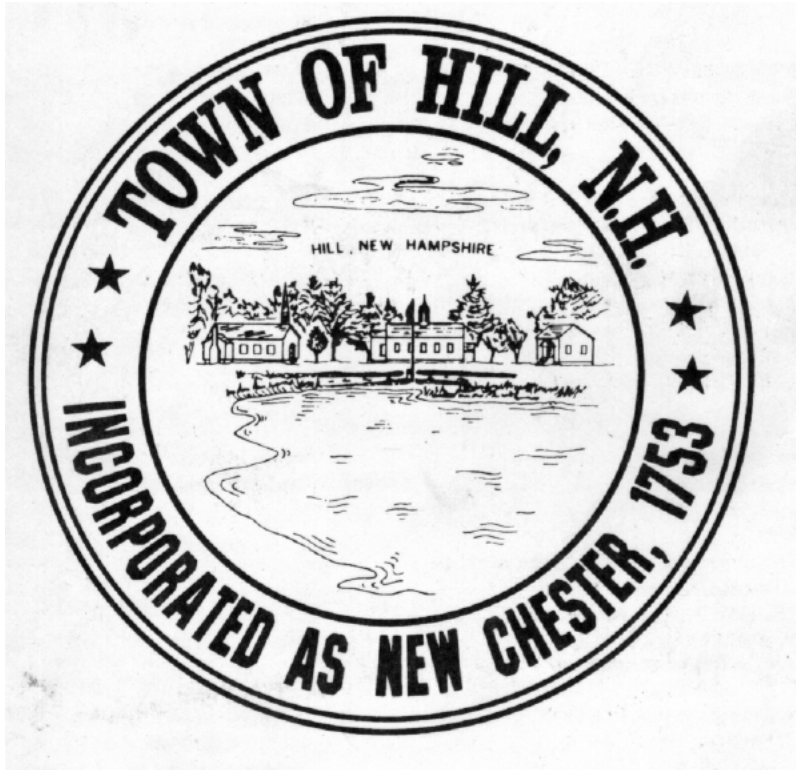


**HILL WATER WORKS
P.O. BOX 251
30 CRESCENT STREET
HILL, NH 03243
MERRIMACK COUNTY
(603) 934-3951**



Ordinance Establishing Water Rates, Rules, & Regulations

SECTION I - GENERAL

A. INTRODUCTION

This publication of Rules and Regulations is effective as of the date of its adoption as authorized under RSA 38:26 and supersedes all previously published rules and regulations governing the provision of water service to the customers of Hill Water Works in the Town of Hill, New Hampshire. The accompanying Rate Schedule is effective January 1, 2011.

Rates, Rules and Regulations are subject to change without notice, including additions to and/or deletions from this publication.

The material contained herein is published for the information, guidance and compliance for all property owners within our municipal system. This revision is based on the Safe Drinking Water Act, RSA 485, as it may be amended from time to time.

B. DEFINITIONS

‘AWWA’ means the American Water Works Association, the professional association of organizations and individuals concerned with water supply, treatment and distribution.

‘COMMERCIAL UNIT’ means any retail store, restaurant, office building, laundry, and other business or service establishment.

‘COMMISSION’ means the Board of Water Commissioners appointed by the Board of Selectmen in accordance with a town meeting vote and RSA 38:19

‘CURB STOP’ is the shut off in the service connection at the property line between the main and the meter on the premises of the customer.

‘CUSTOMER’ means an individual, corporate body, governmental unit, business enterprise, or other legal entity furnished services by Hill Water Works.

‘DEVELOPER’ means a person(s) requesting installation of service to a real estate development.

‘MAIN’ is the Hill Water Works primary water distribution system, normally installed underground, from which individual service connections are made to furnish water to customers.

‘NH DES DWGB’ means the New Hampshire Department of Environmental Services Drinking Water and Groundwater Bureau, a regulatory body of the State of New Hampshire charged, among other responsibilities, with implementation of Safe Drinking Water Act and those laws and regulations pertaining to the supply, treatment and distribution of potable water.

‘OPERATION & MAINTENANCE’ means those functions that result in expenditures for materials, labor, utilities and other items, which are necessary for managing water facilities. The term ‘operation & maintenance’ includes replacement as defined herein.

‘PREMISES’ shall mean a tract of land with or without buildings and any buildings thereon.

'REPLACEMENT' shall mean expenditures for obtaining and installing equipment, accessories or appurtenances, which are necessary during the useful life of the water system to maintain the capacity and performance.

'RESIDENTIAL UNIT' means one room or rooms connected together, constituting a separate, independent housekeeping unit established for owner occupancy, rental or lease, and containing independent cooking, sleeping, and sanitary facilities.

'SERVICE CONNECTION' means valves, pipe and ancillary items installed from a main to a customer's premises or point of water consumption.

