

TOWN OF CONWAY, NEW HAMPSHIRE

RULES AND REGULATIONS

Water Utility

Adopted _____

Contents

ARTICLE I.	OVERVIEW	1
ARTICLE II.	AUTHORITY	2
ARTICLE III.	DEFINITIONS.....	2
ARTICLE IV.	VALIDITY	5
ARTICLE V.	REVISIONS TO RULES AND REGULATIONS.....	5
ARTICLE VI.	EXPANSION MORATORIUM.....	5
ARTICLE VII.	PROTECTION FROM DAMAGE	5
ARTICLE VIII.	PENALTIES	5
	A. WRITTEN NOTICE OF VIOLATION REQUIRED	5
	B. PENALTY STATED	5
	C. LIABILITY FOR DAMAGE STATED	6
ARTICLE IX.	APPEAL PROCESS & HEARING BOARD	6
ARTICLE X.	ESTABLISHMENT OF RATES FOR WATER.....	6
ARTICLE XI.	PAYMENTS – WATER/SEWER BILLS	7
	A. SEASONAL SERVICES	7
	B. ABATEMENTS:	7
ARTICLE XII.	DISCONTINUATION OF SERVICE, PENALTIES AND LIENS	7
	A. DISCONTINUATION OF SERVICES.....	7
	B. DISCONTINUATION OF SERVICE TO RESIDENTIAL TENANTS (RENTERS)	8
	C. RENEWAL OF SERVICE AFTER DISCONTINUATION	9
	D. PENALTIES - LATE FEES DUE TO NON-PAYMENT	9
	E. LIENS.....	9
ARTICLE XIII.	WRIT OF EXTENSION	9
ARTICLE XIV.	ESCROW ACCOUNT FOR PROFESSIONAL ENGINEERING REVIEW	11
ARTICLE XV.	BUILDING A WATER SERVICE CONNECTION.....	11
	A. APPLYING FOR WATER SERVICE	11
	B. NEW CONSTRUCTION	12
	C. ALTERATION OF PROPERTY PIPING.....	12
	D. INSTALLATION, OWNERSHIP, AND MAINTENANCE	12
	E. REPAIR OR REPLACEMENT OF SERVICE.....	13
	F. MATERIAL SPECIFICATIONS	13
	G. FLUCTUATION OF PRESSURES BY CUSTOMER’S APPARATUS	15
	H. JOINT USE OF A TRENCH.....	15
	I. TOWN PROPERTY.....	15
	J. PRIVATE FIRE PROTECTION	16
ARTICLE XVI.	WATER USE	16
	A. UNAUTHORIZED USE OF WATER	16
	B. WATER USE RESTRICTION.....	16
	C. USE OF FIRE HYDRANTS.....	16

ARTICLE XVII.	OWNER'S RESPONSIBILITY	17
A.	TRANSFER OF OWNERSHIP	17
B.	ACCOUNT NAME	17
C.	MAINTENANCE OF LEAKS, FREEZING, ETC.....	17
D.	CROSS CONNECTIONS: HEALTH & SAFETY HAZARDS	17
E.	SAFEGUARDING OWNER'S WATER DEVICES	18
ARTICLE XVIII.	POWER AND AUTHORITY OF THE TOWN	18
A.	ACCESS TO PREMISES.....	18
B.	AUTHORIZED ACCESS REQUIRED	18
C.	SAFE CONDUCT REQUIRED.....	19
D.	EASEMENT ACCESS REQUIRED	19
E.	TOWN AUTHORITY OVER PRIVATE HOUSING OR INDUSTRIAL DEVELOPMENTS AND/OR SUBDIVISIONS	19
F.	WINTER CONSTRUCTION	19
ARTICLE XIX.	LIMITS OF LIABILITY.....	19
A.	SERVICE ACTIVATION / TERMINATION	19
B.	WATER SHORTAGE DUE TO REPAIRS.....	19
ARTICLE XX.	RULES AND REGULATIONS SIGNATURE PAGE	ERROR! BOOKMARK NOT DEFINED.
	APPENDICES	21

TOWN OF CONWAY

WATER RULES AND REGULATIONS

Article I. Overview

The Rules and Regulation herein set forth for the maintenance and operations of the municipal water system, established by the Board of Selectmen of the Town of Conway as necessary or desirable for the efficient operation of said system and for the protection of the health and safety of the people of the Town of Conway.

