homes, business, and industrial buildings. In general, sanitary sewage shall not include storm water from roofs, yards, streets or open spaces, water from kind surfaces or brooks, clean waste or overflows from springs, wells, cellar drains, or other subsoil drainage, any volumes of clean water from air conditioning or other cooling or condensing facilities, any clean wastewater from hydraulically-operated contrivances and those wastes included within the definition of "industrial wastes" contained herein.

C. Industrial Wastes shall include the liquid or water-carried wastes of any industrial process not clearly included within the definitions of sanitary sewage, storm water, and cooling water or subsoil drainage herein. In general, waste waters carrying any quantity of oils, grease, fats, abrasives, chemical residues of manufacturing processes, wastes from commercial food preserving or canning, from slaughter houses or meat processing plants, and similar substances, whether dissolved, in suspension, or mechanically carried by water, shall be considered as industrial wastes.

D. Cooling Water shall mean and include the clean wastewater from air conditioning, industrial cooling, condensing and similar apparatus and from hydraulically-powered equipment. In general, cooling water will include only water, which is sufficiently clean and unpolluted to admit to being discharged, without treatment or purification, into any natural open stream or watercourse without offense.

E. Seepage or Subsoil Drainage shall mean and shall include water from the soil percolating into subsoil drains and through foundation walls, basement floors, or underground pipes or from similar sources.

F. Sewer shall mean and include the main pipe or conduit, manholes and other structures and equipment appurtenant thereto, provided to carry sewage, industrial wastes, storm water~cooling water or similar wastes, subject, in each particular case, to the purposes and limitations imposed upon the particular pipe or conduit or sewer. Where the context so indicates, the word "sewer" shall be restricted to pipes and conduits intended to convey sanitary sewage. Where the context so indicates, the word "sewer" shall be used only with respect to the main line of pipe or conduit, owned controlled and maintained by a public municipal body for the conveyance of waste or sewage from several properties, and shall not be understood to include house connections or connections between the main sewer and individual properties, which house connections are maintained by the owners or tenants of the properties of the properties using them.

G. Sanitary Sewer shall mean a sewer intended to convey only sanitary sewage, or, if so stipulated with respect to the particular sewer, sanitary sewage plus industrial or other wastes. In general, sanitary sewers shall not be intended to convey storm water nor more than very small quantities of cooling water.

H. House Connection or House Drain where the context so indicates or implies, shall mean a pipe connecting a main sewer with a building, house, yard, or other property, for the purpose of conveying sewage of any kind from said property to a main sewer. The term house connection or house drain, when used in that sense, shall include not only the pipe extending directly from the main sewer to the house, building, yard or other portion of the property in question, but also all other drain pipes connecting directly or indirectly thereto and discharging directly or indirectly thereinto or intended to so connect or discharge. House connections and house drains shall, in general, be maintained by the owners of property served and shall have been constructed, in whole or in part, for or by the property owner of his predecessor.

Section 2. Use of Sewers

A. Permissible and Non-Permissible Discharge. No person or party shall discharge into or put into and public sewer or public drain of the Town of Pittsfield, or into any sewer, drain or fixture which thereafter discharges into any public sewer, public drain or appurtenance thereof, any waste or substance other than such kinds or types of water or water-carried wastes for the conveyance of which the particular sewer, drain or appurtenance is intended, designed or provided.

B. Discharge of Unauthorized Wastes. If wastes other than those for the conveyance of which a particular sewer was originally intended have been, at any time, discharged thereinto or conveyed thereby, that shall not constitute any amendment of the originally or formally expressed intended use of the sewer, unless the original designation shall have been amended by a competent municipal body.

