

TOWN OF WOLFEBORO

REVISED

SEWER ORDINANCES

Adopted January 13, 1982

TOWN OF WOLFEBORO

CARROLL COUNTY, NEW HAMPSHIRE

RULES AND REGULATIONS FOR THE
OPERATION AND MAINTENANCE OF THE
WOLFEBORO MUNICIPAL SEWER SYSTEM

The Rules and Regulations herein set forth for the maintenance and operation of the Wolfeboro Municipal Sewer System, established by the Selectmen of the Town of Wolfeboro as necessary or desirable for the efficient operation of said Wolfeboro Municipal Sewer System and for accomplishing the purposes of RSA 252, as amended, and for the protection of the health and safety of the people of Wolfeboro and for accomplishing the purposes of RSA 147, as amended.

Pursuant to RSA 252, and every other authority thereto enabling, the Selectmen of Wolfeboro enact and ordain the following Rules and Regulations, which are also adopted by the Health Officer and the Water and Sewer Department of Wolfeboro and approved by the Selectmen pursuant to RSA 147.

This ordinance is not intended to replace or void the BOCA Basic Plumbing Code (latest edition) or any other code, ordinance, regulation or lawful requirement of the Town of Wolfeboro (See Article VIII).

The Water and Sewer Department of the Town of Wolfeboro shall be responsible for the enforcement of this ordinance, for issuing permits and inspection as provided herein, and for the collection of inspection and permit fees as provided herein.

ARTICLE I

DEFINITIONS

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

"BOD" - (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20°C, expressed in milligrams per liter.

"BUILDING DRAIN" - That part of the lowest 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 beyond the foundation walls of the building or structure.

"BUILDING SEWER" - That part of the drainage system which extends from the end of the building drain and conveys its discharge to a public sewer, individual sewage-disposal system, or other point of disposal.

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"COMBINED SEWER"-- shall mean a sewer intended to receive both wastewater and storm or surface water.

"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.

"EASEMENT" - shall mean an acquired legal right for the specific use of land owned by others.

"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. A wastewater is considered free of floatable fat if it is properly pretreated and the wastewater does not interfere with the collection system.

"GARBAGE" - shall mean the animal and vegetable waste resulting from the handling, preparation, cooking and serving of foods.

"IMPROVED PROPERTY" - shall mean any property located within the Town of Wolfeboro upon which there is erected a structure intended for continuous or periodic habitation, occupancy or use by human beings or animals and from which structure Sanitary Sewage and/or Industrial Wastes shall be or may be discharged.

"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 domestic wastewater, shall be discharged.

"INDUSTRIAL WASTES" - shall mean the wastewater from industrial processes, trade or business as distinct from domestic or sanitary wastes.

"NATURAL OUTLET" - shall mean any outlet into a watercourse, pond, ditch, lake, or other body of surface or groundwater.

"OWNER" - shall mean any Person vested with ownership, legal or equitable, sole or partial, or possession of any Improved Property.

"PERSON" - shall mean any individual, firm, company, association, society, corporation, group, or other legal entity.

"PH" - shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

"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

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sewers, with no particle greater than one-half ($\frac{1}{2}$) inch in any dimension.

"PUBLIC SEWER" - shall mean a common sewer controlled by a governmental agency or public utility.

"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.

"SEWAGE" - is the spent water of a community. The preferred term is "wastewater"

"SEWER SYSTEM" - shall mean all facilities for collecting, pumping, treating, transporting and disposing of sewage.

"SEWER" - shall mean a pipe or conduit for carrying wastewater or drainage water.

"SHALL" - is mandatory; "MAY" is permissive.

"SLUG" - shall mean any discharge of water or wastewater which is 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 or flows during normal operation and shall adversely affect the collection system and/or performance of the wastewater treatment works.

"STANDARD LABORATORY PROCEDURE" - shall mean those procedures or tests for the examination of water and wastewater as described in "Standard Methods for the Examination of Water and Wastewater", latest Edition, as published jointly by the American Public Health Association, Inc., American Water Works Association, and the Water Pollution Control Federation. "STORM DRAIN" - (sometimes termed "Storm Sewer") shall mean a drain or sewer for conveying water, groundwater, subsurface water or unpolluted water from any source.

