

**TOWN OF LINCOLN
GRAFTON COUNTY, NEW HAMPSHIRE
SEWER USE ORDINANCE**

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ENABLING LEGISLATION

All design, construction, maintenance and improvement of storm and sanitary sewers within the corporate limits of the Town of Lincoln, County of Grafton, State of New Hampshire shall be as approved by the Board of Selectmen and shall be in accordance with New Hampshire RSA Chapters 147 and 149-I.

Article I: DEFINITIONS

- A. Unless the context specifically indicates otherwise, the meaning of terms used in these regulations shall be as follows:
1. "AGRU" or "Automatic grease recovery unit" means an interior grease interceptor that separates grease from the wastewater by active mechanical or electrical means.
 2. "ASTM" shall mean the American Society for Testing and Materials.
 3. "BMP" or "Best management Practice" means a practice, procedure, structure or facility designed to prevent or minimize environmental damage, or to maintain or enhance environmental quality. BMPs include without limitation, treatment requirements, operating procedures, practices to control spillage or leaks, sludge or waste disposal, or providing for drainage from raw material storage.
 4. "BOD" (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in 5 days at 20 degrees C, expressed in milligrams per liter.
 5. "Combined Sewer" shall mean a sewer receiving both surface runoff and sewage.
 6. "Control Authority" refers to the Town of Lincoln Board of Selectmen that are in charge of the Publicly Owned Treatment Works.
 7. "Drain Layer" shall mean a person licensed or authorized by the Board of Selectmen as a layer of drains.
 8. "Easement" shall be an acquired legal right for the specific use of land owned by others.
 9. "Environmental Protection Agency or EPA" is the United States Environmental Protection Agency or, where appropriate, the EPA

Regional Water Management Division Director, or other duly authorized official of said agency.

10. "Fats, oils and grease" or "FOG" means any fats, oils and grease generated from the food preparation process.
11. "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 properly pretreated and the wastewater does not interfere with the collection system.
12. "Force Main" is a line without access from individual properties, providing a connection from a pump station to a pump station, trunk, or sanitary sewer main.
13. "Garbage" shall mean solid wastes from the domestic and commercial preparation, cooking and dispensing of food and from the handling, storage and sale of produce.
14. "Grease trap/ interceptor" means any device or equipment designed to separate fats, oils and grease from wastewater while allowing water to flow through.
15. "Grease trap/interceptor cleaner" means any person regularly offering to the general public services of cleaning or servicing of grease trap/interceptors including the removal and hauling of fats, oils, grease, and food wastes which are components of sewage.
16. "House Drain" shall mean that part of the lowest horizontal piping of drainage system, which receives the discharge from soil, waste, and other drainage pipes inside the walls of a building and conveys it to the building sewer, beginning 10 feet outside the outer face of the building wall. For the purposes of this Regulation the terms "Building Drain" and "Building Sewer" shall be synonymous with the terms "House Drain" and "House Sewer".
17. "House Sewer" shall mean the extension from the building drain to the public sewer or other place of disposal including that portion of the line on public property.
18. "Industrial User" shall be a person who discharges industrial wastes to the POTW of the Town of Lincoln.
19. "Industrial Wastes" shall mean the liquid wastes from industrial manufacturing processes, trade, or business as distinct from sanitary sewage.

