

STAFF REPORT

02/28/2022

Topic: First reading of Ordinance 2022-189 to amend City Code Chapter 189, Sewers

Discussion: The purpose of the proposed changes is to better align the City's sewer ordinance with the Winnepesaukee River Basin Program (WRBP) sewer use rules and NH Department of Environmental Services' suggested model sewer ordinance. The City is a co-permittee with the WRBP for the regional and local sewer system under the EPA issued National Pollutant Discharge Elimination System (NPDES) permit and is subject to the operation and maintenance requirements of this permit. The changes to our sewer ordinance ensures our system meets the permit's requirements. The proposed changes also clarify what type of non-sewer flows can connect to the sewer system and the responsibilities of private wastewater system owners.

In addition to incorporating the requirements of the WRBP's sewer rules (Env- Wq 1200), the changes add definitions, update design standards and the City's sewer connection permit requirements. The updates also include:

- Clarification on 15% sewer surcharge for connections outside City limits to conform with existing intermunicipal agreements.
- A provision requiring the developer of a proposed sewer extension to analyze the capability of the existing system to accept a development's proposed flows.

The changes add a section that establishes the responsibilities of owners of private sewer systems for operating and maintaining their system. There are more than thirty private sewer systems in the City. Most of these systems are in established private developments and/or within private streets. All privately owned sewer systems are subject to the same operating, maintenance and reporting requirements as the City under the NPDES permit. Public Works recognizes the impact that this requirement will have on the private wastewater system owners and will work with those owners to assist them such that they can meet their reporting requirements by April 2023.

A list of private sewer systems will be maintained by the Public Works Department.

Due to the extent of the changes, Public Works is proposing to change the Ordinance in its entirety. So that you can better see the magnitude of the changes to the Ordinance, we are including as an example one version as work progressed on the document showing strike-throughs, additions, etc. This document reflects some of the changes made as a result of input provided by Public Works staff, the City's consultant, WRBP and NH DES. Some of the changes were needed to update the Ordinance to comply with today's design standards and requirements, and some were formatting changes.

Fiscal Impact: None

Staff Recommendation: Public Works recommends the amended ordinance.

This report submitted by: Krista Larsen, Assistant Director of Public Works

Proposed Motion:

"I move to waive a reading of this Ordinance in its entirety and to read by title only."

"I move a first reading of Ordinance 2022-189, Sewers."

"I move to schedule a Public Hearing on March 14, 2022, during the regular City Council meeting to gather input prior to any action being taken."