"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 nonfilterable residue.

"TOWN" - shall mean the Town of Wolfeboro, Carroll County, New Hampshire, a municipality of the State of New Hampshire, acting by and through its authorized representatives, including Board of Commissioners, if hereafter created.

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"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 benefitted by discharge to the sanitary sewers and wastewater treatment facilities provided.

"WASTEWATER TREATMENT WORKS" - shall mean an 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".

"WATERCOURSE" - shall mean a channel in which a flow of water occurs, either continuously or intermittently.

ARTICLE II

USE OF PUBLIC SEWERS REQUIRED

SECTION 2.01. Pursuant to the provisions of RSA 147 and 252 and any other authority thereto enabling the owner of any Improved Property benefitted, improved, served or accomadated by any existing or future public sewer within three hundred (300') feet, (Ninety one point five (91.5) (meters) of the property line shall connect such Improved Property therewith, in such manner as the Town of Wolfeboro may require, within forty five (45) days after notice to said owner from the Town of Wolfeboro to make such connection for the purpose of discharge of all Domestic Wastewater or Industrial Wastes from such Improved Property into the Public Sewer subject to such limitations and restrictions as shall be established by the Town of Wolfeboro from time to time. Each such owner shall, within the same time limit, cease and desist from all further discharge or Domestic Wastewater and/or Industrial Wastes into any other conduit or pre-existing system whether privately or publicly owned.

SECTION 2.02. All Domestic Wastewater and Industrial Wastes from any Improved Property, after connection of such Improved Property with a Public Sewer as required under Section 2.01, shall be conducted into a Public Sewer, subject to such limitations and restrictions as shall be established herein or otherwise shall be established by the Town of Wolfeboro, from tim to time.

SECTION 2.03. No person shall place, deposit or permit to be deposited in any unsanitary manner on public or private property within the Town of Wolfeboro any human or animal excretement, garbage, solid waste, Domestic Wastewater or Industrial Wastes.

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No person shall discharge or permit to be discharged to any natural outlet within the Town of Wolfeboro any Domestic Wastewater, Garbage or Industrial Wastes in violation of Section 2.01, except where suitable treatment has been provided which is satisfactory to the Town of Wolfeboro, and the New Hampshire Water Supply and Pollution Control Commission.

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 Public Sewer or which shall be required under Section 2.01 to be connected to a Public Sewer.

SECTION 2.05. 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 Board of Selectmen or the Superintendent in writing at least forty-five (45) days prior to the proposed change or connection. Proposed new discharges from residential or commercial sources involving a loading exceeding fifty (50) population equivalents or any increase in industrial discharges must be approved by the New Hampshire Water Supply and Pollution Control Commission.

SECTION 2.06. No privy vault, cesspool, sinkhole, septic tank or similar receptacle at any time shall be connected with a Public Sewer, unless in connection with a Building Sewer System requiring pumping facilities.

ARTICLE III

PRIVATE WASTEWATER DISPOSAL

SECTION 3.01. Where a public sanitary sewer is not available the building sewer shall be connected to a private sewage disposal system complying with the provisions of this article.

SECTION 3.02. Before commencement of construction of a private sewage disposal system the owner shall first obtain a written permit signed by the Town. The application for such permit shall be made on a form furnished by the Town which the applicant shall supplement by any plans, specifications, and other information as are deemed necessary by the Town. A permit and inspection fee shall be paid to the Town at the time the application is filed.

SECTION 3.03. A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the Town. The Town shall be allowed to inspect the work at any stage of construction and in any event, the applicatn for the permit shall notify the Town when the work is

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ready for final inspection, and before any underground portions are covered. The inspection shall be made within 48 hours of the receipt of notice by the Town. Such inspection shall be made by the Permit Officer or his designated representative.

