

## **TOWN ORDINANCES CODIFIED**

**1000 WATER ORDINANCE**

**1100 SEWER ORDINANCE**

**1200 COMPLETE STREETS POLICY**

**1300 HAWKER, PEDDLER, ITINERANT VENDOR ORDINANCE**

**1400 RANGE ORDINANCE**

**1500 RAFFLE RULES AND REGULATIONS**

**1600 DAMAGED MAILBOXES**

**1700 BAN ON SMOKING**

**1800 ANIMAL CONTROL**

**1900 TRAFFIC CONTROL**



## **1000.0 WATER DEPARTMENT ORDINANCE**

### **1001.0 GENERAL REGULATIONS**

**A. Exceptions to any rules or regulation of this document must be approved by the Board of selectman or their authorized agent**

**B. Large Consumers:** Including hotels, motels, stores, markets, barber shops, restaurants, laundries, greenhouses, manufacturers, commercial industries and building purposes, etc., rates by meter or special written agreement.

### **1002.0 RULES AND REGULATIONS**

*(First sentence amended by Board of Selectmen 8/31/92)*

**A.** Service pipes may be introduced into the premises of persons making written application therefor to the selectmen applications will be valid for one year from date of approval, provided that the premises has frontage on a class V or better road that has a distribution main of the system. For purposes of these regulations, an unrestricted right-of-way (such right-of-way to include underground utility easements) which is the lots only frontage on a Class V, or better, road leading to a back lot, will be considered part of the back lot. The entire expense of a water line, including all pipes, curb boxes and other necessary materials and all expense of laying the water line shall be paid for by the applicant. The water department shall be responsible for any repairs made from the main line to the curb box, all repairs made after the curb stop shall be the responsibility of the property owner. No service line shall run along a Town right of way unless said line complies with regulation S.

**B.** All applications for the use of the water must be made in writing to the selectmen by the owner of the premises or authorized agent. The daily amount to be used and the various uses to which the water is to be applied must be fully stated. The daily amount used shall not be exceeded without approval from the Board of Selectmen.

**C.** All persons taking water must keep their pipes and fixtures in good repair and protect them from frost to the service box at their own expense. They will be held liable for all damage resulting from their failure to do so.

**D.** They shall prevent all unnecessary waste, and water shall not be left running to prevent freezing.

**E.** The selectmen and their authorized agents shall have free access to all premises supplied with water to ascertain the quantity of water used, the manner of its use, and whether there is any unnecessary waste, also to examine the apparatus. If any pipes or fixtures are found not in good order they will be immediately repaired at the expense of the owner. If repairs are not made within two days after notice, the water will be shut off until such repairs are made.

**F.** *(This section amended on 7/18/94 after a public hearing on that date, see section DD at the end of the Hinsdale Water Department General Regulations)* The water rents shall be due and payable quarterly and payable at the office of the water and sewer collections clerk on the date specified on the bill and pro rata to those dates. In all cases of nonpayment of the water rents within fifteen days after the same are due,

the water shall be shut off until all charges are paid. The property owner will in all cases be held liable for water rents.

**G.** The selectmen reserve the right to put in a meter at the expense of the water user, in any case, and charge for water rates corresponding to meter rates charged by works of a similar class. When water passes through a meter it may be used for any and all purposes. Any piping, valves, boiler drains or connection device that may be used to bypass the meter or take water before the meter and check valve. Any piping felt to be unsafe by the water department personnel must be removed or corrected at the expense of the home owner. Once the property owner is notified of a violation, one week will be given to notify the water department when the work will be done to correct the violation or the water will be turned off until the violation is corrected. No person except an employee of the Water Works will be allowed to take off water meters, or tap the mains.

**H.** No abatement of water rents will be made by reason of disuse or diminished use unless the water has been turned off at the curb stop by the water department. No abatements can be made without written authority of the Board of Selectmen.

**I.** Owners of water takers shall also promptly give notice when the use of fixtures has been resumed or tenement reoccupied.

**J. SHUTTING OFF WATER:** The selectmen reserve the right to shut off the water for the purpose of making alterations or necessary repairs; and they will also restrict the use of water in case of shortage, especially in the case of large consumers and garden hose; also they will shut off the water from any person who will disregard these rules or neglect to pay the water rents when due.

J1. When a water use ban is in effect, violators will have their water turned off and the water will not be turned back on until the sum of \$40.00 has been paid (\$20.00 turn off, \$20.00 turn on).

**K.** No person shall be entitled to damages, nor to have any portion of a payment refunded for any stoppage of water for the purpose of additions or repairs, nor any stoppage for violation of these rules, nor for any purpose whatever, which in the opinion of the selectmen may be deemed necessary.

**L. LETTING ON WATER:** When the water has been shut off for violation of these rules, or any part thereof, or for non-payment of rents, it shall not be turned on again until the selectmen are satisfied that there will be no further cause for complaint, and the sum of \$20.00 shall have been paid for shutting off and \$20.00 for turning on the water.

**M.** The selectmen reserve the right to establish such rules, regulations and rates from time to time as they may think expedient for the introduction and use of water. Water will be supplied only to such parties as conform to the rules and regulations of the selectmen.

**N.** In any case it becomes necessary to shut off water from any distribution main or branch pipe, reasonable notice will be given whenever possible and in such manner as practicable. However, in the cases of emergency, notice of water stoppage will not necessarily be given.

- O.** No person shall in any case be allowed to open a fire hydrant except by a written permit from the Selectmen, but the engineers of the fire department shall in all cases have control of hydrants at fires.
- P.** Water takers shall not allow persons not taking water to obtain water from their fixtures without a written permit from the selectmen. If any water taker permits another, not a patron of the water works, to obtain a supply of water, the taker so permitting shall be charged double the regular rate for a full quarter and longer if said person continues to furnish water contrary to this rule.
- Q.** No person shall park a vehicle so as to obstruct a fire hydrant or place or cause to be placed any building material, earth, snow or other obstruction (within 8 Feet) in the way of its free use by the Fire Department
- R.** Consumers leaving their premises unoccupied for any length of time are especially warned to close the stop cock, as water is liable to escape by accident or otherwise.
- S.** The minimum service line size will be three quarter inch. Brass fittings will be Mueller or Ford **quick joint type** only. All curb stops will be ball type full port. They shall be set on a concrete brick to allow the Erie box to set down directly on the curb stop. All new service lines and mains shall be no more than five feet in depth but no less than four and one-half feet in depth from the finished grade to the top of the pipes. All new services lines will have an Erie box with a pentagon nut cover and a three foot stainless steel rod on the curb stop. All pipes shall be laid on a base of six inches of fine, stone free sand, and with a minimum of twelve inches of fine, stone free sand placed over and above the pipe. All water lines shall be inspected by the selectmen or their authorized agent, during installation or before back filling. Standards for plastic service lines must conform to minimum of SDR 9, 200 PSI C.T.S. (copper tubing size.) Copper tubing must be type K. Location of new water service lines and meter pits are as follows. **NO SERVICE LINE OR METER PIT will be installed within (5) FIVE FEET OF ANY DRIVEWAY OR PARKING AREA. Meter pits will be installed NO FURTHER THAN (10) TEN FEET AWAY FROM THE CURB STOP BUT NO CLOSER THAN (5) FIVE FEET OF THE CURB STOP,** exceptions to this rule must be approved by the Selectmen or their authorized agent.
- T.** For all proposed new water mains, extension and replacements. The applicant will submit with the application three copies of a scale drawing of the proposed installation for our review. All new mains will be ductile iron minimum of eight inch Atlantic States, US pipe or Griffin only, exceptions to this rule must be approved by the Selectmen or their authorized agent. All fittings and repair clamps must be US Pipe, Ford, Power Seal, Nappco, UF, Tyler, Smith-Blair or Dresser only. All accessories shall be retainer type, Meg A Lug only. Hydrants shall be M&H style 929 open left. All valves shall open left and comply with AWWA C509 standards. Gate valves shall be non-rising stem resilient wedge type. Gate and butterfly valves shall be fusion coated epoxy inside and out, A V K , Mueller, M&H/Kennedy or US pipe only. The roadway box will be set on compacted earth around the valve top. Tapping sleeves and saddles shall be M&H, Mueller, Ford, Power Seal, US pipe, Smith-Blair or Dresser only. Hydrant and valve locations shall be determined by the selectmen or their authorized agent. No AC (transit) or plastic water main larger than 2” shall be connected to the water system. All new mains installed will be pressure tested and chlorinated to AWWA standards. Bacteria samples will be taken. The flushing, chlorination, pressure testing and collecting of bacteria samples shall be done in the presence of the selectmen or their authorized agent. All details of new water main installations must be shown on a map drawn to scale, and supply necessary information such as location and depths of mains, hydrants, valves,

service lines, corporations and curb boxes with detailed measurements and depths of mains, hydrants, valves, service lines, curb boxes and corporations. Three copies of a record drawing shall be submitted to the Selectmen, or authorized agent before water use will be allowed for other than pressure testing and chlorination. New water systems or extensions are subject to NH Water Supply and Pollution Control Commission and AWWA standards and must be inspected by the selectmen or their authorized agent during installation or before back filling. Existing lines and services in good condition are not required to be changed or altered because of these regulations whether or not in service at this time.

**U.** All new fire hydrants shall be installed with a shut off -valve which will be located no more than 4 feet from the hydrant. All new hydrants shall be M & H Style 929. Installation of hydrants shall be inspected by the selectmen or their authorized agent during installation or before back filling.

**V.** All changes in Item S, T, & U are subject to the written approval of the Water Superintendent.

**W.** A water meter must be installed according to the Hinsdale Water Meter Regulations. The meter will be installed at the expense of the applicant. In the case of a structure in which a meter may not be installed (i.e. no basement) an AWWA approved water meter pit must be installed at the expense of the applicant. The meter pit shall be installed in a location approved by the water department. The meter pit shall be installed so that the top of the cover will be level but no more than one inch below the finished grade.

**X.** No person shall turn on, turn off, or otherwise tamper within any way water meters, curb stops, gat valves or hydrants without the written consent of the selectmen or their authorized agent.

**Y.** Each individual dwelling, business, etc., must have a separate connection to the main and separate curb boxes.

**Z.** All connections to the water system are to be done by the water department with proper notice given to the selectmen.

**AA.** No connections will be made by the water department from November 1st through May 1st.

**BB.** No person shall fill a swimming pool from a hydrant.

**CC.** Prior to the water being turned on at a use all requirements of the Town of Hinsdale must be met, (i.e. water department rules and regulations, septic approval, permit to move, driveway permit, etc., connection fee, construction cost, labor and materials must be paid. Approval by the selectmen of a water connection is valid for one (1) year from date of approval. Each application is considered on its own merits. The selectmen reserve the right to deny any application for use that they determine will jeopardize the safety or health of current municipal water users, or will create unsafe demand on the municipal water system.

The following was adopted on 7/18/94. (Subject to review and change by the Hinsdale Board of Selectmen)

**1003.0 RULES AND REGULATIONS OF THE SELECTMEN, ACTING AS WATER COMMISSIONERS AND PURSUANT TO SECTION 1002.0 M OF THE HINSDALE WATER DEPARTMENT ORDINANCE**

**A.** All water rents shall be due and payable quarterly; payable at the office and on the date as specified on the water bills which issue; and payable pro rata to those dates.

**B.** All bills shall be payable upon receipt.

**C.** Service shall be disconnected to any residential customer who fails to pay an undisputed bill within 30 days of the postmark date of the bill or by the first day of the first April following issuance of the bill; or fails to abide by the terms of a written payment agreement, with time being of the essence; or unreasonably refuses access to any premises for necessary inspection of utility property--all in accordance with the provisions herein.

**D.** Prior to termination of service, a customer shall be sent written notice of the water department's intent to disconnect by certified mail, return receipt requested, a minimum of 15 days in advance of the date of proposed disconnection. In the case of nonpayment of an outstanding bill, notice shall be sent not less than 30 days after the postmark date of said original bill. In the case of failure to abide by a payment agreement or refusal of access to premises for necessary inspection of utility property, notice may issue as of the date of the violation, or upon any date thereafter.

**E.** Written notice of the water department's intention to disconnect shall be in the form attached hereto as Exhibit A.

**F.** In the event a customer disputes the reason for disconnection set forth in the notice, he or she may request a meeting with the selectmen to seek to resolve any dispute and no disconnection shall take place until after the meeting is held. The request for a meeting with the selectmen shall be in writing, and shall be submitted prior to the date on which the disconnection is to take place. A minimum of three selectmen shall be present in any such meeting.

**G.** When a customer is unable to pay his/her bill in full, the water department shall not disconnect service as long as a reasonable portion of the bill is paid forthwith; and the customer executes a written agreement to pay the balance of the outstanding bill in reasonable installments and all future bills within 30 days of the date rendered. In determining the reasonableness of a particular agreement, the selectmen shall consider the size of the arrearage; the estimated size of future quarterly bills; the customer's payment history; the amount of time the arrearage has been outstanding; the customer's ability to pay; and any other factors which will or will not change during the course of payment. The customer and the selectmen each shall keep a copy of the written agreement. In the event the customer and a minimum of three selectmen are unable to agree on a payment plan, he/she shall have the right to a meeting with all five selectmen in an effort to reach agreement.

**H.** Notwithstanding anything to the contrary, service may be disconnected without notice if there exists unauthorized or fraudulent use or procurement of water service; tampering with the

connections or other equipment of the Water Department; or conditions dangerous to the health of others; a clear and present danger to the life, health, physical property or the Department's ability to serve other customers; the customer clearly has abandoned the premises; or by court order.

**I.** No disconnection shall take place if the customers unpaid bill is below \$50.00 (unless there is an arrearage which has been outstanding for more than 60 days) or if the Water Department has been advised--within the preceding 30 days of the date of intended disconnection--by a duly licensed medical doctor that a medical emergency would result from, or be compounded by, the disconnection. A qualified physician originally may certify the appropriate information by telephone, but written notice of a medical emergency must be submitted by the physician to the Water Department within seven days of telephone certification, or it will become ineffective. Certification must be renewed monthly to remain effective, and the customer shall thereupon negotiate a payment schedule pursuant to Paragraph G, supra, which, if violated, shall give rise to disconnection in accordance with these regulations, regardless of any medical emergency.

**J.** Unless the customer pays the full amount set forth in the notice, or completes a payment agreement under Paragraph G, supra, service may be terminated on the termination date set forth in the notice.

**K.** Disconnections of service for nonpayment shall take place only between 8:00 a.m. and 3:00 p.m., Monday through Thursday. No disconnections for nonpayment shall take place on a holiday or any day prior to which the Water Department will not be open to reconnect service if full payment is made.

**L.** Prior to disconnection, the utility employee disconnecting the service shall notify any adult occupant on the premises of the within residence and deliver or leave (if no adult is at the premises) a note including information as to how the customer may be reconnected. (See Exhibit B.)

**M.** If the customer tenders payment in full of the outstanding bill, plus the sum of \$20.00 at the time the Water Department's employee appears for the purpose of disconnecting service, the employee, without disconnecting, shall direct the customer to go immediately to the office which receives payment of water bills and tender payment there. As long as said employee receives confirmation that the bill has been paid in full within an hour, no disconnection shall take place. Otherwise, the disconnection shall proceed.

**N.** In the event an employee appears at the customer's premises for the purpose of disconnecting service under these regulations, the charge of \$20.00 shall be added to all other amounts outstanding, and this sum either shall be paid in addition to all other amounts owing in order to prevent disconnection of service as set forth above, or paid in advance as a condition of restoration of service.

**O.** All disconnected service shall be restored as promptly as possible upon the customer's payment in cash of the full outstanding bill and other applicable charges, including any overtime costs to the Water Department if service is restored outside regular business hours. Notwithstanding anything to the contrary, the Water Department shall not restore service outside of regular business hours unless:

1. The customer requests it; and
2. The department has employees willing and able to provide the service; and
3. All costs are paid in advance as set forth herein.

**P.** Tenants who rent and occupy a separate dwelling unit in a structure owned by another or pay rent for the privilege of locating a mobile home occupied by themselves on land owned by another shall receive separate notice of the intention to disconnect by certified mail, return receipt requested, in the same manner as set forth supra in the form attached hereto as Exhibit A, along with the recommendation that the each tenant immediately contact his or her landlord.

**Q.** The Water Department will not know or recognize every case where disconnection of service affects a tenant, and if such a disconnection takes place, service shall be restored forthwith and disconnected thereafter, only upon compliance with the notice requirements of this regulation.

**R.** The provisions herein apply to all past due water bills of the Town of Hinsdale for any period either prior or subsequent to the date of enactment herein.

Enacted by unanimous vote of the Hinsdale Selectmen, acting in their capacities as water commissioners under the authority of Article XIV of the Town Warrant passed on March 10, 1981 and Section 1002.0 M of the Water Department Ordinance.

## **1004.0 WATER METER REGULATIONS**

**A.** It is the purpose of the Town of Hinsdale to provide each municipal water customer with proper metering equipment. Provision of metering equipment is subject to the conditions set forth in these regulations.

**B.** In all cases the Town will have the option to meter according to the situation, type of service and requirements of the water department and selectmen. In cases where meter costs and/or costs of installation exceed typical costs of a standard residential meter/installation, excessive costs will be borne by the applicant. In such cases, the applicant will be responsible for the costs in excess of the standard costs of the meter and installation. Atypical cases will be handled on an individual basis.

**C.** Title to the water meter, outside meter reader, and all accessory parts shall remain in the Town and shall not pass to the owner of any structure where such property is installed.

**D.** The customer's installation shall comply with the rules and regulations of all authorities having jurisdiction over the municipal water system. (The Hinsdale Board of Selectmen)

**E.** The water department shall, at all reasonable times, and with authorization of the customer, have the right of entry to the customer's premises for the purpose of erecting, inspecting, connecting, disconnecting, reading, repairing, replacing or removing any or all of its apparatus

used in connection with the supply of water, and for said purpose the customer shall authorize the water department to enter said premises.

**F.** The Town shall not be held liable for any loss, cost, damage or expense to any person and/or property resulting from the use or presence of water from the service upon the customer's premises and resulting from negligence or misuse on the part of the customer.

**G.** The customer shall provide for safe keeping of the meter and equipment of the Town and shall not permit interference therewith except by authorized employees of the department or licensed plumbers with written permission of the water department. In the event of loss or damage to the property supplied by the Town, the customer shall pay to the Town the value of such property and/or the cost of repairs.

**H.** In case a meter fails to register the full amount of water consumed, or for any reason cannot be read during a quarter, the amount of the quarterly bill will be estimated by the water department, based upon the average quarterly use recorded during the previous four quarters.

**I.** The customer service from the Town shut off to the meter shall be a kind, type and size pipe approved by the water department.

**J.** There will be a charge for moving meters in the following cases:

1. Where a meter is moved at the request of the customer from one permanent location to another on the same premises.
2. Where a meter is taken out temporarily at the request of or for the convenience of the customer.

**K.** No intent for permission to re-meter or resell water by re-metering is given or implied to any person or persons.

**L.** The Town may turn off the water supply to any premises if a person:

1. Fails to pay any sum due the Town whether for installation, repair of damage, or water consumption.
2. Fails to provide access to the meter and accessory equipment at reasonable times to the water department.
3. Intentionally damages a water meter and/or accessory equipment.
4. Attempts to tamper with the equipment of the Town.
5. Fails to comply with any other section of these regulations.

**M.** Upon installation of a majority of residential water meters, the Town may begin assessing charges based on consumption to the user. Commercial, industrial and agricultural users will be charged according to consumption upon installation of the meter.

**N.** In the event that a request is made for a meter to be installed to separate water used outside of the home for watering of flowers, lawns, or gardens from being billed a sewer charge. This meter and backflow preventer will be permanently installed with an outside reader on the line or lines that supplies water only to the outside of the home for watering. This line or lines will be permanently

plumbed in before the meter that supplies water that is used in the home. This work will be done at the expense of the person making the request. The meter and backflow will be billed at the current rate. This meter will be charged as are all other meters quarterly meter charges and consumption.

**O.** These regulations will be reviewed periodically and are subject to change after proper notification of the public.

**P.** Sprinkler System Flow Testing. No testing will be done without the approval of the Water Department Superintendent. Approval will only be granted for a short time after the water system's annual flushing in September.

**Q.** Hydrant Flow Testing. No testing will be done without the approval of the Water Department Superintendent. Approval timeframe will be the same as P.

**R.** All customers that use water in excess of the amount stated on application or development agreement shall be charged at a rate of no less than \$150.00 per each 1,000 gallons of water use in excess of agreement.