Pursuant to RSA 485 and RSA 38 and every other authority thereto enabling, the Board of Selectmen enacts and ordains the following Rules and Regulations.

It is the intent of the Board of Selectmen that the following Rules and Regulations will bind all customers, as defined, to take water in accordance with these Rules and Regulations and only for the purpose stated in the customer's application.

The purpose of these Rules and Regulations is to protect the water supplies, to prevent pollution in the surface and ground water of the Town of Conway, and to prevent nuisances and potential health hazards.

The long-term goal of the Town of Conway is to provide water services to all residents whether they live on a town, state, or private road, but this goal must be tempered by the ability of the taxpayers, rate payers and owners to pay for the system. In this regard, the selectmen recognize that the system has a beneficial impact on the value of property and that, at times, financial realities tend to argue for certain costs to be spread over all users. In making these decisions, the selectmen will be guided by the purposes set out in this preamble.

Article II. Authority

- A. Whereas, on January 1, 2025 the Conway Village Fire District dissolved and the Town of Conway assumed responsibility for the water department, and,
- B. Whereas, NH RSA 38:26 authorizes a municipality with a public water system through its Board of Selectman to adopt such ordinances and bylaws relating to the water system or structures as required for proper maintenance and operation.
- C. Therefore these Rules and Regulations are adopted on this _____ day of _____ 20__ by the Selectmen of the Town of Conway.

Article III. Definitions

Unless the context specifically indicates otherwise, the meaning of terms used in these regulations shall be as follows:

“Air Gap” means the unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or faucet supplying water to a tank, plumbing fixture or other device and the flood level rim of the receptacle.

“Applicant” means any person requesting approval to hook-up to the public water system of the Town.

“Application for Water Service” and “Change of Use Application” means the paperwork a customer shall complete in order to connect to the Town of Conway water system and take from the same. (**Appendices B&C**)

“Approved Source” is a source of water utilized by a public water system for distribution to the public for consumptive purposes and which is approved for said use following a required and/or approved treatment process.

“AWWA” means American Water Works Association.

“Backflow” or “Back-siphonage” means the unintended reversal of water, other liquids, mixtures, or substances, into the distribution pipes of a potable supply, through a cross-connection which can result in potentially serious public health hazard.

“Backflow Preventer” is an anti-backflow device.

“Backflow Prevention Device Inspector” means a person who has proven their competency to inspect and test backflow prevention devices, by the possession of a valid backflow prevention device certification issued by the New England Water Works Association.

“Barometric Loop” A fabricated piping arrangement rising at least 35 feet at its topmost point above the highest fixture it supplies. It is utilized in water systems to protect against back-siphonage.

“Check valve” means a self-closing device which is installed in the service line beyond the curb-stop and is designed to permit the flow of fluids in one direction and close if there is a reversal of flow.

“Connection Fee” means a fee established by the Board of Selectmen that must be paid prior to commencement of water service for new construction and/or additional service requests. Fees are based on the number of connections to the water main, in the case of multi-unit apartments or multi-unit commercial buildings, on the number of units. Payments may be made in full at time of application or half of payment at time of application and balance due before water service will be activated. Other payment arrangements may be made but will be drawn up in a formal and binding contract.

“Contaminant” means any physical, chemical, biologic or radiological substance or matter in water as defined in RSA 485:1-a, III.

“Containment” means that method and philosophy of backflow prevention which requires a backflow prevention device at the water service entrance.

“Contractor” means either an individual, partnership or corporation and the proper agents and representatives thereof that is not an employee of the town.