SECTION 3.04. The type, capacities, location, layout and installation (including inspection) of a private wastewater disposal system shall comply with all requirements of the New Hampshire Water Supply and Pollution Control Commission. No permit shall be issued for any new private wastewater disposal system employing subsurface soil absorption facilities where the lot area is less than is required by subdivision lot size requirements of the New Hampshire Water Supply and Pollution Control Commission. No septic tank or cesspool shall be permitted to discharge to any natural outlet. Except for special reasons the Commission will approve plans for new systems, extensions or replacement sewers only when designated upon the separate plan in which water from roofs, streets, and other areas, and groundwater from foundation drains are excluded.

SECTION 3.05. At such time as a public sewer becomes available to a property served by a private sewage disposal system a direct connection shall be made to the public sewer in compliance with this ordinance, and any septic tanks, cesspools, and similar private sewage disposal facilities shall be abandoned, cleaned of sludge and filled with suitable material.

SECTION 3.06. The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the Town.

SECTION 3.07. No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by the Town.

SECTION 3.08. "Septic Tank Waste" (Septage) will be accepted into the sewer system at a designated receiving structure within the wastewater treatment plant area, provided such wastes do not contain unusual toxic or pollutant material and provided such discharge does not violate any other special requirement established by the Town. Permits to use such facilities shall be under the jurisdiction of the Town or its duly authorized representative. Fees for dumping septage shall be established AS PART OF THE USER CHARGE SYSTEM. The Wastewater treatment plant operator, acting in behalf of the Town, shall have the authority to limit the disposal of such wastes if such disposal would interfere with the wastewater treatment plant operation. Procedures for the disposal of such wastes shall be in conformance with the operations policy of the Town's wastewater treatment plant supervisor and disposal shall be accomplished under his supervision unless specifically permitted otherwise.

ARTICLE IV
BUILDING SEWERS AND CONNECTIONS

SECTION 4.01. Except as otherwise provided in this Section 3.01, each Improved Property shall be connected separately and independently with a Public Sewer through a Building 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 Wolfeboro, in writing, shall have been secured and subject to such rules, regulations and conditions as may be prescribed by the Town of Wolfeboro

SECTION 4.02. A separate and independent building sewer 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 building sewer from the front building may be extended to the rear building and the whole considered as one building sewer. But the Town does not and will not assume any obligation or responsibility for damage caused by or resulting from any such single connection aforementioned.

SECTION 4.03. Old building sewers 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.

SECTION 4.04. The size, slope, alignment, materials of construction of a pipe, jointing, testing, and backfilling the trench shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the Town.

SECTION 4.05. Whenever possible, the building sewer 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, sewage carried by such building drain shall be lifted by means approved by the Town of Wolfeboro and discharged to the building sewer.

SECTION 4.06. No person shall connect roof downspouts, exterior foundation drains areaway drains, or other sources of surface runoff or groundwater or building floor drains to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.

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SECTION 4.07. The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the Town. All such connections shall be made gas and water tight and verified by proper testing methods. Any deviation from the prescribed procedures and materials must be approved by the Town before installation.

SECTION 4.08. The Building Sewer shall be continued from the building to the stub end provided by the Town at the curb or the property line and from no other point. The invert of the Building Sewer at the point of connection to the stub provided by the Town shall be at the same elevation as the stub provided by the Town. A smooth, neat joint shall be made and the connection of the Building Sewer to the stub provided by the Town shall be made secure and watertight and acceptable to the Town of Wolfeboro.

SECTION 4.09. During construction of a new public sewer, the Town of Wolfeboro will, at its expense, construct Building Sewers for existing buildings to the curb or property line and all costs and expenses 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 Wolfeboro, 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 Sewer System. After the initial construction of the Building Sewer, the Owner shall thereafter be obligated to pay all costs and expenses of operation, repair and maintenance and of reconstruction (if needed) of the Building Sewer beginning at the Public Sewer and ending at the building.

SECTION 4.10. If the owner of any Improved Property located within the Town of Wolfeboro and benefited, improved, served or accomdated by any Public Sewer or to which any Public Sewer is available, after forty-five (45) days' notice from the Town of Wolfeboro, in accordance with Section 2.01 shall fail to connect such Improved Property, as required, he shall be subject to the actions and penalties prescribed in RSA 252 and of RSA 147 and regulations issued pursuant thereto; or the Town of Wolfeboro may make such connection and may collect from such owner the costs and expenses thereof by such legal proceedings as may be permitted by law. The Town of Wolfeboro shall have full authority to enter on Owner's property to do whatever is necessary to properly drain the Improved Property into the Public Sewer.

