Waterville Estates Village District
Public Hearing Agenda
Wednesday, October 25, 2023, 6 p.m.
562 Winterbrook Rd., Campton, NH 03223
Available via Zoom and streamed on YouTube

HEARING 1: To amend the WEVD Community Water System Ordinance title, sections 7, 32, and appendix, and;

HEARING 2: To set water rates for the 2024 fiscal year

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WEVD Public Hearing Policy

1. The Chair (or other Commissioner in the Chair's absence or to whom the Chair designates the role) will open the hearing by announcing the purpose of the Public Hearing and summarizing these rules by which people may participate.
2. The Chair will ask all persons attending the hearing at the physical location to print their names and addresses on the sign-in sheet.
3. The Chair will ask all persons who are attending remotely online to either send an email to the District at district@waterville-estates.com, or indicate at the appropriate time their desire to speak. The email requests can be made at any time during the hearing. A staff member as designated by the Chair will compile a list of names and addresses in the order the notice is received from those attending remotely. Once those on the list have been allowed to speak, others who are remote will have an opportunity to speak.
4. The Chair will ask all persons who are attending remotely on their telephones to call into the Community Center and a staff member as designated by the Chair will compile a list of all those telephonic attendees (names & addresses) who wish to speak. There should be no difficulty leaving the Zoom meeting to place this call and then re-entering the meeting. THE NUMBER TO MAKE SUCH A REQUEST IS 603-726-3082.
5. An explanation of the item(s) under discussion at the Public Hearing will be given by the Commission or its designees (staff, engineers, etc.). The Commissioners may ask questions to clarify or expand upon what has presented. If it is a Petitioned Article, the petitioner will have up to 10 minutes to explain the Petitioned Article.
6. The Chair will then open the meeting for public input. Each member of the public will be granted up to five (5) minutes to speak. Members of the public can only speak one (1) time until everyone has had a chance to speak. Commissioners or staff may respond but are not required to respond.
7. The Chair will first recognize those attending the physical location where the meeting is broadcast to speak during the public hearing.
8. After every member of the public who is present has had the opportunity to speak once, the Chair will call a brief recess to obtain the list of those attending remotely by Zoom or phone who have made a request to speak. They will be allowed to speak up to 5 minutes in length.
9. Once all members of the public who wish to address the Commission have had an opportunity to speak once, any member of the public who wishes to speak again will be given an opportunity to speak for up to five (5) minutes.

10. The Chair will then ask the Commissioners and staff if they have any additional comments.
11. The Chair will then close the Public Hearing.
12. The Chair will then consider any motions to be made at this time on the subject matter of the Public Hearing.

Adopted & Effective on February 16, 2022
Amended on October 12, 2023

The Waterville Estates Village District

~~COMMUNITY WATER SYSTEM~~

WATER ORDINANCE

Adopted by the Waterville Estates Village District Commissioners

AUGUST 16, 2021

AMENDED ~~September 27, 2023~~October 25, 2023

The Waterville Estates Village District ~~Community~~ Water System

Campton and Thornton, New Hampshire

WATER ORDINANCE

Regulating the Use of the Waterville Estates Village District ~~Community~~ Water System

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1. General Provisions

All rules and regulations contained herein, together with such additions and amendments as may be hereafter adopted, are hereby designated as the "The Waterville Estates Village District WATER ORDINANCE," herein alternatively referred to as the "Ordinance." This Ordinance is adopted pursuant to the powers granted generally by RSA 52:1 I (d) and 52:3, and pursuant to RSA 38, authorizing the District to regulate a community well drinking water system. These rules and regulations are adopted and supersede all previous water service rules and regulations concerning the Waterville Estates Village District ("WEVD" or "The District") water system.

a. The duly elected WEVD Clerk shall file certified copies of the Ordinance, as well as certified copies of any additions and amendment to this Ordinance as may hereafter be adopted, in the municipal records and provide the same to the District Water Superintendent and any designated enforcement officers.

b. The principal objective of the Water Works, as defined herein, is to provide a potable water supply, permitted by the State of New Hampshire (NH), under efficiently managed conditions.

c. If there is conflict between the terms of this Ordinance and any other applicable regulation, by-law, or ordinance, the stricter shall apply.

d. The Ordinance shall comply with Title VI of the civil rights act of 1964 which prohibits discrimination in a Federally Assisted Program on the basis of Disability, Race, Color or National Origin.

2. The WEVD Commissioners

a. Waterville Estates Village District (WEVD) Commissioners shall be responsible for enacting regulations and policies governing the operation of the WEVD Community Water System. The Commissioners shall make and establish all needful water rates for control and operation of the water system. They shall carry out the duties specifically required of them under state law and the regulations and policies that they enact.

b. The Commissioners shall be comprised of the WEVD Board of Commissioners.

c. The provisions of this Ordinance shall be evaluated at intervals not exceeding five (5) years by the Commissioners to assess their continued applicability and appropriateness; to consider any recommendations proposed for their improvement; and to determine what changes, if any, are advisable due to advances in technical methods or processes of potable water treatment, storage, and transmission from the WEVD Water System.

d. The Commissioners may contract to sell water to such customers outside of the WEVD boundary as they may deem beneficial, providing that there is, at the time such contract is made, water in excess of that necessary for use within the limits of the WEVD, and any such agreement shall not infringe on WEVD's ability to provide water to WEVD's residents.

e. The Commissioners may prescribe emergency rules governing the supply and use of water as it may deem appropriate to accommodate water supply emergencies. Such rules shall be adopted at any duly held meeting of the District.

f. The Commissioners shall adopt rules of procedure and shall comply with the requirements of RSA 91-A, pertaining to New Hampshire's open meeting and public records laws.