**S.** Violations of any part of the Hinsdale Water Department Ordinance will result in fines up to \$500.00 per day as well as termination of service as authorized by law.

These regulations apply to existing users of the municipal water system in the Town of Hinsdale.

# 1004.1 FEES, RATES, CONSTRUCTION COSTS AND OTHER CHARGES MUNICIPAL WATER RATES

**A. CONNECTION FEE:**

1. Residential \$1,884.56 plus construction cost.
2. Commercial, Industrial \$2,961.45 plus construction cost.

**B. Flat rates assessed according to meter size-per quarter:**

5/8"	meter	\$31.70	plus consumption
3/4"	meter	\$36.0	plus consumption
1"	meter	\$49.64	plus consumption
1 1/2"	meter	\$69.07	plus consumption
2"	meter	\$133.46	plus consumption
3"	meter	\$207.65	plus consumption
4"	meter	\$405.79	plus consumption
6"	meter	\$801.99	plus consumption
8"	meter	\$1,606.77	plus consumption

- C. Consumption charge:**           \$ 4.57 per thousand gallons used.  
   \$ .457 per hundred gallons used.

**D. Non-metered users:** \$ 301.92 per quarter per unit.

**E. Sprinkler systems:** \$ 126.80 per quarter.

**F. These rates reviewed and adopted October 1, 2018.**

**G. Rates applied to billing period October 1, 2018 and subsequent future billing periods**

**H. *The following regulations regarding new water connections were adopted by the Hinsdale Board of Selectmen. Applicant will be charged for all labor and material associated with the installation of the water connection at the following rates:***

**I. CONSTRUCTION COST:**

1. Labor       Hourly rate + 50%
2. Backhoe   \$45.00 an hour.
3. Materials   Cost + 15%

**J. Request for meter reading: property closing / transfer \$25.00. Request for meter readings must be made a minimum of 24 hours in advance.**

**K. The charge to repair a damaged, frozen or leaking water meter will be \$40.00 plus parts costs. During normal working hours, Monday through Thursday 6:00am to 4:30pm**

**L. To turn water off there is a charge of \$20.00 or to turn water on \$20.00 during normal working hours.**

**M. All requested work after normal working hours will be charged a minimum of two hours at time and one half of the on-call persons rate of pay plus 50%.**

## 1005.0 BACKFLOW AND CROSS-CONNECTIONS REGULATIONS

### 1005.1 CROSS-CONNECTION CONTROL AUTHORITY

Under public law 93-523, the safe drinking water act of 1974, and NH RSA Chapter 148, Protection of Sources of Water, the water purveyor has the primary responsibility for preventing water from unapproved sources, or any other substances, from entering the public potable water system.

### 1005.2 CROSS-CONNECTION CONTROL-GENERAL POLICY

#### A. PURPOSE

1. The purpose of this regulation is to protect the public potable water supply of the area served by the Hinsdale Water Department from the possibility of contamination or pollution by isolating within its customers internal distribution system(s) or its customers private water system(s) such contaminants or pollutants which could backflow or back-siphon into the public water supply system; and
2. To promote the elimination or control of existing cross connections, actual or potential, between its customers in-plant potable water system(s) and non-potable systems, plumbing fixtures and industrial piping systems; and
3. To provide for the maintenance of a continuing program of cross-connection control which will systematically and effectively prevent the contamination or pollution of all potable water systems by cross- connection.

#### B. RESPONSIBILITY

The water superintendent shall be responsible for the protection of the public potable water distribution system from contamination or pollution due to the backflow or back-siphonage of contaminants or pollutants through the water service connection. If, in the judgment of said water superintendent, an approved back-flow prevention device is required at the Town's water service connection to any customers premises, for the safety of the water system, the superintendent or his designated agent shall give notice in writing to said customer to install such an approved backflow prevention device at each service connection to his premises. The customer shall, within 30 days, install such approved device or devices at his own expense, and failure, refusal or inability on the part of the customer to install said device or devices within 30 days shall constitute a ground for discontinuing water service to the premises until such device or devices have been properly installed.

### 1005.3 DEFINITIONS

- A. Water Superintendent:** The superintendent or his designated agent in charge of the water department of the Town of Hinsdale is invested with the authority and responsibility for the implementation of an effective cross-connection control program and for the enforcement of the provisions of this regulation.
- B. Approved:** Accepted by the superintendent as meeting an applicable specification stated or cited in this regulation, or as suitable for the proposed use.
- C. Auxiliary Water Supply:** Any water supply on or available to the premises other than the purveyors approved public potable water supply.

D. **Backflow:** The flow of water or other liquids, mixtures or substances under pressure into the distributing pipes of a potable water supply system from any source or sources other than its intended source.

E. **Back-Siphonage:** The flow of water or other liquids, mixtures or substances into the distributing pipes of a potable water supply system from any source other than its intended source caused by the sudden reduction of pressure in the potable water supply system.

F. **Backflow Preventer:** A device or means designed to prevent backflow or siphonage.

1. **Air Gap** - The unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or faucet supplying water to a tank, plumbing fixture, or other device and the flood rim of said vessel. An approved air-gap shall be as required by water department standards, but in no case shall it be less than twice the diameter of the pipe or faucet supplying water to the tank, plumbing fixture or other device.

2. **Reduced Pressure Principle Device** - An assembly of two independently operating approved check valves with an automatically operating differential relief valve between the two check valves, tightly closing shut-off valves on either side of the check valves, plus properly located test cocks for the testing of the check and relief valves.

3. **Double Check Valve Assembly** - An assembly of two independently operating approved check valves with tightly closing shut-off valves on each side of the check valves, plus properly located test cocks for the testing of each check valve.

4. **Pressure Vacuum Breaker** - A device containing one or two independently operating loaded check valves and an independently operating loaded air inlet valve located on the discharge side of the check or checks.

G. **Contamination:** Means an impairment of the quality of the potable water by sewage, industrial fluids or waste liquids, compounds or other materials, to a degree which creates an actual hazard to the public health through poisoning or through the spread of disease.

H. **Cross-Connection:**

Any actual or potential physical connection or arrangement of piping or fixtures between two otherwise separate piping systems one of which contains potable water and the other non-potable water or industrial fluids of questionable safety, through which, or because of which, back-flow or back-siphonage may occur into the potable water system.

I. **Cross-Connections-Controlled:** A connection between a potable water system and a non-potable water system with an approved backflow prevention device properly installed that will continuously afford the protection commensurate with the degree of hazard.

J. **Cross-Connection Control By Containment:** The installation of any approved backflow prevention device at the water service connection to any customers premises, or the installation of an approved backflow prevention device on the service line leading to and supplying a portion of a customers water system where there are actual or potential cross-connections which cannot be effectively eliminated or controlled at the point of cross-connection.

K. **Hazard. Degree of:** The term is derived from an evaluation of the potential risk to public health and the adverse effect of the hazard upon the potable water system.

1. **Hazard-health (high hazard)** - Any connection, device, or practice in the water supply system and its operation which could create, or, in the judgment of the water superintendent, may create a danger to the health and well being of the water consumer.

2. **Hazard-plumbing (high hazard)** - A plumbing type cross connection in a consumers potable water system that has not been properly protected by a vacuum breaker, air-gap separation or backflow prevention device. Unprotected plumbing type cross-connections are considered to be a health hazard.

3. **Hazard-pollutional (low hazard)** - An actual or potential threat to the physical properties of the water system or to the potability of the public or the consumer's potable water system but which would constitute a nuisance or be aesthetically objectionable or could cause damage to the system or its appurtenances, but would not be dangerous to health.

L. **Industrial Fluid Stem:** Any system containing a fluid or solution which may be chemically, biologically or otherwise contaminated or polluted in a form or concentration such as would constitute a health, pollutional or plumbing hazard if introduced into an approved water supply.

M. **Pollution:** Means the presence of any foreign substance (organic, inorganic or biological) in water which tends to degrade its quality so as to constitute a hazard or impair the usefulness or quality of the water to a degree which does not create an actual hazard to the public health but which does adversely and unreasonably affect such waters for domestic use.

N. **Water-Potable:** Water from a source which has been approved by the NH Water Supply and Pollution Control Commission for human consumption.

O. **Water Non-Potable:** Water which is not safe for human consumption or which is of questionable quality.

P. **Water Service Connections:** The terminal end of a service connection from the public potable water system; i.e. where the water purveyor loses jurisdiction and sanitary control over the water at its point of delivery to the customer's water system. If a meter is installed at the end of the service connection, then the service connection shall mean the downstream end of the meter. Service connection shall also include water service connection from a fire hydrant and all other temporary or emergency water service connections from the public potable water system.

Q. **Water Used:** Any water supplied by a water purveyor from a public potable water system to a consumer's water system after it has passed through the point of delivery and is no longer under the sanitary control of the water purveyor.

## **1005.4 REQUIREMENTS**

### **A. WATER SYSTEM**

1. The water system shall be considered as made up of two parts: the utility system and the customer system.
2. Utility system. The utility system shall consist of the source facilities and the distribution system; and shall include all those facilities of the water system under the complete control of the utility, up to the point where the customers system begins.
3. Source. The source shall include all components of the facilities utilized in the production, treatment, storage, and delivery of water to the distribution system.
4. Distribution system. The distribution system shall include the network of conduits used for the delivery of water from the source to the customers system.
5. Customer system. The customers system shall include those parts of the facilities beyond the termination of the utility distribution system which are utilized in conveying utility-delivered domestic water to points of use.

### **B. POLICY**

1. Service connections. No water service connection to any premises shall be installed or maintained by the water department unless the water supply is protected as required by NH RSA Chapter 148 and this regulation. Service of water to any premises shall be discontinued by the water department if a backflow prevention device required by this regulation is not installed, tested and maintained, or if it is found that a backflow prevention device has been removed, by-passed, or if an unprotected cross-connection exists on the premises. Service will not be restored until such conditions or defects are corrected.
2. Inspection for cross-connection and termination of service. The customers system should be open for inspection at all reasonable times to authorized representatives of the water department to determine whether cross-connections or other structural or sanitary hazards, including violations of this regulation exist. When such a condition becomes known, the superintendent shall deny or immediately discontinue service to the premises by providing for a physical break in the service line until the customer has corrected the conditions in conformance with state statutes relating to plumbing and water supplies and the regulations adopted pursuant thereto. All expenses relating to the disconnection and re-connection shall be at the customer's expense.
3. Backflow preventers required. An approved backflow prevention device where required shall be installed on each service line to a customer's water system at or near the property line or immediately inside the building being served; but, in all cases, before the first branch line leading off the service line wherever the following conditions exist:
  - a. Auxiliary water supply. In the case of premises having an auxiliary water supply which is not or may not be of safe bacteriological or chemical quality and which is not acceptable as an additional source by the NH Water Supply and Pollution Control Commission, the public water system shall be protected against backflow from the premises by installing a backflow prevention device in the service line appropriate to the degree of hazard.
  - b. Actual or potential hazards. In the case of premises on which any industrial fluids or any other objectionable substance is handled in such a fashion as to create an actual or potential hazard to the

public water system, the public water system shall be protected against backflow from the premises by installing a backflow prevention device in the service line appropriate to the degree of hazard.

c. Uncorrectable or intricate plumbing. In the case of premises having (1) internal cross-connection that cannot be permanently corrected and controlled, or (2) intricate plumbing and piping arrangements or where entry to all portions of the premises is not readily accessible for inspection purposes, making it impracticable or impossible to ascertain whether or not dangerous cross-connections exist, the public water system shall be protected against backflow from the premises by installing a backflow prevention device in the service line.

4. Degree of hazards. The type of protective device required under subsections 1005.4 B 3a, b and c shall depend upon the degree of hazard which exists as follows:

a. In the case of any premises where there is an auxiliary water supply as stated in subsection 1005.4 B 3a of this section; or

b. Where there is any material dangerous to health which is handled in a fashion as to create an actual or potential hazard to the public water system; or

c. Where there are "uncontrolled" cross-connections, either actual or potential, the public water system shall be protected by an approved air-gap separation or an approved reduced pressure principal backflow prevention device at the service connection.

d. In the case of any premises where there is water or substance that would be objectionable but not hazardous to the health, if introduced into the public water system, the public water system shall be protected by an approved double check valve assembly.

e. In the case of any premises where, because of security requirements or other prohibitions or restrictions it is impossible or impractical to make a complete in plant cross connection survey, the public water system shall be protected against back-flow or back-siphon from the premises by the installation of a back-flow prevention device in the service line. In this case, maximum protection will be required; that is, an approved air-gap separation or an approved reduced pressure principal backflow prevention device shall be installed in each service to the premises.

5. Approved backflow prevention device list. Any backflow prevention device required herein shall be of a model and size approved by the water superintendent. The term "approved backflow prevention device" shall mean a device that is on the "Approved List of Backflow Preventer" as revised by the NH Water Supply and Pollution Control Commission, or is on the University of Southern California approval list. Said approval lists have been adopted by the water superintendent.

6. Customer-user responsibility. It shall be the duty of the customer-user at any premise where backflow prevention devices are installed to have certified inspections and operational tests made at least twice per year as required under NH RSA 148-27. In those instances where the water superintendent deems the hazard to be great enough, he may require certified inspections at more frequent intervals. These inspections and tests shall be at the expense of the water user and shall be performed by water department personnel or by a certified tester approved by the water superintendent and approved by NHWSPCC. It shall be the duty of the water customer user to see that these timely tests are made. The water superintendent shall notify the customer-user in advance when the tests are to be undertaken so that he or his representatives may witness the test if so desired. These devices shall be repaired, overhauled or replaced at the expense of the customer-user whenever said devices are found to be defective. Tests and repairs shall be recorded on forms approved by the water superintendent, and copies distributed to the customer-user, and the water superintendent within five days of the actual test.

7. Existing backflow prevention devices. All presently installed backflow prevention devices which do not meet the requirements of this section but were approved devices for the purposes described herein at the time of installation and which have been properly maintained, shall, except for the inspection and maintenance requirements under subsection 1005.4 B 6 be excluded from the requirements of these rules so long as the water superintendent is assured that they will satisfactorily protect the utility system. Whenever the existing device is moved from the present location or requires more than minimum maintenance or when the superintendent finds that the maintenance constitutes a hazard to health, the unit shall be replaced by a backflow prevention device meeting all requirements of this section.

**EXHIBIT A**

**TO THE OWNER OF THIS PROPERTY BY ORDER OF THE  
HINSDALE BOARD OF SELECTMEN:**

**WATER SERVICE TO THIS PROPERTY WILL BE  
DISCONNECTED!!**

\_\_\_\_\_, 201\_\_\_\_, FOR FAILURE TO PAY THE OUTSTANDING  
WATER AND/OR SEWER CHARGES OR COMPLYING WITH PAYMENT  
ARRANGEMENTS MADE WITH THE COLLECTIONS CLERK. \$\_\_\_\_\_

IF THE WATER IS TURNED OFF ADD \$40.00 TO THE ABOVE TOTAL. AFTER  
NORMAL WORK HOURS THERE WILL BE AN ADDITIONAL CHARGE OF TWO  
HOURS OVER TIME AT THE RATE OF THE ON CALL PERSONNEL. ALL CHARGES  
MUST BE PAID BEFORE THE WATER WILL BE TURNED BACK ON.

TO AVOID AN INTERRUPTION IN SERVICE YOU MUST CONTACT THE WATER  
COLLECTIONS CLERK AT THE TOWN HALL BEFORE THE AFOREMENTIONED  
DATE.

THE WATER COLLECTION CLERK'S HOURS ARE MONDAY THROUGH THURSDAY  
8AM-12PM AND 12:30PM TO 4:00PM. THE PHONE NUMBER IS 336-5710 EXT. 21.

THE WATER DEPARTMENT WORK HOURS ARE MONDAY THROUGH THURSDAY  
6AM TO 4:30PM.

DENNIS J NADEAU

TO THE OWNER OF THIS PROPERTY:

WATER SERVICE TO THIS PROPERTY HAS BEEN DISCONNECTED AS OF TODAY,  
\_\_\_\_\_, 20\_\_\_\_, FOR FAILURE TO CORRECT THE OUTSTANDING

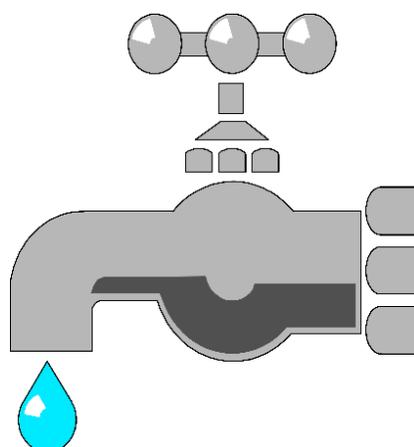
WATER DEPARTMENT ORDINANCE VIOLATIONS.

TO RESTORE SERVICE TO THIS RESIDENCE YOU MUST CORRECT ALL  
OUTSTANDING VIOLATIONS AND PAY A \$20.00 SERVICE CHARGE.

HINSDALE BOARD OF SELECTMEN

DATE

***ATTENTION RESIDENTS OF THIS HOUSEHOLD***, THE PROPERTY OWNER (YOUR LANDLORD) HAS NOT PAID THE WATER AND OR SEWER RENTS AND THE TOWN WILL BEGIN TERMINATING WATER SERVICE TO THIS RESIDENCE ON . TO AVOID AN INTERRUPTION IN SERVICE YOU SHOULD CONTACT YOUR LANDLORD IMMEDIATELY (BOTH VERBALLY & IN WRITING) AND INFORM HIM/HER OF THIS SITUATION. IF HE/SHE DOES NOT PAY THE AMOUNT OWED TO THE TOWN INCLUDING PENALTIES OR IF YOU HAVE ANY QUESTIONS OR CONCERNS CONTACT THE SELECTMEN'S OFFICE AT 336-5710.





## Sewer Use Ordinance

<a href="#"><u>1100</u></a>	<b>General Provisions Purpose and Policy</b>
<a href="#"><u>1101</u></a>	<b>Definitions</b>
<a href="#"><u>1102</u></a>	<b>Use of Public Sewers Required</b>
<a href="#"><u>1103</u></a>	<b>Private Wastewater Disposal</b>
<a href="#"><u>1104</u></a>	<b>Building Sewers and Connections</b>
<a href="#"><u>1105</u></a>	<b>Discharge to Public Sewers</b>
<a href="#"><u>1106</u></a>	<b>Industrial Pretreatment</b>
<a href="#"><u>1107</u></a>	<b>Protection of Property</b>
<a href="#"><u>1108</u></a>	<b>Powers and Authority of Inspectors</b>
<a href="#"><u>1109</u></a>	<b>Drain Layers</b>
<a href="#"><u>1110</u></a>	<b>Penalties</b>
<a href="#"><u>1111</u></a>	<b>Validity</b>
<a href="#"><u>1112</u></a>	<b>Ordinance in Force</b>
<a href="#"><u>Appendix A</u></a>	<b>Application to Connect</b>
<a href="#"><u>Appendix B</u></a>	<b>Conditions</b>
<a href="#"><u>Appendix C</u></a>	<b>Application For Drain Layer License</b>
<a href="#"><u>Appendix D</u></a>	<b>Application For Septage Disposal License</b>
<a href="#"><u>Appendix E</u></a>	<b>Sewer System Inflow Maintenance Program</b>
<a href="#"><u>Appendix F</u></a>	<b>Sewer Rate Fees</b>

[HISTORY: Adopted by the Board of Selectmen of the Town of Hinsdale on March 17, 1980; Amended in its entirety by the Hinsdale Board of Selectmen on September 8, 1997. Subsequent amendments noted where applicable.

### GENERAL REFERENCES

New Hampshire Revised Statutes Annotated §149-I:6  
New Hampshire Revised Statutes Annotated §149-I:7

### AMENDMENTS

Appendix E & F Amended February 9, 2009. Sewer System Inflow Maintenance Program added as Appendix E. Sewer Rate Fees moved from Appendix E to Appendix F.

PART 1100: Definitions; PART 1105: Discharge to Public Sewers; PART 1106: Industrial Pretreatment; and Appendix F: Sewer Rate Fees Amended October 26, 2009.

Appendix F: Sewer Rate Fees. Amended February 13, 2012

Appendix F: Sewer Rate Fees. Amended August 12, 2013

## TOWN OF HINSDALE SEWER USE ORDINANCE

Pursuant to enabling authority in New Hampshire Revised Statutes Annotated (RSA)149-I:6, the following are provisions regulating wastewater service, the use of public and private sewers, private wastewater disposal, the installation and connection of building sewers, and the discharge of waters and wastes to the public sewer system(s), and providing penalties for violations thereof, in the Town of Hinsdale, County of Cheshire, State of New Hampshire.