'WATER USAGE' means the amount of water used by any unit as measured by the installed water meter. Hill Water Works meters measure usage in gallons and the monthly meter readings are in 100 gallon increments.

'WATER WORKS' means the Hill Water Works, a department of the government of the Town of Hill, New Hampshire.

SECTION II - ADMINISTRATION

A. COMMISSIONERS

Hill Water Works is governed by a three member Board of Water Commissioners, appointed by the Hill Board of Selectmen in accordance with a town meeting vote and RSA 38:19. The Water Commissioners direct the affairs of Hill Water Works in accordance with authority conferred by RSA: 38:18

The Commission is responsible for the establishment of water rates to be charged to customers, any policy changes, new regulations, and for the conduct of all other business for Hill Water Works in accordance with good business practice, laws and regulations and the preparation and submission to the Board of Selectmen of an annual budget.

B. CERTIFIED WATER OPERATOR

A certified water operator is appointed by the Commission and charged with day-to-day operational duties as directed by Commission. He/she is also responsible to the Commission for the performance of any subordinates and the technical aspects of the water supply, treatment and distribution system.

C. BILLING AGENT

The Town Clerk / Tax Collector is the billing agent for Hill Water Works. All funds collected are deposited in the Hill Water Works account maintained by the Town of Hill Treasurer.

SECTION III - SERVICE

A. PROVISIONS OF SERVICE

A customer desiring to have water service connected or disconnected or inspected shall give the Water Works a minimum of 48 hours notice and shall pay the applicable service charge shown on the accompanying rate schedule.

Adopted December 15, 2010

Effective January 1, 2011

All requests must be scheduled through the Hill Water Works office at 603-934-3951

Customers who require service after regular working hours, including turn-on or turn-off of curb stops, shall be subject to overtime charges rather than the standard service charge.

B. RESPONSIBILITIES AND MINIMUM STANDARDS

The property owner is responsible for all costs involved for the installation of water connections from the municipal system to the property line/curb line. No new connections shall be made to the existing system without Commission approval and oversight by a Commissioner or certified water operator. See the accompanying rate schedule for the rates and fees for new connections.

Hill Water Works shall complete installation of the water line, from the municipal system to the property line/curb line. The property owner shall be responsible for the continuation of the service to the building, which shall be inspected by Hill Water Works prior to back fill. Hill Water Works requires 48 hours notice for all inspections. The service should be six feet deep or have sufficient insulation. Services shall be bedded in a minimum of six inches and covered with a minimum of six inches of clean fill.

The property owner is responsible for the repair of the service from the building to the property line/curb line. If any necessary repairs are not made in a timely manner, Hill Water Works may disconnect the water service to that property. Hill Water Works is responsible for the repair of services from the property line/curb line to the municipal system in the Town's right of way, easements, public roads and streets.

C. REAL ESTATE DEVELOPMENTS

A real estate developer may request water service to a development. The developer shall provide, to the Commission, a complete set of detailed plans and specifications prepared by a New Hampshire state-registered engineer, for review and comment. After approval by the Commission, detailed plans and specifications will be sent to the NH DES DWGB for review, comment and approval. If the Commission requires assistance from the Hill Water Works consulting engineer to review the plans for the development, the cost will be charged to the developer.

If larger mains are required to serve the development, the cost will be charged to the developer. If the mains need to be extended to serve the development, the cost will be charged to the developer. No installation of water shall be allowed to commence until all agencies have approved the plans. All materials and installations shall meet AWWA, NH DES DWGB and local standards, and when necessary, a qualified resident engineer may be required to oversee the project at the expense of the developer. The Commission must approve the resident engineer.

D. NEW SERVICES

Applications for new water connections shall be made to Hill Water Works in writing on an application form by the customer or authorized agent.

A deposit for the estimated cost of the service connection and any attachment fees shown on the accompanying rate schedule will be required at the time of application. If additional costs are incurred, the customer will be billed accordingly. If the cost of the service connection is less than the deposit, the difference will be refunded to the customer.

Prior to service activation there shall be a final inspection by Hill Water Works.

SECTION IV - METERING

A. USE OF METERS

All water furnished by Hill Water Works and used on any premises must pass through the meter. No permanent bypass or connection around the meter shall be permitted for any meter less than or equal to two inches.

B. TEMPORARY METERS

Temporary meters shall be procured from Hill Water Works for the purpose of measuring the volume of water used in construction. There shall be a setup fee for installation of the meter and back flow preventer. Usage will be charged according to the accompanying rate schedule.

C. SIZE OF METERS

The size of the meter shall be determined by Hill Water Works after a review of the information submitted on the service application form. The cost of the meter and installation shall be borne by Hill Water Works. Meter horns, including check valves, shall be installed on all services by the owner's licensed plumber. The meter and outside reader shall be the property of Hill Water Works.