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SECTION 4.11. No person shall uncover, connect with, make any opening into, or use, alter or disturb in any manner any public sewer or any part of the Sewer System or Building Sewer 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 Public Sewer.

SECTION 4.12. The applicant for the Building sewer permit shall notify the Town when the Building Sewer is ready for inspection and connection to the Public Sewer. The connection shall be made under the supervision of the Superintendent or his designated representative. If any part of a Building Sewer is covered before so being inspected and approved, it shall be uncovered for inspection at the cost and expense of the Owner of the Improved Property to be connected to the Public Sewer.

SECTION 4.13. There shall be two (2) classes of building sewer permits: (a) for residential and commercial service, and (b) for service to establishments producing industrial wastes. In either case, the owner 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 judgement of the Town. A permit and inspection fee as set by the Town shall be paid to the Town at the time the application is filed. See Appendix I.

SECTION 4.14. Every Building Sewer of any Improved Property shall be maintained in a sanitary and safe operating condition by the Owner of such Improved Property.

SECTION 4.15. 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 the work on a Building Sewer shall be restored, at the cost and expense of the Owner of the Improved Property being served, in a manner satisfactory to the Town.

SECTION 4.16. If any person shall fail or refuse, upon receipt of a notice from the Town of Wolfeboro, in writing, to remedy any unsatisfactory condition with respect to a Building Sewer, within forty-five (45) days or receipt of such notice, the Town of Wolfeboro may remedy any unsatisfactory condition with respect to a Building Sewer and may collect from the Owner, the costs and expenses 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.

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SECTION 4.17. The Town reserves the right to adopt, from time to time, additional rules and regulations as it shall deem necessary and proper relating to connections with a Public Sewer and the Sewer System, which additional rules and regulations, to the extent appropriate, shall be a part of these regulations.

ARTICLE V

POWERS OF ASSESSMENT AND COLLECTION

SECTION 5.01. The assessment and collection of the expense of constructing and maintaining the Sewer System shall be governed by the provisions of RSA 252:9-18, inclusive, and any other applicable general laws. The Selectmen of the Town shall have all the powers granted to boards of mayor and aldermen thereunder with reference to establishing and assessing sewer charges and/or rentals. If the Town of Wolfeboro votes to establish a Board of Sewer Commissioners, they shall have all the powers of the Selectmen hereunder as provided in RSA 252:19.

ARTICLE VI

SEWERED WASTE RESTRICTIONS

SECTION 6.01. No person shall discharge or cause to be discharged any storm-water, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer.

SECTION 6.02. Stormwater 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 New Hampshire Water Supply and Pollution Control Commission to a storm sewer, if available, or an approved natural outlet.

SECTION 6.03. No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

(a) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas.

(b) Any waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any waste treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard at the wastewater treatment plant, or its receiving waters, including but not limited to cyanides in excess of 0.004 mg/l as

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CN in the wastes as discharged to the public sewer.

(c) Any waters or wastes having a pH lower than 5.5, or higher than 9.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel engaged in the operation and maintenance of the sewer system and the wastewater treatment plant.

(d) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewer system such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, underground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.

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, sewage 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 sewage treatment plant, and other pertinent factors. The New Hampshire Water Supply and Pollution Control Commission may also be consulted for aid in forming an opinion as to the acceptability of any waste entering the wastewater collection and treatment works. The substances prohibited are:

(a) Wastewater having a temperature higher than one hundred fifty (150°) (65°C).

(b) Any water or waste containing fats, wax, grease, or oils, whether emulsified or not, in excess of twenty-five (25) mg/l or containing substances which may solidify or become viscous at temperatures between thirty-two (32) and one hundred fifty (150) degrees Fahrenheit (0° to 65°C)

(c) Wastewater from industrial plants containing floatable oils, fats, or grease.

