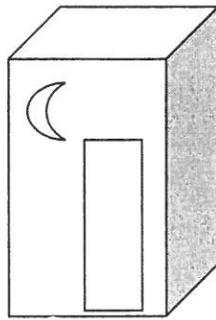


**Town of Stratford**

# **Sewer Ordinance**



**April 28, 1986**

Amendments 1 and 2 June 9, 1986

Amendment 3 September 16, 1986

Amendment 4 and 5 May 15, 2003

**Town of Stratford**  
**User Charge for Wastewater Collection and Disposal Facilities**

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## Article I — Background

### Section 1 – Legislation

Public Law 92-500 (the Federal Water Pollution Control Act Amendments of 1972) authorized the award by the federal government of grants for a share of the cost of constructing municipal wastewater treatment works. The award of a grant is subject to the regulations promulgated by the US Environmental Protection Agency as published in the Federal Register from time to time (principally FR Vol. 38, No. 161, 8/21/73, pp. 22524-7; No. 90, 5/8/75; 20232-53).

### Section 2 – Obligation of Grantee

The application for a federal grant must fulfill the following user charge-related requirements.

Development of a plan and schedule of implementation, the subject of Article II of this ordinance and approved by the Regional Administrator, for a system of user charges to assure that each recipient of wastewater treatment services within the applicant's service area will pay its proportionate share of the costs of operation and maintenance of all waste treatment services provided. "Operation and Maintenance" includes replacement costs necessary to maintain capacity and performance of the treatment works throughout its designated service life.

### Section 3 – Enactment

On April 28, 1986, the Board of Selection of the Town of Stratford, New Hampshire, as Grantee, enacted by a majority vote (resolution), the foregoing and following User Charge Ordinance.

/Signed/:

James H. Chapple

Clement Knowlton

Paul R. Hawley

Board of Selectmen

/Signed/:

Frances Hawley

Attest:

April 28, 1986

## Article II — Sewer Charges and Assessments

1. Pursuant to RSA 149-1:7, annual sewer charges are hereby imposed on every owner whose premises are served by the sanitary sewer system of the Town (and from which premises sewage is being collected) for the payment of the costs of operating, maintaining, and replacing said system.
2. The annual charge established by Section I of this Article shall be based on a unit system of measurement as follows:
  - a. Each single-family dwelling shall be charged at the rate of One (1) Unit.
  - b. Each multiple use building, other than a boarding house or tourist home with which space is allocated for businesses or professional offices, commercial occupancy or apartments shall be charged as follows: 1) at the rate of One (1) Unit for each dwelling unit or apartment unit; 2) at the rate established in item (d) below for each professional, business, or commercial space allocation, One (1) Unit minimum. Boarding houses and tourist homes will be charged at the rate established in item (d) below.
  - c. Public, schools, governmental, fraternal, charitable, and religious users shall be charged at the rate of One (1) Unit (rounded to the next greater one-half unit) for each 350 gallons per day estimated flow from students, teachers, custodians, members or other regular occupants. Flows shall be based on "Unit Design Flow Figures" tables from the New Hampshire Water Supply and Pollution Control Commission publication, "Guide for the Design, operation, and Maintenance of Small Sewage Disposal Systems."
  - d. Commercial establishments, including but not limited to retail stores, wholesale distributors, lights manufacturers, industrial plants business operation, barber and beauty shops, banks, post offices, funeral homes, professional business offices, lunch bars and other types of business enterprises not heretofore or hereinafter described shall be charged at the rate of One (1) Unit for each 3560 gallons per day estimated flow (rounded to the next greater one-half unit), with a One Unit minimum. Flows shall be based on "Guide for the Design, Operation, and Maintenance of Small Sewer Disposal Systems." – Appended.
  - e. In the event the use of any parcel of real property combines two (2) or more of the classifications herein set forth, the number of units in each classification shall constitute the number of units to be charged to the entire parcel.
  - f. This charge may be assessed against premises not connected to an available public sewer within the 90 days period of notice to connect as set forth in the Sewer Ordinance.
  - g. The Town reserves the right o assess charges for the use of the sanitary sewer system by contract to be approved by the New Hampshire Water Supply and Pollution Control Commission in the event a customer does not fall within any of the above classifications.