20. "Interference" shall mean a discharge by an industrial user which, alone or in conjunction with discharges by other sources, inhibits or disrupts the operation of the wastewater treatment works and which is a cause of a violation of any requirement of the treatment plant's NPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal in accordance with groundwater protection rules, He-P 1901.05, hazardous waste rules, He-P 1905.03 and Appendix III, the Clean Air Act, the Toxic Substance Control Act, or the Marine Protection Research and Sanctuaries Act.
21. "Medical Waste" shall be isolation wastes, infectious agents, human blood and blood products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, chemotherapy wastes, and dialysis wastes.
22. "National Categorical Pretreatment Standard" or "Categorical Pretreatment Standard" shall mean 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.
23. "Nation Pollutant Discharge Elimination System Permit or NPDES Permit" shall be issued pursuant to Section 402 of the Act (33 U.S.C. 1342).
24. "Natural Outlet" shall mean any outlet into a watercourse, pond, ditch, lake or other body of surface or ground water.
25. "NHDES" shall mean the New Hampshire Department of Environmental Services.
26. "Normal Domestic Wastewater" shall be wastewater generated by residential users containing not more than 200 mg/l BOD and not more than 250 mg/l suspended solids.
27. "Non-Contact Cooling Water" shall be water used for cooling that does not directly contact any raw material, intermediate product, waste product, or finished product.
28. "Non-renderable" means fats; oils and grease generated from the food preparation processes that have been contaminated with other material, thereby prohibiting this material from being rendered.
29. "Owner" shall mean any person vested with ownership, legal or equitable, sole or partial, or in possession of any property where wastewater requiring disposal or treatment is generated.

30. "Pass through" shall mean the discharge of pollutants through the public wastewater treatment plant into navigable 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 treatment plant's NPDES permit (including an increase in the magnitude of duration of a violation) or of applicable water quality criteria.
31. "Person" shall mean an individual, firm, company, association, society, corporation or group.
32. "PH" shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.
33. "POTW" means Publicly Owned Treatment Works.
34. "Public" shall mean anything owned or controlled by a governmental agency or utility company and specifically, refers to the wastewater facilities or the Town of Lincoln.
35. "Properly Shredded Garbage" shall mean wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than ½ inch (1.27 centimeters) in any dimension.
36. "Public Sewer" shall mean a sewer in which all owners of abutting properties have equal rights and is controlled by public authority.
37. "Sanitary Sewer" shall mean a sewer which carried sewage and to which storm, surface and groundwater are not intentionally admitted.
38. "Selectmen" shall mean the Board of Selectmen of the Town of Lincoln or their authorized representative(s).
39. "Septage" shall mean any wastewater, wastewater sludge, or residue, which has been collected in a septic tank, cesspool, privy vault, or similar storage device, for subsequent disposal or treatment at an approved facility.
40. "Sewage" shall mean a combination of the water carried wastes from residence, business buildings, institutions, and industrial establishments, together with such ground, surface, and storm waters as may be present.
41. "Sewage Treatment Plant" shall mean any arrangement of devices and structures used for treating sewage.

- 42. "Sewage Works" shall mean all facilities for collecting, pumping, treating and disposing of sewage.
- 43. "Sewer" shall mean a pipe or conduit for carrying sewage.
- 44. "Shall" is mandatory; "may" is permissive.
- 45. "Slug" shall mean any discharge of a non-routine, episodic nature, or at a flow rate or concentration, which could cause a violation of the prohibitive discharge standards in Section 1.206 of these regulations.
- 46. "Storm Drain" (sometimes termed as "storm sewer") shall mean a sewer, which carries storm and surface waters and drainage but excludes sewage and industrial wastes other than unpolluted cooling water.
- 47. "Suspended Solids" shall mean solids that either float on the surface of, or are in suspension in water, sewage, or other liquids, and which are removable by laboratory filtering.
- 48. "Town" shall mean the Town of Lincoln, Grafton County, New Hampshire, a municipality of the State of New Hampshire, acting by and through its Selectmen or, in appropriate cases, acting by and through its authorized representatives, including Board of Sewer Commissioners if hereafter created.
- 49. "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 sewers and wastewater treatment facilities provided.
- 50. "User Charge System" shall mean an equitable system of fees and assessments established by the Town for the purpose of recovering from the users the costs of constructing, operating, and maintaining the public wastewater facilities.
- 51. "Wastewater" shall mean the spent water of a community. From the standpoint of source, it may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions, together with any groundwater, surface water, and stormwater that may be present.
- 52. "Watercourse" shall mean a channel in which a flow of water occurs either continuously or intermittently.
- 53. "WPCF" shall mean the Water Pollution Control Federation.