3. Definitions and Abbreviations

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

a. “Base Fee” shall mean the debt service, operations and maintenance cost, and included water allocation per Equivalent Residential Unit (ERU) over a specified time period that is assessed to the owner of each unit.

b. “Capital Reserve” shall mean a type of account on a municipality’s balance sheet that is reserved for long-term capital investment projects or any other large and anticipated expense(s) that will be incurred in the future.

c. “Clerk” shall mean the duly elected WEVD clerk.

d. “Cold Weather Construction” shall mean non-emergency construction work on the water system during the period from November 15 to April 15 of each year, especially work on distribution mains or service lines during this period.

e. “Commercial” shall mean any building for use other than for residential purposes.

f. “Commissioners” shall mean the Board of Commissioners of the WEVD duly elected by the WEVD voters or appointed when required.

g. “Water System” shall mean a Public Water System as defined by the New Hampshire Water Supply Rules.

h. “Connection Fee” shall mean the charge per ERU to connect to the water system.

i. “Corporation Valve” shall mean the water shut off valve attached to the saddle at the water main, to which the water service line to the right-of-way (ROW) is attached.

j. “Cross-Connection” shall mean any direct or indirect pipe connection between the potable water supply and another supply of liquid or gas.

k. “Curb Stop” shall mean the valve on the service line, typically at the edge of the Town highway right-of-way at the User’s property, which provides water service to the User.

l. “Customer” shall mean any person responsible for payment of water service.

m. “VDWS” – Shall mean the Village District Water System.

n. “Development” shall mean any changes to real property that will result in any additional potable water usage and/or amended State Water or Wastewater Permit that increases the actual or potential potable water usage on the property.

o. “Discontinuance of Water Service” shall mean deliberate interruption of water service by the District to the User for any lawful reason, including, without limitation, for reason of delinquent payment, prevention of excessive water loss, to protect against contamination of the system or for tampering with water system.

p. “Distribution Main” (“Water Main” or “Main”) shall mean the primary supply pipe from which service connections are made, to supply water to the User through service lines.

q. “District” shall mean the Waterville Estates Village District.

r. “Emergency Termination of Water Service” shall mean the execution of an immediate water service shut-off due to:

    i. Water leakage between the curb stop and building;

    ii. Discovery of a direct and unprotected cross-connection;

    iii. Unauthorized or excessive use or distribution of water;

iv. Violation of special “restrictive use” orders issued by the District; and/or,

v. Any other situation that could contaminate or significantly deplete available water in the system or presents a risk of unreasonable harm, including financial harm, to the Users or the public.

s. “ERU" means Equivalent Residential Unit. The minimum allocation per property will be one ERU. Water customers other than single-family residences shall have their ERUs calculated by dividing the estimated water use listed in the current version of the New Hampshire Water/Wastewater Rules by the current gallons per day as identified Env-Dw 405 and Env-Wq 1000.

t. “Extension of Water Main” shall mean any extension of distribution mains in accordance with the rules, regulations, standards and specifications of the District.

u. “Improved” shall mean any improvement to the property that will result in any additional potable water usage and/or amended State Water or Wastewater Permit that increases the potable water usage on the property.

v. “Institutional Facility” shall mean any individual self-contained facility deemed by the District to be essential to the general health and well-being of the community. Such facilities may include municipal offices and facilities.

w. “Main Line” shall mean the distribution main

x. “May” is permissive, indicating a choice. “Shall” is mandatory.

y. “Municipality” means the Waterville Estates Village District.

z. “Municipal Office” shall mean the place designated by the District to receive applications for service, receive payments of water bills and where public notices and notices of discontinuance of service are generated and posted. The location is currently 562 Winterbrook Rd, Campton, NH 03223.

aa. “Municipal Representative” means a duly authorized member of the District or its designee.

bb. “Non-Residential Properties” shall mean all properties located within the District that utilize water services but are not used primarily for residential purposes and do not contain a residential unit and shall include common properties. Non-Residential Properties shall include Commercial properties.

cc. “Non-Transient Non-District (NTND)” shall mean a Water System as defined by New Hampshire Water Supply Rule (Env-Wq 1500: Appendix C).

dd. “Benneficial Owner” means the person, firm, corporation, trusteeship, or governmental agency that has title to the property that is served by the water system and who is ultimately responsible for payment of all rates, fees and charges.

ee. “Person” shall mean any natural person, corporation, municipality, partnership, non-profit, other unincorporated legal entity, including the State of New Hampshire and any department, agency or political subdivision thereof.

ff. “Occupants” shall be defined as the total Occupancy of all Residential Units in the District, which shall be determined annually through a review of the water system area.

gg. “Occupancy” shall refer to the Federal standard (ASHRAE 62.2) for determining the occupancy rating of a home which is the number of bedrooms plus one.

hh. “Property Owner” shall mean any person(s) identified as holding title to real property within the Waterville Estates Village District by recorded deed.

ii. “Reasonable Hours” shall mean Monday through Friday between 8:00 a.m. and 4:00 p.m. except for emergency services.

jj. “Residential Unit” shall mean a livable abode, which includes, at a minimum, a kitchen or kitchenette, bathroom, and bedroom or other room that serves as sleeping quarters.

kk. “ROW” shall mean right-of-way, and the legal right, established by usage or grant, to pass along a specific route through grounds or property belonging to another.

ll. “Saddle” shall mean the mechanism for attaching a smaller service line to a larger water main; a circular device bolted or otherwise attached to the water main through which a hole is drilled in the water main to supply water to the service line.

mm. “Service Line” shall mean the conduit connected on one end to the corporation stop and the other end terminating just inside the User’s building, at the service stop valve and including the connection to the water meter, to provide water service.

nn. “Service Stop Valve” shall mean the valve installed on the service pipe after it enters a building and before the water meter.

oo. “Subdivision” shall mean the division of any land, parcel, or area of land into two or more lots or parcels for the purpose of conveyance, transfer, improvement or sale, which may include but is not limited to appurtenant roads, streets, lanes, alleys and ways, dedicated or intended to be dedicated to public use.