“Cross Connection” means any actual or potential physical connection or arrangement between two otherwise separate systems, one of which contains potable water and the other which contains water of unknown or questionable safety and/or steam, chemicals, gases or other contaminants whereby there may be a flow of an unapproved water to a water supply. **See Appendix A for Cross-Connection Policy.**

“Customer” means any person, firm, corporation, body politic or organization that is supplied with water by the Town of Conway, who has legal title to or license to operate or habitate in a property.

“Demand Fee” means the flat fee charged quarterly based on meter size. All customers will be charged the same for their respective meter size.

“High Degree of Hazard” means that if a backflow were to occur, the resulting effect on the water supply could cause illness or death if consumed by humans. The foreign substance may be toxic to humans either from a chemical, bacteriological or radiological standpoint. The effects of the contaminants may result from short- or long-term exposure.

“Low Degree of Hazard” means that if a backflow were to occur, the resulting effect on the water supply would be a change in its aesthetic qualities. Foreign substances must be non-toxic to humans.

“Main Pipe” means the water main from which services are connected to supply water to customers.

“Meter” means the device in which gallons of water used by a customer is read through.

“NEWWA” means the New England Water Works Association

“Potable Water” means water from a source which has been approved for human consumption.

“Public Water System” means the public water system as defined in RSA 485:1-a, XV, namely “a system for the provision to the public of piped water for human consumption if such system has at least 15 service connections or regularly serves an average of at least 25 individuals daily at least 60 days out of the year. Such term shall include:

- 1) any collection, treatment, storage, and distribution facilities under control of the operator of such system and used primarily in connection with such system, and
- 2) any collection or pre-treatment storage facilities not under such control which are used primarily in connection with such system.

Any water system which meets all the following conditions is not a public water system if it:

- 1) consists only of distribution and storage facilities (and does not have any collection and treatment facilities),
- 2) obtains all its water from, but is not owned or operated by, a public water system; and
- 3) does not sell water to any person.

“Rates” shall mean usage charges, demand fees, and charges for services.

“Reduced Pressure Backflow Device or Reduced Pressure Zone - (RPBD or RPZ)” means a device incorporating two or more check valves and an automatically operating differential relief valve, located between the two checks, two shut-off valves and equipped with necessary appurtenances for testing. [Env-Ws 364.06(e)]. These devices prevent contaminated water from mixing into clean municipal water supplies. They are used in plumbing systems with irrigation, boiler systems, fire suppression, forced-air furnaces and other high hazard conditions.

“Seasonal Service” means the service connection which is in actual use for a portion of a calendar year.

“Service Pipe” means the pipe running from the main pipe to the property of a water customer.

“Superintendent” means the individual employed by the Town who has direct responsibility for the routine maintenance and operation of the Water Department.

“Supplier” means any person who controls, owns or generally manages a public water supply system.

“Town” shall mean the Town of Conway.

“Usage Charge” means the monetary amount in which a customer is charged for every 1,000 gallons of water used. These rates are established yearly and configured based on the Water Department Budget, Debt payments due, and Special and Individual warrant articles relative to the Water Department. All customers will be charged the same amount for usage, regardless of meter size.

“Utility” means the water and sewer departments.

“Vacuum Breaker, Atmospheric” means a device used to prevent back siphonage and is not to be used under static line pressure.

Article IV. Validity

All rules and regulations or parts of rules and regulations in conflict herewith are hereby repealed.

The invalidity of any section, clause, sentence, or provision of these Rules and Regulations shall not affect the validity of any other part of these Rules and Regulations which can be given effect without such invalid part or parts.

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

Article V. Revisions to Rules and Regulations

The Town of Conway reserves the right to adopt from time-to-time additional rules and regulations as it shall deem necessary and proper, which to the extent appropriate, shall be a part of these Rules and Regulations.