Article II: USE OF PUBLIC SEWERS REQUIRED

- A. It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the Town of Lincoln, or in any area under the jurisdiction of said Town, any human or animal excrement, garbage, or other objectionable waste.
- B. It shall be unlawful to discharge to any natural outlet within said Town of Lincoln, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this ordinance.
- C. Except as hereinafter provided, it shall be unlawful to construct or maintain any privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage.
- D. The owner(s) of all houses, buildings or properties used for human occupancy, 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 there in, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this ordinance, within 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 said house or building property line.
- E. If any owner fails to comply with the provisions of section D., the Town may make the required sewer connections and may collect from the owner the costs and expenses thereof by such legal proceeding as may be permitted by law. The Town shall have full authority to enter onto the owner's property to do whatever is necessary to cause compliance with the provisions of the Article.

Article III: PRIVATE SEWAGE DISPOSAL

- A. Where a public sanitary or combined sewer is not available under the provisions of Section 1.203, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this Article.
- B. Before commencement of construction of a private sewage disposal system, the owner(s) shall first obtain design approval (Approval for Construction) from the New Hampshire Department of Environmental Services (NHDES).
- C. The type, capacities, location and layout of a private sewage disposal system shall comply with all regulations of the N.H. Water Supply and Pollution Control Commission. No permit shall be issued for any private sewage disposal system employing subsurface facilities where the percolation test results indicate poor drainage conditions exist. No septic tank or cesspool shall be permitted to discharge to any natural outlet.

- D. At such time as a public sewer becomes available to a property served by a private wastewater disposal system, as provided in Section 1.203 D, a direct connection shall be made to the public sewer within ninety (90) days in the compliance with this ordinance, and any septic tanks, cesspool, or similar private wastewater disposal facilities shall be cleaned of sludge and filled with suitable material.
- E. The owner(s) shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the Town. Sludge removal from private disposal systems shall be performed by licensed operators and disposed of at facilities approved by NHDES. At no time shall any quantity of industrial waste be discharged to a private domestic wastewater disposal facility.
- F. No statement contained in this Article shall be construed to interfere with any additional requirements that may be imposed by the Town's Health Officer.

Article IV: BUILDING SEWERS AND CONNECTIONS

- A. No person(s) shall uncover, make and connections with or opening into, use, alter, or disturb any public sewer or appurtenances thereof without first obtaining a written permit from the Selectmen or Public Works Superintendent.
- B. There shall be two classes of building sewer permits:
 - 1. The residential and commercial service; and
 - 2. For service to establishments producing industrial wastes.

In either case, the owner or his agent shall make application on a special form furnished by the Board of Selectmen. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Board of Selectmen. A permit and inspection fee of \$100 (one hundred dollars) for a residential or commercial building sewer permit shall be paid at the time the application is filed.

- C. All costs and expenses incidental to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the Town for any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer. The owner shall be obligated to pay all costs and expenses of operation, repairs, and maintenance and of reconstruction (if needed) of the building sewer including the connection to the public sewer.
- D. A separate and independent building sewer shall be provided for every building; except where one building stands at rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one

application and approved by the Board of Selectmen or Public Works Superintendent. But the Town does not and will not assume any obligation or responsibility for damage caused by or resulting from any such single connection aforementioned.

- E. Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Selectmen or Public Works Superintendent, to meet all requirements of this ordinance.
- F. The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing, and back filling the trench, shall be noted on exhibit A of the permit application, shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the Town. In the absence of a code of provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the A.S.T.M. and W.P.C.F. Manual of Practice No. 9 shall apply. The entire line when completed shall be gas tight and watertight.
- G. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by a means approved by the Board of Selectmen and discharges to the building sewer at the owner's expense.
- H. No person shall make connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface run-off or ground water to a building sewer or building drain, which in turn is connected directly or indirectly to a public sanitary sewer.
- I. The method of connection to the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the Town or the procedure set forth in appropriate specifications of the A.S.T.M. and the W.P.C.F. Manual Practice No. 9. All such connections shall be made gas tight and watertight. Any deviation from the prescribed procedure and materials must be approved by the Board of Selectmen before installation.
- J. The applicant for the building sewer permit shall notify the Board of Selectmen or Public Works Superintendent when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Board of Selectmen or their representative. No building sewer shall be covered until it has been inspected and approved by the Selectmen or their representative. If any part of the a building sewer is covered before so being inspected and approved, it shall be uncovered for inspection at the cost and expense of the owner.
- K. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks,

parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Town at the expense of the owner. Prior to any excavating within the highway right of way or on any public property, a trenching permit must be obtained from the Town or State.