pp. “Special Charges” shall mean all fees, waivers and penalties other than the Water Rates and the New Service Connection Fees.

qq. “Superintendent, Operator, Water Operator” shall mean the designee of the District responsible for management and operation of the community water system and certified by the New Hampshire Water Supply Division (New Hampshire Department of Environmental Services, Drinking Water and Groundwater Bureau).

rr. “Tap” shall mean any connection of a service line or extended main to the distribution main.

ss. “Unconnected Properties” shall mean those properties, which do not receive water service, but are within the boundaries of the District.

tt. “Usage Charge” shall mean the charge for water usage over the water allocation included in the base fee. A portion of the usage charge is intended to contain a capital reserve component.

uu. “User” shall mean any person who receives water from the Community Water System (CWS) through a pipe connection.

vv. “Water Rates” shall mean a scale of rates, developed by the District pursuant to RSA 38:28, for the defraying of the costs of acquisition, construction, payment of the principal and interest on any debt incurred, management, maintenance, operation, and repair of water systems, or construction, enlargement, or improvement of such systems.

ww. “Water Shut-Off Notice” shall mean notice of discontinuance of service.

xx. “Water Service Area” shall include the boundaries of the WEVD as adopted by the voters. For a map, see the Appendices.

yy. “Water System - Consecutive” shall mean any water distribution system licensed by the State Of New Hampshire not owned by the parent community water system but served by the community water system.

zz. “Water System - Municipal” shall mean the potable water system owned and operated by the municipality through its District. This system includes all sources, pipes, storage and treatment facilities that convey potable water between the source and the curb stop.

aaa. “Water System - Private” shall mean any water system located on the customer’s premises or property not supplied or owned by the municipality and not part of the public water system. The system may be potable or non-potable.

bbb. “WEVD” shall mean the Waterville Estates Village District.

ccc. ABPA - Shall mean the American Backflow Prevention Association

ddd. ANSI - Shall mean American National Standards Institute

eee. ASME - Shall mean American Society of Mechanical Engineers

fff. ASSE – Shall mean American Society of Sanitary Engineering

ggg. ASTM - Shall mean American Society of Testing and Materials

hhh. AWWA - Shall mean American Water Works Association

iii. GPQ - Shall mean Gallons Per Quarter

jjj. IBC – Shall mean the International Building Code version currently adopted by the State of NH

kkk. IPC - Shall mean the International Plumbing Code version currently adopted by the State of NH

lll. NEWWA - Shall mean New England Water Works Association, a section of AWWA

mmm. NFPA – Shall mean National Fire Protection Association

nnn. GSRWA - Shall mean the Granite State Rural Water Association

ooo. Definitions for Calculation When Town Tax Card is Adjusted

i) P: Annual amount paid by customer for water, not including any finance charges

ii) X: Annual rate for water applicable to the number of bedrooms originally billed for

iii) Y: Annual rate for water applicable to the changed number of bedrooms

iv) R: Amount to be refunded to, or still owed by, the customer

v) T_1: Number of months the property was listed with the number of bedrooms originally billed for (in the current year)

vi) T_2: Number of months the property will have a changed number of bedrooms (in the current year)

4. Connection to Community Water System

a. The Water Service Area boundaries of the WEVD Community Water System are shown on the map in the Appendices. A larger and clearer copy of this map may be seen at the District Office.

b. Any Property Owner that wishes to connect to the WEVD Community Water System may apply, by way of an accurate, complete and proper application, to be connected in accordance with the terms, regulations, and procedures set forth elsewhere in this Ordinance.

c. Connected properties may continue to use existing wells and springs only for non-potable use and only if an inspection by the Superintendent for unpermitted cross-connections has occurred and a currently licensed plumber, who is qualified to do business in New Hampshire, has certified that such cross-connections do not exist.

d. Connections to the water system shall be required for all new construction within the service area of the District where the property's boundary is located within 100 feet of a water main owned by the District and the home's foundation is within 500 feet of said water main.

5. Application for Service

Application for new service shall be made in writing to the District on the approved forms, provided in the Appendices. The owner of the premises who shall be responsible for payment of the connection fee and subsequent water charges shall make such application.

6. Shut-Off and Restoration of Service

Procedures regarding non-payment of Water Rates shall be administered in accordance with RSA 38:22. Except as provided in RSA 38:31, the District may shut off water service for violation of special "restriction of water use" notices, or for continued violation of these regulations. After correction of the cause for water shut-off by the customer and on request by the customer for restoration of service, a turn-on/reconnection fee, plus any other applicable unpaid fees shall be due and payable before service will be restored.

7. Connection Assessment

Per RSA 38:27, a connection fee shall be assessed ("Connection Assessment") and payable to the District, before a new service connection is constructed and only after the WEVD Water Department have approved the connection. The Connection Assessment shall include the costs of equipment furnished to the applicant by the District and a capital cost to offset the impact of the new User to the water system. The Connection Assessment shall be based on the new User's just share of the expense of constructing, acquiring, and operating the system. The Connection Assessment amount may be changed by the Commissioners during a public hearing of which all legal notices have been made. The amount of the fees shall be established by the District, which is authorized to establish or amend water connection fees from time to time by majority vote of the Commissioners. All applicable fees and inspections must be completed by a representative of the District before the connection will be completed. Inspection and approval of waterline by Superintendent is required prior to backfill. A typical connection layout is provided in the Appendices (see "Domestic Water Service Entrance Detail").