- h. Any change in the number of applicable units chargeable to a premise shall be reported to the Board of Selectmen upon its occurrence.
- i. The annual sewer charge shall be computed by the following formula:

Annual Sewer Charge per Unit =

$$\frac{\text{Total Sewer Charges}}{\text{Total Number of Units}}$$

- 3. The Town shall periodically review this User Charge System and provide notification to the users in accordance with the following:
  - a. The Town shall review annually the total costs of operations, maintenance, and replacing of the collection and disposal facilities and its approved unit charges as set forth herein. The Town shall make revisions as necessary to maintain the proportionate cost distribution, generate sufficient revenue, and apply any excess revenues collected.
  - b. The Town shall notify each user of the rate annually, in conjunction with the regular bill. The rate presentation shall be broken down to show the portion of the cost due to operation, maintenance, and replacement costs.

### **Article III — Connection Charges**

**Section 1**

All costs and expenses incidental to the installation and connection of a building sewer shall be borne by the owners of the properties to be connected.

**Section 2**

The owner(s) of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes situated within the Town of Stratford and abutting on any street, alley, or right-of-way in which there is now located or may in the future be located a public sanitary sewer of the town, is hereby require at the owner(s) expense to install suitable toilet facilities therein, and to connect such facilities directly with the property public sewer in accordance with the provision of this ordinance, within ninety (90) days after date of official notice to do so, provided that said public sewer is within one hundred and fifty (150) feet of the house or building. See Amendment #1 – 1986.

**Section 3**

Any owner(s) refusing to comply with Section 2 of Article II will be subject to a penalty fine of \$10.00 per unit per day until connection(s) is made. Such penalties may be come a lien against said property in question, and interest charger thereon until paid.

**Section 4**

Each connection made to the main sewer line will require the owner(s) to obtain a connection application from the Board of Selectmen. The cost of such installation shall be paid for by the applicant. See amendment #2 – 1986

**Section 5**

The owner(s) shall indemnify the Town from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

**Section 6**

No part of this article shall be interpreted to conflict with any part of the Stratford Sewer Ordinance.

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**Article IV — Billing and Penalties**

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**Section 1**

Units as defined in this article shall be determined by the Board of Selectmen.

**Section 2**

Assessments and charges shall be committed to the Collector of Taxes, with a warrant under the hands and seal of the Selectmen, requiring said collector to collect them; and he/she shall have the same rights and remedies and be subject to the same liabilities in relation thereto as in the collection of taxes. (RSA 149-I:12)

**Section 3**

All assessments of sewer charges shall create a lien upon the lands on account of which they are made, which shall continue until one year from October first following the assessment, and, in the case of appeal, has been taken and the assessment has been sustained in whole or in part upon such appeal, until the expiration of one year from such decision, whichever is later. Such assessments shall be subject to the interest and such other charges as are applicable to delinquent taxes. (RSA 149-I:11)

**Section 4**

Should a user withhold payment of user charge when due, the Town may elect to charge and include an interest equivalent to rate currently charged for delinquent taxes on outstanding balance of future invoices or require the user to cease use of the facilities or both.

**Section 5**

As per attached amendment.

## **Article V — Appeal**

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### **Section 1**

Upon written request by a user, the Board of Selectmen will, within 45 days of such request, hold a hearing to hear arguments for modification of the user charge assessed against the user.

### **Section 2**

Involvement in the appeals process does not exempt a user from paying the assessed charges when due. Should a user fail to pay such charges, he/she will be considered delinquent and subject to penalties as described in Article IV of this ordinance.

### **Section 3**

If so requested, the Board of Selectmen may waive Section 2 of this article. Accrued user charges shall then fall due five (5) working days after the final decision of the Board of Selectmen regarding the appeal.

### **Section 4**

All decisions by the Board of Selectmen regarding user charges appeals shall not be retroactive unless specifically so stated in the decision documents.