Be it ordained and enacted by the Selectmen as follows:

### **1100 GENERAL PROVISIONS PURPOSE AND POLICY**

This ordinance sets forth uniform requirements for users of the Wastewater Treatment Plant (WWTP) in the Town of Hinsdale and enables the town to comply with applicable state and federal laws, including the Clean Water Act (33 United States Code § 1251 *et seq.*). Recognizing that there are significant opportunities to reduce or prevent pollution at its source through cost effective practices, and that such practices can offer savings through reduced purchases of materials and resources, a decreased need for pollution control technologies and lower liability costs, as well as assisting in the protection of the environment, the town establishes the following objectives for this ordinance:

- A. To promote, consistent with the policy of the state and federal government:
  - 1. The prevention or reduction of pollutants at the source whenever feasible;
  - 2. Recycling in an environmentally-safe manner when pollution cannot be prevented;
  - 3. Treatment of pollution in an environmentally-safe manner when pollution cannot be prevented or recycled; and
  - 4. Disposal or other release to the environment in an environmentally-safe manner only as a last resort.

### **1101 DEFINITIONS**

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

- A. "Biochemical oxygen demand (BOD)" 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
- B. "Biosolids" the organic solid or semisolid material by product of the wastewater treatment processes, formerly referred to as sludge
- C. "Building drain" that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five (5) feet (1.5 meters) outside the inner face of the building wall
- D. "Building sewer" the extension from the building drain to the public sewer, property line or other place of disposal, also called house connection
- E. "Bypass" the intentional diversion of waste streams from any portion of a wastewater treatment facility

- F.** "Building Sewer Extension" that portion of the building sewer from the property line to the public sewer
- G.** "Categorical Industry," an industry which must comply with the additional requirements of the National Categorical Pretreatment Standards, of EPA as defined herein.
- H.** "CFR" Code of Federal Register, Laws of the United States Government
- I.** "Combined sewer" a sewer intended to receive both wastewater and storm or surface water
- J.** "DES" the New Hampshire Department of Environmental Services
- K.** "Domestic Wastewater" or Sanitary Sewage normal water-carried household and toilet waste from sanitary conveniences, excluding ground, surface or storm water
- L.** "Drain Layer" any person or company duly licensed by the Town of Hinsdale regulations to install, repair or connect sewers
- M.** "Easement" an acquired legal right for the specific use of land owned by others
- N.** "EPA" the U.S. Environmental Protection Agency or duly authorized officials of the agency
- O.** "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 shall be considered free of floatable oil if it is properly pretreated and the wastewater does not interfere with the collection system
- P.** "Floor Drain" a permanently installed pipe inside a building to remove incidental water from commercial operations, not a foundation drain
- Q.** "Garbage" the animal and vegetable waste resulting from the handling, preparation, cooking, and serving of foods
- R.** "IDA" Industrial Discharge Agreement, An agreement between the Town of Hinsdale and the industry discharging industrial waste to the WWTP
- S.** "Industrial User" a person who discharges industrial wastes to the sanitary sewer of the Town of Hinsdale
- T.** "Industrial waste" any liquid, gaseous or solid waste substance resulting from any process of industry, manufacturing trade or business or from development of natural resources
- U.** "Interference" a Discharge by an Industrial User which, alone or in conjunction with a discharge from other sources, inhibits or disrupts the Wastewater Treatment Plant (WWTP), its treatment processes or operations, or its biosolids processes, use or disposal and which is a cause of a violation of any requirement of the WWTP's National Pollutant Discharge Elimination System (NPDES) permit (including an increase in the magnitude or duration of a violation) or of the prevention of biosolids use or disposal by the WWTP in accordance with groundwater protection rules, Env-Ws 410, solid waste rules, Env-Wm 100-2800, hazardous waste rules Env-Wm 100-1000, and Appendix III, the Clean Air Act, the Toxic Substance Control Act, and the Marine Protection Research and Sanctuaries

Act or such state and federal regulations as applicable

- V. "Local limits" the Town of Hinsdale specific limits for substances discharged to the WWTP by an industrial user
- W. "May" is permissive (see "shall," QQ).
- X. "Medical/infectious waste" means "medical/infectious waste" as defined by RSA 125-N:2, VIII
- Y. "National Categorical Pretreatment Standard" or "Categorical Pretreatment Standard" any regulations containing pollutant discharge limits promulgated by EPA in accordance with Section 307(b) and (c) of the Clean Water Act (33 U.S.C. 1347) which applies to a specific category of industrial users and which are found in the Code of Federal Regulations 40 CFR, Subchapter N, parts 401 through 471
- Z. "Natural outlet" any outlet, including storm sewers and combined sewer overflows, into a watercourse, pond, ditch, lake, or any other body of surface or groundwater
- AA. "National Pollution Discharge Elimination System" An EPA program which provides permits for the Discharge of wastewater issued pursuant to Section 402 of the Clean Water Act (33 U.S.C. 1342)
- BB. "Pass through" the Discharge of Pollutants through the WWTP into surface waters in quantities or concentrations, which, alone or in conjunction with Discharges from other sources, is a cause of a violation of any requirements of the WWTP's NPDES permit (including an increase in the magnitude or duration of a violation) or of applicable water quality criteria
- CC. "Person" any municipality, government subdivision, public or private corporation, individual, partnership, or other entity.
- DD. "pH" percent Hydrogen represents the measure of the acidic nature of the water. "pH," is the logarithm of the reciprocal of the hydrogen-ion concentration. The concentration is the weight of hydrogen-ions, in grams, per liter of solution. Neutral water, for example, has a pH value of 7 and a hydrogen-ion concentration of  $10^{-7}$
- EE. "Pharmaceutical waste" means a prescription drug, as defined by RSA 318:1, XVII or a nonprescription or proprietary medicine, as defined by RSA 318:1, XVIII, that is no longer suitable for its intended purpose or is otherwise being discarded
- FF. "Pollution Prevention" ( $P^2$ ) any activity to reduce pollution by reduction, reuse or recycling of materials which would otherwise be discharged to the environment
- GG. "Properly shredded garbage" the wastes from the preparation, cooking, and dispensing of foods shredded so that all particles will be carried freely under the flow conditions prevailing in sanitary sewers, with no particle greater than ½ inch (1.27 centimeters) in any dimension
- HH. "Public sewer" a common sewer controlled by a governmental agency or public utility
- II. "Radiological waste" means radioactive waste as regulated by RSA 125-F
- JJ. "RSA" Revised Statutes Annotated, the laws of the state of New Hampshire

- KK.** "Sanitary sewer" 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
- LL.** "Screening Level" a concentration of a pollutant which under baseline conditions, would cause a threat to personnel exposed to the pollutant, or would cause a threat to structures or wastewater facilities. To be administered as limits applicable to a particular discharge, the screening levels must be adjusted to account for the conditions at the point of discharge which differs from baseline conditions
- MM.** "Septage" material removed from septic tanks, cesspools, holding tanks, or other sewage treatment storage units, excluding sewage sludge (biosolids) from public treatment works and industrial waste
- NN.** "Sewage" water-carried waste products from buildings, public or private, together with such groundwater infiltration and surface water as may be present
- OO.** "Sewer Service Area" the area within one hundred (100) feet of a public sewer
- PP.** "Sewer" a pipe or conduit that carries wastewater or drainage water
- QQ.** "Shall" is mandatory (see "may," W)
- RR.** "Significant industrial user" all industrial users subject to categorical pretreatment standards, any other industrial user that: discharges an average of 25,000 gallons per day or more of process wastewater (excluding sanitary, noncontact cooling and boiler blowdown wastewater); contributes a process waste stream which makes up 5% or more of the average dry weather hydraulic or organic capacity of the WWTP or is designated as such by the control authority (EPA) on the basis that the industrial user has a reasonable potential for adversely affecting the WWTP or for violating any pretreatment standard or requirement
- SS.** "Slug" any discharge which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration or flows during normal operation or which shall adversely affect the collection system and/or performance of the wastewater treatment works
- TT.** "Storm drain" (or "storm sewer") a drain or sewer for conveying stormwater, groundwater, subsurface water, or unpolluted water from any source
- UU.** "Superintendent" the supervisor of the WWTP, wastewater facilities, and/or wastewater treatment works of the Town of Hinsdale, or his authorized deputy, agent, or representative
- VV.** "Suspended Solids (SS)" 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
- WW.** "Town" The local authority for matters concerning wastewater facilities- the Town of Hinsdale
- XX.** "Trap" a special vault to capture solid and floating materials in water flowing from a drain prior to discharge to the WWTP

**YY.** "Unpolluted water" is water of quality equal to or better than the effluent criteria in effect or water that would not cause violation of receiving water quality standards and would not be benefited by discharge to the sanitary sewer and wastewater treatment facilities provided

**ZZ.** "Wastewater" is the spent water of the community. It may be a combination of the liquid and water carried wastes from residences, commercial buildings, industrial plants, and institutions, together with any unpolluted water which may be present

**AAA.** "Wastewater Treatment Plant or "Wastewater facilities" or "WWTP" an arrangement of devices and structures for transporting, and treating wastewater, and biosolids of the community. The wastewater facility which is owned by a state or a municipality. This definition includes any devices and systems used in the storage, treatment, recycling and reclamation of wastewater. It also includes sewers, pipes and other conveyances only if they convey wastewater to the facility. The term also means the municipality which has jurisdiction over discharges to and the discharges from such facility

**BBB.** "Watercourse" a natural or artificial channel for the passage of water either continuously or intermittently

## **1102 USE OF PUBLIC SEWERS REQUIRED**

- A.** It shall be unlawful for any person to place, deposit, or permit to be deposited, any human or animal excrement, garbage, or other objectionable waste within the sewer service area.
- B.** It shall be unlawful to discharge to any natural outlet within the Town of Hinsdale or in any area under the jurisdiction of said Town, any wastewater or other polluted waters, except where suitable treatment has been provided in accordance with existing federal, state, or Town regulations.
- C.** Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of wastewater within the sewer service area.
- D.** The owner(s) of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated within the Town and abutting on any street, alley, or right-of-way in which a public sanitary sewer of the Town is located, is hereby required, at the owner(s) expense, to install suitable toilet facilities therein, and to connect such facilities directly to the public sewer in accordance with the provisions of this ordinance. The owner will be allowed ninety (90) days after date of official notice to do so, provided that said public sewer is within one hundred (100) feet (30.5 meters) of the said house or building. (Ref: RSA 147-8)

## **1103 PRIVATE WASTEWATER DISPOSAL**

- A.** Where a public sanitary sewer is not available under the provisions of Section 1102, Subsection D, the building sewer shall be connected to a private wastewater disposal system complying with the provisions of this Article, and with the provisions of the DES Water Division.
- B.** Prior to construction of any private wastewater disposal system the owner will first obtain a Construction Approval from the DES Water Division and a copy of this permit shall be provided to the Town prior to construction. The copy of the permit shall be supplemented by any plans, specifications, and other information as deemed necessary by the building inspector.

- C. The type, capacities, location, layout and installation (including inspection) of a private wastewater disposal system shall comply with all requirements of the DES, Water Division. No permit shall be issued for any new private wastewater disposal system employing subsurface disposal facilities where a lot area is less than is required by subdivision lot size requirements of the DES, Water Division. No septic tank or cesspool shall be permitted to discharge to any natural outlet.
- D. The building inspector shall be allowed to inspect the work at any stage of construction, and the applicant for the permit shall notify the building inspector in writing when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within twenty-four (24) hours of receipt of notice by the building inspector.
- E. The owner(s) shall operate and maintain the private wastewater disposal facilities in a sanitary manner at all times, at no expense to the Town. At no time shall any quantity of industrial waste be discharged to a private domestic wastewater disposal facility.
- F. At such time as a public sewer becomes available to a property served by a private wastewater disposal system, the owner shall connect to the public sewer as provided in Section 1102, subsection D. Septic tanks, cesspools, and similar private wastewater disposal facilities shall be cleaned and either dismantled, or with the approval of the sewer inspector, filled with clean sand.
- G. No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by the Health Officer pursuant to RSA 147.

## **1104 BUILDING SEWERS AND CONNECTIONS**

- A. No person(s) shall uncover, make any connections with/or opening into, alter, or disturb any public sewer or component thereof without first obtaining a written permit from the Town of Hinsdale.
- B. There shall be two (2) classes of building sewer permits: (a) for residential and commercial service producing only domestic wastewater, and (b) for service to establishments producing industrial wastes. In either case, the owner(s) 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 Town. A permit and inspection fee shall be charged for residential, commercial and industrial building sewer permits. This fee shall be set in the Sewer User Charge Ordinance and shall be paid to the Town at the time the application is filed. This fee is in addition to the accessibility fee. This fee may be subject to change at the sole discretion of the Town.
- C. All costs and expenses incidental to the installation and connection of the building sewer shall be borne by the owner(s). 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.
- D. 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 front building sewer 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 aforementioned connection. Any such connection shall require prior approval of the Board of Selectmen and the WWTP Superintendent.

- E.** 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 to this ordinance.
- F.** The private sewage disposal system shall not be used beyond the time the owner is required to connect to the public sewer.
- G.** The size, slope, alignment, materials of construction of a building sewer, and the methods to be used excavating, placing of the pipe, joining, testing, and backfilling of the trench, shall conform to the requirements of the Town and other applicable state, federal or local regulations.
- H.** Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings where the building drain is too low to permit gravity flow to the public sewer, wastewater carried by such building drain shall be lifted by an approved means and discharged to the building sewer at the owner's expense.
- I.** No person(s) shall make connection of roof downspouts, foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a sanitary sewer.
- J.** The connection of the building sewer into the sanitary sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the Town or the procedures set forth in appropriate specifications of the American Society for Testing and Materials and the Water Pollution Control Federation Manual of Practice.
- K.** All such connections shall be made gas tight, water tight and verified by proper testing. Any deviation from the prescribed procedures and materials must be approved by the Town before installation.
- L.** The applicant for the building sewer permit shall notify the Town 24 hours before the building sewer is ready for inspection and connection to the public sewer. The connection and testing shall be made under the supervision of the agent authorized by the Town.
- M.** All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazards. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the town at the expense of the owner,
- N.** Any person proposing a new discharge to the WWTP or a substantial change in the volume or character of pollutants that are discharged into the WWTP shall notify the Town at least 60 days prior to the proposed change or connection. Proposed new discharges from residential or commercial sources involving loading exceeding 50 population equivalents (5,000 gpd), any new industrial discharge, or any alteration in either flow or waste characteristics in industrial discharge must be approved by the DES.

## **1105 DISCHARGE TO PUBLIC SEWERS**

- A.** No person(s) shall discharge or cause to be discharged any unpolluted waters such as stormwater, groundwater, roof runoff, subsurface drainage, or noncontact cooling water to any sanitary sewer.

- B.** Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers, or a natural outlet approved by the Town. Discharge of industrial cooling water requires an NPDES permit prior to discharge to a storm sewer or natural outlet
- C.** Wastewater introduced to the sanitary sewer by an industrial user shall not pass through or cause interference with the operation of the WWTP.
- D.** No person(s) shall discharge or cause to be discharged any of the following described substances to any sewer:
1. Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas which may cause a fire hazard in the WWTP. Any substance with a closed cup mash point of 140<sup>0</sup> F or 60<sup>0</sup> C lower as defined in CFR 261.21
  2. Any substance containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure, pass through, or cause interference with any wastewater treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters or the wastewater facility.
  3. Any substance having pH lower than 6.5 or higher than 8.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment, or personnel of the treatment works.
  4. Any waste that contains heat in amounts which would inhibit biological activity in a POTW resulting in an interference, and in no case heat in such quantities that the temperature of the influent at the POTW exceeds 40°C, 104°F.
  5. Any medical/infectious waste, pharmaceutical waste, or radiological waste except as specifically authorized in a discharge permit.
  6. Any wastewater causing the POTW's effluent or sludge to fail a toxicity test.
  7. Any hazardous waste listed or designated by the department under Env-Wm 400.
  8. 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 wastewater facilities such as, but not limited to, ashes, bones, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, un-ground garbage, whole blood, paunch manure, hair and meshing, entrails, disposal diapers and paper dishes, cups, milk containers, and etc., either whole or ground by garbage grinders.
  9. Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through.
- E.** The following described substance materials, waters, or waste shall be limited in discharges to the WWTP to concentrations or quantities which will not harm either the sewers, wastewater treatment process or equipment, will not have an adverse effect on the receiving stream, or will not otherwise endanger lives, limb, public property, or constitute a nuisance. The town may set limitations lower than the limitations established in the regulations below if in its opinion such more severe limitations are necessary to meet the above objectives. In forming its opinion as to the acceptability, the Town will give consideration to such factors as the quantity of subject waste in relation to flows and

velocities in the sewers, materials of construction of the sewers, the wastewater treatment process employed, capacity of the wastewater treatment plant, degree of treatability of the waste in the wastewater treatment plant, and other pertinent factors. The limitations or restrictions on materials or characteristics of materials discharged to the sanitary sewer which shall not be violated without approval of the Town are as follows:

1. Any liquid or vapor having a temperature higher than one hundred fifty (150° F) or sixty-five (65° C).
2. Any water or wastes containing fats, wax, grease, oils, whether emulsified or not, in excess of one hundred (100) mg/l or containing substances which may solidify or become viscous at temperatures between thirty-two (32° F) and one hundred fifty (150° F) or (0° and 65° C).
3. Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of one (1) horsepower or greater, for commercial use shall be subject to the review and approval of the Town.
4. Any waters or wastes containing strong acid iron pickling wastes, or concentrated plating solutions whether neutralized or not.
5. Any waters or wastes containing heavy metals, solvents, and similar objectionable or toxic substances to such degree that any such material discharged to the public sewer exceeds the limits established by the Town, the NHDES, or the National Categorical Pretreatment Standards, as promulgated by the EPA for such materials.
6. Any waters or wastes containing odor-producing substances which may exceed limits established by the Town, state, federal or other public agencies with jurisdiction for such discharge to the receiving waters.
7. 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.
8. Any waters or wastes having a pH in excess of 8.0.
9. 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 dissolved solids such as, but not limited to, sodium chloride and sodium sulfate.
  - b. Excessive discoloration (such as, but not limited to dye wastes and vegetable tanning solutions).
  - c. Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the WWTP.
  - d. Unusual volume of flow or concentration of wastes constituting a "slug" as defined herein.
10. Wastes or waters containing substances which are not amenable to treatment or reduction by the wastewater treatment process employed, or are amenable to treatment only to such a degree that the

effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

11. Trucked or hauled substances which comply with this ordinance only with approval of the Town after required sampling of contents.

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

**F.** If any waters or wastes are discharged or are proposed to be discharged to the public sewers, which contain the substances or possess the characteristics enumerated in Section E of this Article, and which in the judgment of the Town may have a deleterious effect upon the wastewater facilities, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Town 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 added cost of handling and treating the wastes.

If the Town permits the pretreatment or equalization of flows, the design and installation of the pretreatment facilities shall be subject to the review and approval of the Town and the DES, and subject to the requirements of all applicable codes, ordinances and laws. Such facilities shall not be connected until said approval is obtained in writing. Such approval shall not relieve the owner of the responsibility of discharging treated wastewater meeting the requirements of this ordinance.

Plans and specifications for a proposed pretreatment facility shall be the result of the design of a professional engineer registered in the State of New Hampshire.

**G.** Grease, oil, and sand traps (interceptors) shall be installed and maintained in accordance with the plumbing codes or when, in the opinion of the Town they are necessary for the proper handling of liquid wastes from kitchens, floor drains or sewers containing floatable oil or grease or sand in excessive amounts, as specified in Section E subsection 2, or any other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All traps (interceptors) shall be of a type and capacity complying with all plumbing codes and approved by the Town and shall be located so as to be readily and easily accessible for cleaning and inspection. In the maintenance of these traps 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 shall be periodically provided to the Town. Any removal and hauling of the collected materials not performed by owner(s) personnel must be performed by currently licensed waste disposal firms.

Laundry facilities not installed within an individual dwelling unit or intended for individual family use shall be equipped with an interceptor with a wire basket or similar device, removable for cleaning, that prevents passage into the drainage system of solids ½ inch (12.7 MM) or larger in size, strings, rags, buttons or other materials detrimental to the public sewage system as required by plumbing codes.