D. NUMBER OF METERS

Hill Water Works will provide one meter per service connection. The owner is not precluded from installing the owner's private meters downstream from the Hill Water Works meter for the purpose of splitting the usage among tenants but Hill Water Works will not provide individual billing. If additional downstream meters are installed the plumbing must be arranged so that the meters are installed in parallel. Meters installed in series will not be accepted.

When a customer is unable to furnish a suitable location for a meter inside the building or where for other reasons it is necessary or expedient to locate the meter in an underground meter pit the customer shall be responsible for the cost of the installation of the meter pit.

E. METER TAMPERING

Meters and any related bypass valves shall be sealed by Hill Water Works, and no one except an authorized representative of Hill Water Works may break or injure such seals. No person other than an authorized representative of Hill Water Works may change the location of, alter or interfere in any way with the meter except with permission of Hill Water Works. If meter tampering is discovered the customer shall be charged based upon average consumption prior to the last known date of meter seal verification. This charge will be for the entire period, from the last verification to discovery of tampering. The charge will be for twice the average consumption in which the tampering is detected. An additional fee will be charged to cover the cost of reading, resetting, re-sealing, re-billing, etc.

F. BACKFLOW TAMPERING

It is a violation to tamper with or bypass the back flow dual check valve.

G. METER TESTING

Installed meters shall be tested upon the customer's request, at an additional fee per the accompanying rate schedule. If the meter is malfunctioning the cost will be borne by Hill Water Works. Tested meters registering

within one percent (1%) plus or minus shall be considered correct. All meter testing and repair charges for meters over one inch (1") shall be charged to the customer at actual costs plus fifteen percent (15%). Thereafter, all meters will be tested in accordance with AWWA standards on meter testing frequency.

SECTION V - BILLING

A. RATES

All services will be billed monthly at the appropriate rates established on the accompanying rate schedule.

Decisions regarding the number of units represented by schools, government buildings, commercial units and multi-residence properties shall be made by the Commissioners.

B. ABATEMENTS

Abatement of any monthly bill to a customer can be requested only where there is NO longer any use of the water by the customer. Disconnection must be requested and done only by a Commissioner or other designated person. All applicable fees will apply for disconnection and/or reconnection of service per the accompanying rate schedule. All fees due will be billed monthly.

If a customer believes that there has been an error in billing, a written request for abatement shall be sent to the Commissioners for consideration. All requests for abatements, rebates or billing corrections will only be considered for the prior 12 months.

If there are any changes to the property that would affect the monthly charge, it is the responsibility of the customer to notify the Water Works immediately. A visual inspection of the property by the Water Works may be necessary.

C. CONNECTION FEES

It is regarded as inequitable to finance future capital improvements to the municipal water system solely through water rates. Therefore, connection fees are due when a new connection is added to the water system. The new connection fee is shown on the accompanying rate schedule and shall be paid before service is provided.

D. RESPONSIBILITY FOR CHARGES

Bills are sent to the property owner and payment is due on or before the due date shown on the bill. Hill Water Works will not bill any tenants. Per RSA 38:22 all charges for services furnished to patrons by a municipally owned electric, gas, or water works shall create a lien upon the real estate where such services are furnished. All customers are responsible to pay all fees within the time allowed. All payments shall be made to the Town Clerk / Tax Collector as the Hill Water Works billing agent. Bills that are not paid by the due date shall be considered delinquent and appropriate action will be taken. When an account is delinquent interest will be added at the rate shown on the accompanying rate schedule.

Delinquent accounts with any amount more than 60 days past due shall receive a disconnect notice via certified mail and shall be billed fees per the attached rate schedule. Before any service which has been disconnected is restored the customer shall make satisfactory arrangements for the payment of amounts owed together with the applicable disconnect/reconnect charge shown on the accompanying rate schedule.

Adopted December 15, 2010

Effective January 1, 2011

Delinquent accounts which are certified to the Tax Collector for perfecting liens on the real estate where the service was provided shall be billed the applicable fees per RSA 80:81.

SECTION VI – WATER CONSERVATION AND USE

When necessary to conserve water, the Commission may restrict or prohibit the use of water, including hoses, sprinklers and irrigation devices. The Commission may take whatever action is necessary to conserve water and protect the integrity of the water system. Customers shall take all reasonable steps to prevent waste of water. Water waste is costly to department and users in utility and chemical treatment fees.

Waste of water to be defined as knowingly running water for other than use for personal, domestic, business or agricultural consumption, yard maintenance, gardening, filling pools, washing and cleaning personal property.

Where the requirements of running water are not associated with needs listed above, it shall be a violation of department rules. Offending customer shall be given written warning of violation and if not corrected, service shall be disconnected within 24 hours of the written notice being issued. The customer also will be charged the standard Disconnect/Reconnect fee shown on the accompanying rate schedule for reconnection of water line.