(d) Any garbage that has not been properly shredded. The installation and

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operation of any garbage grinder equipped with a motor of three-fourths (3/4) horsepower (0.76 hp metric) or greater shall be subject to the review and approval of the Town.

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

(f) Any waters or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage at the wastewater treatment plant exceeds the limits established by the Town for such materials.

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

(h) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Town in compliance with applicable State or Federal regulations.

(i) Material which exerts or causes:

(1) 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 chloride and sodium sulfate).

(2) Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solution).

(3) Unusual BOD, Chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.

(4) Unusual volume of flow or concentration of wastes or both constituting "slugs" as defined herein.

(j) 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 wastewater treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

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(k) Any water or wastes which, by interaction with other water or wastes in the public sewer system, releases obnoxious gases, form suspended solids which interfere with the collection system, or create a condition deleterious to structures and treatment processes.

SECTION 6.05. If any waters or wastes are discharged, or are 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 Town, may have deleterious effect upon the sewer system, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the the Town 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 waste under the provisions of Section 12 of this Article.

If the Town permits the 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 Town, and subject to the requirements of all applicable codes, ordinances, and laws. It shall be illegal to meet the requirements of this sewer ordinance by diluting wastes in lieu of proper pretreatment.

SECTION 6.06. Grease, oil, and sand interceptors shall be provided when, in the opinion of the Town, 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 to private living quarters or individual dwelling units. All interceptors shall be of a type and capacity approved by the Town, 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 to review by the Superintendent. Any removal and hauling of the collected materials not performed by the Owner(s) personnel must be performed by currently licensed waste disposal firms.

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SECTION 6.07. Where preliminary treatment or flow-wqualizing facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the Owner at his 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 structure together with such necessary meters and other appurtenances in the Building Sewer to facilitate observation, sampling, and measurement of the wastes. Such structure, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the Town. The structure 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.

SECTION 6.09. All industries discharging into a public sewer shall perform such monitoring of their discharges as the Town may reasonably require including installation, use and maintenance of monitoring equipment, keeping records and reporting the results of such monitoring to the Town. Such records shall be made available upon request by the Town to other agencies having jurisdiction over discharges to the receiving waters. These requirements may include:

- (1) Wastewaters discharge peak rate and volume over a specified time period.
- (2) Chemical analyses of wastewaters.
- (3) Information on raw materials, processes and products affecting wastewater volume and quality.
- (4) Quantity and disposition of specific liquid, sludge, oil, solvent, or other materials important to sewer use control.
- (5) A plot plan of sewers of the users property showing sewer and pretreatment facility location.
- (6) Details of wastewater pretreatment facilities.
- (7) Details of systems to prevent and control the losses of materials through spills to the public sewer.

SECTION 6.10. The Town, through its duly authorized employees and officials, 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 Town or its representatives shall have no authority to inquire into any processes including metallurgical, chemical, oil, refining, ceramic, paper, or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment.

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SECTION 6.11. 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, and shall be determined at the control structure provided, or upon suitable samples taken at said control structure. In the event that no special structure has been required, the control structure shall be considered to be the nearest downstream manhole, from the building sewer, in the public sewer to which the Building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewer system and to determine the effect of constituents upon the sewer system 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.)

SECTION 6.12. No statement contained in this Article shall be construed as precluding 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 extra payment therefor, by the industrial concern. Provided that such agreements do not contravene any requirements of existing Federal or State laws and/or regulations promulgated thereunder, and are compatible with any User Charge and Industrial Cost Recovery System in effect.

ARTICLE VII

SECTION 7.01. No person(s) shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the wastewater facilities. Any person(s) violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

ARTICLE VIII

SECTION 8.01. In any case where a provision of this ordinance is found to be in conflict with a provision of any ordinance or code of the Town of Wolfeboro, existing on the effective date of this ordinance, or adopted hereafter, the provision which, in the judgement of the Selectmen establishes the higher

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standard for the promotion and protection of the health and safety of the people of the Town of Wolfeboro shall prevail. In any case, where a provision of this ordinance is found to be in conflict with a provision of any other ordinance or code of the Town of Wolfeboro existing on the effective date of this ordinance, or adopted hereafter, which establishes a lower standard for the promotion and protection of the health and safety of the people, the provisions of this ordinance shall be deemed to prevail, and such other ordinance or codes are hereby declared to be repealed to the extent that they may be found in conflict with this ordinance.