**H.** The Town of Hinsdale WWTP does not accept industrial waste. Should the Town accept industrial

waste in the future, all industrial waste shall be pretreated in accordance with federal and state regulations and this ordinance to the extent required by applicable National Categorical Pretreatment Standards, state pretreatment standards or standards established by the Town whichever is more stringent. Where pretreatment or flow-equalizing facilities are provided or required for any wastewater, they shall be maintained continuously in satisfactory and effective operation by the owner(s) at his expense.

**I.** When required by the Town, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable structure together with such necessary meters and other appurtenances in the building sewer to facilitate observations, sampling, and measurement of the wastewater. Such structure, when required, shall be accessible 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. In the event that no special manhole has been required, the control manhole shall be the next down stream manhole in the system from the point of the owners building sewer connection. All industrial users discharging to a public sewer shall perform such monitoring as the Town or duly authorized employees of the Town may reasonably require including installation, use and maintenance of monitoring equipment, keeping records and reporting the results of such monitoring to the Town. Records shall be made available to the Town, or to other agencies having jurisdiction over the WWTP upon request.

**J.** The Town may require a sewer user to provide information needed to determine compliance with this ordinance. These requirements may include:

1. Wastewater discharge peak rates and volume over a specified time period.
2. Chemical analyses of wastewater.
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 on the user's property showing a sewer and pretreatment facility location.
6. Plans and Specifications of wastewater pretreatment facilities.
7. Details of systems to prevent and control the losses of materials through spills to the municipal sewer.

**K.** All measurements, tests, and analyses of the characteristics of wastewater to which reference is made in this ordinance shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater," published by the American Public Health Association, or with the EPA approved methods published in the Code of Federal Regulations, Title 40, Part 136 (40 CFR, 136) and shall be determined at the control manhole provided, or upon suitable samples taken at said control manhole. Sampling methods, location, times, durations, and frequencies shall be subject to approval of the Town.

**L.** No statement contained in this article shall be construed as preventing any special agreement or arrangement between the Town. And any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the Town for treatment, provided that such agreements do not contravene any requirements of existing federal or state laws, and/or regulations promulgated there under, are compatible with any user charge system in effect, and do not waive applicable National Categorical

Pretreatment Standards.

**M.** Septic tank waste (septage) may be accepted at the WWTP at a designated receiving structure within WWTP, at such times as are established by the Town, and as directed by the operator or superintendent of the wastewater treatment facility, provided such wastes do not contain toxic pollutants or materials, and provided such discharge does not violate any of the provisions set forth in this sewer use ordinance. Permits to use such facilities shall be under the jurisdiction of the Town. The discharge of industrial wastes as “industrial septage” requires prior approval of the DES. Fees for dumping septage will be established by the Town. Procedures for the disposal of such wastes shall be in conformance with the operating policy of the Town and disposal shall be accomplished under this policy unless specifically permitted otherwise.

**N.** It shall be illegal to meet requirements of this Sewer Use Ordinance by diluting wastewater in lieu of proper pretreatment.

## **1106 INDUSTRIAL PRETREATMENT**

**A.** The Town of Hinsdale WWTP does not allow industrial wastes to be discharged into the public sewer. Should the town accept industrial wastes in the future the following requirements shall apply.

**B.** Applicability, All persons discharging industrial process wastes into public or private sewers connected to the Town’s WWTP, shall comply with applicable requirements of federal and state industrial pretreatment regulations (as amended), in addition to the requirements of these Industrial Pretreatment Rules.

**C.** Industrial Discharge Agreement (IDA.)

**1.** IDA. Required. Effective 120 calendar days after this provision is adopted by the Town the discharge of any industrial waste to the WWTP is prohibited without a valid Industrial Discharge Agreement (IDA.).

**2.** IDA. Application. Within 60 days after the effective date of these Industrial Pretreatment Rules, persons subject to these rules shall submit an application for an IDA. Containing information required under applicable federal and state industrial pretreatment reporting regulations. Such information shall include, as a minimum:

- (a) The name and address of the facility, including the names of the operators and owners.
- (b) A list of all environmental permits held by or for the facility.
- (c) A brief description of the nature, average rate of production, and Standard Industrial Classification (SIC) of the operations carried out at such facility.
- (d) An identification of the categorical pretreatment standards applicable to each regulated process.
- (e) An analysis identifying the nature and concentration of substances in the discharge.
- (f) Information showing the measured averaged daily and maximum daily flow, in gallons per day, to the WWTP from regulated process streams and from other streams.
- (g) A schedule of actions to be taken to comply with discharge limitations.
- (h) Additional information as determined by the Town may also be required.

**3.** Provisions. The IDA. Will outline the general and specific conditions under which the industrial process waste will be accepted for treatment at the WWTP. Specifically, included in the agreement

will be the following:

- (a) Pretreatment and self-monitoring facilities required,
- (b) Type and number of samples, and sampling frequency required,
- (c) Effluent limitations on the industrial waste,
- (d) Reporting Requirements.

(i) Industrial users shall submit periodic reports as required indicating the nature and concentration of substances in the discharge from the regulated processes governed by pretreatment standards and the average and maximum daily flow from these process units. The reports shall state whether the applicable categorical pretreatment standards and effluent limitations are being met on a consistent basis and, if not, what additional operation and maintenance practices and/or pretreatment is necessary. Additional requirements for such reports may be imposed by the Town.

(ii) Signature for reports, Reports submitted under this Section shall be signed by an authorized representative. An authorized representative may be:

- a) a principal executive officer of at least a level of vice-president, if the industrial user is a corporation;
- b) a general partner or the proprietor, if the industrial user is a partnership or sole proprietorship; or
- c) a duly authorized representative of either of the individuals designated above, if such representative is responsible for the overall operation of the subject facility.

#### 4. Monitoring records.

(a) Industrial users subject to the reporting requirements under this section shall maintain records of information resulting from monitoring activities required to prepare such reports. Such records shall include for each sample:

- (ii) the date, exact place, method and time of sampling and the names of the person or persons taking the sample;
- (iii) the dates analyses were performed;
- (iv) the laboratory performing the analyses;
- (v) the analytical techniques and methods used; and
- (vi) the results of such analyses.

(b) Such records shall be maintained for a minimum of five (5) years and shall be made available for inspection and copying by the Town.

#### 5. Additional Conditions:

(a) The Agreement will be in effect for one year, and will be automatically renewed by the Town for a one year period, unless the applicant is notified otherwise by the Town.

(b) The agreement is non-transferable, and may be revoked by the Town for noncompliance, or modified so as to conform to discharge limitation requirements that are enacted by federal or state rules and/or regulations.

(c) An industry proposing a new discharge or a change in volume or character of its existing discharge must submit a completed IDA application to the Town at least 60 days prior to the commencement of such discharge. The submitted application must include plans and engineering drawings, of the proposed pretreatment facilities stamped by a professional engineer registered in

New Hampshire. Upon approval of the application by the Town, a Discharge Permit Request is submitted by the Town to the DES on behalf of the industry. Upon approval of the Discharge Permit Request by the DES, the industry and the Town will enter into a new or amended IDA in accordance with the procedure outlined in this subpart.

(d) Industrial users will be assessed an annual fee by the Town to defray the administrative costs of the IDA program.

**D. National Categorical Pretreatment Standards**

1. Notification. The Town shall provide timely notification to appropriate industrial users of applicable categorical pretreatment standards.
2. Compliance date for categorical standards. Compliance with categorical pretreatment standards shall be achieved within three (3) years of the date such standards are effective, unless a shorter compliance time is specified in the standards.
3. Amendment to IDA Required. An industrial user subject to categorical pretreatment standards shall not discharge wastewater directly or indirectly to the WWTP after the compliance date of such standards unless an amendment to its IDA has been issued by the Town
4. Application for IDA amendment. Within 120 days after the effective date of a categorical pretreatment standard, an industry subject to such standards shall submit an application for an IDA amendment. The application shall contain the information noted under 1106 section C2.
5. Categorical Compliance Schedule Reports. The need for categorical compliance reports under this section shall be fulfilled by the reporting requirements outlined in 1106 C 3(d).

**E. Slug Discharge Notification,** Industrial users shall immediately notify the Town of any slug of process waste discharge by such user to the Town's system.

**F. Imminent Endangerment,** The Town may, after informal notice to the industry discharging wastewater to the WWTP, immediately halt or prevent any such discharge reasonably appearing to present an imminent endangerment to the health and welfare of persons, or to the environment, or which threatens to interfere with operation of the WWTP. Actions which may be taken by the Town in response to violations to this ordinance include, ex parte temporary judicial injunctive relief, entry on private property to halt such discharge, blockage of a public sewer to halt such discharge, or demand of specific action by the industrial user.

**G. Monitoring and Surveillance,** The Town shall as necessary sample and analyze the wastewater discharges of contributing industrial user and conduct surveillance and inspection activities to identify, independently of information supplied by such user, occasional and continuing noncompliance with industrial pretreatment standards. All industrial users discharging to the WWTP shall allow unrestricted access to Town, DES, and EPA personnel for the purposes of investigating and sampling discharges from their facilities. Each industrial user will be billed directly for costs incurred for analysis of its wastewater.

**H. Investigations,** The Town shall investigate instances of noncompliance with industrial pretreatment standards and requirements.

**I. Public information,** information and data submitted to the Town under this part relating to wastewater discharge characteristics shall be available to the public without restriction. Other such information shall be available to the public at least to the extent provided by 40 CFR Section 2.302. (Public Information)

**J. Public Participation,** The Town shall comply with the public participation requirements of 40 CFR Part 25 in the enforcement of industrial pretreatment standards and requirements. A list of significant dischargers will be published in a local newspaper at least annually.

## **1107 PROTECTION OF PROPERTY**

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

## **1108 POWERS AND AUTHORITY OF INSPECTORS**

**A.** Any duly authorized employees of the Town bearing proper identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing pertinent to the discharge to the WWTP in accordance with the provisions of this ordinance.

**B.** Any duly authorized employees of the Town are authorized to obtain information concerning industrial processes which have a bearing on the kind and source of discharge to the public sewer. The industry may withhold information considered confidential. The industry must establish that to reveal the information in question to the public might result in an advantage to competitors. The information in question shall be made available to governmental agencies upon written request. The information will be used only in relation to this ordinance, the NPDES permit, or the pretreatment program. The burden of proof that information should be held confidential rests with the industry. However, information about wastewater discharged by the industry (flow, constituents, concentrations and characteristics) shall be available to the public without restriction.

**C.** While performing the necessary work on private property referred to in 1108 A above, the duly authorized employees of the Town shall observe all safety rules applicable to the premises established by the industrial user, and the user shall be held harmless for injury or death to the Town employees, and the Town shall indemnify the user against loss or damage to its property by Town employees and against liability claims and demands for personal injury or property damage asserted against the user and growing out of the gauging and sampling operations, except as such may be caused by negligence or failure of the user to maintain safe conditions as indicated in Section 1105 I.

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

## **1109 DRAIN LAYERS**

**A.** No person, firm or corporation engaged in constructing sanitary sewers shall engage in or work at such business until they have obtained a Drain Layer License. An applicant for a license will apply on a form made available by the Town. The Town shall act as a licensing board, and shall examine and rule on all applications for a drain layers license. The license, once granted, may be revoked upon notice, for inept work or infraction of the requirements of this ordinance.

**B.** Each Drain Layer shall pay a yearly fee of twenty-five dollars

**C.** Each drain layer upon application for a license shall provide attached to the application assurance of performance as required by the Town.

## **1110 PENALTIES**

**A.** Any person 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 correcting thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations. The Town may, after informal notice to the person discharging wastewater to the public sewer, immediately halt or prevent any such discharge reasonably appearing to present an imminent endangerment to the health and welfare of the public, to the environment, or which threatens to interfere with the operation of the WWTP. Actions which may be taken by the Town include: ex parte temporary judicial injunctive relief, entry on private property to halt such discharge, blockage of a public or private sewer to halt such Discharge, or demand of specific action by the person.

**B.** Any person found to be violating any provision of this ordinance shall be subject to a civil penalty not to exceed \$10,000 per day of such violation. Ref RSA 149-I:6.

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

## **1111 VALIDITY**

**A.** All ordinances or parts of ordinances in conflict herewith are hereby repealed

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

## 1112 ORDINANCE IN FORCE

This ordinance shall be in full force and effect from and after its passage, approval, recording and publication as provided by law. Be it hereby resolved that the Hinsdale Board of Selectmen, acting for and as the Hinsdale Water and Sewer Commissioners, within the Town of Hinsdale, New Hampshire hereby passes the foregoing Sewer Use Ordinance this 20<sup>th</sup> day of October, 2014.

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Wayne Gallagher, Chairman

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Mike Darcy, Selectman

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Steven Diorio, Selectman

---

Michael McCosker, Selectman

---

Bernie Rideout, Selectman

HINSDALE BOARD OF SELECTMEN

Hinsdale, New Hampshire  
June 25, 2016

**TOWN OF HINSDALE, NEW HAMPSHIRE**  
**WATER AND SEWER DEPARTMENT**  
**APPLICATION TO CONNECT TO THE MUNICIPAL SEWER SYSTEM**

Date: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Address of the proposed connection: \_\_\_\_\_

Tax Map Number: \_\_\_\_\_ Lot Number: \_\_\_\_\_

Type of Use Proposed: Residential    Commercial    Industrial\*

\*Requires NHDES discharge permit

Specify types of waste to be discharged: \_\_\_\_\_

Indicate fixtures to be connected:

Number	Fixture	Number	Fixture
_____	Kitchen Sinks	_____	Toilets
_____	Bathroom Sinks	_____	Bath tubs
_____	Washing Machines	_____	Shower units
_____	Urinals	_____	Garbage Disposals

Specify other fixtures: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The maximum number of persons who will use the above fixtures: \_\_\_\_\_

Do you have/anticipate municipal water service? Yes                      No

Please provide the name and address of the contractor who will do line work at your site:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please provide plan and specifications for the proposed building sewer. (Submit with application.)

**CONDITIONS**

Applicant will be charged for all labor and material costs incurred by the water and sewer department at the following rates:

Construction costs:	Labor	=	Hourly rate + 50%
	Backhoe	=	\$ 45.00 per hour
	Materials	=	Cost + 15%
Connection Fee:	Residential		\$1,793.75 plus construction cost
	Commercial, Industrial		\$2,818.75 plus construction cost

Prior to sewer use being authorized, all requirements of the Town of Hinsdale must be met (i.e. zoning and utility requirements).

Approval by the Selectmen for a sewer connection is valid for one year from the date of approval.

Each application is considered on its own merits. The Selectmen reserve the right to deny any application that they determine will jeopardize the efficient and safe operation of the Hinsdale Wastewater Treatment Plant.

The applicant agrees to accept and abide by all provisions of the Town of Hinsdale sewer ordinance and all other pertinent ordinances and regulations present and future.

The applicant agrees to maintain the building sewer at no expense to the Town.

The applicant agrees to contact the Board of Selectmen when the Building sewer is ready for inspection and connection to the public sewer, but before any of the work is covered.

I have read and fully understand the conditions stated above. I hereby agree to abide by those conditions as well as any other pertinent regulations.

\_\_\_\_\_  
Signature

The Hinsdale Board of Selectmen hereby connect to the municipal sewer system. APPROVES / DENIES the application to

\_\_\_\_\_  
Water Superintendent

\_\_\_\_\_  
WWTP Superintendent

\_\_\_\_\_  
Date

**APPLICATION  
FOR DRAIN LAYER LICENSE  
HINSDALE, N.H.**

Date: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Telephone No. \_\_\_\_\_ Occupation \_\_\_\_\_

Are you a Licensed Plumber?      ( ) YES ( ) NO      NUMBER \_\_\_\_\_

Have you ever had a Drain Layers License?      ( ) YES ( ) NO

If so, where? \_\_\_\_\_ (City & State)

When? \_\_\_\_\_ (Year)

For Whom? Name \_\_\_\_\_ (Employer)

Address \_\_\_\_\_

I have attached herewith a Performance Bond (or Liability Insurance) in the amount of \$ \_\_\_\_\_  
\_\_\_\_\_ to assure work undertaken during the following year in the town.

I declare, under the laws of perjury, that the foregoing statements are true, and if issued a Drain layers License I will perform all work in accordance with the town sewer use ordinance.

Date \_\_\_\_\_ Signature \_\_\_\_\_

New Application      ( ) FEE \$25.00    Renewal ( ) FEE \$25.00

Approved by:

\_\_\_\_\_  
(Commissioner/Selectman)

\_\_\_\_\_  
(Commissioner/Selectman)

\_\_\_\_\_  
(Commissioner/Selectman)

\_\_\_\_\_  
(Commissioner/selectman)

\_\_\_\_\_  
(Commissioner/Selectman)

\_\_\_\_\_  
Date

**APPLICATION FOR  
SEPTAGE DISPOSAL LICENSE  
HINSDALE, NH**

Page 1.

DATE: \_\_\_\_\_

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

\_\_\_\_\_

TELEPHONE NO. \_\_\_\_\_

ARE YOU LICENSED BY THE DEPARTMENT OF ENVIRONMENTAL SERVICES TO  
TRANSPORT SEPTAGE?

YES                       NO                      LICENSE # \_\_\_\_\_

ARE YOU FAMILIAR WITH THE PROCEDURE FOR DISCHARGING SEPTAGE IN THE TOWN?

YES                       NO

Annual Septage Disposal License Fee: \$50.00  
Payable to Hinsdale Sewer Dept. at time of License Issuance.

OWNERS SIGNATURE \_\_\_\_\_

APPROVED BY:

\_\_\_\_\_  
(Commissioner/Selectman)

\_\_\_\_\_  
(Commissioner/Selectman)

\_\_\_\_\_  
(Commissioner/Selectman)

\_\_\_\_\_  
(Commissioner/selectman)

\_\_\_\_\_  
(Commissioner/Selectman)

\_\_\_\_\_  
Date

**TOWN OF HINSDALE  
SEPTAGE DISPOSAL LICENSE  
HINSDALE, NH**

Page 2.

NH State Permit No. \_\_\_\_\_  
NAME \_\_\_\_\_  
TELEPHONE \_\_\_\_\_

ADDRESS \_\_\_\_\_  
\_\_\_\_\_

Is hereby authorized to dump/discharge septic tank waste originating from domestic sources. Commercial waste maybe refused, at the discretion of the Sewer Commission or its representatives. Reasons for refusal may include, but are not limited to, wastes containing

- (a) Gasoline, benzene, naptha, fuel oil, or other flammable or explosive liquid, solid, or gas.
- (b) Toxic or poisonous solid, liquid, or gas in sufficient quantity, either singly or by interaction with other waste, to injure or interfere with sewage treatment process, or create any hazard in the receiving waters of the sewage treatment plant.
- (c) Fats, wax, grease, or oils, whether emulsified or not; substances which may solidify or become viscous at temperatures between thirty-two (32°) and one hundred and fifty (150°) degrees F (0-65° C).
- (d) Strong acid iron pickling wastes, or concentrated platin solutions whether neutralized or not.
- (e) Iron, chromium, copper, zincs and/or similar objectionable or toxic wastes.
- (f) Unusual concentrations of inert suspended solids such as stone dusts, lime residues, and Fullers earth.
- (g) Unusual concentrations of ashes, cinders, sand, stone dust, mud, straw, shavings, metals glass, rags, feathers, tar, plastics, wood, whole blood, paunch manure, hair, fleshings, entrails paper dishes, cups, and milk cartons, etc.
- (h) any other substance that will interfere with the treatment plant process or cause the treatment plant to discharge an effluent that will be in violation of Federal, State, or other public agencies' permit requirements for which the town is responsible.

I the undersigned agree to not dump/discharge any waste which I know is included in the above list. I further agree to inform the Sewer Commission or its representatives of any waste that may fall into this list.

DATE \_\_\_\_\_

SIGNED \_\_\_\_\_

FEE RECEIVED \_\_\_\_\_

SIGNED \_\_\_\_\_

*Appendix E.*

**Town of Hinsdale, New Hampshire  
Sewer System Inflow Maintenance Program**

All sewer systems have some level of non-sanitary flows entering the collection system. This flow is commonly known as infiltration/inflow (I/I). Infiltration is the groundwater entering the sewer system through leaking pipes and manholes and inflow is stormwater entering the sewer system through direct connections such as catch basins, roof leaders, sump pumps, foundation drains, etc.

From the Sewer System Study performed by Underwood Engineers in 2003 the following observations are provided regarding collection system I/I.