## **Article VI — Amendment Procedures**

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### **Section 1**

The Selectmen of Stratford may amend any section of this ordinance for any reason deemed necessary by the Town, subject to approval by the N.H.W.S.P.C.C.

## **Article VII — Conflict with Sewer Use Ordinance**

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### **Section 1**

This ordinance shall take precedence over any terms or conditions of other Town Ordinance that may be in conflict with it.

## **Article VIII — Financial Management System**

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### **Section 1**

A separate account shall be kept for the wastewater facilities so that an accurate record is maintained of revenue received by the facilities, and expenditures for operations, maintenance, and replacement of the facilities.

### Appendix I — Breakdown of Units in Stratford

Individual Connections .....	90
26 Unit Housing Complex .....	26
One Beauty Parlor.....	3
Stratford School (325) 296 students and 29 faculty.....	23
Town Office and Fire Station .....	1
Town Hall .....	1
2 Churches .....	2
2 Church Rectories.....	2
1 Factory (300).....	22

Total units based on 350 gallons per unit—170 units

1985 per unit cost.....	\$ 93.53
2003 per unit cost.....	304.00
2003 actual per unit cost based on budget .....	349.00
2004 actual per unit cost based on budget .....	421.00

### Appendix II — Operation and Maintenance Costs (Estimated for the first year of operation)

	1986	2002
Utility Cost.....		
Mill House System.....	\$ 800	\$2,250
Village System.....	1,100	2,050
Other .....		300
Labor Costs		
Part-time Operator .....	9,500	12,900
Maintenance and Upkeep.....	4,000	11,000
Administration Costs		
Collector.....	275	100
Expenses .....	225	400
Capital Reserve Account.....		
Total estimated annual operations and maintenance costs .....	\$15,900	\$29,000
2004 budget.....		\$60,000

This budget is subject to change annually.

### Appendix III — Unit Design Flow Figures

	Gallons Per Day (GPD)/Person
Airports .....	5
Apartments	
1-bedroom or studio apartment.....(GPD per bedroom)	225
2 or more bedrooms per apartment.....(GPD per bedroom)	150
Bars, Lounges	
Camps –	
Campground with central comfort station (figure 3 people per site and 12 GPD dump station loading per site) .....	25
Recreational Trailer Parks with 3-way hookups..... (GPD per site)	90
Construction Camps (semi-permanent) .....	50
Day Camps (no meals served) + 3 for lunch.....	15
Resort Camps (Night and Day) with limited plumbing.....	50
Dining Facility Only .....	25
Luxury Camps.....	100
Juvenile Camps .....	50
Caterers – (Per Patron)	
Function Rooms .....	12
Churches	
Sanctuary Seating x 10% .....	5
Church Suppers.....	8
Country Clubs	
Per resident member .....	100
Per non-resident member .....	25
Dentists .....	(GPD/chair and 35 GPD/staff member) 200
Doctor’s Offices.....	(35 GPD/staff member and patient loading) 10
Drive-in Theaters	
With Cafeteria.....	8
Without Cafeteria (average 3 people per vehicle) .....	5
Dwellings, per bedroom – (2 bedroom minimum system) .....	(GPD/bedroom) 150
Rooming houses – with meals .....	60
Rooming houses – without meals .....	40
Factories (exclusive of industrial waste)	
Light industry without cafeteria or showers .....	20
Light industry with cafeteria, no showers.....	25
Heavy industry with cafeteria and showers .....	35
Warehouses .....	35