Article VI. Expansion Moratorium

When, in the majority opinion of the Selectmen it is felt that for the general well-being of the inhabitants of the Town or to comply with the existing State Statutes as they apply, the Selectman may impose an expansion moratorium on the water and/or sewer systems of private property or industrial, commercial, or subdivisions that are presently or proposed to be connected to the Public Water System or Sewer Collection system of the Town. This moratorium may be lifted at any time by a majority vote of the Selectmen.

Article VII. Protection from Damage

No person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, equipment, or facility which is owned by the Town Water Department. Any person violating this provision shall be subject to immediate arrest on charges of disorderly conduct.

Should property be damaged unintentionally, the Town Water Department shall be notified immediately or as soon as practicable of the type and extent of said damage.

Article VIII. Penalties

A. Written Notice of Violation Required

Any person found to be violating any provision of these Rules and Regulations shall be served by the Town 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 time limit stated in such notice, permanently cease all violations.

B. Penalty Stated

Any person who shall continue any violation beyond the time limit provided for in Article VIII-A above shall be guilty of a misdemeanor and upon conviction thereof, shall be fined in an amount not exceeding one thousand dollars (\$1,000.00) for each violation. Each day in which such violation shall continue shall be deemed a separate violation.

C. Liability for Damage Stated

Any person violating any of the provisions of these Rules and Regulations shall become liable to the Town for any expenses, loss, or damage occasioned the Town by reason of such violation. The expense, loss, or damage shall be taken to be to the extent determined by a competent registered professional to be chosen by the Town.

Article IX. Appeal Process & Hearing Board

Any water user within the Town's water service area seeking clarification and/or relief from enforcement of any provision set forth within these Rules and Regulations shall put the request in writing to the Town Board of Selectmen.

The Town of Conway Board of Selectmen shall act as a hearing board for arbitration of differences between the Town water department and water users on matters concerning interpretation and execution of the provisions of these Rules and Regulations.

The decision of the Board is final and may be appealed to the Superior Court.

Article X. Establishment of Rates for Water

Rates chargeable by the Town for water, service calls, connections, and other relative fees, and payable by the customer, shall be determined by the Board of Selectmen yearly based upon recognized accounting methods and/or engineering studies that will fairly distribute the burden of operations and maintenance of plant and other costs upon respective customers, including but not limited to the debt services for water.

1. Charges for water service may include charges for construction and operation and maintenance. Demand Fees are flat quarterly rates for the fixed costs of operation and are based on meter size. User Fees cover the variable costs that may change in proportion to the quantity of water consumed.
2. Water Connection Fees: Any person wishing to connect to the water system, whether new construction or existing shall pay a connection fee as well as all costs associated with the connection. One connection fee will be charged for each connection if more than one is deemed necessary. It is the policy of the Town that there be only one (1) connection per property but properties with multiple units may require more than one. Multiple connections may only be determined and approved by the Town of Conway Water Department.
3. Amounts of the connection fees shall be established by the Selectmen of the Town of Conway and published separately as a part of the Town Water Rates. Connection fees shall be accounted for in its own line item in the account system. The money collected from Connection Fees will be transferred to one of the water Trust Funds designated for the water system maintenance and projects.
4. User charges: Each user connected to the water system shall pay a water user fee determined by the Board of Selectmen to cover the costs of management, maintenance, operation, repair, including replacement of the water system, and debt. Water user fees shall be based on water use (per 1,000 gallons).

Article XI. Payments – Water/Sewer Bills

It is the Town's policy to have the water bills solely in the name of the property owner.

Bills for water service will be due and payable upon presentation of the bill. The failure of the customer or representative to receive written notice of the water/sewer bill does not relieve the customer from the obligation of its payment or the consequences of non-payment. All charges are due and payable upon presentation of the bill and are past due thirty (30) days after the date of the bill. The Superintendent, or his representatives are not authorized to accept monies due to the Town. All payments must be received at the Town Water Department office located at 128 West Main St. Conway, NH. Failure to make payment when due shall entitle the Town to seek collection and recover all costs of collection including attorney fees, shall place a lien on the property, and may result in loss of water service.