C. Wastes Excluded from all Sewers. No person or property owner shall, discharge or permit to be discharged, directly or indirectly, from any premises under his control into any public sewer of any kind or type, and of the following:

1. Any substance or object likely to damage, injure, destroy or cause an obstruction in any sewer, or appurtenance thereof, into which it may be discharged:
2. Any substance which may attack, damage or alter by either abrasion or chemical action the materials of which the sewer or its appurtenances are composed or built:
3. Sticks, stones of material size, coarse rubbish rags, un-ground or un-shredded garbage or refuse have particles more than one quarter inch in their longest dimension, portions of any animal carcass more than one quarter inch in its longest dimension:
4. Any debris or substance which by depositing and considerable quantity of sediment, by coagulation, by congealing or by attaching itself to the lining of the sewer or to other substances being transported within the sewer is likely to cause an obstruction in any sewer or appurtenance:
5. Any gasoline, kerosene, alcohol, oil, tar, flammable or explosive gas or vapor or any substance which may generate or form any flammable, explosive or combustible substance, fluid, gas, vapor or mixture when combined with air, water or other substances commonly found in sewers:
6. Steam, water vapor or other substance at a temperature above 150 degrees F. or substance which, upon coming into contact with water or sewage, will generate steam or vapor within such sewer:
7. Any waste or waste water which is strongly acid, and which, when tested in the Standard Method Technique, has a "pH" less than 5.5 or which is strongly alkaline and has a "pH" more than 9.0: ("pH" means the logarithm of the reciprocal of the weight of the hydrogen ions in grams per liter of solution).
8. Objectionable poisons, cyanides or any substance likely to generate poisonous fumes that may interfere with, constitute a hazard to, or be dangerous to human beings or domestic animals:
9. Any waste containing considerable quantities of animal guts or tissues, entrails, offal, blood, feathers, hair, hides, scraps, unshredded vegetables, straw or cinders:

10. Any water containing disinfectants, formaldehyde, toxic or poisonous substances in quantities sufficient to delay or interfere with sewage treatment and sludge digestion processes including the sedimentation, biological and chemical processes used by the Town of Pittsfield in its Waste Water Treatment Plant:

11. Any water or waste from an industrial or commercial process containing amounts of toxic objectionable metals, non-metals and/or solids beyond those technically feasible for removal including, but not limited to the following:

- a. Arsenic Cyanides Phenols
 Barium Lead Silver
 Cadmium Manganese Sulfides
 Chromium Mercury Zinc
 Chlorides Nickel Copper

b. Biodegradable fats, wax, grease or oils, whether emulsified or not in excess of 100 mg/l.

c. Substances which may solidify or become viscous between temperatures of 32 degrees F. and 150 degrees F.

12. Any waste waters or sewage likely to cause damage, injury or loss to other persons or to the property of other persons who are lawfully entitled to use the sewer or sewers through which said wastes are discharged, or to any person or equipment engaged in treatment and disposal for the Town of Pittsfield. This prohibition shall be understood as applying to the kind of character of wastes discharged into any sewer and as limiting the quantity of wastes or waters which may be discharged from any one parcel or plot of property and the rate or rates at which wastes are discharged to approximately the quantity of sewage or water which the sewer was intended to receive from that particular parcel or plot or from a typical parcel of that size or area.

13. Any waters or wastes containing strong acid iron pickling wastes, or concentrated plating solutions whether neutralized or not.

14. Any waters or wastes containing phenols or other taste or odor producing substances, in such concentrations exceeding limits which may be established by the Board of Selectmen as necessary, after treatment of the composite sewage to meet the requirements of the Federal, State, or other public agencies or jurisdiction for such discharge to the receiving waters.

15. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Board of Selectmen in compliance with applicable Federal and State regulations.

16. Materials which exert or cause:

a. 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).

- b. Excessive discoloration (such as, but not limited to, dye wastes or vegetable tanning solutions).
- c. Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.
- d. Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.

17. Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment process employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

D. Determination for Exclusion. In determining whether and waste discharged or proposed to be discharged into any public sewer or drain is to be excluded under any part of these regulations, consideration shall be given to the quantity, time or times, rate and manner of discharge, dilution and character of the waste in question, the size of the sewer or drain into which it is or is to be discharged, the probable quantity of other sewage in said sewer or drain at the time of discharge, the quantities of objectionable wastes likely in said sewer or drain, and other pertinent facts. Minute quantities of a waste which would be objectionable in larger quantity may be permitted if sufficiently diluted when and as discharged, or if the quantity discharged is very small in comparison to the receiving sewer or drain and the flow therein at the time of discharge, upon specific permission from the Board of Selectmen, acceptability to be determined on an individual basis (it is recommended that the Board seek professional advice before granting such permission); but any permission to discharge minute quantities of an otherwise excluded waste shall be revocable at any time by the Board.

If any waters or wastes are discharged, or any proposed to be discharged to the public sewers, which waters contain substances or possess the characteristics enumerated in Section 2.C or in these regulations, and which in the judgment of the Board, may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitutes a public nuisance, the Board may:

1. Reject the wastes.
2. Require pretreatment to an acceptable condition for discharge to the public sewers.
3. Require control over the quantities and rates of discharge, and/or
4. Require payment to cover the added cost of handling and treating the wastes not covered by existing or sewer charges under the provisions of these regulations.

If the Board permits pretreatment of equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Board, and subject to the requirements of all applicable codes, ordinances, and laws.

E. Protective Devices. At all premises where wastes or substances specified to be excluded from sewers or drains by this ordinance are customarily present and liable to be discharged directly or indirectly into any public sewer or drain, suitable and sufficient piping layouts, oil or grease traps or separators, screens, sedimentation chambers, storage and regulating treatment, cooling or condensing equipment and similar devices or equipment shall be provided, maintained and operated to insure that no waste, substance, or water required to be excluded from sewer or drain shall be discharged thereinto in violation of the requirements of these regulations.

F. Powers and Authority of Inspectors. The Board 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 in accordance with the provisions of this ordinance. The Board or its representative shall have no authority to inquire into any processes including metallurgical, chemical, oil, refining, ceramic, paper, or other industries beyond the point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for wastes treatment.

Any owner or occupant of property who refuses to grant consent to a duly authorized town official or employee to enter the property for any purpose stated in this section or elsewhere in this ordinance shall be subject to penalties as outlined in Section 6-B below. In addition, any duly authorized town official or employee acting on behalf of the board of selectmen may obtain an administrative inspection warrant pursuant to RSA 595-B to allow access to the property for any purpose specified in this section or under any other provision of this ordinance.

While performing the necessary work on private' properties referred to above, the Board or its duly authorized representatives of the Town shall observe all safety rules applicable to the premises established by the company and the company shall be held harmless for injury or death to the Board or its duly authorized representatives and the Town shall indemnify the company against loss or damage of its property by the Board or its duly authorized representatives 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 by the company to maintain safe conditions as required under these regulations.

The Board 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 sewage works 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.

G. Use of Sanitary Sewers. Except as specifically provided with reference to some particular sewer, sanitary sewers shall be used only for the conveyance and disposal of sanitary sewage as defined in these regulations and for diluted, water-carried industrial wastes which are not objectionable as provided hereinafter. Except as specifically provided for some particular sewer or location, no sanitary sewer shall be used to receive and convey or dispose of any storm or

surface water, subsoil drainage, any large continuous flow of water seeping into buildings or excavations from soils or other underground sources, flows of natural springs, or ground waters, surplus from flowing wells, the discharge from roofs, roof conductors, yard drains, street or highway drains.

H. Cooling Water, etc., in Sanitary Sewers. No large quantity of cooling water, as defined in this ordinance, or similar waste waters in large volumes or discharged in large quantity at one time shall be discharged into any sanitary sewer without specific permission from the Board of Selectmen (it is recommended that the Board seek professional advice before granting such permission). Such permission, if granted in any case, shall be revocable by said Board at any time upon proper notice. In general, such permission shall not be granted at locations where there is conveniently available a storm drain, natural water-course or other convenient and suitable means of disposal for such large volumes of clean waste water. Before permitting such discharge into a sanitary sewer at any given location the Board shall consider whether the discharge in question may cause excessive flows in the sewer or sewers through which it is to be discharged and whether such discharge will occasion a burden on any pumping equipment, sewage treatment plant, or other appurtenance of the sewer system, Out of proportion to the other needs of the community and to the contribution which the property from which the discharge comes makes or has made toward the costs of providing, maintaining and operating sewerage services by the Town.