- L. The owner of any property connected to a public sewer shall be responsible for maintaining the building sewer which serves said property, in a sanitary and safe operating condition at all times.
- M. If any person shall fail or refuse, upon receipt of a notice from the Town of Lincoln, in writing, to remedy an unsatisfactory condition with respect to a building sewer, within forty-five days of receipt of such notice, the Town may remedy any unsatisfactory condition with respect to a building sewer and may thereof by such legal proceedings as may be provided by law. The Town shall have full authority to enter on the owner's property to do whatever is necessary to remedy the unsatisfactory condition.
- N. The following is an excerpt from the regulations of the New Hampshire Department of Environmental Services: Except for special reasons, NHDES will approve plans for new systems, extensions, or replacement sewers only when designed upon the separate plan, in which rain water from roofs, streets, and other areas, and groundwater from foundations are excluded.

Article V: USE OF PUBLIC SEWERS

- A. No person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, or polluted industrial process waters to any sanitary sewer.
- B. Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers or to a natural outlet approved by the Selectmen. Industrial cooling water or unpolluted process waters require an NPDES permit prior to discharge to a storm sewer or natural outlet.
- C. No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:
 - 1. Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas;
 - 2. Any waters or wastes containing toxic or poisonous solids, liquids, gases in sufficient quantity, either singly or by interaction with other wastes to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant, including but not limited

to cyanides in excess of two mg/l as CN in the wastes is discharged to the public sewer.

3. Any waters or wastes having a PH lower than 5.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewage works.
 4. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the property operation of the sewage works such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rages, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, etc. either whole or ground by garbage grinders.
 5. Wastewater sufficiently hot to cause the influent at the wastewater treatment facilities to exceed 104 degrees F. (40 degrees C.) or cause inhibition of biological activity in the public wastewater treatment plant.
- D. No person shall discharge or cause to be discharged the following described substances, materials, waters, or wastes if it appears likely in the opinion of the Board of Selectmen that such wastes can harm either the sewers, sewage treatment process, or equipment, have an adverse effect on the receiving stream, or can otherwise endanger life, limb, public property, or constitute a nuisance. In forming its opinion as to the acceptability of these wastes, the Board of Selectmen will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plan, degree of treatability of wastes in the sewage treatment plant, and other pertinent factors. The substances prohibited are:
1. Any liquid or vapor having a temperature higher than 150 degrees F (65 degrees C);
 2. Any water or waste containing fats, wax, grease, or oils, whether emulsified or not, in excess of 75 mg/l or containing substances which may solidify or become viscous at temperatures between 32 – 150 degrees F;
 3. Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipment with a motor of $\frac{3}{4}$ horsepower (0.76 hp metric) or greater shall be subject to the review and approval of the Board of Selectmen;
 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 iron, chromium, zinc, mercury, and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such a degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the Selectmen, the NHDES, or the National Categorical Pretreatment Standards, as promulgated by the U.S. Environmental Protection Agency (EPA) for such materials;
6. No one can discharge Copper over 0.8 mg/l into the sewer system for a monthly average. Or have a level 0.5 mg/l at a point 300 feet outside of the given industry.
7. Any waters or wastes containing phenols or other taste, or odor producing substances, in such concentrations exceeding limits which may be established by the Selectmen, as necessary, after treatment of the composite sewage, to meet the requirements of the State, Federal, or other public agencies or jurisdiction for such discharge to the receiving waters;
8. Any radioactive wastes or isotopes of such half-life, or concentration as may exceed limits established by the Selectmen in compliance with applicable State or Federal regulations;
9. Any waters or wastes having a PH in excess of 9.0;
10. Materials which exert or cause:
 - a. Unusual concentrations of inert suspended solids (such as, but not limited to, fullers earth, line slurries and line residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate);
 - b. Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions);
 - c. Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on sewage treatment works;
 - d. Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.
11. Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent can not meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