All properties will receive one bill per meter even though there may be more than one unit in the building. It will be the responsibility of the owner to ensure full payment to the Town.

Property owners may authorize the issuance of a duplicate bill to a tenant or other party upon completion of an Authorization for Duplicate Bill form (Appendix D). The property owner will continue to receive bills, late notices and any other correspondence sent to the authorized party. The owner of the property is ultimately responsible for payment of the bill. Failure to pay the bill could result in a lien per Section XII (E.) of these Rules and Regulations and/or loss of service.

A. Seasonal Services

Seasonal service is supplied to properties for only a portion of the regular billing year according to Town of Conway Water Department procedures. Water being turned off for seasonal purposes or loss of service due to past due amounts does not relieve the property owner of water flat quarterly fees. These charges shall still apply to the property per quarter, regardless of water services being on or off.

B. Abatements:

- A. The Town will not abate water usage.
- B. Late Fees will only be abated one (1) time upon request so long as there have been no late fees in the last eight (8) billing cycles.

Article XII. Discontinuation of Service, Penalties and Liens

A. Discontinuation of Services

Service may be discontinued by reason of non-payment of water bills or violation of any rule or regulation contained herein after written and/or verbal notice. Services, once discontinued, may not be resumed until the cause of complaint resulting in discontinuance of service has been resolved and all charges, plus arrearages if any, have been paid in full. Service will also be discontinued without notice in case of fraudulent use or violation of RSA 539:7 "Theft of Utility Services". Flat quarterly fees, including but not limited to Demand Fees, Betterment Fees, and late fees will continue to be charged to the account even after discontinuation of service. In the event service needs to be discontinued after regular business hours, a fee for an after-hours service call will be charged to the account.

If the bill for water/sewer service is not paid by the due date, the Town reserves the right to discontinue the service fourteen (14) days after a Past Due notice has been mailed to the property

owner on file as well as any party authorized to receive a duplicate bill. The Town may, but is not obligated to, post notice on the front entrance of a property prior to discontinuing water service. The Town shall, to the best of its ability, post notice of discontinuance of service on the front entrance of a property if any part of the service provided accrues to the benefit of one or more parties known by the Town to be residential tenants.

All delinquent bills automatically create a lien on the real estate where the services were rendered. In accordance with RSA 38:22 the lien attached to the property and the delinquency remains the obligation of the person who owns the property at the time the lien is enforced. If the property is sold, the new owner takes on the obligation that had already attached to the real estate when sold. The Town reserves the right to place a mechanics lien with the Carroll County Registry of Deeds on properties in arrears two billing cycles or over \$1,000.00.

B. Discontinuation of Service to Residential Tenants (renters)

RSA 38.31 states:

I. Notwithstanding any other provision of law to the contrary, except as provided in A. of this section, no municipal water company shall disconnect service to a customer if any part of the service provided accrues to the benefit of one or more parties known by the town to be residential tenants, unless the town gives written notice to the tenants. Such notice shall set forth:

- (a) The date on or after which the town proposes to disconnect service.
- (b) A statement that the reason for disconnection is a dispute between the town and the landlord.
- (c) A statement that the tenant should contact the landlord for more information.
- (d) An address and telephone at which the tenant may contact the utility to make arrangements to maintain service.

II. A municipal water company shall refrain from terminating service to the affected premises if so requested by the tenant, provided that the tenant agrees to be responsible for service provided as of the date of the tenant's request. However, the town may continue to list the landlord's past due balance on the tenant's bill, and the lien created pursuant to RSA 38:22 shall include any past due charges which accrue after the company begins billing the tenant. The town shall provide direct service to the person requesting it on terms and conditions applicable to all residential customers. Such service may include other charges, such as sewer and fire protection service, if customarily included with water service billing.

III. Immediately upon learning that a tenant has been disconnected without the notice required in paragraph I, the town shall reconnect service and may charge a reasonable reconnection fee which may be added to the existing arrearage.