1. Sanitary flows in Hinsdale are estimated at 76,000 gpd. The average daily flow recorded at the WWTF was 161,000 gpd. Therefore the I/I was estimated to be 85,000 gpd representing approximately 53% of the overall flow.
2. Several studies have been performed over the years relating to I/I and two of the studies, that included flow monitoring, documented excessive I/I throughout the system.
3. The WWTF was constructed in 1979 and since its construction, has been subject to excessive I/I. These flows have caused the facility to violate the NPDES permit requirement of 85% removal rate because of low influent BOD and TSS concentrations due to excessive clean water and have required significantly more operator attention to the process units to meet permit limits.
4. Utilizing previous flow monitoring results, I/I was considered excessive in sub-basins IA, IB, IC, IVA, VI, VIIA and VIIB (excessive = 1,500 gpd/in-dia/mile), and were subsequently and were television inspected.
5. There does not appear to be significant sources of direct inflow (i.e. roof leaders, yard drains, cross connections from storm drains and catch basins) given that no immediate increase in wastewater flows can be seen during or closely following rain events.
6. Delayed inflow from sump pump discharge may be present, but can not be readily identified by reviewing the rainfall and treatment facility flow data. However, during the April 2003 television inspection, approximately 55 services were reported "running". This may be due to sump pumps, cellar drains or foundation drains.
7. It is clear that infiltration is present in the wastewater system given the base treatment facility flows over and above the project domestic wastewater flows during dry weather flow. This includes groundwater entering the system through defective joints and pipes. It may also include steady flow from foundation drains or cellar drains.

In order to ensure adequate, reliable, and economical sewer service to connected users served by the system, the Town of Hinsdale has adopted this Sewer System Inflow Maintenance Program.

**Phase I. –Maintenance Activities**

**Routine Maintenance Activities**

Activity	Suggested Frequency	Comment
Sewer pipe cleaning, root removal/jetting <sup>1</sup>	20% of the system per year	5 year cycle
Sewer TV inspection <sup>1</sup>	20% of the system per year	5 year cycle
Manhole inspection <sup>1</sup>	20% of the system per year	5 year cycle
Grease trap inspection	At least once per year	1 year cycle

1. These items should be done in concert. For example, cleaning & root removal would be done before TV inspection.

**As Needed Maintenance Activities**

Activity	Suggested Frequency	Comment
Smoke testing – I/I source identification <sup>2</sup>	As identified & necessary	
Dye testing	As identified & necessary	
Private connection/home inspection <sup>2</sup>	As identified & necessary	
Flow monitoring <sup>2</sup>	As identified & necessary	
Updating of collection system map	As necessary	

1. These items should be done in concert. Flow monitoring will identify areas needing further inspection.

**Phase II . – Public Out Reach Efforts**

It is important to further educate the sewer system users on the impact that I/I can have on a sewer collection system as well as the operating budget. A review of the Town’s Sewer Use Ordinance (SUO) reveals that it is up to date (latest significant revision in 2008) and adequately prohibits illicit sewer connections. Therefore, it is recommended that Hinsdale insure that all users are complying with the Sewer Use Ordinance as it pertains to illicit sewer connections.

**A. Public Educational Program**

All sewer users need to be informed immediately via letter about illicit connections and their negative impacts to the sewer collection system as well as to the operating budget. Additionally, a public educational brochure should be developed and mailed annually with the sewer bills. This brochure should incorporate the following:

- An explanation of the impact to the sewer system that excess water can cause; such as raw sewage overflows to streets, sewage backups into people’s homes, untreated sewage into ditches and water bodies, and the introduction of harmful bacteria and viruses into the environment.
- An explanation of the different sources of high flows to the sewer system including; sump pumps and basement drains, roof drains, yard and driveway drains, and deteriorated service connections.

- Clarification that discharges from these illicit connections to the sanitary sewer system is prohibited by the SUO and that they must be removed.
- Give details of the potential illicit connection situations and offer recommended methods for removing the sources from the sewer.

B. House-to-House Inspection

A house-to-house Building Inspection to locate possible individual sources of clean flow will be performed aimed at identifying problems. A letter will be provided to property owners requesting an inspection of the interior plumbing in their basement and the exterior areas of their building for this purpose.

The inspection will only take about 10 minutes during which time a few simple questions will be asked regarding storm water and drainage. If a problem is found on a property, the Town will work with the property owner to find a resolution. Penalties will not be assessed as long as property owner shows good faith in correcting the problem.

<u>Type of Penalty</u>	<u>Within 7 Days</u>	<u>Thereafter</u>
<i>Warning</i>	<i>No Fine</i>	<i>No Fine</i>
<i>1<sup>st</sup> Offense</i>	<i>\$25.00 per day</i>	<i>\$50.00 per day</i>
<i>2<sup>nd</sup> Offense</i>	<i>\$50.00 per day</i>	<i>\$100.00 per day</i>
<i>Subsequent Offense</i>	<i>\$100.00 per day</i>	<i>\$200.00 per day</i>

Penalties will not be assessed as long as property owner shows good faith in correcting the problem.

C. Inspections Prior to Sale/Transfer of All Buildings

Prior to the Sale/Transfer of All Buildings, the Town of Hinsdale Water Department will be contacted and will conduct inspections to determine whether there are sump pumps illegally connected to the sanitary sewer. This inspection consists of an inside and outside survey performed by a water department representative. Inspections will be scheduled by appointment and will be conducted during normal office hours. Inspections will be completed within 5 business days of request. A representative of the property owner must be present to provide access during the inspection.

Inspection/Re-inspection Reports shall be valid for one (1) year from the date of issuance of the report upon conformance with the regulations. Any sale or transfer of the property during this period will not necessitate an additional inspection or fee unless modifications to the structure or the plumbing system have been made requiring additional inspection.

Inspections will be completed by a designated Town representative with sufficient training/knowledge to assist or direct the owner or their representative on necessary repairs prior to re-inspection if required. As a result of the inspection, any modifications completed shall be permanent and in accordance with the applicable Town codes. Re-inspection will be required upon completion of repairs to insure conformance with regulations. Inspection fees are \$25.00. No fee will be charged for re-inspection after ordered.

repairs have been completed. All costs associated with the repairs ordered shall be the responsibility of the property owner.

## Town of Hinsdale

ROBERT JOHNSON 336-5714  
WASTEWATER PLANT SUP.

DENNIS NADEAU 336-5715  
WATER AND SEWER DEPARTMENT SUP.



## HOUSEHOLD CHECKLIST



## ROOF DRAINS

The roof drains, gutters, and /or downspouts on your building are connected to the sewer service. Therefore, the rain that falls on your roof runs quickly into the sewer, using storage and conveyance capacity of the sewer pipe, and adding to the overflow problem.

### How to correct the problem:

1. Observe where downspouts connect into the sewer system. This connection is usually either a pipe that bends and goes into your house, or goes directly underground with no visible outlet. If the downspout enters the house by a pipe, pull the downspout out of that pipe. Remove the pipe that goes into your house and seal the hole by securing a cap or mortaring it closed with concrete so no rainwater can get into it.
2. If the downspout goes directly underground, dig around the pipe to expose the point where you can pull the downspout out of the pipe. Remove the downspout and either secures a cap or mortar it closed with concrete. You must contact the Town for an inspection before backfilling over the sealed pipe.
3. Redirect the downspout as far away from you house as possible so water running off it will drain away from you building and windows. You may want to place a concrete or plastic splashblock at the end of the downspout outlet to prevent erosion. Try to avoid running water directly across sidewalks or other walkways.
- 4.

1. ROOF DRAINS

2. SUMP PUMP

3. OPEN CLEAN OUTS

4. OPEN PIPE

5. YARD/DRIVEWAY DRAINS

6. SEWER SERVICE CONNECTION

7. BASEMENT PERIMETER DRAINS

**WE NEED YOUR HELP  
TO STOP THE  
WASTEWATER  
OVERFLOW IN  
HINSDALE.**

## SUMP PUMP

A sump pump is designed to collect groundwater that seeps through basement walls and foundations. During wet weather, your sump pump forces water into a sink or other direct connection to your property's sewer service. The water from your sump pump quickly enters the sewer, using storage and conveyance capacity of the sewer pipe, and adding to the overflow problem.

### **How to correct the problem:**

1. Determine what your sump pump collects and where it outlets. If your sump pump collects any wastewater, such as from your washer or sink, contact the Town for further instructions.
2. Redirect the pipe leaving your sump pump to the outside, possible through a basement window. Replace the closest basement windowpane with a piece of plywood, sheet metal, etc. Cut a hole to match the size of the outlet pipe. Run the pipe through the hold and caulk any gaps between the pipe and the opening.
3. If no basement exists, or is too far from the sump pump, drill a hold through the sill of the building. Outlet the pipe through this opening, allowing the water to drain away from the house onto a concrete or plastic splashblock outside. Caulk any gaps between the pipe and the opening.
4. Extend the outlet pipe as far away from your house as possible so water running off it will drain away from you building and windows. You may want to place a concrete or plastic splashblock at the end of the downspout outlet to prevent erosion. Try to avoid running water directly across sidewalks or other walkways.

## OPEN CLEAN-OUTS

A clean-out is a section of pipe connected to your building's sewer service connection that allows access to the service for cleaning. Typically a clean-out is inside you basement, but it may be outside. The clean-out on your property is not closed properly, allowing rainwater or basement water to enter it. This water quickly enters the sewer, using storage and conveyance capacity of the sewer pipe, and adding to the overflow problem.

### **How to correct the problem:**

1. Determine where the clean-out is located.
2. Note the size and material, and purchase a cap that fits or screws onto the clean-out. Your hardware store can recommend the best method based on the size and material of the pipe.

## OPEN PIPE

An open pipe is any pipe near your house that allows water to enter your building's sewer service. It may have served as a connection for a roof drain downspout into the sewer service at some point in the past. The water quickly enters the sewer, using storage and conveyance capacity of the sewer pipe, and adding to the overflow problem.

### **How to correct the problem:**

1. Locate the pipe opening adjacent to your building.
2. Either secure with a cap available from the hardware store or mortar it closed with concrete.

## YARD/DRIVEWAY DRAINS

A yard or driveway drain collects water which would otherwise form a pond in a low spot because it cannot drain away by gravity. The water quickly enters the sewer, using storage and conveyance capacity of the sewer pipe, and adding to the overflow problem.

### **How to correct the problem:**

**DO NOT ATTEMPT THIS ON YOUR OWN. THIS INVOLVES EXCAVATION. CONTACT A LICENSED CONTRACTOR OR PLUMBER. CONTACT THE TOWN FOR A PERMIT AND FOR ADDITIONAL GUIDANCE.**

## SEWER SERVICE CONNECTION

If your sewer service connection is cracked or separated allowing groundwater to enter. The water quickly enters the sewer, using storage and conveyance capacity of the sewer pipe, and adding to the overflow problem.

### **How to correct the problem:**

**DO NOT ATTEMPT THIS ON YOUR OWN. THIS INVOLVES EXCAVATION. CONTACT A LICENSED CONTRACTOR OR PLUMBER. CONTACT THE TOWN FOR A PERMIT AND FOR ADDITIONAL GUIDANCE.**

## BASEMENT PERIMETER DRAINS

A basement perimeter drain is usually some type of trench running along the bottom of your basement wall to collect water that seeps through your basement walls or foundation. The water quickly enters the sewer, using storage and conveyance capacity of the sewer pipe, and adding to the overflow problem.

### **How to correct the problem:**

1. Locate where the basement perimeter drains collect and the pipe that discharges it to the house sewer service.
2. Determine the size of the pipe opening and the material used. Permanently seal the open pipe with concrete mortar or a cap.
3. Install a sump pump to route the water outside.
4. Follow instructions under SUMP PUMP #3 and #4.

**Town of Hinsdale**  
**Wastewater Treatment Plant/Water and Sewer Department**

Wastewater Plant Sup. Robert Johnson 336-5714 and  
Water and Sewer Department Sup. Dennis Nadeau 336-5715  
Office Hours: Monday – Thursday 7am- 4pm

I would like to request an inspection of my sewer connection(s) on my property to comply with the Town's requirements. I understand that the Town will visit my property to inspect this work, and I will be called to schedule this inspection.

Name: \_\_\_\_\_

Property Address: \_\_\_\_\_

Phone (home): \_\_\_\_\_ (work) \_\_\_\_\_

The best time to reach me at the above numbers is:

Home: \_\_\_\_\_ Work: \_\_\_\_\_

Special Instructions or comments:

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This form can be dropped off at the Hinsdale Water Collections office in the Town Hall during normal office hours or mailed to Hinsdale Water Department, PO Box 72, Hinsdale NH 03451.

# Hinsdale Water Works

PO Box 72

Hinsdale, NH 03451603 336-5727 X17 (OFFICE) 603 336-5711 (FAX)

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HOURS: Monday – Thursday 8 am-12 & 12:30 -4 pm

Dear Property Owner;

We know that there are some properties in town where the sump pump in the basement is being discharged into the town sewer system. This is a violation of the Town Of Hinsdale Sewer Use Ordinance. It also violates State Law RSA Chapter 149-I Sewers and in particular Section 149-I:6 Bylaws and Ordinances which allows for civil penalties of up to \$10,000 per day for such a violation of the Town Sewer Use Ordinance.

In Particular from the Sewer Use Ordinance;

## 1104, Building Sewers and Connections

Section I No person(s) shall make connection of roof downspouts, foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a sanitary sewer.

## 1105, Discharge to Public Sewers

Section A No person(s) shall discharge or cause to be discharged any unpolluted waters such as stormwater, groundwater, roof runoff, subsurface drainage or noncontact cooling water to any sanitary sewer.

If you are in violation it needs to be corrected immediately. If you need assistance in possible alternatives please contact us. We will work with property owners who contact us to find a suitable resolution. Those who we find that are still violating the Ordinance and have not contacted us will be subject to civil penalties.

Respectfully,

Dennis Nadeau  
Water & Sewer Supt.  
(603)336-5715

Robert J. Johnson  
WWTP Supt.  
(603)336-5714

**TOWN OF HINSDALE  
NOTICE OF VIOLATION**

P.O. Box 13  
Hinsdale NH 03451  
(603)336-5710

ISSUED BY: \_\_\_\_\_ DEPARTMENT

Location: \_\_\_\_\_

Date and Time: \_\_\_\_\_

Name of Violator: \_\_\_\_\_

Address: \_\_\_\_\_

Section of Code Violated: \_\_\_\_\_

Explanation of Violation: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Corrective Action: \_\_\_\_\_

\_\_\_\_\_

Date: \_\_\_\_\_

YOU ARE HEREBY NOTICED TO CEASE AND DESIST ANY FURTHER CONSTRUCTION AT THIS LOCATION UNTIL ALL NECESSARY PERMITS ARE OBTAINED. THIS IS A WARNING-IF WORK RESUMES BEFORE THE PROPER PERMITS ARE OBTAINED PENALTIES WILL BE ASSESSED.

**CERTIFIED MAIL**

BY: \_\_\_\_\_ ISSUER      Date: \_\_\_\_\_

<u>Type of Penalty</u>	<u>Within 7 days</u>	<u>Thereafter</u>
<i>Warning</i>	<i>No Fine</i>	<i>No Fine</i>
<i>1<sup>st</sup> Offense</i>	<i>\$25.00 per day</i>	<i>\$50.00 per day</i>
<i>2<sup>nd</sup> Offense</i>	<i>\$50.00 per day</i>	<i>\$100.00 per day</i>
<i>Subsequent Offense</i>	<i>\$100.00 per day</i>	<i>\$200.00 per day</i>

You are charged with the violation indicated. This citation may be disposed of without your personal appearance if payment is made or postmarked within 7 days after time of violation. Failure to pay the Penalty imposed by this citation will subject you to court action. Please place check or money order in envelope, seal and mail. Responsibility for receipt of payment rests with you. Notify the issuing department with 7 days if you wish to contest the issuance of this citation to the Hinsdale Board of Selectmen.

**DO NOT MAIL CASH**

**MAKE CHECK PAYABLE TO THE TOWN OF HINSDALE  
OFFICE HOURS 8:00 AM to 12:00 & 12:30 to 4:00 PM MONDAY –THURSDAY  
EXCEPT HOLIDAYS**

*Appendix F.*

**FEES, RATES, CONSTRUCTION COSTS AND OTHER CHARGES  
MUNICIPAL SEWER RATE**

**Connection Fee:** Residential \$1,884.56 plus construction cost  
Commercial, Industrial \$2,961.45 plus construction cost

**Service Fees:**

Type	Flat Rate
Residential	\$ 80.32 plus consumption
Commercial	\$ 93.20 plus consumption
Industrial	\$ 113.72 plus consumption

\*Flat Rate Users \$ 168.16

\*\*Consumption \$ 7.03 per 1,000 gallons

\*\$80.27 Flat rate per unit plus average consumption of 12,500 gallons per quarter  
\*\*Consumption is based on water usage registered through meter.

Construction costs:	Labor	=	Hourly rate + 50%
	Backhoe	=	\$45.00 per hour
	Materials	=	Cost + 15%

Drain Layer License Fee: \$25.00 Annually  
Septage Disposal License Fee: \$50.00 Annually  
Septage Disposal Rate: \$0.18/gallon  
Camper/Motorhome Dumping Fee: \$5.00 Flat Rate

**FEES, RATES, CONSTRUCTION COSTS AND OTHER CHARGES MUNICIPAL SEWER RATE**

*Amended  
May 17, 2007  
August 13, 2007  
June 30, 2008  
October 26, 2009  
February 13, 2012  
August 12, 2013  
October 20, 2014  
July 25, 2016  
August 14, 2017  
October 1, 2018*

**1200.0 COMPLETE STREETS POLICY**

**1201.0 PREAMBLE**

**WHEREAS**, the Town of Hinsdale strives to provide a safe, efficient and diversified transportation network that is sensitive to the Town’s unique history, natural surroundings, and small-town character;

**WHEREAS**, the Town of Hinsdale recognizes that a transportation system that supports a variety of travel modes can encourage a diverse local economy, protect natural resources, and increase quality of life by promoting personal choice and safety;

**WHEREAS**, Complete Streets empower residents without personal vehicles to access employment, health care, and cultural and social opportunities;

**WHEREAS**, Complete Streets enhance safe walking and bicycling options for school-aged children, in recognition of the National Safe Routes to School program;

**WHEREAS**, the Town of Hinsdale Master Plan includes objectives related to implementing Complete Streets techniques within the Town center and supporting alternative modes of transportation within the Town and the sub- regional area (i.e. surrounding towns) of Hinsdale;

**NOW, THEREFORE**, be it resolved by the Hinsdale Board of Selectmen that the attached Complete Streets Policy is hereby adopted.

**1202.0 VISION & PURPOSE**

In the 2014 update to the Hinsdale Master Plan, the Town identified the importance of creating and maintaining a multi-modal transportation network that enhances safety, choice, and protects the Town’s rural character. The Town recognizes that public roads are a significant asset and should be developed to promote access, mobility, affordability, and public health. To support this vision, it is the intent of the Town, through this policy, to ensure that the safety of all users – including motorists, pedestrians of all ages and abilities, bicyclists, emergency responders, freight providers, and users of public transit – is considered in all municipally managed transportation projects and project phases.

**1203.0 CORE COMMITMENT**

**A. Definition** “*Complete Streets*” are streets that are designed and operated to enable safe access and mobility for all users, in that bicyclists, motorists, public transportation users, and pedestrians of all ages and abilities are able to safely move along and across a street.

**B. Scope of Applicability**

- 1. All town-owned transportation facilities in the public right of way including, but not

limited to, streets, bridges and all other connecting pathways shall be designed, constructed, operated, and maintained to support the concept of Complete Streets so that users of all ages and abilities can travel safely and independently.

2. The Town should approach every transportation improvement and project phase as an opportunity to create safer, more accessible streets for all users. These phases include, but are not limited to: planning, programming, design, right-of-way acquisition, construction, construction engineering, reconstruction, operation and maintenance.

3. Special attention should be given to projects which enhance the overall transportation system and its connectivity. Specifically, high priority should be given to:

- a. Corridors providing primary access to one or more significant destinations such as parks or recreation areas, schools, shopping/commercial areas, public transportation, or employment or medical centers (e.g. Main Street/NH 119 between Depot St. and School St.);
- b. Corridors serving a relatively high number of users of non-motorized transportation modes;
- c. Corridors providing important continuity or connectivity links to existing pedestrian or bicycle networks; and,
- d. Projects identified in regional or local bicycle and/or pedestrian plans.