I. Sampling and Measurement of Industrial Wastes. When required by the Board, the owner of any property serviced by a service connection carrying industrial wastes shall install a suitable control manhole together with such necessary meters, and other appurtenances in the service connection to facilitate observation, sampling, and measurement of wastes. Such manhole, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the Board. 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.

J. Methods of Analysis. All measurements, tests and analysis 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 such other printed requirements of the Federal and State Governments or as are required in appropriate licensing requirements, 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 in the public sewer to the point at which the service connection is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect constituents upon the sewage works and to determine the existence of hazards to life, limb, and property. (The particular analysis involved will determine whether a twenty-four (24) hour composite of all outfalls of a premises is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analysis are obtained from 24-hour composites of all outfalls whereas pH's are determined from periodic grab samples.

a. All industries discharging into a public sewer shall perform such monitoring of their discharges as the Board and/or other 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 made available upon request by the Board to other agencies having jurisdiction over discharges to the receiving waters.

K. Special Agreements. No statement contained in this ordinance 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, subject to payment therefore, by the industrial concern, or the making of a special agreement or arrangement whereby the Town will with an industrial concern establish a lower concentration of excluded wastes as listed in this ordinance.

Section 3. Connection to and Work on Sewers

A. Applications for Connection. Written applications for connection to the Town Sewer System shall be made at the Office of the Board of Selectmen, Town Hall, 85 Main Street, Pittsfield, New Hampshire 03263-0098.

There shall be two (2) classes of service connection permits: (a) for residential and commercial service and (b) for service to establishments producing industrial wastes. In either case, the owner of the property or his agent shall make application on a special form furnished by the Town. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Board. A permit and entrance fee of \$3,500.00 per unit shall be paid to the Town at the time of the application filing.

B. Availability of Service. The acceptance of an application will be contingent upon the existence of a sewer main in the public way, or in a private way, easement, or other property, upon which the property to be served abuts, and the capacity of the Waste Water Treatment Facility to accept the increase in loading and inflow from such new connection.

C. Service Connections. An applicant for a service connection to a building shall be responsible to install such service under the supervision of the Town. That portion of the service connection installed within the public way shall be the property of the applicant or his successors in title and they shall be responsible for the maintenance thereof. All cost and expenses incident to the installation and connection of the building to the sewer shall be borne by the applicant and property owner. The applicant shall indemnify the Town from any losses or damages that may directly or indirectly be occasioned by the installation of a service connection.

A separate and independent service connection shall be provided for every building; except 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 service connection from the front building may be extended to the rear building and the services shall be considered as separate from the purpose of entrance fees and charges.

Old service connection may be used in connection with new buildings only when they are found, on examination and test by the Town, to meet all requirements of this ordinance.

The size, slope, alignment, materials of construction of a service connection, and the methods to be used in excavating, placing pipe, jointing, testing, and backfilling the trench, shall all conform to the requirements of the building and plumbing codes adopted by the Town or other applicable rules and regulations of the Town.

Whenever possible, the service connection shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.

The connection of the service connections into the public sewer shall conform to the requirements of the Town adopted building and plumbing codes and such other rules and regulations of the Town. All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the Board, or its appointed representative, before installation.

The applicant for the service connection permit shall notify the Board, or its authorized representative, when the service connection is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Board, or its authorized representative.

All excavations for service connect 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.

D. Mains. Requests for the installation of a sanitary sewer system main must be made in writing to the Office of the Board of Selectmen, Town Hall, 85 Main Street, Pittsfield, New Hampshire 03263-0098.

All extensions will be made by the Town, or under its supervision, and in accordance with its specifications.

When the application is concerned with a subdivision that has been approved by the Planning Board, the regulations of that Board shall govern so far as they are not inconsistent with this ordinance.