IV. The notice required by paragraph I shall be provided to the tenant no less than 7 days in advance of the proposed disconnection, by posting a conspicuously lettered notice on the main entrance door to each building in which service is being terminated. In addition, the town shall post the notice on a back door or side door to which the town has reasonable access, or in a common area of each building. The town, at its option, may notify the tenants in the affected property by mail rather than by posting.

V. The notice to tenants required by paragraph I of this section shall not be required when necessary to avoid danger to life or property, and upon the order of a duly constituted public authority such as police, firefighters, public health officer, and building inspectors.

Source. 1997, 206:1, eff. July 1, 1997.

Thus, it is the Town's policy to have written documentation from property owners that notify the Town of tenants occupying the property. This document will be placed on account and give permission for tenants to discuss the utility bill. Additionally, property owners may submit an Authorization for Duplicate Bill allowing the Town to send a bill directly to the tenant; owners will still receive a copy of the bill, and all correspondence sent to the tenant regarding the account. Submitting an Authorization for Duplicate Bill in no way relieves the property owner of the responsibility for the water service of the property.

In the instance where landlords have received a shut off notice for failure to pay, the Board of Selectmen will review individual tenant cases in which water is needed for medical conditions and purposes. Selectmen may allow the continued use of water in such instances with proper medical documentation.

C. Renewal of Service after Discontinuation

Renewal of service will occur once all charges and fees, or the cause of complaint resulting in discontinuance of service has been resolved during regular business hours. The property owner must arrange for someone to be present at the time of the renewal. If the renewal occurs outside of regular business hours, a fee for an after-hours service call will be charged to the account.

D. Penalties - Late Fees Due to Non-payment

Late fees for water and sewer service, demand and betterment fees, backflow testing, returned check fees, and lien fees shall be assessed thirty-one (31) days after bill date. Late fees shall be assessed once a quarter at 3%, compounded, of the outstanding balance for water/sewer bills. Late fees for invoices of Sale of Inventory, Service Calls, etc. shall be assessed every thirty days at 5% compounded.

E. Liens

Per RSA 38:22 charges rendered for water services automatically create a lien on the real estate that shall remain in place for 18 months from the date of the last unpaid bill unless the Town records, with Carroll County Registry of Deeds, a notice of lien. A Lien filed with the Carroll County Registry of Deeds is in force for 6 years. If an account is delinquent for two billing cycles, the Town Water Department shall file a notice of Lien with the Carroll County Registry of Deeds prior to the next billing cycle and will only release the Lien after all charges have been paid in full. The account associated with the real estate shall be charged the fee associated with filing of liens.

Liens are attached to the real estate and are the obligation of the property owner regardless of who is responsible for the payment of services rendered. If the property is sold and the Lien has not been satisfied at the closing, the new owner takes on the obligation that had already attached to the real estate when it was sold. The Town Water Department may discontinue services upon filing of the Lien, or any time after, with no further notice. Flat, quarterly fees, including but not limited to Demand Fees, Betterment Fees, and Late Fees will continue to be charged to the account even after Notice of Lien has been filed and/or the discontinuation of service.

Article XIII. Writ of Extension

We the citizens of the Town of Conway, do hereby set forth the following Rules and Regulations to be known as the "Writ of Extension", which will govern the users of services provided by the Town of Conway and the Selectmen shall be authorized and instructed to carry out the below listed Articles.

Any application for services outside of Town boundaries shall require review by the Board of Selectmen with all pertinent information to be supplied by the property owner. It is the intent of the Town that all properties requesting service connection are charged the same as in town residents for user fees, demand fees, betterment fees, connection fees, late fees, and all other services provided by the water department. However, the town will not provide water mains to reach out-of-town residents, and any lines laid to connect to the town water system must meet town specifications.

Article 1 Extension of any service within the town shall be contingent upon a majority vote of the Board of Selectmen. If, in the opinion of the Board, it is feels that the service extension will significantly impact the system, the Board can hold a duly noted Public Hearing for voter review and input. The developer shall furnish the Board of Selectmen with all pertinent information to make a decision (ex. Impact Study, drainage calculation, etc.)