Note: The District and its agents will inspect the quality of the materials and their installation. They are not responsible for monitoring the safety practices of the contractor(s) performing the installation. This is the sole responsibility of the contractors and/or property owners.

a. The property owner shall provide:

    i. Excavation of the distribution main and tap. All work done on or around the water line must be done by qualified personnel approved by the District, meeting all AWWA standards, and qualified to do business as set forth in paragraph 4 c above. All approved contractors must provide a current Commercial Liability Insurance certificate to the District.

ii. A dual check backflow prevention device.

iii. A pressure reducing valve.

iv. Saddle, corporation, valve, and piping to curb stop and curb stop. (See Section 8)

v. Excavation of the waterline into the building.

vi. Labor and materials to install waterline from water main into the building.

vii. Labor and materials for all backfill including sand or stone fill around piping as required.

viii. Shut-off service stop valve on the building line. (See Section 11 for specifications)

8. Water Service Installation and Curb Stop Responsibility

Curb stops shall be installed at the property line of the District's right-of-way in which the main water transmission line lies and shall be under the municipality's control and ownership and in accordance with the latest Water Supply rules. The property owner shall be financially responsible for the initial and ongoing "Water Service Installation" costs within the District's right-of-way, including the curb stops, for a period of 1-year after final installation. After 1-year has lapsed from the date of final installation, the District shall be financially responsible for all repairs of the water service between the main line corporation valve and the curb stop, including the curb stop, provided the connection was installed in accordance with the State of New Hampshire water supply rules, it was inspected by the District or its agent, and the service installation warranty has exceeded the 1-year period. Consistent with section 9.b of this Ordinance the property owner shall be financially responsible for the cost of repairing or replacing the service line from the curb stop to the terminus of the service line inside the residence or structure.

a. "Water Service Installation" as used in the section shall be defined to mean all service lines, transmission lines, curb stops, and service stop valve installations required from the main water line corporation valve to the service line terminus inside the residence or structure. "Water Service Installation" specifically includes the initial costs to install curb stops and service stop valves as defined in sections 3.k and 3.mm of this Ordinance.

9. Ownership and Maintenance of Service Lines

a. The line from the water transmission main to the curb stop shall be owned, operated and maintained by the District. Should repair of District water lines on private property be required, the District's agent shall return the ground to its pre-work condition however, the District will not be responsible for restoring plants or other landscaping. Refer to Section 8 for specific information pertaining to new connections.

b. The service lines shall be paid for, installed, operated and maintained by the owner. The cost of repairing or replacing the service line (from the curb stop to the building) shall be the responsibility of the property owner.

c. The minimum service line diameter for a single-family residence shall be 1 inch; all service lines installed, and all fittings shall conform to AWWA Standards, ANR Water Supply Division rules and technical standards, New Hampshire Statutes and the District standards. The District may require a larger than 1 inch I.D. (inside diameter) service line when the demand flow rate will exceed 15 GPM (gallons per minute) or at its discretion. In a new development, the District may permit the developer to install the water main if done in accordance with acceptable standards and under the supervision of the District.

10. Owners Service Line Leaks

In the event a leak is discovered in a service line, water service shall be shut off by a municipal representative and restored after the repair is made. The owner of the service line is responsible for the cost of locating, repairing and/or replacing the service line. Also, if a service line is discovered or known by the District to be constructed of materials not meeting the Village District Water System's materials standards, the District may require the owner to replace the entire line with approved pipe materials regardless of whether or not the line has leaked in the past. The District may assess a special charge in accordance with this ordinance for unaccounted for water. The District shall estimate the water use based on line size and duration of the break. The property owner shall be responsible for paying all fees prior to having the water turned back on at the property.

11. Stop Valve

Every water service line shall require a service stop valve (rated at 250 pounds per square inch pressure) located inside the building near the service entrance, easily accessible, protected from freezing, and installed on the inlet side of the water meter as close to the foundation wall as practical. The installation, maintenance, operation, repairs and replacement of this valve is the responsibility of the property owner.

All residential water services shall conform to the "Typical Service" as specified in the Appendices (see "Domestic Water Service Entrance Detail"). The District shall have the right to visit properties within the service area that are connected to the water system, and inspect the properties for both signs of cross-connection or unauthorized use (refer to section 20-Access to premises). If either is noted by the Municipal representative, water service to the property shall be terminated until the violation has been remedied and all fines have been paid in full as defined by this Ordinance.

12. Cold Weather Construction

New service or extension of mains shall not be constructed during the period November 15 to April 15 without prior cold weather construction approval of the District. The owner may be assessed an additional reasonably related charge as part of the connection fee to cover the additional expense incurred as a result of cold weather construction.

13. Denial or Postponement of New Service

The District may deny or postpone new service due to: cold weather, insufficient water, insufficient pressure, insufficient volume, absence of a deposit for service line construction, absence of connection fee, to prevent contamination through a cross-connection, or when the District determines the service line leaks or does not meet the material standards of the Village District Water System.

14. Unauthorized Use of Water

A customer shall not supply water to another party except as the District may permit such extended use in an emergency. A person shall not obtain water from any hydrant or other fixture of the Village District Water System without the written approval of the District. Any violation of water use shall be grounds for discontinuance of water service until the matter is resolved to the satisfaction of the District and any and all required fees are paid to the District.

15. Restriction or Prohibition of Certain Water Uses

When necessary to conserve the water supply, the District may establish regulations restricting or prohibiting the use of hoses, sprinklers and any other non-essential water use or water-using device for all customers in accordance with RSA 41:11-d. Prior to implementation, notice of the restriction regulations

shall be posted in at least two places in the municipality where the public generally congregates or visits. Posting shall be made at least three calendar days before the restrictions are implemented, not including the day notice is posted. Notice shall also be posted in at least one newspaper of general circulation for the area. Unless an emergency order is required, a public hearing shall be held to adopt any restrictions or prohibitions. Violation of a municipal notice, directive, regulation, or order to conserve water by a customer after two written reminders by registered mail and electronic mail, when possible, by a District representative shall be grounds for immediate discontinuance of service. A hearing, if requested by the affected customer, shall then be held within five days by the Commissioners to determine if the water will continue to be shut off or water service will be restored. If the Commissioners determine the shut-off was due to a violation of municipal notice to conserve, all applicable shut-off and reconnection fees shall apply. If it is determined that no violation occurred, then no shut-off or reconnection fees will apply or be imposed on the consumer and reconnection shall take place as soon as possible.