When construction is to be performed by the Town or its contractor the applicant must deposit with the Town an amount equal to the estimated cost of the complete installation. When the installation is complete, the actual cost will be determined and should it be that the deposit is in excess of the actual cost, such excess shall be refunded. If the cost is in excess of the deposit, the deficiency shall be paid to the Town by the applicant before the facility is committed to use.

E. Extensions of Service.

1. Extensions. The last manhole, or the manhole that is the dead end of a particular sewer lateral or interceptor will be considered by the Town of Pittsfield to be the outer limit of Town Sewer Service. Properties beyond this point will not be provided sewer service unless the sewer service is extended by the Town, or by individuals authorized by the Town. In all such instances, the sewer entrance fee in Section 3-A above in effect at the time of application will be required. The sewer service shall be by gravity and all construction shall conform to the Town's Sewer Ordinance, as amended.

It is the policy of the Town to not assume responsibility for any additional lift stations or forced main sewer services if such is required to extend sewer service.

2. Special Exceptions. If there exists property beyond the "last manhole" which cannot be served by a septic system, and the sewer cannot be extended by a gravity collection system, the Board of Selectmen may allow a property owner(s) to install a private pumping system to reach the sewer line in the vicinity of the "last manhole" to relieve this hardship, by means of a Sewer Special Exception.

The property must meet the following conditions:

- a. Said lot must have been in existence as of May 21, 1992,
- b. A NH licensed septic designer must certify in writing that a septic system cannot be successfully constructed on the property, including listing all contributing factors as to why such construction cannot be done.

It is the responsibility of the applicant to see that there is a statement recorded at the Merrimack County Registry of Deeds to the effect that:

All aspects of the private sewer are the total responsibility of the property owner, including but not limited to any piping, equipment, pumping facility, clogs, repairs, maintenance, and monitoring; and that the Town of Pittsfield is relieved of all liability, maintenance, ownership, or claims based on the performance or failure of any part of said sewer, even if said sewer, piping, or equipment may exist upon Town owned property or within a Town right-of-way.

A copy of said recording must be provided to the Town prior to issuance of any special exception as established in this policy.

The inability to construct a septic system due to lot size or shape shall not be deemed to be a hardship and will not be considered under the provisions of this section.

F. Unauthorized Connections. No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereto without first obtaining a written permit from the Board. Any person proposing a new discharge into the system or a substantial change in the volume or character of pollutants that are being discharged into the system shall notify the Board at least forty-five (45) days prior to the proposed change or connection.

No person shall make connection of roof downspouts, exterior foundation drains, roof drains, areaway drains, or other sources of surface runoff or ground water to a service connection which in turn is connected directly or indirectly to a public sanitary sewer.

Section 4. Metering

A. Sewer rates are billed in accordance with the Sewer User Rate based upon the consumption registered upon water metering, set and maintained, by the Pittsfield Aqueduct Company, Inc.

B. Sewer customers who are not the customers of the Pittsfield Aqueduct Company, Inc., shall provide metering, at their own expense, and of a type approved by and meets all of the requirements of the Town of Pittsfield. Such metering shall be maintained in proper working order and available for metering reading at all reasonable times.

C. Sewer customers who are not the customers of the Pittsfield Aqueduct Company, Inc., and who refuse to install metering as required under this Ordinance, to measure the flow of materials to the sanitary sewer system, shall at the Town's option, have installed at the customers expense, approved metering that will measure the outflow of discharge to the sanitary sewer system. The Town is authorized to install such metering and supporting structures, manholes and other necessary appurtenances to carry out the necessary measurement of materials discharged to the sanitary sewer system for billing purposes and to bill the customer for such work and materials.

D. Meter Size. The size of required metering will be determined by the Town.

E. Meter Setting. The customer shall provide a clean, dry, warm and accessible place for the installation of the meter, as nearly as possible to the point of entrance of the service pipe in the building.