- E. If any waters or wastes are discharged or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in Paragraph D of this Section, and which in the judgment of the Selectmen, may have a deleterious effect upon the sewage, works, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Selectmen may:

1. Reject the wastes;
2. Require pretreatment to an acceptable condition for discharge to the public sewer;
3. Require control over the quantities and rates of discharge; and/or
4. Require payment to cover the added cost of handling and treating wastes under the provisions of Paragraph J. of this Section.

If the Town permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Town and NHDES, and subject to the requirements of all applicable codes, Regulations and laws. Such facilities shall not be connected until said approval is obtained in writing. Such approval shall not relive 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 a design of a Professional Engineer. Review costs of said plan by the Town or its designee shall be bourn by the owner.

- F. **Fats, Oil, Grease, (FOG)** and sand interceptors shall be provided when, in the opinion of the Selectmen, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, as specified in Section D.2., or any flammable wastes, sand or other harmful ingredients, except that such interceptors shall not be required for private living quarters or dwelling units.

1. Grease or Sand/Oil traps are required for restaurants, hotels, hospitals, grocery stores, cafeterias, factories, coffee shops, and any business that stores, repairs or services automobiles.
 - a. Kitchen grease trap/interceptors shall be ranked and defined as follows (meals per day refers to meals capable of being served at peak capacity):
 - High Volume: Establishments that are full service open 16 hours a day or serving more than 250 meals per day shall require exterior grease interceptors.
 - Medium volume: Establishments that are open 8-16 hours per day or serving 100 to 250 meals per day shall require an

exterior interceptor unless the owner can demonstrate that an interior grease trap of appropriate size would better meet the limits set forth in section D.2 to the satisfaction of the Board of Selectmen or their designee.

- Low Volume: Establishments with small volume fast food or take out with minimum dish washing or seating capacity. Interior traps are allowed providing discharge limits in section D.2 are met.

2. All exterior interceptors shall be of a type and capacity approved by the Selectmen. Tank size will be calculated by using the Table A - Recommended Grease Trap Sizing Formula.
3. All interior traps shall be located as to be readily and easily accessible for cleaning and inspection and shall have a water seal of not less than six inches. Trap size will be calculated by using the Table B – Recommended Trap Sizing Formula.
4. Exterior tanks shall be required on all new construction and existing renovation projects. Under the sink grease traps will not be accepted in lieu of exterior grease traps, without approval from the Board of Selectmen.
5. At the Town's expense, "sample taps" may be required to be installed on the outflow of all grease traps and interceptors. The owner shall grant access to the Town or the Town's agent to install and access these taps during regular business hours in order to inspect or take samples of the wastewater exiting the grease trap/interceptor.

Any sample taken by the Town and found to be in excess of the limits set forth in Section D.2 shall constitute a violation, and shall be subject to the following penalties:

1st violation within a 24 month period – formal written warning
2nd violation within a 24 month period - \$100.00 fine
3rd violation and any subsequent violation within a 24 month period -
\$500.00 fine for each day the violation continues

6. Grease interceptors/ traps shall be cleaned at least twice each calendar year, or more frequently if required by the individual owner. A certified, or Town approved, inspector shall clean the trap or interceptor and supply copies of the pumping receipts and inspection evaluation to the Town Manager's Office within 30 days of the pumping event.

