

SEWER ORDINANCE AMENDMENT

Ordinance Amendment will:

- ▶ Allow homeowners to defer connecting to newly laid public sewer lines until the homeowner desires to or needs to because of septic failure.
- ▶ This will codify the City's long-standing past practice of allowing a waiver of connection.

Why amend the sewer ordinance now?

To alleviate homeowners' concerns arising from the extension of public sewer in the Sagamore Avenue area. Some residents are not interested in connecting immediately to the new sewer line.

State law allows municipalities to waive connections

No person shall occupy ... a dwelling... unless such building shall have readily accessible adequate toilet and lavatory facilities ... ; and unless said building shall be provided with suitable drains or sewers for conveying waste water and sewage away from the premises into some public sewer, if there be one within 100 feet thereof, and if not, for conveying it away underground or in some other manner that will not be offensive. Nothing in this section shall prohibit cities ... from increasing the 100-foot distance contained in this section, **or from granting waivers to the requirement of connection to the public sewer for properties with adequate alternative sewage disposal systems which comply with applicable state and local regulations,** designed by a designer licensed in New Hampshire and approved for construction by the New Hampshire department of environmental services after January 1, 1985.

Key Sewer Ordinance amendments are to Section 11.204 Paragraphs E and H

E. At such time as a public sewer becomes available to a property served by a private sewage disposal system, ~~as provided in Section 11.204, Paragraph D subject to the waiver provision below~~, a direct connection shall be made within ninety (90) days to the public sewer in compliance with this Ordinance and any septic tanks, cesspools, and similar private sewage disposal facilities shall be abandoned and filled with suitable material. **Owners of private sewage disposal systems may apply for and receive a waiver of the connection requirement provided that the private sewage disposal system is adequately functioning to serve the current property uses and legally permitted under State law. The waiver shall be withdrawn, and connection required, when the private sewage disposal system is no longer adequately functioning or is not legally permitted by State law.**

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H. ~~When a~~ public sewer becomes available **for purposes of this ordinance when**, ~~the building sewer of~~ any house, building or property **is** used for human occupancy **and is** located within 150 feet of the property line abutting the street, alley or right of way in which the sewer main is laid, ~~shall be connected to the sewer within 60 days and the private sewage system shall be cleaned of sludge and filled with clean bank run gravel.~~

Questions