4. Exceptions to this policy may be considered when:

- a. The existing right-of-way does not allow for the accommodation of all users. In this case alternatives should be explored such as obtaining additional right-of-way, use of revised travel lane configurations, paved shoulders, signage, traffic calming, education or enforcement to accommodate pedestrians, cyclists, transit vehicles and riders and persons with disabilities;
- b. The activities are ordinary maintenance activities designed to keep assets in serviceable condition (e.g. mowing, cleaning, sweeping, spot repair);
- c. The construction is not practically feasible or cost effective because of unreasonable adverse impacts on the environment or on neighboring land uses;
- d. The application of Complete Streets principles is unnecessary or inappropriate because it would be contrary to public safety and increase risk of injury or death; or
- e. The roadway is a class VI roadway or is privately owned.

## **1204.0 BEST PRACTICES**

### **A. Context Sensitivity**

The implementation of this Policy should reflect and adapt to the context and character of the surrounding built and natural environments and enhance the appearance of such. This Policy recognizes that transportation needs vary and must be balanced in a flexible, safe, and cost-effective manner.

## **B. Design Standards**

The Town should follow the adopted Hinsdale Complete Streets Design Guidelines as well as the best and latest design standards available. Public input and other appropriate design standards may be considered, provided that a comparable level of safety for all users is achieved.

## **C. Performance Measures**

This policy encourages the evaluation and regular reporting of progress on the implementation and maintenance of Complete Streets. In the Town's Annual Report, the Highway Superintendent should include in his/her report a summary of the transportation projects undertaken during the year and the extent to which these projects meet the objectives of this policy. In addition, the Town may choose to report on the following performance measures:

1. Linear feet of new or repaired pedestrian accommodation;
2. Number of crosswalk and intersection improvements;
3. Number of new ADA-compliant curb ramps installed along town streets;
4. Number of transit stops accessible by sidewalks and curbramps;
5. Total miles of bike lanes;
6. Total miles of roads with paved shoulders that are two feet wide or greater; and
7. Number of new or improved bicycle and pedestrian access points to rail trails.

## **1205.0 IMPLEMENTATION**

The Town of Hinsdale views Complete Streets as integral to everyday transportation decision-making practices and processes and recognizes that Complete Streets principles may be achieved through single elements incorporated into a particular project or incrementally through a series of smaller improvements or maintenance activities over time. To this end:

**A.** The Highway Department, Town staff, and other relevant departments, boards, or committees will incorporate Complete Streets principles into all existing plans, manuals, checklists, regulations, and programs as appropriate;

**B.** The Highway Department, Town staff, and other relevant departments, boards, or committees will review current design standards, including subdivision regulations which apply to new roadway construction, to ensure that they reflect the best available design standards and guidelines, and effectively implement Complete Streets, where feasible;

**C.** The Town will evaluate prioritizations of Capital Improvement Projects (on an annual basis) to encourage the implementation of this policy;

**D.** The Town, to the greatest extent feasible, will encourage partners such as the NH Department

of Transportation to develop and implement Complete Streets elements and considerations when working on projects or programs in the Town;

**E.** When available, the Town will encourage staff professional development and training on non-motorized transportation issues through attending conferences, classes, seminars, and workshops;

**F.** Town staff should identify and seek out appropriate sources of funding for implementation of this Policy and recommend improvements to project selection criteria to support Complete Streets projects;

**G.** The Town should promote project coordination among departments and committees with an interest in the activities that occur within the public right-of-way in order to better use fiscal resources;

**H.** Every Complete Streets project should include an educational component to ensure that all users of the transportation system understand and can safely utilize Complete Streets project elements;

## **1300 HAWKER, PEDDLER, ITINERANT VENDOR ORDINANCE**

### **1301 DECLARATION OF PURPOSE**

The purpose of the adoption of this Ordinance is to promote the safe flow of vehicular and pedestrian traffic on public ways; prevent the incidence of fraud and other commercial crimes; reduce litter and pollution; and promote the health, safety, and welfare of the public.

### **1302 ACTIVITY DEFINED**

This ordinance is enacted pursuant to the Hinsdale Town Hawker, Peddler, Itinerant Vendor Ordinance, to regulate any selling or display or offering for sale of food, beverages, merchandise or services of any kind, whether by a person or from a stand or motor vehicle or otherwise with the areas affected. These activities may be known or referred to as street vending, peddling, soliciting, hawking or itinerant vending.

### **1303 DEFINITIONS**

- A.** “Merchandise” shall mean any food, beverage, clothing, utensils, wares, toys, tools, and other articles or items offered for sale to the public, but not including newspapers, magazines, pamphlets, and handbills.
- B.** “Nonprofit Organization” shall mean any association or organization, which in accordance with United States Internal Service Regulations, distributes no part of its income to its members, directors, or officers and which is established for a civic, educational, cultural, religious, social, political, scientific, philanthropic, or charitable purpose.
- C.** “Person” shall mean any natural person, corporation, partnership, association, club, or society or any other form of association or organization.
- D.** “Vendor” shall mean any person participating in a street fair owning, operating, managing, or supervising a stand to sell merchandise or promote any nonprofit organization purpose.
- E.** “Flea Market” shall mean any market, usually held outdoors, with more than one vendor offering merchandise to be sold or bartered.

### **1304 GENERAL PROVISIONS**

Street vending, peddling, soliciting, hawking, and itinerant vending, as defined in RSA §320:1, RSA §321:1, RSA §31:102-a and RSA §31:102-b, is prohibited on the public ways and all properties within the Town of Hinsdale except as permitted by the Town pursuant to this Ordinance and only in compliance with the terms of this Ordinance.

## **1305 PROHIBITORY CONDUCT: VENDOR**

A vendor is a peddler who sells or offers to sell food, beverage or merchandise from a stand, motor vehicle or his person. A vendor shall not:

- A.** Engage in vending which impedes pedestrian or vehicular traffic,
- B.** Engage in vending which is not itinerant in nature and at no time park permanently or temporarily in a designated “No Parking” zone,
- C.** Engage in vending which violates the standards and regulations of this Ordinance and the provisions of State statutes regulating hawkers, peddlers, and itinerant vendors,
- D.** Create or cause to be created any human or mechanical noise which creates a nuisance or otherwise disturbs the peace and enjoyment in the surrounding area,
- E.** Engage in vending at any time except during Daylight Saving Time between 8:00 a.m. – 8:00 p.m. and during Standard Time between 8:00 a.m. – 6:00 p.m.

## **1306 EXEMPTIONS FROM THIS ORDINANCE**

- A.** Any public event sponsored by a non-profit organization provided that any concessions or sales must be related to the event,
- B.** Any event which takes place in Town recreation areas and is part of a Town sponsored event or has the express written permission of the Board of Selectmen,
- C.** Any event which takes place on land owned or controlled by the public school system and has the express written permission of the school board.
- D.** Any Vendor Permit issued prior to the adoption of this ordinance;
- E.** Farm Roadside stands per RSA §21:34-a, III;
- F.** Farmers Markets per RSA §21:34-a, V.

## **1307 PERMITTING PROCEDURE FOR VENDING**

- A.** A person either on his own behalf or on behalf of a group of persons, wishing to vend shall file with the Community Development Officer a vendor application containing:
  - 1. The name, address and phone number of the applicant;
  - 2. The nature and type of activity;

3. The name and/or names of the business(es) covered under the permit;
4. If vehicular in nature, the names of any individual that drives and a copy of their license;
5. Copies of applicable NH State licenses and permissions;
6. All person(s) who will be actively engaged in vending activities, as detailed above, within the Town of Hinsdale borders, shall submit to a background check as approved by the U.S. Department of Justice Criminal Justice Information Law Unit (CJILU) and as detailed in Section VIII of this Ordinance.
7. Any additional information of a reasonable nature that the Community Development Office feels is necessary to ensure the public's safety. Each permit will be reviewed by the Chief of Police, Highway Superintendent; Community Development Coordinator; Fire Chief; and Board of Selectmen.

**B.** The owner of the Vending Permit Operation must have and be able to demonstrate appropriate liability insurance (acceptable proof to consist of certificate of insurance listing the Town of Hinsdale as the certificate holder) when using public property and have all applicable NH State Permits.

**C.** The permit fee for a Town of Hinsdale Vendor Permit, valid within the calendar year issued will be \$50.00 for the first week; \$25.00 for each consecutive week; and/or \$200.00 for the year. The fee schedule may be amended from time to time by the resolution of the Hinsdale Board of Selectmen.

## **1308 BACKGROUND INVESTIGATION PROCEDURE**

**A.** New Hampshire Revised Statutes Annotated (NHRSA), Section 31:102-a, and NHRSA § 31:102-b, pertaining to applicants for licensure as a hawker, peddler, or certain vendors

**B.** An applicant, employee, or volunteer seeking to engage in any display or offering for sale of food, beverages, merchandise or services of any kind shall submit, if required, two sets of his/her fingerprints taken by the Hinsdale Police Department to the Town of Hinsdale, along with appropriate fees.

**C.** Upon receipt of the fingerprints and the appropriate fees, the Town of Hinsdale will transmit both sets of fingerprints, and appropriate fees to the NH State Police. The NH State Police will compare the subject's fingerprints against its criminal file and, [(1) if no disqualifying conduct is found therein (or) (2) if necessary], submit the fingerprints to the Federal Bureau of Investigation for a comparison with nationwide records. The results of the Federal Bureau of Investigation check will be returned to the NH State Police, which will disseminate the state and national results to the Town of Hinsdale.

**D.** If an employer or organization is a private entity, the Town of Hinsdale, shall render a fitness determination based upon the results of the criminal background check and communicate its fitness determination to such private employer or organization. If an employer or organization is

a public entity, the Town of Hinsdale, shall (1) render a fitness determination based upon the results of the criminal background check and communicate its fitness determination to such public entity or (2) disseminate the results of the criminal background check to the public entity for a fitness determination.

**E.** In rendering a fitness determination, the Town of Hinsdale will decide whether the record subject has been convicted of [or is under pending indictment for] (a) a crime which bears upon his/her ability or fitness to serve in that capacity; (b) any felony or misdemeanor which involved force or threat of force, controlled substance, or was a sex-related offense; or (c) enumerated disqualifiers.

**F.** A record subject may request and receive a copy of his/her criminal history record information from the Town of Hinsdale. Should the record subject seek to amend or correct his/her record, he/she must contact the NH State Police for a New Hampshire state record or the Federal Bureau of Investigation for records from other jurisdictions maintained in its file.

### **1309 OFFICIAL ACTION OF THE PERMIT**

**A.** The Community Development Coordinator or his/her designee shall determine whether the applicant has:

1. Submitted a complete and accurate application;
2. Met the provisions and purposes of the Ordinance; and
3. Provided adequate arrangements to ensure the safety of the public persons covered under the permit, and the prevention from damage of public and private property has been provided.

**B.** Upon consideration of all items in section 1307, the Hinsdale Board of Selectmen has the finding by the Town Section 1308(A) above. In either case, a decision must be made not later than fourteen (14) working days (not including Friday) after receipt of the application and background results. If the application is disapproved and the permit is denied, the Community Development Coordinator shall provide written reasons to the applicant as the time of notification of disapproval of the application and denial of permit. Permit applications may be obtained during normal business hours from the Selectmen's Office or Community Development Office.

**C.** The Board of Selectmen may amend or revoke a permit if it appears that the arrangements contained in the permit will no longer prevent injury to a person or property due to a change in circumstances under which the permit for possession was granted.

### **1310 APPEAL PROCESS**

A person may appeal to the Board of Selectmen the denial of a permit by filing a written notice within fourteen (14) working days of denial of the permit. The Board of Selectmen shall

forthwith consider the appeal at a hearing at which the applicant is present. The Board of Selectmen may affirm or reverse the decision, or attach such additional conditions to the permit as will, in their best judgement, protect the public safety and persons covered under the permit, and the prevention from damage of public and private property.

### **1311 ENFORCEMENT**

- A. A person who violates any provision of this Ordinance shall be fined not more than \$500.00. The fine must be paid within 14 business days from date of issuance or the permit will be revoked. A second violation will result in revocation of the permit.
  
- B. Upon the neglect or failure of a person responsible for a sidewalk display or vending cart to promptly comply with an order to remove the same, a police officer may remove it or cause it to be removed and the Town may recover the expense of such removal from the person responsible.
  
- C. If any section, sentence, or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional by a decree or decision of any court of competent jurisdiction, such decree or decision shall not affect or impair the validity of any other section or remaining portion of this Ordinance.

## 1400 SHOOTING RANGE ORDINANCE

The following range rules and operating hours apply to the use by the Hinsdale Police Department ONLY and are as follows:

- A. The Hinsdale Police Department has sole priority use of the range for Law Enforcement related training and qualification requirements.
- B. All pre-schedule range use will be posted on the Hinsdale Police Department website and/or Social Media page(s) however; unforeseen changes to the schedule may occur and does not nullify this section.
- C. Cheshire County Police agencies are authorized to use the Hinsdale Firing Range for any “in-conjunction” training with the Hinsdale Police Department.
- D. The range may be used by the Hinsdale Police Department between the hours of 9:00 am and 7:00 PM Monday through Saturday.
  - 1. The range may be used outside of the times of 9:00 AM and 7:00 PM for low light training however; this deviation shall not occur more than 4 times annually.
- E. The shooting range shall not be used on Sundays or on any federal or state holiday.
- F. During the school year the Hinsdale Police Department and SAU 92 will communicate when the range is scheduled to be used. This communication will include reciprocal communication with the school system when students are scheduled to be near and around the range property so that no use of the range occurs during the school function(s).
- G. **NO** alcoholic beverages allowed on the range at any time
- H. No glass containers allowed on range
- I. No one under the age of 18 allowed unless accompanied by parent or guardian
- J. The range shall be clearly posted on all sides, identified as a firing range and no trespassing allowed. The main access road shall be gated with a lockable gate.



## **1500 RULES AND REGULATIONS FOR THE CONDUCT OF RAFFLES WITHIN THE TOWN OF HINSDALE RSA287-A**

### **1501**

Any New Hampshire charitable organization is defined by RSA 287-A may conduct a raffle as authorized by RSA 287-A within the limits of the Town of Hinsdale to promote the purpose for which it was organized in the manner hereinafter provided by these Rules and Regulations.

**A.** Raffles may be conducted within the limits of the Town of Hinsdale only after receipt of a permit issued by the Board of Selectmen;

**B.** There shall be no fee charged for a Raffle Permit by the Town of Hinsdale;

**C.** Each Permit that is issued shall be kept on the premises where the raffle activity is being conducted by official agents of the Town of Hinsdale, including, but not limited to the Chief of Police or his/her authorized representatives.

**D.** Each applicant must be a “charitable organization” as defined by N.H. RSA 287-A, (see copy attached).

**E.** A permit issued pursuant to these rules and regulations by the Town of Hinsdale shall not be transferable.

**F.** All information on raffle tickets must comply with the provisions of RSA 287-A:3. (All raffle tickets shall be printed with the name of the charitable organization thereon, the date and place of the drawing, and the prize or prizes to be awarded and the amount of the donation.

**G.** The Sale or distribution of raffle tickets must comply with the provisions of RSA 287-A:4. (Raffle tickets shall be sold only to persons sixteen (16) years of age or over and no raffle tickets shall be sold by persons other than members of the charitable organization or such person or persons as may be designated by the organization and who shall receive no financial remuneration).

**H.** The Town of Hinsdale may revoke a permit issued under these rules and regulations at any time due to violation of these rules and regulations or state law or if it is discovered any false information was submitted as part of the application process. Appeals of a revocation may be made in writing to the Board of Selectmen whose decisions shall be final.

**I.** Applications for a raffle permit should be submitted at least fourteen (14) days in advance of the scheduled raffle.

**J.** Operating a raffle in the Town of Hinsdale without a valid permit may result in prosecution by the Hinsdale Police Department.

**Town of Hinsdale**  
P.O. Box 13, 11 Main Street  
Hinsdale, NH 03451

Town Hall (603) 336-5710; Fax (603) 336-5711

**RAFFLE PERMIT  
(RSA 287-A)**

**PERMIT #** \_\_\_\_\_

Name of Organization \_\_\_\_\_  
(is hereby licensed and authorized to operate and/or conduct a raffle at)

Location where drawing will be conducted \_\_\_\_\_  
located in Hinsdale, New Hampshire.

Names of contact person \_\_\_\_\_ Phone# \_\_\_\_\_

Address \_\_\_\_\_

Item(s) to be raffled \_\_\_\_\_  
(Attached list if necessary)

This license is valid, permitting sales of tickets, for the following dates:

\_\_\_\_\_ To \_\_\_\_\_

Date of raffle drawing: \_\_\_\_\_

Approved by: \_\_\_\_\_

Date: \_\_\_\_\_

## **1600 DAMAGED MAILBOXES**

### **1601 POLICY**

This policy establishes the procedures for repairing/replacing mailboxes damaged by snow plowing or other activities of the Hinsdale Highway Department.

- A.** It is not the Town's responsibility to repair/replace mailboxes that are located within Town rights-of-ways of **town owned roads**. Mailboxes placed in rights-of-way are tolerated as a convenience to the mail recipient.
- B.** If a mailbox is located outside the Town's right-of-way and it is damaged, either the Highway Agent or Town Administrator must be notified of the damage within 5 business days of the alleged incident. This will allow for timely verification of the incident and is required in order to qualify for repair/replacement.
- C.** No funds will be disbursed directly to the owner, except in accordance with paragraph five (5) below. Town personnel will make a reasonable attempt to repair the damage to a qualifying mailbox in a timely manner. Town personnel will normally provide labor and materials. Town personnel will make the sole determination if a replacement mailbox is required based on the extent of the damage.
- D.** Regardless of construction type or value of a damaged mailbox, it is the Town's policy to replace it with a standard mailbox available at local hardware stores and mounted on a 4x4 post.
- E.** If the property owner does not desire a replacement as described in paragraph four (4) above, the Town will pay up to \$25 toward the replacement upon receipt of an itemized bill for materials.
- F.** This policy pertains to mailboxes located in the rights-of-ways of **town owned roads only**. This policy does not cover mailboxes located in the rights-of-ways of state owned roads.

## **1700 BAN ON SMOKING IN ALL MUNICIPAL BUILDINGS**

### **1701 PURPOSE**

The purpose of this ordinance is to protect the health and well-being of all members of the public and employees of the Town of Hinsdale who have occasion to be present in any municipal building in the Town of Hinsdale. The Town of Hinsdale recognizes that smoking is injurious to the health and well-being of the public. Pursuant to RSA 155:66, I, the Town of Hinsdale has adopted this ordinance banning smoking in all municipal buildings.

### **1702 DEFINITIONS**

- A.** “Municipal Building” means all buildings owned, leased or rented by the Town of Hinsdale, including but not limited to, town government buildings; police stations; fire stations; libraries and schools.
- B.** “Athletic fields” means all athletic fields owned, leased or rented by the Town of Hinsdale that are used for recreational and sports activities such as soccer; basketball; baseball; tennis; etc.
- C.** “Smoking” means having in one’s possession a lighted cigarette, cigar, or pipe, or any other device designed to produce the effect of smoking.

### **1703 PROHIBITION**

Smoking is prohibited in all municipal buildings. Smoking is prohibited within 15 feet of any entrance to a municipal building and/or within 15 feet of any open window.

### **1704 WRITTEN POLICIES**

- A.** A copy of this ordinance shall be provided to, or posted, or otherwise made available to any person who works in or routinely uses any municipal building.
- B.** Staff or employees subject to the ban on smoking in municipal buildings shall receive orientation regarding the written policy to which they are required to adhere.

### **1705 SIGNS**

Signs shall be placed appropriately in all municipal buildings stating that smoking is banned. The size and placement of appropriate signs for notification of the smoking ban shall be determined in accordance with rules developed by the director of the New Hampshire Division of Public Health Services pursuant to RSA 155:71.

### **1706 NON-COMPLIANCE**

If any employee or user of a municipal building in the Town of Hinsdale determines or believes that any person is not complying with this smoking ban, a complaint shall be registered with the Hinsdale Police Department. The Hinsdale Police Department shall conduct an investigation and prosecute any violation of this smoking ban.

### **1707 PENALTY**

Any person who smokes in violation of this ordinance shall be guilty of a violation and subject to a fine of \$100.00.

This ordinance was passed on June 15, 2015.

Board of Selectmen



## **1800.0 ANIMAL CONTROL - KENNEL ORDINANCE**

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## 1801.0 - DEFINITIONS

Unless specified otherwise the following terms shall be defined herein.

*Dog:* Any domestic animal, male or female, sexed or neutered.

*Cat:* Any domestic feline animal, male or female, sexed or neutered.

A. **Animal:** "Animal" includes every living (A) warm-blooded creature except farm livestock (swine, cattle, horses, sheep, goats, llama, geese, duck or other poultry) and a human being; (B) reptiles; (C) amphibians.