Each calendar year that a grease interceptor or trap is not cleaned at least twice and reported to the Town as specified above shall constitute a violation, and shall be subject to the following penalties:

- 1st violation within a 36 month period – formal written warning
 2nd violation within a 36 month period - \$100.00 fine
 3rd violation within a 36 month period - \$500.00 fine

Criteria for inspecting/ evaluating traps

<u>Percent of Trap filled</u>	<u>Trap Condition</u>
25	Good
25-50	Fair
>50	Poor

7. Only grease or oily wastes will be routed through grease traps.
8. Plans for traps must be drawn to scale and be shown on the utility plan. The Selectmen or agent shall review and approve the plan before construction. All review costs shall be borne on the owner.
9. All interior plumbing work shall conform to the Uniform Plumbing Code. No grease trap shall have a capacity less than 20 gallons per minute (gpm) or more than 55 gpm. The size of the trap depends on the number of fixtures connected to it. Reference Table B for calculating Trap size.
10. Outdoor in-ground grease trap/interceptors shall be installed on a separate building sewer line serving kitchen flows and shall be connected to those fixtures or drains which would allow fats, oils, and grease to be discharged. This shall include:
 - (a) Pot sinks;
 - (b) Pre-rinse sinks;
 - (c) Any sink which fats, oils, or grease are likely to be introduced;
 - (d) Soup kettles or similar devises;
 - (e) Work stations;
 - (f) Floor drains or sinks into which kettles may be drained;
 - (g) Automatic hood wash units;
 - (h) Dishwashers without pre-rinse sinks;
 - (i) Any other fixtures or drains that are likely to allow fats, oils, and grease to be discharged.
11. An outdoor grease interceptor/trap shall be a minimum of 1000 gallons and be adequate in size to provide for a minimum hydraulic retention time of twenty-four (24) hours.
12. The grease trap/interceptor shall be watertight and constructed of concrete or other durable material. It shall be located so as to be accessible for

convenient inspection and maintenance. No permanent or temporary structures or containers shall be placed directly over the grease trap/interceptor. Grease trap/interceptors installed in areas subject to traffic shall be designed to accommodate traffic loading.

13. The outlet discharge line from the grease trap/interceptor shall be directly connected to a sanitary sewer.
 14. Automatic Grease Recovery Unit (AGRU) shall be installed immediately downstream of each fixture or multiple fixtures. It shall be constructed of corrosion-resistant material such as stainless steel or plastic. Solids shall be intercepted and separated from the effluent flow using an internal or external strainer mechanism. This mechanism shall be an integral part of the unit. The unit shall operate using a skimming device, automatic draw-off, or other mechanical means to automatically remove separated fats and oils. All AGRU's shall be designed and installed in accordance with the manufacture's specifications.
 15. Renderable fats, oils and grease shall only be disposed of in separate storage containers for recycling by a renderer. No renderable fats, oils, and grease shall be discharged into grease trap/interceptors or AGRU's, sanitary sewers, dumpsters or storm sewers.
- B. All industrial wastewater 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 Selectmen, whichever are more stringent. Where preliminary treatment or flow-equalizing facilities are provided for any waters or wastes, the owner at his expense shall maintain them continuously in satisfactory and effective operation.
- C. When required by the Board of Selectmen, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such manhole, when required, shall be accessibly and safely located and shall be constructed in accordance with plans approved by the Board of Selectmen. The manhole shall be installed by the owner at his expense and shall be maintained by him so as to be safe and accessible at all times.
- D. The Selectmen may require a user of sewer services to provide information needed to determine compliance with this ordinance. These requirements may include:
- a. Wastewater discharge peak rates and volume over a specified time period.
 - b. Chemical analyses of wastewaters.