SECTION 8.02. If any section, subsection, paragraphs, sentence, clause, or phrase of this ordinance should be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this ordinance, which shall remain in full force and effect; and, to this end, the provisions of this ordinance are hereby declared to be severable.

SECTION 8.03. In the case of a dispute, the Selectmen of the Town shall be the deciding authority.

ARTICLE IX

SECTION 9.01. The Town reserves the right to prohibit any person from installing building sewers, septic tanks, leaching fields or other facilities for the handling or disposing of sanitary sewage or industrial wastes, if in the past, said person has refused to abide by this ordinance or if said person's performance has proven to be of inferior quality and therefore requires an unusual amount of supervision by the Town in relation to other persons.

ARTICLE X

SECTION 10.01. 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 10.02. The Superintendent or other duly authorized employees are authorized to obtain information concerning industrial processes which have a direct bearing on the kind and source of discharge to the wastewater collection system. The industry may withhold information considered confidential. The industry must establish that the revelation to the public of the information in question might result in an advantage to competitors.

RULES AND REGULATIONS

WOLFEBORO SEWER DEPARTMENT

SECTION 10.03 While performing the necessary work on private properties, referred to in Article 10, Section 1, above, the Superintendent or duly authorized employees of the Town shall observe all safety rules appreciable to the premises established by the company, and the company shall be held harmless from injury or death to the Town employees, and the Town shall indemnify the company against liability claims or 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 10.04. The Superintendent and other duly authorized employees of the Town bearing proper credentials and identification shall be permitted to enter all private property 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.

ARTICLE XI

SECTION 11.01. Any person found to be violating any provision of this ordinance shall be served by the Town with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereon. The offender shall, within the period of time stated in such notice, permanently cease all violations.

SECTION 11.02. Any person who shall continue any violation beyond the time limit provided for in Section 7.01 shall be fined not more than one thousand dollars for each day of violation.

SECTION 11.03. Any person violating any of the provisions of this ordinance shall become liable to the Town for any expense, loss, or damage occasioned by Town by reason of such violation.

RULES AND REGULATIONS
WOLFEBORO SEWER DEPARTMENT

EFFECTIVE DATE

These Revised Rules and Regulations become effective upon their adoption by the Health Officer and Board of Selectmen of the Town of Wolfeboro, this 13th. day of January, 1982.

Duly Enacted and Ordained this 13th. day of January, 1982, by the Selectmen of the Town of Wolfeboro, Carroll County, State of New Hampshire, at a duly called and duly held session of said Board of Selectmen

Town of Wolfeboro Health Officer

BY:

James E. Bovaird, M.D.
James E. Bovaird, M.D.

TOWN OF WOLFEBORO BY:

Lillian O. Brookes
LILLIAN O. BROOKES, CHAIRMAN

Edward W. Zulauf
EDWARD W. ZULAUF

Paul R. Hatch
PAUL R. HATCH

By:

Gay L. Krapp
Superintendent Water and Sewer Department

Amendment to Section 10.01 of the Sewer Ordinance by eliminating the current language and replacing it with the following:

SECTION 10.01. The Superintendent and any other duly authorized official or employee of the Town, bearing proper credentials and identification, shall be permitted to enter all properties at reasonable times for any of the following purposes:

1. to inspect the nature, extent, construction, maintenance, or operation of private facilities to determine if such facilities comply with the provisions of this ordinance and other applicable laws and regulations including, but not limited to, inspections to determine compliance with Section 4.06 of this ordinance which prohibits certain discharges to the sewer system;
2. to perform any other act or inspection permitted or required under this ordinance which reasonably requires access to any property.

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 guilty of a violation of this ordinance and shall be subject to a fine of not more than one thousand dollars (\$1,000) for each day that such consent is withheld. 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.

Enacted by the Board of Selectmen on January 4, 2006