1. The cost of the metering and its installation shall be borne by the customer.
2. Metering and plumbing work shall conform with the requirements of the Plumbing Code.
3. All metering shall be sealed and protected from diversion.
4. All indoor metering shall be fitted with remote outside meter reading devices.
5. When the customer fails or neglects to furnish a suitable location for a meter inside his building or where for other reasons it is necessary or expedient to locate the metering in an underground box or vault, the customer shall bear the entire expense of the same.

F. Repairs

1. Meter repairs or replacements necessitated by ordinary wear will be paid for by the customer.
2. Those caused by freezing or by other fault of the customer will be paid for by the customer.

G. Non-Registering Meters

1. If a meter is found which does not register, the bill for the period of non-registration will be based upon information recorded prior to or subsequent to the period of non-registration, and:
2. Any other pertinent information supplied by the customer or known to the Town, and:
3. May be estimated for the period.

H. Testing

1. Meters will be tested and certified by the manufacturer to register correctly before installation.
2. Thereafter, meters shall be tested at the customer's expense.

I. Tampering

1. If a meter, including the remote register and interconnecting cable or wire or other connections or equipment are found to have been interfered with, diverted, damaged or tampered with, the customer will be required to repair such damage at his cost immediately.
2. Breaking or removing seal or sealing device is considered tampering.

J. PUC Regulations

The regulations of the State of New Hampshire Public Utilities Commission governing water metering devices shall be considered to be a part of these regulations except that where those regulations require testing or other requirements at the cost of the Town or Utility it shall be considered to say at the cost of the customer.

Section 5. Metering Outside Water Usage

- A.** Sewer customers whose usage of water outside of residential and business properties has been metered, but not returned to the municipal sewer system, may install a separate meter to avoid sewer charges for such outside usage.
- B.** Sewer customers shall provide metering, at their own expense, of a type meeting all requirements of and approved by the Town of Pittsfield. Such metering shall be maintained in proper working order and comply with the plumbing code adopted by the Town.
- C.** The Sewer customer shall provide a clean, dry, warm, and accessible place for the inspection of the water meter. The meter shall be as close to the outside faucet as possible.
- D.** All meters shall be fitted with a remote analog outside meter reading device and such device shall be readable from outside the building.

Section 6. Protection from Damage and Penalties

A. Protection from Damage. No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or requirement, which is a part of the sewage works of the Town of Pittsfield. Any person, firm, partnership, association, society, corporation, company or organization of any kind or their agents or assigns found to be violating this provision shall be subject to arrest for the destruction of public property.

B. Penalties. Any person found to be violating any provision of this ordinance shall be served with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. Said person shall, within the period of time stated in said notice, permanently cease all violations of this ordinance.

If a customer is found to have misused the meter such as setting it to intentionally record more usage than is actually occurring or record water that is actually entering the sewer system, the customer shall be subject to a civil penalty not to exceed \$10,000 per day of such violation.

Any person who shall continue any violation beyond the time limit stated in writing as provided herein, shall be guilty of a violation of this ordinance. The Town shall file appropriate charges in the Superior Court as provided in RSA 149-1:6 for violations hereunder and there shall be a fine in an amount not to exceed \$10,000.00 per day or part thereof for each day or part thereof during which such violation shall continue beyond the time limit specified herein.

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

Section 7. Partial Invalidity

If any of this ordinance is for any reason declared to be unconstitutional or otherwise invalid, such unconstitutionality or invalidity shall not affect the validity of the remaining portions or sections of this ordinance and amendments thereto.

Section 8. Previous Regulations

The adoption of this Ordinance shall repeal and replace the previously adopted “Sanitary Sewer and Waste Water Treatment Facility Rules and Regulations and Conditions of Service,” Sanitary Sewer System and Waste Water Treatment Facility Ordinance,” and the “Sewer Extension Policy” ordinances.

Passage. This policy was adopted on September 12, 2006.

Town of Pittsfield Board of Selectmen:

Arthur E. Morse, Chairman

Lawrence J. Konopka

Donna M. Keeley

Edward L. Vien

Linda P. Small