16. Maintenance of Plumbing

To prevent leaks and damage, all customers shall maintain, at their own expense, the plumbing and fixtures within their own premises in good repair and provide protection from freezing. The cost of replacement or repair of a meter, backflow preventer, and/or pressure reducing valve damaged by freezing, or otherwise damaged by customers, occupants or others shall be paid by the customer by the due date on the bill submitted by the District. Water conserving devices meeting all applicable State and Federal standards should be used whenever fixtures and faucets are replaced.

17. Cross-Connections, Protected

A connection capable of permitting backflow from any other source of water to the public water system is prohibited. Such connections include, but are not limited to any plumbing fixture, device or appliance or from any waste outlet or pipe having direct connection to waste drains or an existing onsite potable water source. If the owner of the building involving such a connection fails or refuses to eliminate or properly protect the cross-connection within a time period established by the District, water service shall be discontinued with all disconnection and reconnection fees applicable once the situation is remedied. A cross-connection shall not be created without the approval of the District. If permitted, it shall be protected against backflow and/or back-siphonage in accordance with accepted cross-connection control methods established by the New Hampshire Department of Health. All new commercial and/or non-residential unit connections shall include an appropriate backflow prevention device installed between the meter (if applicable) and the interior household plumbing. A dual check valve manufactured as per A.S.M.E. specification Number 1024 shall be installed at all domestic and small commercial services (under 15 GPM flow). Other backflow devices shall be installed at industrial, commercial, institutional or other services greater than 15 GPM flow as required by the District and as recommended by the New Hampshire Department of Health.

18. Fluctuation of Pressures by Customers' Apparatus

Customers shall not install water pumps or high-rate water consumption devices that will adversely affect the water system's pressure or operating conditions or use water so as to unduly interfere with the service of another customer. Where a customer has or proposes to install apparatus that requires water in sudden and/or large quantities, that will reduce the operating pressure in the main or service line substantially, or cause damage or inconvenience to other customers or damage to the water system, the District shall require the customer to install devices that will confine such fluctuation of demand and pressure to within reasonable limits determined by the District. If the customer, after receiving written notice from the District, fails to offer an acceptable remedial plan within a time limit set by the District, a hearing shall be held within five days by the Commissioners to determine whether or not service will continue. If waiting five days for a

hearing to be scheduled will, in the opinion of the Commissioners, pose a public health threat to other customers, then water service shall immediately be terminated until it is established at a hearing what action, if any, will be taken. Such action may include continued termination of service or restoration of service on receipt of disconnection and reconnection fees plus assurance of the installation of proper backflow preventer or other devices to maintain pressure changes within an acceptable range.

19. Safeguarding Water-Using Devices

a. All customers having hot water tanks or secondary systems supplied by automatic make-up valves shall install and maintain in operating condition appropriate backflow and temperature/pressure relief valves to prevent damage to the water device or secondary system or their appurtenances should it become necessary for the District to shut off the water main or water service line and to protect against loss of pressure for any other reason. Water service supplied to any customer not providing such protective devices will be done at the customer's risk.

b. A backflow device meeting Standard ASSE 1012 is required if a dual check valve meeting Standard ASSE 1024 does not exist on the boiler. The District shall not assume liability, and specifically disclaims any liability whatsoever, for damage resulting from backflow/pressure where the protective devices required by this section are absent or fail.

20. Access to Premises

Water system employees and/or contractual agents of the District, with suitable credentials and identification, and upon 24-hour notice to the building owner(s) and resident(s) (except in the case of an emergency), shall have access to all premises served water during reasonable hours, for the purposes of inspecting plumbing and fixtures, identification of cross-connections, to set, remove, or read meters, to ascertain the amount of water used and the manner of use, for measurement, sampling or testing purposes, or to enforce these regulations. In the case of an emergency, 24-hour notice is not required but reasonable effort shall be made to notify the owner/resident. If a customer or building occupant prohibits access to the premises, the customer or occupant must arrange for alternative access to occur within 24 hours, otherwise the District may direct that water service be disconnected upon 48 hours of written notice, with reconnection subject to all applicable fees. Reconnection shall not be made until an authorized municipal representative has been permitted to inspect the premises and finds no valid reason to continue the disconnection of service.

21. Water Rates, Special Charges, and Connections Fees

From time to time and at a minimum of every 5 years, the District shall establish Water Rates, special charges, and connection fees in order to provide for the efficient operation and financial stability of the water system. When, in the opinion of the Commissioners, existing rates, charges or fees must be revised, the District will notify ratepayers of its intent by way of a Notice published in a newspaper of local interest. Following such Notice, the District shall hold a public hearing to discuss the proposed revisions and to receive comments from ratepayers. After taking all comments into consideration, the District shall establish rates, charges and fees and will cause Notice of same to be published in a newspaper of local interest and posted at 3 places within the water system service area.

22. Water Rates and Responsibility of Property Owners

a. Pursuant to RSA 38:28, the District shall establish a scale of rates (“Water Rates”) for the defraying of the costs of acquisition, construction, payment of the interest and principal on any debt incurred,

management, maintenance, operation, and repair of water systems, or construction, enlargement, or improvement of such systems.

b. The property owner served by or having availability to the water system is responsible for payment of all charges for water service rendered to the property. The customer is obligated to pay at least the minimum base fee regardless of whether the property has been developed, the residence or business is occupied, or if the service has been temporarily suspended as a result of unpaid billing or is unoccupied due to the seasonality of the property. The minimum allocation per property will be one ERU. The Water Rates, charges and fees shall be established by the District, which is authorized by RSA 38:27 and 38:28 to establish or amend said rates, charges and fees from time to time by resolution. Water service charges constitute a lien against the property served by the district system, collectible in the same manner as are property taxes.

c. The Water Rate shall contain two elements: the "Availability Charge" paid by all properties within the District service area who have a water main within 100 feet of its boundary line (with the exception of those properties who have a private water well at the time of adoption of this ordinance) and the "Usage Charge" paid by all residences connected to the water system based on a property's "occupancy" defined as the number of bedrooms plus one. The total number of Occupants shall be determined annually consistent with Section 3 hh. All water bills shall be itemized to show the "Availability Charge" and "Usage Charge" separately.