Fire Stations	
Without full-time employees; without floor drains or food preparation.....	5
Floor Drains – same estimate of total daily flow is needed (a garden hose delivers about 5 GPM)	
Gyms	
Participant .....	10
Spectator .....	3
Hairdressers.....	(GPD/Chair) 150
.....	GPD/Operator 35
Hospitals (per bed space) .....	250
Hotels and Motels .....	(GPD/Room) 200
(unless it can be shown that only one double bed can be accommodated; then 100 GPD/room)	
Institutions other than Hospitals (per bed space).....	125
Laundromats, coin-operated .....	(GPD/machine plus toilet waste) 500
Laundromat designs must include:	
1. allocation of a suitable leach bed replacement site	
2. design of an effluent filter, such as a rapid sand filter for installation between the septic tank(s) and leach bed(s)	
Mobile Home Parks (per site) figure on basis of bedrooms	
Motels, see Hotels	
Nursing Homes (per bed space).....	125
Office Buildings	
Without cafeteria.....	15
With cafeteria.....	20
Unspecified office space .....	(GPD/100 square feet) 15
Picnic Parks	
Toilet waste only .....	5
With bathhouses, showers, and toilets .....	10
Restaurants	
Per seat. toilet and kitchen waste .....	40
Kitchen wastes only, per meal served.....	3
Bars and lounges, per seat.....	20
Employee .....	35
Function rooms .....	12
Schools	
Boarding.....	100
Day, without gym, cafeteria or showers .....	15
Day, without gym or showers, with cafeteria .....	20
Day, with gym, showers, and cafeteria .....	25
Service Stations – per vehicle served.....	10

Shopping Centers	
Stores.....	(GPD/100 square feet) 5
Large supermarkets with meat department without garbage grinder .....	(GPD/100 square feet) 7.5
Large supermarkets with meat department with garbage grinder .....	(GPD/100 square feet) 11
Small dry goods stores (in shopping centers), GPD .....	100
Skating Rinks, see Gyms	
Ski Areas	
Without cafeteria.....	10
With cafeteria in warming hut .....	15
Swimming Pools (public or semi-public) .....	(GPD/800 square feet) 1,000
Tennis Courts .....	(GPD/court) 250
Theatres – per auditorium seat.....	5
Town Halls – total seating capacity .....	5
Town Offices	
Office employees .....	15
Transients .....	5
Travel Trailer Parks, see Camps	
Workers	
Construction (at semi-permanent camps) .....	50
Day, at schools and offices without cafeteria .....	15
Veterinary Clinic (3 or less doctors)	
Without animal boarding, per clinic .....	750
With animal boarding, per clinic .....	1,500

## Adopted Amendments — Amendments 1 and 2

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June 30, 1986

We the Board of Selectmen of the Town of Stratford, New Hampshire, hereby enact the following Amendments by majority vote to be accepted as part of the Town of Stratford's User Charge Ordinance.

Amendment #1: Article **III** — **Section 2** is amended to read as follows:

The owner(s) of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes situated within the Town of Stratford and abutting on any street, alley, or right of way in which there is now located or may in the future be located a public sanitary sewer of the town, is hereby required at the owner's expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provision of this ordinance, within ninety (90) days after date of official notice to do so, to the nearest main sewer line, provided that said public sewer main is within one hundred fifty (150) feet of the house or building.

Amendment #2: **Article III** — **Section 4** is amended to read as follows:

Each connection made to the main sewer line will require the owner(s) to obtain a connection application from the Board of Selectmen. The cost of such installation shall be paid for by the applicant. All in-house connections should have a ¼" to one (1) ' (foot) pitch and have a Y connection for a clean out at the end of the pipe.

Voted on and approved this 9<sup>th</sup> day of June in the year 1986.

/Signed/:

James H. Chapple

Clement Knowlton

Paul R. Hawley

Board of Selectmen

Town of Stratford

## Adopted Amendments — Amendment 3

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September 15, 1986

We the Board of Selectmen of the Town of Stratford, New Hampshire, hereby enact the following Amendment by majority vote to be accepted as part of the Town of Stratford's User Charge Ordinance.

Amendment #3:

Re: The Use of the Town-Owned Solid Waste Dumping site and Sanitary Pumper Truck.

**Article IV — Section 5** is to read as follows:

1. Non-Resident Waste will not be accepted. If non-resident waste is found to have been dumped, a penalty fee of \$25.00 will be charged in addition to a \$30.00 dumping fee.
2. A solid waste disposal permit must be obtained prior to the use of the site. The dumping fee must also be paid in advance of dumping.
3. A 24-hour advance notice is required for dump site arrangements, regardless of pumper service.
4. A fee of \$30.00 per load will be charged, regardless of volume.
5. A fee of \$55.00 will be charged for the use of the Town's pumper truck for waste disposal.
6. The Town of Stratford's Pumper Truck will not be used to transport waste outside of the Town's boundaries. The truck will not be used to pick up waste from outside of the boundaries.