B. **Owner/Custodian:** The term "owner/custodian" shall mean any person, group of persons or corporation owning, keeping, harboring, having charge or control of, or permitting any animal to habitually be or remain on or be lodged or fed within such persons residence, yard, or premises for a period of five (5) days or longer. This term shall not apply to veterinarians or kennel operators temporarily maintaining on their premises dogs or cats owned by others.

C. **Own:** The term "own" unless otherwise specified shall be deemed to mean keep, have control, charge or custody of an animal for a period of five (5) days or longer. This term shall not apply to dogs or cats owned by others which are temporarily maintained on the premises of a veterinarian or kennel operator.

D. **Dog:** The term "dog" shall apply to canine animals, male or female, altered or unaltered.

E. **Stray:** Shall mean any dog or cat that has wandered beyond the limits of confinement or is lost and does not possess any tags identifications.

F. **At Large:** Any animal that is off the premises or property of the owner and not under the control of a responsible person, unattended, or not on a leash not more than eight (8) feet long, and not confined within a vehicle.

G. **Restraint:** An animal is under "restraint" within the meaning of this Ordinance if it is controlled by a leash, not more than eight (8) feet long or by a competent person and immediately obedient to that person's command or within a vehicle being driven or parked on the streets or roads or within the property lines of its owner.

H. **Notice of Forfeiture:** A citation that may be issued by the Animal Control Officer in lieu of a court summons and made payable to the Hinsdale Town Clerk within ninety-six (96) hours of its issuance.

I. **2nd / Subsequent Offenses:** Offenses that occur within a twelve (12) month period of time of the first offense.

J. **Stock / Livestock:** Farm animals which include horses, cattle sheep, goats, swine, llama, geese, ducks, and other poultry and animals.

**K. Nuisance Animal or Fowl.** Any animal or fowl which by frequent and habitual howling, yelping, barking, or other, shall cause serious annoyance or disturbance to person (s) or to a neighborhood or habitually pursues any pedestrian, bicycle or vehicle up on any public street or highway. The provision of this Ordinance shall not apply to duly authorized hospitals or clinics conducted for the treatment of small animals.

**L. Dangerous Animal.**

1. Any animal which constitutes a physical threat to human beings or to other domestic animals by virtue of a known history to endanger life by an unprovoked assault or bite so as to cause bodily harm.
2. An animal trained, owned, or harbored for the purpose, primarily or in part, of fighting.
3. An animal shall not be deemed dangerous if:
  - (a) It bites, attacks, or menaces anyone assaulting the owner.
  - (b) It bites, attacks, or menaces a trespasser on the property of the owner.
  - (c) It bites, attacks, or menaces any person or other animal that has tormented or abused it.
  - (d) It is otherwise acting in defense of an attack from a person or other animal upon the owner or other person.
  - (e) It is protecting or defending its young or other animal.

**M. Abused Animal.** Any animal which is:

1. Mistreated, beaten, tormented or teased.
2. Deprived of sufficient and wholesome water, food, or shelter.
3. Is kept under unhealthy conditions.
4. Is trained for fighting other animals.

**N. Proper Enclosure.** A fence or structure of suitable height, forming or causing an enclosure suitable to prevent the entry of any young children. Such enclosure shall be locked and shall be designed with secure sides to prevent an animal from escaping from the enclosure.

**O. Individual Dog Owner.** The term "individual dog owner" means an owner of no more than four (4) dogs over the age of five (5) months which dogs are kept on a premise occupied for residential purposes. To qualify as an individual dog owner there may be no more than four (4) dogs kept.

**P. Private Dog Kennel or Group License.** The term "Private Dog Kennel" means a place where there are five (5) but less than eight (8) dogs over the age of five (5) months are kept and where the keeping of such animals is incidental to the occupancy of the premises and is not the primary source of income of the occupant or owner of the property. Owner of a Private Kennel also must be a town resident. Private Dog Kennels are allowed in the Rural Agricultural District on land of two (2) acres or more, and are subject to Site Plan Approval with the Hinsdale Planning Board and shall apply annually and prior to expiration, in the case of an existing permitted kennel, for a Private Kennel License to the Board of Selectmen.

**Q. Commercial Dog Kennel.** Commercial Dog Kennels are allowed in the Industrial District on land of two (2) acres or more, and are subject to Site Plan Approval with the Hinsdale Planning Board and shall apply annually and prior to expiration, in the case of an existing permitted kennel, for a Commercial Kennel License to the Board of Selectmen.

**R. Wild Animal.** Any animal other than domesticated household pets such as dogs, cats, mice, gerbils, hamsters, turtles, and non-poisonous snakes and lizards, and other farm animals include fur-bearing animals, game, game animals and game birds.

**S. Exotic Animal.** Any animal not native to New Hampshire or to the United States. Exotic animals include but are not limited to tigers, lions, and pandas.

**T. Town.** The term "town" as used in this Ordinance shall mean the Town of Hinsdale, Cheshire County, New Hampshire.

**U. Animal Shelter.** Any premises designated by the action of the Hinsdale Board of Selectmen for the purposes of impounding and caring for all animals found in violation of this Ordinance. Cheshire County Humane Society is the current designated animal shelter for the Town of Hinsdale.

**V. Animal Control Officer.** The "Animal Control Officer" shall be the person appointed by the Hinsdale Board of Selectmen to enforce this Ordinance, and may include the Town Health and Code Officer, a representative of the Humane Society of Cheshire County, any officer of the Hinsdale Police Department, elected Town Officials, and any other agent (including veterinarians) who may be appointed from time to time by the Hinsdale Board of Selectmen to enforce this Ordinance.

## **1802.0 AUTHORITY**

The Animal Control Officer, Health and Code Officer, or any Hinsdale Police Officer, shall have the authority to enforce the observance of the Hinsdale Town Ordinances relating to Animal Control.

The Hinsdale Board of Selectmen shall empower the duties of the Animal Control Officer and Health and Code Officer to serve notice of forfeiture (citation) relating to Animal Control and it shall also empower the Animal Control Officer and Health and Code Officer to investigate all

reports of violations involving animals in this Chapter and the New Hampshire Revised Statutes Annotated.

### **1803.0 LICENSE AND FEES**

The owner of a dog owned, kept, harbored or maintained in the Town of Hinsdale shall license and register the dog as specified under NH RSA 466:1. The license fees set forth in NH RSA 466:4 are hereby increased by the sum of one (\$1) dollar as permitted by NH RSA 466:39. License and fee schedule shall be available in the Town Clerk's Office.

### **1804.0 LATE FEES**

In addition to the license fees provided in Section 1803.0, "License and Fees," there shall be a charge of one (\$1) dollar for each month or any part thereof that the fees remain unpaid if said fees are not paid before May 1 in each year.

### **1805.0 FORFEITURE FOR UNLICENSED DOGS**

Whoever the owner is of a dog contrary to Section 1803.0, "License and Fees", shall forfeit twenty-five (\$25) dollars to the Town of Hinsdale. If said forfeiture is not made to the Town Clerk within ninety-six (96) hours of notice of forfeiture, the case will be disposed of in the Keene District Court. The forfeiture shall not preclude proper licensing of the dog as required by this Chapter.

### **1806.0 ANIMALS AT LARGE**

No dog or stock/livestock shall run "at large" at any time within the Town of Hinsdale. This section shall not apply to dogs in use with their owners during lawful hunting.

**School Grounds:** No dog shall be, at any time, in a school or on a school grounds unless leashed.

**Parade and/or Town Sponsored Public Events:** No animal shall be, at any time, permitted at parades and/or town sponsored public events. This section does not apply to Hearing and/or Sight-Impaired guide dogs, Handicap Assisting dogs, animals permitted to be there by the town, or dogs owned, or employed by or on the behalf of Law Enforcement.

**Cemetery Areas:** No dog shall be on land owned and/or used by the Town of Hinsdale or any of its Departments for cemetery purposes unless authorized by the Parks and Recreation Director or his or her designee unless leashed. This section does not apply to Hearing and/or Sight Impaired Guide Dogs, Handicap Assisting dogs, or dogs owned, or employed by or on behalf of Law Enforcement during official duties.

**Commercial Areas:** Unless on a leash not over eight (8) feet long, no dog shall be in the commercial area of the Town of Hinsdale. The commercial areas are hereby defined and described as any area zoned "Business" under the Town of Hinsdale Zoning Ordinance. The

prohibition in the case of streets shall be for the entire right-of-way, including paved areas, shoulder or gutter, grass plot and sidewalks, whether paved or not.

**Restaurants and Food Stores:** No person shall bring any animal into any restaurant or any store that sells food. This section does not apply to Hearing and/or Sight –Impaired guide dogs, Handicap Assisting dogs, or dogs owned, or employed by or on behalf of Law Enforcement during official duties.

## **1807.0 EXCEPTIONS**

1. Hospitals, clinics, and other premises operated by licensed veterinarians exclusively for the care and treatment of animals are exempt from provisions of this Ordinance, except where such duties are expressly stated.

A. The licensing requirements of this Ordinance shall not apply to any dog belonging to a non-resident and kept within the Town for less than thirty (30) days, provided that all such dogs shall at all times be kept under restraint.

B. Any dogs owned, kept or harbored by an individual or corporation holding either a private or Commercial Kennel License need not be individually licensed.

C. Every dog specially trained to lead blind or deaf person or to provide support for mobility impaired person is exempt from dog license fee and every person owning such a dog shall receive annually a free dog license.

D. There shall be two (2) types of Kennel Licenses issued:

1. Private Dog Kennel
2. Commercial Dog Kennel

## **1808.0 DOG KENNELS**

### **1808.1 PRIVATE KENNEL LICENSE**

A. Any premises with where there are five (5) and no more than eight (8) dogs over the age of five (5) months is required to have a Private Kennel License issued by the Hinsdale Board of Selectmen. A Private Kennel License shall not be issued unless the application for such license is accompanied by the written approval thereof by the occupants of all privately owned real estate abutting the premises on which such kennel is to be located or unless the applicant's kennel is 300 feet or more from any adjacent owner's property line. Approval of abutting property owners is necessary only for the initial licensing. Private Dog Kennels shall be located in the Rural Agricultural District on land of two (2) acres or more. Private Dog Kennels shall be subject to Site Plan Approval by the Hinsdale Planning Board. Kennel Owners shall apply annually and prior to expiration, in the case of an existing permitted kennel, for a Private Kennel License to the Board of Selectmen.

**B.** In circumstances requiring a Private Kennel License under this Ordinance, no dogs may be kept on the premises until the Private Kennel License is issued and the fee is paid.

**C.** The fee for a Private Dog Kennel (Group License) shall be twenty (\$20.00) dollars per year payable to the Town Clerk.

**D.** Where a kennel would otherwise be a Private Kennel, but the licensee breeds and sells pups, then the kennel must comply with all regulations of a commercial kennel, including licensing fees, exception of need to occupy in the Industrial District.

**E.** Where the licensee is not the owner of the premises, the owner of the premises shall be subject to the rules and regulations of this Ordinance pertaining to permitted number of dogs and all other health, welfare and safety regulations pertaining to dogs or enacted for the general welfare of the public, and no license shall be issued to a non-owner licensee unless the owner of the premises acknowledges in writing he/she is subject to the provisions of this Ordinance.

**F.** The Hinsdale Board of Selectmen of the Town of Hinsdale may grant a Private Kennel License only following approval of a Site Plan required by the Hinsdale Planning Board.

## **1808.2 COMMERCIAL DOG KENNEL LICENSE**

**A.** Any place with more than eight (8) and no more than twenty-five (25) dogs over the age of five (5) months shall be required to have a Commercial Dog Kennel license.

**B.** The Hinsdale Board Selectmen has the authority to grant a commercial dog kennel license following Site Plan Approval. A Commercial Dog Kennel shall not be located within one thousand and five hundred (1,500) feet of a private residence. It shall be located in the Industrial District on land of two (2) acres or more. Commercial Dog Kennels shall be subject to Site Plan Approval by the Hinsdale Planning Board. Kennel owner/operator shall apply annually and prior to expiration, in the case of an existing permitted Commercial Kennel, for a Commercial Dog Kennel License to the Board of Selectmen.

**C.** In circumstances requiring a Commercial Dog Kennel license no dogs may be kept on the premises until a Commercial Kennel License is issued by the Hinsdale Board of Selectmen and the fee is paid.

**D.** The fee for a Commercial Dog Kennel License (Group License) shall be twenty (\$20.00) dollars per year payable to the Town Clerk.

**E.** Where the licensee is not the owner of the premises, the owner of the premises shall be subject to the rules and regulations of this Ordinance pertaining to permitted number of dogs and all other health, welfare and safety regulations pertaining to dogs or enacted for the general welfare of the public, and no license shall be issued to a non-owner licensee unless the owner of the premises acknowledges in writing he/she is subject to the provisions of this Ordinance.

### **1808.3 DOG KENNEL LICENSE ISSUANCE AND REVOCATION**

1. All dog kennel licenses shall be issued for one (1) year beginning on January 1. Application for licenses may be made sixty (60) days prior to the start of the licensing year and thereafter during the licensing year.
2. Applications for dog kennel licenses shall be made to the Hinsdale Board of Selectmen.
3. The application must include proof that all dogs kept at the premises have been given all vaccinations required by law.
4. From time to time during the term of the license, the Hinsdale Board of Selectmen, its agents or the Animal Control Officer may inspect the premises and animals kept there at. Thereupon the owner shall cooperate in all manners with the said Hinsdale Board of Selectmen, its agents or the Animal Control Officer in allowing an inspection of the premises.
5. All owners of dog kennel license shall maintain complete set of records for all dogs, including but not limited to, date of birth; acquired from, date and price; sale date; sales price and purchaser; pedigree, vaccinations; parasite control; worming records, veterinary records, surgeries. Such records shall be open and available for inspection at all times. Dogs in temporary custody of kennel for two (2) weeks or less may be exempt from this provision.
6. A dog kennel license may be revoked by reason of any violation of this Ordinance or by reason of the violation of any application health or nuisance ordinances, or other applicable order, state law or regulation as may be determined by the Hinsdale Board of Selectmen.
7. Before revoking a dog kennel license, the licensee shall be given notice of the meeting at which such a revocation shall be considered and the basis for the proposed revocation. If the licensee is present at such meeting, he/she shall be first given an opportunity to be heard. Notice of such meeting shall be given to the licensee in writing, mailed to the address of the licensee as set forth in the license application for the dog kennel at least ten (10) days prior to the date of the meeting.

### **1808.4 STANDARD FOR CARE AND HOUSING OF ANIMALS**

- A. All dog kennels shall be kept in a clean and healthful condition and at all reasonable times shall be open to inspection by the Hinsdale Board of Selectmen, any Health Officer, Animal Control Officer or other person (s) charged with the enforcement of this Ordinance or any health or sanitary regulation order, rule or statute of the Town of Hinsdale, Cheshire County, New Hampshire.
- B. All commercial dog kennels shall be insulated to serve as noise abatement. All dogs shall be confined to indoors at night from 9:00 p.m. to 6:00 a.m. in individual pens. During daylight hours, dogs may be let out into individual fenced areas known as "runs".

## **1809.0 FORFEITURES FOR ANIMALS AT LARGE**

Whoever owns a dog or stock/livestock that is found to be at large shall forfeit twenty-five (\$25) dollars to the Town of Hinsdale. For the second/subsequent offense the owner shall forfeit fifty (\$50) dollars to the Town of Hinsdale. If said forfeiture is not made to the Hinsdale Town Clerk or his or her designee within ninety-six (96) hours of notice of forfeiture, the case will be disposed of in Keene District Court. Any person who pays may not pay the civil forfeiture as specified in this Section, two (2) times within a year, according to the records of the Town Clerk, may not pay the civil forfeiture for subsequent violations of this Section in that year, but shall have those cases disposed of in Keene District Court.

## **1810.0 IMPOUNDING OF DOGS**

Any dog found are large or unrestrained within the Town of Hinsdale may be restrained and impounded by the Animal Control Officer. A dog so impounded may be confined in a suitable animal shelter for not more than seven (7) days. Any impounded dog not claimed by the owner within seven (7) days may be humanely disposed of by the Town of Hinsdale, the Animal Control Officer or the Hinsdale Police Department or its designee. If the impounded dog is licensed by the Town of Hinsdale, the Animal Control Officer shall make a reasonable attempt to notify the owner of the impounded dog prior to being humanely disposed of. The Police Chief and Animal Control Officer or his or her designee, shall select a suitable animal shelter for the place of confinement for animals held under the suspicion of rabies after biting or dogs impounded under this Section.

## **1811.0 IMPOUNDMENT FEES**

Any owner or individual claiming a dog impounded by the Hinsdale Police Department or Hinsdale Animal Control Officer shall forfeit a pickup fee of twenty (20) dollars for the dog, plus a five (\$5) dollars boarding fee if the dog is held for more than twelve (12) hours and an additional ten (\$10) dollars for each additional day the dog is impounded. These fees are payable to the Town Clerk or his or her designee and the fees do not preclude any other fees, fines, or forfeitures associated with the impounding or boarding.

## **1812.0 NUISANCE, MENACE, OR VICIOUS DOGS**

No dog shall be permitted, whether or not leashed or restrained, to be a nuisance, a menace, or vicious to persons, property or other animals.

*Nuisance Dogs:* A dog is determined to be a nuisance:

1. If it barks for sustained periods of more than ½ hour, or during the night hours so as to disturb the peace and quiet of a neighborhood or area.
2. If it digs, scratches, excretes, cause property damage, or causes waste or garbage to be scattered on property other than the owners.

*Menace Dogs:* A dog determined to be a menace:

1. If it growls, snaps at runs after or chases any person.
2. If it runs after, chases pedestrians, bicycles, motor vehicles, motorcycles, or other vehicles being driven, pulled, or pushed on the public ways of the Town of Hinsdale.

*Vicious Dogs:* If it, whether alone, or in a pack with other dogs, bites, attacks, or preys on game animals, domestic animals, fowl or human beings.

Whoever owns a dog that violates Section 1810.0, “Nuisance, Menace, or Vicious Dogs,” and his or her dog is determined to be either a nuisance, menace, or vicious, shall forfeit the following to the Town Clerk:

Nuisance Dog	1 <sup>st</sup> Offense	\$25
	2 <sup>nd</sup> /Subsequent Offense	\$50
Menace Dogs	1 <sup>st</sup> Offense	\$50
	2 <sup>nd</sup> /Subsequent Offense	\$100
Vicious Dogs	1 <sup>st</sup> Offense	\$100
	2 <sup>nd</sup> /Subsequent Offense	\$200

### **1813.0 FORFEITURES FOR NUISANCE, MENACE, OR VICIOUS DOGS**

The forfeitures shall be made within ninety-six (96) hours from the time of notice to the Town Clerk. Any person making the forfeiture shall have deemed to have waived their rights to have the case heard in Keene District Court and they shall be prosecuted or found guilty of a violation of NH RSA 466:31. Any person who does not pay the civil forfeiture shall have the case disposed of in Keene District Court. Any person who does not pay the civil forfeiture as specified in this Section, two (2) times within a year, according to the records of the Town Clerk, may not pay the civil forfeiture for subsequent violations of this Section in that year, but shall have these cases disposed of in Keene District Court. In the case of a vicious dog, where its behavior represents such a threat to public safety, immediate District Court proceedings may be initiated in lieu of the civil forfeiture.

### **1814.0 INTERFERENCE WITH THE ANIMAL CONTROL OFFICER**

No person shall hinder or interfere with the Animal Control Officer or such person as may be appointed as agents in the performance of any duty within this Chapter. Any person in violation of this shall be prosecuted under NH RSA 642:1 Obstructing Governmental Administration.

### **1815.0 ORGANIZED ANIMAL FIGHTING PROHIBITED**

No dog fighting, cock fighting, bull baiting, bear baiting or other setting of or other fighting of one animal against another shall be permitted in the Town of Hinsdale, per NH RSA 644 8-a, Title LXII Criminal Code.

## **1816.0 ABANDONMENT OR ABUSE OF ANIMALS**

It shall be unlawful for anyone to knowingly abandon or abuse any animal. Each person who does abandon or abuse knowingly or willingly permits this abandonment or cause or aids in the abandonment or abuse of any animal shall be in violation of this Ordinance and shall be subject to the penalties as herein provided, per NH RSA 644:8, Title LXII Criminal Code.

## **1817.0 DUTIES OF ALL ANIMAL OWNERS**

A. It shall be the duty of every owner of any animal or anyone having an animal in their possession or custody, to exercise reasonable care and to take all necessary steps and precautions to protect other people, property, and animals from injuries or damage which might result from their animal's behavior, regardless whether such behavior is motivated by mischievousness, playfulness, or ferocity. Animals at Large as specified in 1806.0.