- c. Information on raw materials, processes, and products affecting wastewater volume and quality.
 - d. Quantity and disposition of specific liquid, sludge, oil, solvent, or other materials important to sewer use control.
 - e. A plot plan of sewers on the user's property showing sewer and pretreatment facility location.
 - f. Details of wastewater pretreatment facilities.
 - g. Details of systems to prevent and control the loss of material through spills to the public sewer.
- E. The Town shall, as necessary, sample and analyze the wastewater discharges of contributing industries and conduct surveillance and inspection activities to identify, independently of information supplied by such industries, occasional and continuing non-compliance will be billed directly for costs incurred for analysis of its wastewater. All industries discharging to the Town system shall allow unrestricted access by the Town, NHDES, and EPA personnel for the purposes of investigating and sampling discharges from the industries.
- F. An industrial user shall immediately notify the Town of any slug or process waste discharged by such user to the Town's wastewater facilities.
- G. All measurements, tests, and analysis of the characteristics of waters and wastes to which reference is made in these Regulations shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater", published by the American Public Health Association, and shall be determined at the control manhole provided or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb and property. (The particular analysis involved will determine whether a 24-hour composite of all outfall of a premise is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from 24 hour composites of all outfalls whereas PH's are determined from periodic grab samples.)
- H. No statement contained in this Article shall be construed as preventing any special agreement or arrangement between the Board of Selectmen and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the board of Selectmen for treatment, subject to payment therefore, by the industrial concern.
- I. Septic tank waste (septage) will be accepted into the sewer system at a designated receiving structure within the treatment plant area, and at such times as are established by the Selectmen, provided such wastes do not contain toxic pollutants or materials, and provided such discharge does not violate any other

special requirements established by the Town. Permits to use such facilities shall be under the jurisdiction of the Selectmen. The discharge of industrial wastes as "industrial septage" requires prior approval of NHDES. Fees for dumping septage will be established as part of the User Charge System. The wastewater treatment plant operator, acting in behalf of the Town and its Selectmen, shall have authority to limit the disposal of such wastes if such disposal would interfere with the treatment plant operation. Procedures for the disposal of such wastes shall be in conformance with the operating policy of the Town's wastewater treatment plant supervisor unless specifically permitted otherwise.

- J. It shall be illegal to meet requirements of this Sewer Ordinance by diluting wastes in lieu of proper pretreatment.
- K. Any person proposing a new discharge or a substantial change in the volume or character of wastewater discharged into the public wastewater facilities shall notify the Selectmen at least sixty (60) days prior to the proposed change or connection. Proposed new discharges from residential or commercial sources involving loading exceeding fifty (50) population equivalents or 5,000 gallons per day and any new industrial discharge, or any alteration in either flow or wastewater characteristics in an existing industrial discharge must be approved by the New Hampshire Department of Environmental Services.

Article VI: DAMAGE TO FACILITIES

No person or persons shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or temper with any structure, appurtenance, or equipment, which is a part of the sewage works. Any person violating this provision shall be guilty of a misdemeanor.

Article VII: POWERS AND AUTHORITY OF INSPECTORS

- A. Employees, agents or representatives of the Board of Selectmen bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing in accordance with the provisions of these Regulations. Employees, agents or representatives of the Board of Selectmen shall have the authority to inquire into any processes including metallurgical, chemical, oil refining, ceramic, paper or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment.
- B. While performing the necessary work on private properties referred to in Article VII, Paragraph A above, Employees, agents or representatives of the Board of Selectmen shall observe all safety rules applicable to the premises established by the company and the company shall be held harmless for injury or death to Employees, agents or representatives of the Board of Selectmen and the Town

shall indemnify the company against loss or damage to its property by Employees, agents or representatives of the Board of Selectmen and against liability claims and demands for personal injury or property damage asserted against the company growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in Article V, Paragraph H.

- C. Employees, agents or representatives of the Board of Selectmen bearing property credentials and identification shall be permitted to enter all private properties through which the Town holds a duly negotiated easement for the purpose of, but not limited to, inspection, observation, measurement, sampling, repair and maintenance of any portion of the sewage works lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

Article VIII: POWERS OF ASSESSMENT AND COLLECTION

- A. The assessment and collection of the costs of constructing and maintaining the public wastewater facilities shall be governed by all applicable Federal and State laws. The Selectmen of the Town shall have the powers granted to boards of mayors and aldermen there under with reference to establishing and assessing sewer charges and /or rentals. If the Town of Lincoln votes to establish a Board of Sewer Commissioners, they shall have all the powers of the Selectmen here under as provided by the laws of the State of New Hampshire.
- B. Fees for connection to , and use of, the public wastewater facilities shall be administered through a User Charge System established by the Town as an equitable means of assessing all classes of users for the costs of owning, operating, and maintaining the public wastewater facilities. Said User Charge System shall be in accordance with applicable Federal and State laws.