   The District shall establish a water system operating budget annually and determine an appropriate amount of capital funds required for repairs to and construction of the water system. The sum of these two figures plus a percentage (minimum 3%) for non-payment shall constitute the Basis for the Water Rate (Basis).

   Twenty-Five percent (25%) of the Basis shall be divided by the number of properties, including undeveloped lots within the District that have a water main within 100 feet of their boundary which will constitute the Availability Charge.

   The other Seventy-Five percent (75%) of the Basis shall be divided by the total number of "occupants" to establish the Usage Charge. Residences which are connected to the water system shall be charged the Usage Charge multiplied by its occupancy.

23. Water Fund

Pursuant to RSA 38:29, funds received from the collection of Water Rates, Special Charges and Connection Fees shall be kept in a separate and distinct fund known as the "Water Fund."

24. Billing Procedures

Bills will be issued to the property owner periodically on a schedule set by the District, no more often than monthly or less often than annually, the amount of which will be in accordance with established rates. Said bills are due at the date provided and will be considered in arrears if unpaid within 30 days of the date appearing on the invoice. Interest will be charged to all bills in arrears at the rate of 12% per annum or the maximum rate allowed under state law, whichever is less. Bills in arrears shall be due and payable in accordance with procedures set forth in RSA 38.22. The WEVD General Manager or their designee shall send out water bills, receive payment for water charges, issue notices for disconnection of water, and otherwise assist the WEVD in the operation of the water department.

In accordance with RSA 80:52-c and RSA 21:48, the treasurer, other appropriate municipal official, and/or his/her designee is authorized to accept payment of bills, by use of a credit card, debit card, or such other means of electronic transaction as approved by the governing body. Every bill issued to the property owner

will provide notice of a service charge should the property owner use a credit card, debit card, or such other means of electronic transaction to make payment as approved by the District. Should the property owner elect to pay the bill with a credit card, debit card or electronic payment which results in a service charge to the District, said charge shall be incurred by the property owner.

Any changes in a tax card brought to the attention of WEVD Water Department staff whether by the owner of the property, a staff member of the town in which the property resides, or through research of their own will first be verified with staff from the town in which the property is located. Adjustment calculations will be based upon the 1st of the month following the date of modification to the tax card by the town. Only those bills issued for the year of the change and future bills will be eligible for adjustment. This formula covers both increases and decreases in bedroom count.

All calculations will be made using the following formula:

$$P - \left[\left(T_1\left(\frac{X}{12}\right)\right) + \left(T_2\left(\frac{Y}{12}\right)\right)\right] = R$$

DEFINITIONS:

P: Annual amount paid by customer for water, not including any finance charges
X: Annual rate for water applicable to the number of bedrooms originally billed for
Y: Annual rate for water applicable to the changed number of bedrooms
R: Amount to be refunded to, or still owed by, the customer
T_1: Number of months the property was listed with the number of bedrooms originally billed for (in the current year)
T_2: Number of months the property will have a changed number of bedrooms (in the current year)

EXAMPLE:

Jane Doe's property went from a 3-bedroom home to a 2-bedroom home on the town's spring tax bill. Jane Doe paid a total of $1,063.50 (P). The annual rate for a 3-bedroom home is $1,063.50 (X) and for a 2-bedroom home it is $841.31 (Y). Because spring tax pick-up is in May, the 1st of the following month is June. Thus, January – May is 5 months (T1) and June – December is 7 months (T2).

Step 1: $\$1{,}063.50 - \left[\left(5\left(\frac{\$1{,}063.50}{12}\right)\right) + \left(7\left(\frac{\$841.31}{12}\right)\right)\right] = R$

Step 2: $\$1{,}063.50 - [\$443.13 + \$490.76] = R$

Step 3: $\$1{,}063.50 - \$933.89 = \$129.61 = R$

This answer means that the owner will be credited $129.61 after the adjustment. Had R come out to be negative, this owner would have owed an additional $129.61.

25. Disconnection of Service

Bills for water service are due and payable when received as indicated on the statement and shall be considered delinquent when unpaid 30 days following the due date. Water service may be discontinued: 1)

by reason of nonpayment of water bills; 2) to eliminate a health hazard; 3) for violation of any special order restricting water use; 4) or for fraudulent use of water. If the customer requests a hearing, one shall be held by the Commissioners within five work days of the request to determine if water service will continue to be denied or, if to be restored, then under what conditions. Service, once discontinued, shall not be restored until the reason for discontinuance of service has been eliminated. Before service is discontinued for delinquency of payment, the Commissioners shall follow the procedure set forth in NH RSA 38. Notice for payment request and shut-off will be mailed at least 14 days in advance of the shut-off date. Shut-off on account of delinquency of payment will not be made on a day immediately preceding a Saturday, a Sunday, or a state or federal holiday. When the District dispatches an agent to affect a shut-off caused by delinquency of payment and, upon arrival, payment is made to the agent for all charges due including the collection fee as permitted under State law, service will be permitted to continue. If a violation of the rules or an emergency incident results in a shut-off, a reconnection charge as indicated on the rate schedule will be assessed for resumption of service in addition to the disconnection charge if the problem is determined to be the responsibility of the customer except as provided in State law.