B. It shall be the duty of every owner of any animal, or anyone having any animal in their possession or custody, to ensure that the animal is kept under restraint and that reasonable care and precautions are taken to prevent limits of its' owner, possessor or custodian. Animals at Large as specified in 1806.0.

C. It shall be the duty of the owner of any animal or anyone having an animal in their possession to keep the animal under restraint and control at all times while the animal is off the real property limits of the owner, possessor, or custodian. Animals at Large as specified in 1806.0.

D. Failure to keep any animal confined or under restraint as provided for in this Section shall be unlawful and shall be punishable as herein provided. Animals at Large as specified in 1806.0.

E. No person shall keep or harbor any nuisance dog, nor shall any person keep or harbor any animal or fowl which by frequent or habitual howling, yelping, barking, crowing, or making of other noises shall cause serious annoyance or disturbances to person (s) or to a neighborhood. Nuisance Animal as specified in 1812.0.

F. No exotic animals may be kept within the Town of Hinsdale except upon issuance of a permit by the Hinsdale Board of Selectmen, provided that wild animals and exotic animals may be kept for exhibition purposes by circuses, zoos, or educational institutions, in accordance with such regulations as shall be established by the Hinsdale Board of Selectmen. The Hinsdale Board of Selectmen may place conditions on such permit, as it deems necessary or advisable under the circumstances.

G. Removal of feces as specified in 1818.0, 1818.1, 1818.2, and 1819.0.

## **1818.0 REMOVAL OF DOG FECES**

### **1818.1 REMOVAL FROM PUBLIC PROPERTY**

Any owner or person having custody of any dog shall not be permit said dog to defecate on any public property including public streets, alleys, sidewalks, parks, or any other public grounds within the Town of Hinsdale unless said owner or person in control has in his or her possession a mechanical or other device for the removal of excrement; nor shall said owner or person in control fail to expeditiously, remove any such excrement deposited by said dog in any such place. This section does not apply to Hearing and/or Sight-Impaired guide dogs, Handicap Assisting dogs, or dogs owned, or employed by or on the behalf of Law Enforcement during official duties.

## **1818.2 EXCRETING AND DEFECATING ON PRIVATE PROPERTY**

Any owner or person having custody of any dog shall not permit said dog to excrete or defecate on any private property other than the premises of the owner or person having custody of said dog.

## **1819.0 FORFEITURE FOR REMOVAL OF DOG FECES**

Any person found in violation of Section 1812.0 and 1813.0 shall forfeit ten (\$10) dollars to the Town of Hinsdale. For second/subsequent offenses the owner of said dog shall forfeit twenty-five (\$25) dollars to the Town Clerk of Hinsdale. If said forfeiture is not made to the Town Clerk or his or her designee within ninety-six (96) hours of the notices of forfeiture, the case will be disposed of in the Keene District Court. Any person who pays a civil forfeiture as specified in this Section, two (2) times within a year, according to the records of the Town Clerk, may not pay the civil forfeiture for subsequent violations of this Section in that year, but shall have these cases disposed of in the Keene District Court.

## **1820.0 WARNING SIGNS, GUARD DOGS AND DANGEROUS DOGS**

All owners, keepers, or harborers of any guard or officially determined dangerous dog shall display in a prominent place on their premises and at each entrance or exit to the area where such a dog is confined, a sign easily readable by the public using the words: "BEWARE OF DOG".

## **1821.0 ADMENDMENTS**

<u>Date</u>	<u>Section</u>
April 24, 1995	1801.01, 1804.0, 1805.0, 1807.0, 1810.0, 1813.0
August 25, 1997	1809.0
July 28, 2003	1806.0
July 16, 2012	1801.0, 1803.0, 1807.0, 1808.0, 1808.1, 1808.2, 1808.3, 1815.0, 1816.0, 1817.0, 1820.0, 1821.0



**HINSDALE ANIMAL CONTROL DEPARTMENT  
HINSDALE, NEW HAMPSHIRE, 03451**

**(603)336-5723**

**NOTICE OF FORFEITURE**

Name: \_\_\_\_\_ Address: \_\_\_\_\_  
 DOB: \_\_\_\_\_ SS#: \_\_\_\_\_ Phone: \_\_\_\_\_  
 Dog(s) License #: \_\_\_\_\_ Breed: \_\_\_\_\_  
 Color: \_\_\_\_\_ Name: \_\_\_\_\_  
 Location of Violation: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_

You have been found in violation of the Hinsdale Town Ordinance relating to dogs. You are required to pay a civil forfeiture to the Town of Hinsdale within ninety-six (96) hours from the date and time notice was given. Any person who fails to pay the forfeiture within the allotted time will be issued a summons to appear in Keene District Court.

Any person, who pays a civil forfeiture two (2) times in a calendar year according to Town Records, must have subsequent violations disposed of in Keene District Court.

**VIOLATIONS OF HINSDALE TOWN ORDINANCE CHAPTER 1800**

	1 <sup>st</sup> Offence	2 <sup>nd</sup> Offence
_____ Unlicensed dog (Dog(s) must be licensed at time of forfeiture is paid)	\$25.00	50.00
_____ Restraint of dog(s) – General	\$25.00	\$50.00
_____ Restraint of dog(s) – School Grounds	\$25.00	\$50.00
_____ Restraint of dog(s) – Cemetery Grounds	\$25.00	\$50.00
_____ Restraint of dog(s) – Commercial Grounds	\$25.00	\$50.00
_____ Removal of dog(s) feces	\$10.00	\$25.00
_____ Excreting/Defecating on Private Property	\$10.00	\$25.00
_____ Nuisance	\$25.00	\$50.00
_____ Menace	\$50.00	\$100.00
_____ Vicious	\$100.00	\$200.00

To be paid within ninety-six (96) hours of notice:

Pickup Fee of \$25.00 \$ \_\_\_\_\_  
 Boarding Fee of \$10.00 per day \$ \_\_\_\_\_  
 Total Boarding/Pick up Fee \$ \_\_\_\_\_  
**TOTAL DUE TO TOWN CLERK** \$ \_\_\_\_\_  
**TOTAL PAID TO TOWN CLERK** \$ \_\_\_\_\_  
**BALANCE DUE** \$ \_\_\_\_\_

Date notice issued: \_\_\_\_\_ Date payment due: \$ \_\_\_\_\_

Officer: \_\_\_\_\_ ID #: \_\_\_\_\_

Form Distribution 1) Town Clerk 2) Violator/Owner 3) Animal Control Officer

**HINSDALE ANIMAL CONTROL DEPARTMENT  
HINSDALE, NEW HAMPSHIRE, 03451  
(603)336-5723**

**ANIMAL CONTROL  
HOME CONFINEMENT AGREEMENT**

*Owners who are required to confine their animals for a period of ten (10) days may be authorized to confine their animals at home if the following conditions are met and agreed to:*

1. The animal has a current rabies vaccination.
2. The owner agrees to confine the animal in an animal proof building or pen that can be locked.
3. The owner shall keep animal on a leash while temporarily out of the above certified enclosure.
4. If the animal shows any symptoms of sickness, abnormal behavior, or if the animal escapes, the Animal Control Officer will be notified immediately.
5. In the event the animal dies for any reason during the observation period, the carcass whereof shall immediately be turned over to the Animal Control Officer for compulsory rabies examination.
6. The animal must be examined by a licensed veterinarian.

*Owner's Signature:* \_\_\_\_\_ *Address:* \_\_\_\_\_

*Signature witnessed by me this* \_\_\_\_\_ *day of* \_\_\_\_\_ *20* \_\_\_\_\_ *Time:* \_\_\_\_\_

*Animal Control Officer's Signature:* \_\_\_\_\_

*Veterinary Examination Fee Paid. Date:* \_\_\_\_\_ *Time:* \_\_\_\_\_



## 1900 TRAFFIC CONTROL ORDINANCE

### 1901 AUTHORITY

In accordance with an under the authority of the New Hampshire Revised Statutes Annotated, Chapter 41, Section 11 and Chapter 47, Section 17, VII and VIII, authorizing the Board of Selectmen to enact ordinances governing the use of public ways and traffic devises and signals, the following Ordinance is adopted by the Board of Selectmen of the Town of Hinsdale. This ordinance repeals and replaces the Parking Ordinance.

### 1902 DEFINITIONS

Words and Phrases Defined. The following words and phrases when used in this Ordinance have the following meaning:

**A. Curb:** The lateral boundaries of the portion of a street designated for the use of vehicles, whether marked by curbstones or not so marked.

**B. Park or Parking:** The standing of a vehicle, whether occupied or not, attended or unattended, upon street, otherwise than temporarily for the Purpose of and while expeditiously taking or leaving passengers or loading or unloading merchandise then in readiness for immediate delivery.

**C. Standing:** Any stopping of a vehicle, whether occupied or not.

**D. Stop:** When required, means complete cessation of movement.

**E. Stop or Stopping:** When prohibited means any stopping of a vehicle when necessary to avoid conflict with other traffic or in compliance with the direction of a police officer or traffic control sign or signal.

**F. Trash:** Debris, rubbish, garbage or any material that would meet the description of the same under RSA 149-M.

**G. Way:** Way shall have the same definition as found in RSA 259:125.

**H. Vehicle:** Vehicle shall have the same definition as found in RSA 259:122.

### 1903 PARKING REGULATIONS

**A.** Unless directed by a Police Officer or in compliance with an official traffic control device, no person except the driver of an emergency vehicle shall on any way park any vehicle:

1. On the roadway side of any stopped or parked vehicle.
2. On any sidewalk.
3. Within any intersection.

4. Within any crosswalk.
5. Adjacent to, or alongside, any street excavation.
6. Upon any bridge.
7. On any railroad tracks.
8. At any place where official signs prohibit parking including the alleyway surrounding the Town Hall. Official government and emergency vehicles are permitted to park in the alleyway only.
9. In front of any public or private driveway.
10. In any parking space, whether on public or private property, specially designated for the physically handicapped by means of a sign stating that the space is reserved for the physically handicapped or displaying the "Wheelchair Symbol" as defined in RSA 275-C: 9, unless that person has a special registration number plate, decal tag, or car issued pursuant to RSA 261:86, 87 or 88.
11. Within 15 feet of any fire hydrant (unless a parking space is clearly designated by signs or pavement markings).
12. Within 20 feet of a crosswalk (unless a parking space is clearly designated by signs or pavement markings).
13. Within 30 feet of an intersection (unless a parking space is clearly designated by signs or pavement markings).
14. Within 20 feet of any entrance to a Fire or Police Station (unless a parking space is clearly designated by signs or pavement markings).
15. For a period of time greater than that indicated by signs.
16. For a period of time no greater than 2 hours between 7:00 a.m. & 8:00 p.m. Monday through Friday from Route 63 North to Route 63 South along Main Street.
17. Parking on Depot Street in the four (4) spaces along the town hall shall be designated to Town Hall business only during the hours of Monday through Friday from 8:00 a.m. to 9:00 p.m. and Saturday from 8:00 a.m. to 12:00 p.m. There shall be a limit of two hour parking only.

18. In the two parking spaces in front of 10 Depot Street, there will be a limit of two hour parking in the handicap space and a limit of fifteen (15) minute parking in the remaining space.
19. For a period of time no greater than 15 minutes between 7:00 a.m. and 11:00 p.m. at two parking spots located in front of 13 Main Street; and on parking spot in front of 10 Main Street.
20. No parking in Heritage Park from 50 feet north of the pavilion up to Route 119 except in designated areas.
21. On any town owned roadway for a period greater than 24 hours, after 24 hours a towing sticker will be placed on the vehicle giving the owner only 24 additional hours to remove. This only applies to roadways that are not marked with a parking time less than 24 hours or if the parked vehicle represents a hazard to the motoring public and is authorized to be towed pursuant to NH RSA 262:32.
22. Parking on town roadways with sidewalks will only be permitted on the sidewalk side of the road.
23. There shall be no parking unless permission is obtained through the Hinsdale Police Department on Depot Street, Hancock Street, High Street, Spring Street, Highland Avenue, Cottage Street, Plain Road, Monument Road, Meetinghouse Road, Hancock Street, Pleasant Street, Prospect Street between Route 119 (east end), School Street in areas not specifically designated and marked for parking, and River Road.
24. The two parking spaces in front of the Hinsdale Police Department shall be for the public conducting police business only at all times of the day or night.

**B. Drivers of vehicles shall at all times park their vehicles:**

1. With right side wheels to the curb (unless official traffic control devices designate to the contrary).
2. No further than 1 foot from the nearest curb.
3. Within any pavement markings designating a parking space.

**C.** Between November 1st and April 1st from 11:00 P.M. to 7:00 A.M., no vehicle shall be parked on any public way within the Town. No vehicle shall be parked on any public way so that it interferes with the removal of snow from the highways and parking lots. This shall not apply to vehicles parked in designated areas except between 11:00 p.m. and 7:00 a.m. However, the

Historical Society lot shall be designated as an overnight lot for emergency purposes only and vehicles must be removed by 7:00 a.m.

**D.** There shall be no overnight parking in the Hinsdale Community Center Parking lot between the hours of 12:00 midnight to 7:00 a.m.

**E.** Any vehicle parked contrary to this ordinance may be towed at the owners' expense, in the following manner:

1. Any Police Officer may authorize towing for any violations of this ordinance.
2. The Supervisor of the Hinsdale Highway Department or his designee may order vehicles towed for violations of Section III when said violator is impeding the plowing or removal of snow.
3. Any person(s) whose vehicle is towed pursuant to this ordinance shall be liable for all costs of such towing and storage, but shall have a right to a hearing upon the same terms and conditions as set forth in RSA 262:33 II and III.

**F.** Fines and Forfeitures:

1. Any person violating any provisions of this Section, excluding Paragraph I-J and Paragraph III, shall be guilty of a violation, provided however that such person may pay Civil Forfeiture to the Hinsdale Police Department in the amount of \$30.00 within 7 days. If such forfeiture is paid, no further action will be taken against such person.
2. Any person violating any provisions of Section 2, Paragraph I-J and Section 2, Paragraph III, shall be guilty of a violation, provided however that such person may pay Civil Forfeiture to the Hinsdale Police Department in the amount of \$50.00 within 7 days. If such forfeiture is paid, no further action will be taken against such person.
3. The registered owner of any vehicle violating any part of this section shall be liable for said violation and for any fine or forfeiture resulting from said violation.

## **1904 STOP SIGNS**

Stop signs shall be erected and maintained at the following intersecting locations:

Butler Ave. @ Plain Rd.	Old Brattleboro Rd. @ Brattleboro Rd. (E)
Carpenter Dr. @ Plain Rd.	Old Brattleboro Rd. @ Brattleboro Rd. (W)
Charles Dr. @ Brattleboro Rd.	Old Chesterfield Rd. @ Chesterfield Rd. (N)
Charles Dr. @ Monument Rd.	Old Chesterfield Rd. @ Chesterfield Rd. (S)
Church St. @ Main St.	Old Northfield Rd. @ Tower Hill

Cottage St. @ Highland Ave.  
 Creampot Hill @ Canal St.  
 Depot St. @ Main St.  
 Depot St. @ Tower Hill  
 Dodge Ave. @ Meetinghouse Rd.  
 Emerson Dr. @ Meetinghouse Rd.  
 Fox Run Rd. @ Plain Rd.  
 George St. @ Monument Rd.  
 Hancock St. @ Brattleboro Rd.  
 High St. @ Brattleboro Rd.  
 High St. @ Main St.  
 Highland Ave. @ Brattleboro Rd.  
 Highland Ave. @ High St.  
 Hinsdale Heights @ Brattleboro Rd.  
 Howard St. @ River Rd.  
 Indian Acres @ Brattleboro Rd.  
 Jeff St. @ Monument  
 Kilburn Rd. @ Chesterfield Rd.  
 Maple Lane @ Foxrun Rd.  
 Meetinghouse Rd. @ Monument Rd.  
 Meetinghouse Rd. @ Plain Rd.  
 Middle Oxbow Rd. @ Meetinghouse Rd.  
 Middle Oxbow Rd. @ Ox Bow Rd.  
 Monument Rd. @ Old Brattleboro Rd.  
 Monument Rd. @ Plain Rd.  
 Oak Hill Rd. @ Monument Rd.

Old Stage Rd. @ Prospect St.  
 OxBow Rd. @ Monument Rd.  
 OxBow Rd. @ Plain Rd.  
 Pierce Rd. @ Brattleboro Rd.  
 Pine Ridge Ln. @ Plain Rd.  
 Plain Rd. @ Brattleboro Rd.  
 Pleasant St. @ Brattleboro Rd.  
 Pleasant St. @ Highland Ave.  
 Prospect St. @ Brattleboro Rd. (E)  
 Prospect St. @ Brattleboro Rd. (W)  
 Revere Dr. @ Meetinghouse Rd.  
 Rosemont Dr, @ Hastings Circle #6 (E)  
 Rosemont Dr, @ Hastings Circle #6 (W)  
 Rosemont Dr. @ Hastings Circle #2  
 Rubeor Drive  
 Sargent St. @ Canal St.  
 Schofield Mountain Rd. @ Northfield Rd.  
 School St. @ Brattleboro Rd.  
 School St. @ Prospect St.  
 Snow Ave. @ Northfield Rd.  
 Spring St. @ High St.  
 Spring St. @ Highland Ave.  
 Streeter Ln. @ Middle Oxbow Rd.  
 Susan's Dr. @ Brattleboro Rd.  
 Susan's Dr. @ Old Brattleboro Rd.  
 Tower Hill Rd. @ Northfield Rd.

## 1905 SPEED LIMITS

In accordance with the provisions of the New Hampshire revised Statutes Annotated, Chapter 265, Section 63, the Board of Selectmen finds by traffic investigation that the prima facie speed limits contained with New Hampshire Revised Statutes Annotated, Chapter 265, Section 60 are greater than reasonable for certain streets with the Town of Hinsdale, and therefore established the following alteration of speed limits as the reasonable prima facie limits for those streets, as follows:

- A. Unless otherwise posted, it shall be unlawful for any person to operate a motor vehicle on the following public ways in the town at a speed greater than 15 miles per hour:

School St

- B. Unless otherwise posted, it shall be unlawful for any person to operate a motor vehicle on the following public ways in the town at a speed greater than 20 miles per hour:

Apache Ave., Butler Ave., Charles Dr., Church St., Cottage St., Cream Pot Hill, Emerson Dr., Fitzgerald Ct., George St., Glen Street., Hancock St., Hastings Circle, High St., Highland Ave.,

Hinsdale Hts., Howard St., Howe Dr., Indian Acres, Jeff St., Kilburn St., Mohawk St., Mountain Rd., Pine Ridge Lane, Pleasant St., Revere Dr., Rubeor Dr., Sargent St., Oak Hill Rd., Pierce Rd., Rosemont Drive, Snow Ave., Spring St., Stearns Ct., Streeter Lane, Weaver Lane.

- C. Unless otherwise posted, it shall be unlawful for any person to operate a motor vehicle on the following public ways in the town at a speed greater than 25 miles per hour:

Carpenter Dr., Depot St., Dodge Ave., Fox Run Rd., Lost Rd., Maple Lane, Middle Oxbow Rd., Meetinghouse Rd., Montiero Dr., Old Northfield Rd., Old Stage Rd., Plain Road Ext., Pond Rd., Prospect St., River Rd., South Parrish Rd., Susan's Dr., Tower Hill Rd.

- D. Unless otherwise posted, it shall be unlawful for any person to operate a motor vehicle on the following public ways in the town at a speed greater than 35 miles per hour:

Monument Rd., Old Brattleboro Rd., Old Chesterfield Rd., Oxbow Rd., Plain Rd.

## **1906 ONE-WAY PUBLIC WAYS**

- A. Traffic on School Street shall be directed one-way southbound between the hours of 7:00 a.m. to 6:00 p.m. Monday thru Friday. The one-way area will start at Route 119 and ends at the north side of the entranceway leading to the parking lot located in the rear of the elementary school. Two-way traffic will be from said parking lot to Prospect Street. All buses and delivery vehicles shall be exempt.

## **1907 OPERATION OF VEHICLES**

- A. Vehicles shall not be driven on any sidewalk, except to enter a permanent or temporary driveway, or at the direction of a police officer or firefighter.

## **1908 SEVERABILITY**

In the event any section, subsection, sentence, clause or phrase of this Ordinance shall be adjudicated to be invalid or unconstitutional, such part or phrase is declared to be severable, and all remaining portions of this Ordinance shall remain in full force and effect.