Article IX: PENALTIES

- A. Any person found to be violating any provision of these Regulations Shall be served by the Board of Selectmen with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations. 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 person, or any discharge presenting, or which may present, an endangerment to the environment, or which threatens to interfere with the operation of the public sewer of wastewater treatment facilities. 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 sewer to halt such discharge, or demand or specific action by the person.

- B. Any person who shall continue any violation beyond the time limit provided for in Article IX, Paragraph A and or Article V, F.5 shall be fined in the amount not exceeding \$10,000.00 for each violation in the case of an individual, and \$25,000 for each violation in the case of a corporation or unincorporated association. Each day in which any such violation shall continue shall be deemed a separate offense. Ref: RSA 47:17 (Supp.), RSA 149:I:6, RSA 31:39 (Supp.).
- C. Any person violating any of the provisions of these Regulations shall become liable to the Board of Selectmen for any expense, loss or damage occasioned the Board of Selectmen by reasons of such violation.

Article X: VALIDITY

- A. All Regulations or parts of Regulations in conflict herewith are repealed.
- B. The invalidity of any section, clause, sentence, or provision of these Regulations shall not affect the validity of any other part of these Regulations, which can be given effect without such invalid part or parts.

Article XI: LIMITS OF LIABILITY

The approval of permit applications or the acceptance of any sewer construction by any of the board of Selectmen or appointed employees, agents or representatives does not indicate nor should it be construed as to mean acceptance of any liability by the Town of Lincoln or any of its employees or the Board of Selectmen for claims which may arise due to errors, oversights, inferior material, poor workmanship or damages incurred in connection with construction of building sewers or private sewage disposal systems as set forth in Article III and Article IV of this Regulations.

Article XII: ORDINANCE IN FORCE

These Regulations shall be in full force and effect from and after its passage, approval, recording and publication as provided by law.

Article XIII: REVIEW

- A. Sewer users who wish to dispute a matter concerning interpretation and execution of the provisions of these Regulations may request a hearing before the Board of Selectmen.
- B. No Sewer Mains will be placed under or beside any road or other property that is not owned by the Town or state unless a Repair Easement is signed and granted to the Board of Selectman or Town prior to any work being started. Before work is started, a deposit or a bond shall be given to the Town in their name. Bond or

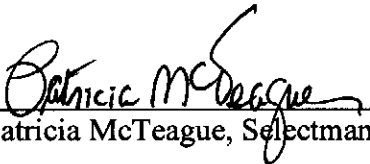
deposit is to be returned to Depositor or Bonder upon recommendation of the project. The Board of Selectmen shall determine the amounts of deposit or bond. All expansion will be supervised by the Selectmen or agents and will be accepted only after verification from the Board as to proper size and placement of all lines. All work shall require a bond or deposit determined by the Selectmen. Sewer improvements within the right of way or on public property shall be dedicated and transferred by the developer or owner to the Town, with appropriate lien releases provided to the Town prior to transfer from all sewer improvement contractors. Acceptance shall be verified by the Board of Selectmen before the bond or deposit will be returned.

Amended by vote of the Board of Selectmen on June 21st, 2010.

LINCOLN BOARD OF SELECTMEN:



Peter Moore, Chairman

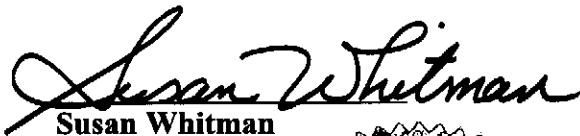


Patricia McTeague, Selectman



Deanna Huot, Selectman

Received and recorded by the Lincoln Town Clerk on June 22, 2010.



Susan Whitman
Town Clerk