SECTION VII – MISCELLANEOUS

State and Federal regulations prohibit water service connections to the municipal system with less than thirty five (35) pounds pressure at the foundation sill.

The Water Works may disconnect, upon 72 hours written notice, for any violation of Hill Water Works Rules and Regulations.

Per RSA 38:31 it is the Water Works responsibility to provide written notice to residential tenants before water service is disconnected. Therefore, it is the responsibility of any property owner who rents or leases residential space to tenants to provide the Water Works with the name, address, and contact information for all tenants, and to keep the Water Works informed of any tenant changes.

Water Commissioners or other authorized representatives of Hill Water Works with proper identification, shall have access to all premises supplied with service by Hill Water Works, during normal business hours, for the purposes of inspection of plumbing and fixtures, to install read or remove meters and to determine the quantity of water used and the manner of use, and the determination of compliance of these rules and regulations. The customer will be notified and he/she or a designated representative must be present when access is necessary.

Hill Water Works shall not be held responsible for damage or inconvenience caused by a water main break, cleaning or flushing of water mains, hydrants and reservoirs, opening and closing gates, valves, and hydrants, curb shut off for repairs and maintenance, or for any occurrence beyond their control.

Hydrants, gates, valves curb stops and other control devices are the property of Hill Water Works and shall not be operated, or tampered with by anyone other than authorized employees or agents of Hill Water Works. In case of fire, Fire Department personnel may operate the fire hydrants.

If it becomes necessary to shut off water to all, or a portion of the system for repairs and maintenance, Hill Water Works will be held harmless for any damages resulting from shut down of the system or recharging the system. Users will be notified before the system is shut down except in case of emergency.

The Department telephone number is 934-3951. In an emergency call Police Dispatch at 934-3949.

The Water Commissioners of the Town of Hill may amend any portion of this Ordinance for any reason deemed necessary.

Severability. If any provision of this Ordinance or any application of it to any person or circumstances is held invalid, the invalidity does not affect other provisions or applications of the Ordinance that can be given effect without the invalid provision of application, and to this end, the provisions of this Ordinance are severable

This amended ordinance takes effect upon its adoption and replaces any ordinance in existence prior to this.

ADOPTED this 15th day of December 2010 by the Hill Water Commissioners.

Water Commissioners:

Marc Coffin

Gerard Desrochers

David Hemeon III

**HILL WATER WORKS
PO BOX 251
HILL, NH 03243-251**

RATE SCHEDULE

Adopted: March 10, 1992
Amended: December 18, 2002
Amended: January 1, 2010

Amended: November 4, 1997
Amended: January 17, 2006
Amended January 1, 2011 (Proposed)

Amended: May 8, 2001
Amended: March 15, 2006

SERVICE UNDER THESE RATES APPLY TO ALL CUSTOMERS IN COMPLIANCE WITH THE RULES AND REGULATIONS OF THE TOWN OF HILL WATER WORKS AS ADOPTED December 15, 2010 AND NH RSA 38:28.

Single Family Dwelling	\$42.00 monthly plus Water Usage
Multi Family Dwellings	\$42.00 per dwelling unit monthly plus Water Usage
Business / Commercial	Minimum of \$42.00 monthly <u>per business unit plus any dwelling unit(s) plus total Water Usage for all units</u> . Additional amounts may be assessed and determined by estimated usage. The Hill Water Works reserves the right to refuse service to any business or commercial applicant.
Water Usage	\$0.16 per100 gallons
Disconnect/Reconnect	\$50.00 for any reason
Minimum Bill	\$42.00 per month
Special Billing	\$10.00 will added to any special billings requested by customers or as required for account transfers
Delinquent Account Disconnect Notice	\$10.00 for each required notice (rental tenants must be notified in addition to owner)
Lien Processing	Charges as provided in RSA 80:81
Hydrants	\$50.00 per hydrant billed to the Town of Hill annually.
New Connections	\$1,500 plus installation costs
Temporary Meter	\$300 (for construction use)
Meter Tampering	\$500 plus calculated usage charge
Meter Testing	\$75 for meters up to 1"; over 1" actual costs plus 15%; refunded if meter is not accurate within 1% plus or minus

BILLING PERIOD:

The above mentioned rates will be billed on a monthly basis with a due date 30 days after the bill date.

INTEREST:

1% per month or any portion thereof will be charged to any bill when all or any part of any prior bill shall remain unpaid for more than 30 days from the date of the bill, which shall be the mailing date of said bill. Interest will be computed starting with the thirtieth calendar day from the date of said bill. The amount of interest so levied shall be a portion of the water charges and payable the Town of Hill Water Works.

Adopted December 15, 2010
Effective January 1, 2011