26. Interrupted or Unsatisfactory Service

If, by reason of shortage of supply or for the purpose of making repairs, extensions, or connections, , or for any reason beyond the control of the District, it becomes necessary to shut water off in a main or service line, the municipality will not be responsible for any damages caused by such shut-off, and no adjustment of rates will be allowed unless the loss of water is in effect for a continuous period in excess of 10 days, in which case a prorated adjustment of the minimum base fee will be made on the next billing. Notice of water shut-off will be issued when feasible, but nothing in this rule shall be construed as requiring the giving of such notice. The District will not be responsible for meeting unusually high water quality standards for specialized industrial processes for its customers nor will it be held responsible for interrupted service or poor water quality caused by the legitimate use of fire hydrants.

27. Meters and Related Apparatus

a. General: The customer will receive a meter upon written application to the municipality and after payment of all required fees. The size of the meter will, in all cases, be determined by the District and these rules.

b. Meter Setting: Unless otherwise required by the District, all meters shall be installed at the foundation wall (or the mechanical room in the case of a slab on grade building, condominium unit or mobile home) where the building service line enters the building, and the customer shall provide and maintain a warm and accessible place for it, or in a meter pit. The piping arrangement for meter installations shall be in accordance with the requirements of the District, and shall conform to all Local, State and Federal Plumbing Codes.

   A District representative must inspect and approve the water meter installation before water is permitted to flow through it.

c. Repairs and Replacements: For standard house meters, maintenance, repairs and replacements necessitated by ordinary wear will be provided by the District. The cost of meter repairs and/or replacement necessitated by freezing, hot water, or other causes under the control of the customer will be charged to the property owner. The costs of maintenance, repairs and replacements of meters larger than the standard house meters shall be the responsibility of the property owner.

d. Testing: The District shall arrange for suitable means of testing its meters. All tests will be at the sole expense of the customer unless initiated by the District. The first step in this process is to collect the information contained within the water meter. Each meter has the ability to retain hourly

metered data. From this, the Operator can determine if the meter is working properly and there is high water use, or if there is a leak on the premises. The customer requesting a meter test shall make a deposit in an amount established under “Water Rates, Special Charges and Connection Fees” to cover the cost of the operator making a visit to the property and reviewing the information. The next step would be to physically remove and test the water meter. The customer requesting this type of meter test shall make a deposit in an amount established under “Water Rates, Special Charges, and Connection Fees” to cover the cost of removal, testing and re- installation. If a meter tested at the request of a customer shows the meter does not conform to flow criteria established by AWWA standards, the deposit(s) made by the customer shall be refunded and a new meter installed at no cost to the customer. If the meter conforms to the standards of these rules, the District will retain the customer’s deposit and the meter may be continued in use at the same location. The District reserves the right to remove and test any and all meters.

e. Multiple Meters: Water shall not be double metered. Each newly constructed residential unit of a townhouse, condominium or multifamily building shall be individually metered.

28. Fire Hydrants

Not a service currently authorized or offered by the District. The water system as currently constructed shall be a means of providing safe, reliable drinking water to the residents of the District, and does not meet the requirements of the State of New Hampshire Water Supply rule for Fire Protection.

29. Flushing Hydrants

Flushing hydrants, whether on public or private property, may not be used for any other purpose than the normal flushing operations done by the Operator or such purposes agreed to in writing by the District or by order or direction of the Campton-Thornton Fire Department Chief. In no case shall flushing hydrants be opened by any person other than an agent of the municipality or a duly authorized representative of the fire department. Hydrants shall not be used for irrigation, filling of swimming pools, dust control, water games or any other use not related to fire prevention or suppression. A violation of this provision may be prosecuted as a criminal violation.

30. Tampering with the Community Water Supply System

Tampering with Community Water System property is not permitted. Any valve, pump, pump house, flushing hydrant, curb stop, water main, municipal service line, meter, tank reservoir or any other appurtenant part of the water system, which is deemed the property of the District, shall not be adjusted, operated or tampered with by any person except those authorized by the District. If a customer or owner is known to have tampered with any Community Water System property or its works, such action shall be grounds for discontinuance of water service, and any cost due to such tampering will be charged to said customer or person. Water service shall remain off and not accessible to the customer until all water system property is returned to the previous state of repair at the expense of the customer. A violation of this provision may be prosecuted as a criminal violation.

31. Water Main Extension, Plan Approval, Construction

Any person desirous of constructing an extension to the water system or other modification shall apply to the District. Upon preliminary approval of the application by the Commissioners, the applicant shall have final plans and specifications developed by a professional engineer having demonstrated proficiency in water system design and who is registered to practice civil or sanitary engineering in New Hampshire. Said plans and a letter describing the proposed project shall be submitted to the municipal office at least 45 days prior to the intended date of construction. Construction shall not commence until approval of the plans has been issued by: 1) the state department having authority to approve such projects, and 2) the District. All

work performed by non-municipal agents, such as developers or contractors, shall remain uncovered until an authorized District representative has inspected the work and indicates general satisfaction with it. When water mains are to be constructed, the developer shall engage a professional engineer approved by the District to observe the construction and observe that the work proceeds in accordance with the approved plans. The engineer shall certify to the District the completeness, suitability, and adherence to the approved plans and shall include submission of record drawings to the District within 60 days of work acceptance by the District. If the District believes that the water main extension is not being constructed in accordance with the approved plans, the District may engage a professional engineer to review the work and provide a report to the Commissioners regarding compliance with the plans. The cost of the engineer obtained by the District shall be the responsibility of the applicant if significant discrepancies are noted between the District's approved plans and the constructed water main extension unacceptable to the District. Any discrepancies noted shall be corrected by the applicant under the observation of the professional engineer engaged by the District at the expense of the applicant for both engineering observation and construction correction. Upon the completion of the constructed water mains, final inspections and approvals and after a two-year warranty period the District shall take ownership of the constructed water mains in the ROW and require permanent easements for access to the water main if constructed on private land. The cost of said extension shall be the responsibility of the applicant.