Voted on and approved this 15<sup>th</sup> day of September in the year 1986.

/Signed/:

James H. Chapple

Clement Knowlton

Paul R. Hawley

Board of Selectmen

Town of Stratford

**Adopted Amendments — Amendment 4**

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May 15, 2003

We the Board of Selectmen of the Town of Stratford, New Hampshire, hereby enact the following Amendment by majority vote to be accepted as part of the Town of Stratford's User Charge Ordinance.

Amendment #4: **Article IX — Maintenance Responsibility** is added to read as follows:

**Section 1**

Town responsibility for repair/maintenance the wastewater facilities shall stop at the curb, where the sewer line for the owner(s) of all houses, buildings, or properties used for human occupancy employment, recreation, or other purpose, situated within the Town of Stratford and abutting on any street, alley, or right of way in which there is now located or may in the future be located a public sanitary sewer of the town joins the main line. Responsibility for repair/maintenance from this juncture to the home, business or other facilities shall be the responsibility of the owner.

**Section 2**

Should a repair or maintenance problem with the functioning of the sewer system in which he/she believes the problem lies close to or on the Town portion, as opposed to the user portion, the user is required to notify the Board of Selectmen before engaging someone to make repairs or to dig so that the Town may, if it chooses, send an observer to the site to oversee the work being done.

**Section 3**

The Town assumes no responsibility for any damages or expenses associated with the portion of the line on the user's property.

**Section 4**

No work to be undertaken on the Town portion of the line or at the juncture of the Town/user portion without notification to the Board so a Town observer can be present.

**Section 5**

Trees or shrubbery planted on the owner portion of property next to the Town main line and/or the juncture shall be removed to prevent intrusion into and damage to the main line.

Voted on and approved this \_\_\_\_\_ 15<sup>th</sup> day of \_\_\_\_\_ May \_\_\_\_\_ in the year 2003.

\_\_\_\_\_  
Lewis Ruch, Chairman

\_\_\_\_\_  
Scott R. Mason, Selectman

\_\_\_\_\_  
Reginald A. Mailhot, Selectman

**Adopted Amendments — Amendment 5**

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May 15, 2003

We the Board of Selectmen of the Town of Stratford, New Hampshire, hereby enact the following Amendment by majority vote to be accepted as part of the Town of Stratford's User Charge Ordinance.

Amendment #5:

Re: The Use of the Town-Owned Solid Waste Dumping Site and Sanitary Pumper Truck.

**Article IV — Section 5** is amended as follows:

1. Non-Resident Waste will not be accepted. If non-resident waste is found to have been dumped, a penalty fee of \$50.00 will be charged in addition to a \$40.00 dumping fee.
4. A fee of \$40.00 per load will be charged, regardless of volume.
5. A fee of \$95.00 will be charged for the use of the Town's pumper truck for waste disposal.
7. Proceeds from and expenses related to the pumper truck shall be kept separate from and not charged to the user proceeds and expenses.
8. Expenses of testing and running the lagoons shall be kept separate from and not charged to the user expenses.
9. As a result of the March 11, 2003 Town Meeting vote, no tipping or dumping fee (formerly a fee of \$40) shall be charged to any resident of Stratford.
10. Any damages or spills related to the pumper truck or at the lagoons shall be charged to the holder of the waste disposal permit for the expense incurred, except for the Town of Stratford pumper, for which there will not be a charge.

Voted on and approved this \_\_\_\_\_ 15<sup>th</sup> day of \_\_\_\_\_ May \_\_\_\_\_ in the year 2003.

\_\_\_\_\_  
Lewis Ruch, Chairman

\_\_\_\_\_  
Scott R. Mason, Selectman

\_\_\_\_\_  
Reginald A. Mailhot, Selectman