32. Materials

All materials used in the construction, repair, or alteration of any part of the water system must meet existing state and industry standards. If the District finds that any materials used do not meet such standards, it may require that the substandard materials be removed and replaced with materials that meet existing standards at the cost of the applicant. All materials must be compliant with local, state, and federal laws.

33. Protection from Damage

No person shall maliciously, willfully or negligently contaminate, break, damage, destroy, uncover, deface or tamper with any structure, appurtenance, or equipment, which is part of the Water System. A violation of this provision may be prosecuted as a criminal violation.

34. Enforcement and Penalties

a. Any violation of this Ordinance, except as otherwise specifically set forth herein, may be pursued as a civil violation utilizing the civil enforcement procedures set forth in NH law. Each day a violation continues shall be considered a new violation. Amounts for waivers and penalties are listed in the appendix. (See "Schedule of waivers and penalties")

   Offenses shall be counted on a calendar year basis.

b. Any violation of the sections of this Ordinance set forth below may be referred to the appropriate state or county law enforcement agency for criminal prosecution or civil liability. Any law enforcement officer may issue a criminal citation for any and all violations of the provisions of the applicable RSA.

c. In addition to the enforcement authority set forth above, the District shall have the right to institute any civil action which it deems appropriate to obtain injunctive or monetary relief, or both. The civil action may result in additional financial penalties.

d. The District shall, when its discretion time allows, provide any person found to be violating any provision of this Ordinance with written notice stating the nature of the violation and providing a reasonable time period for the satisfactory correction thereof. The offender shall, within the period of time stated in the notice, correct the violation.

e. Any Issuing Officer or Municipal Official designated by the District may issue a municipal complaint ticket for violation of the provisions of this Ordinance.

35. Severability

If any part of these rules and regulations are found to be unenforceable by a court law, such findings shall not affect the remaining parts, which shall remain in full force and effect.

36. Appendices

Appendices are not part of the Ordinance. They are subject to the regulatory and policy-making authority of the District and may be revised from time to time to meet the changing needs of the water system.

37. Publication and Effective Date

a. No section of this Ordinance shall be construed to supersede or replace any New Hampshire Statute or any statute of the United States or any administrative agency.

b. The Ordinance shall be entered in Commissioners' meeting minutes. The Notice of Ordinance Adoption shall be posted in at least three (3) conspicuous places within the District and published by title in accordance with state law in a newspaper circulating in the District on a day not more than fourteen (14) days following the date when the Ordinance is so adopted.

c. This Ordinance shall become effective sixty (60) days after the date of its adoption by the Commissioners.

d. Questions about the Ordinance may be directed to the District, 562 Winterbrook Road, Campton, New Hampshire 03223, or by calling telephone number 603-726-3082.

Adopted on August 16, 2021, amended on January 25, 2023, and signed on this 8th day of February in the year 2023 by the WEVD Commissioners.

_____	_____	_____
Commission – Chair	Commissioner	Commissioner

Important Dates Section

Published Date: August 6, 2021

Public Hearing Date: August 16, 2021

Effective Date: October 16, 2021

Amendment Dates: May 18, 2022; October 26, 2022; January 15, 2023; March 8, 2023; September 27, 2023; October 25, 2023

Water Department
562 Winterbrook Road, Campton, NH 03223
Phone: (603) 726-3082 | Fax: (603) 726-8611
www.waterville-estatesnh.gov

Waterville Estates Village District
~~COMMUNITY WATER SYSTEM~~

WATER ORDINANCE

APPENDICES

Adopted AUGUST 16, 2021

Amended ~~SEPTEMBER 27, 2023~~OCTOBER 25, 2023

_____	_____
Commissioner	Date
_____	_____
Commissioner	Date
_____	_____
Commissioner	Date

Proposed Rates for Hearing - 10/25/2023

Proposed 2024 Fiscal Year Water Rates

Budget	$	586,238.00
3% non-collect	$	17,587.14
Total to be Collected	**$**	**603,825.14**
25% Availability	$	150,956.29
831 Properties	**$**	**181.66**
75% Users of System	$	452,868.86
2049 Occupants	**$**	**221.02**

Rate Changes from 2023 Water Rates

# of Bedrooms	2023 Annual	May-23
Undeveloped	$ 187.25	$ 88.25
One Bedroom	$ 647.72	$ 303.71
Two Bedroom	$ 877.96	$ 411.44
Three Bedroom	$ 1,108.20	$ 519.17
Four Bedroom	$ 1,338.44	$ 626.90
Five Bedroom	$ 1,568.68	$ 734.63
Six Bedroom	$ 1,798.91	$ 842.36
CC	$ 2,029.15	$ 950.09
Shop	$ 647.72	$ 303.71
Ski Area	$ 647.72	$ 303.71

Property Type	Annual	1st Billing	Nov. vs May	2023 v. 2024 (est.)
Undeveloped	$ 181.66	$ 90.83	$ 2.58	$ (5.59)
One Bedroom	$ 623.70	$ 311.85	$ 8.14	$ (24.02)
Two Bedroom	$ 844.71	$ 422.36	$ 10.92	$ (33.25)
Three Bedroom	$ 1,065.73	$ 532.87	$ 13.70	$ (42.47)
Four Bedroom	$ 1,286.75	$ 643.38	$ 16.48	$ (51.69)
Five Bedroom	$ 1,507.77	$ 753.89	$ 19.26	$ (60.91)
Six Bedroom	$ 1,728.79	$ 864.40	$ 22.04	$ (70.12)
CC	$ 1,949.81	$ 974.91	$ 24.82	$ (79.34)
Shop	$ 623.70	$ 311.85	$ 8.14	$ (24.02)
Ski Area	$ 623.70	$ 311.85	$ 8.14	$ (24.02)