Section A In the event of the approval of the extension of any town water service, the total cost of the extension will be paid by those requesting the service. The extension project shall be overseen by town employees.

Article 2 Extension of any service without the Town shall be authorized by the majority vote at any duly called Annual or Special Meeting. Costs for said services shall be borne completely by those individuals requesting the extension.

Section A Any vote at a duly warned Annual or Special Meeting authorizing the extension of the Town services outside the Town boundaries shall be valid for one year from date of vote, provided that construction of such extension is substantially commenced and continuing at the expiration of said one year term, the vote shall be deemed to continue in full force and effect.

Section B In the event of the approval of the extension of any Town water service, the total cost of the extension will be paid by those requesting the service. The extension project shall be overseen by town employees or its designee.

Article 3 No Town water main, pipe, or service boxes shall be placed or installed on any private property unless an easement or right-of-way is legally secured by the party requesting the service for the purpose of installing and maintaining the same.

Article 4 In the event that an extension of water service is provided, a fire hydrant will be required every one thousand feet (1,000 ft.) for residential and every three hundred feet (300 ft) for commercial if that request extends a water line beyond 500 or 1,000 feet. Placement of said hydrant will be sited by the Town Water Superintendent and Fire Chief.

Article 5 In the event an extension is approved, the party bearing the costs of the extension will retain ownership for maintenance for no less than one year before deeding that line to the Town.

Article 6 Articles mentioned in the Writ of Extension may be amended at any Annual or Special Meeting duly called, and any vote taken may be considered passed by a 2/3 majority of those qualified voters present.

Article XIV. Escrow Account for Professional Engineering Review

Section A The Board may require professional engineering reviews, special investigative studies, environmental assessments, a legal review of documents, administrative expenses, and other matters necessary to make an informed decision on request by an applicant wishing to connect to the Town's water system. The cost of such studies and investigations shall be paid by the applicant prior to final approval or disapproval. The applicant shall submit funds based on the estimated costs to the Town prior to the Town procuring such studies and investigations and will be deposited in a non-interest-bearing escrow account held by the Town. The Town will contract with an engineering firm of its choosing, who will report directly to the Town.

Section B If the applicant formally withdraws the request for approval after the engineering process has begun, the applicant will be financially responsible for any services rendered. Any remaining unused dollars shall be returned to the applicant upon completion of project or formal withdrawal.

Section C In the event that initial dollars requested of applicant are insufficient to cover expenses, additional funds will be requested and must be received before final approval or disapproval is rendered.

Article XV. Building a Water Service Connection

A. Applying for Water Service

Applications for water service must be made in writing on the forms provided at the Town of Conway Water/Sewer Department (Appendix B). An acceptance by the Superintendent shall constitute a contract between the Town and the applicant, obligating the customer to pay the established rates and charges and to comply with the rules and regulations.

The Town reserves the right to determine the size and the location of any proposed water service.

Application will be subject to there being an existing main pipe in the street or right-of-way abutting the premises to be served. Acceptance shall in no way obligate the Town to extend its mains to service the premises.

Application for water service will be accepted by the Town Water Department from the owner of the premises only. It is the Town's policy that all accounts be in the name of the property owner.

The Town will be able to require that any new water or replacement service must have an approved ball-type shutoff valve installed by the owner at his expense. The corporation, service pipe, curb stop or property valve, rod and box will be furnished and installed by the Town of Conway Water Department and will remain the property of the Town.

Any excavation within the Town Road Right-of-Ways shall require additional fees and surety to guarantee the quality of work performed by contractors, developers, utilities or others doing work on town properties or town roads. The applicant agrees to allow the Town to use the surety/warranty to finish/repair the work should the applicant fail to do so. The applicant agrees

to assume any additional costs that the Town may incur to maintain, finish or repair the work as necessary. The applicant also agrees to assume the cost of testing and inspection(s) fees.

B. New Construction

- A Building Permit Application from the Town of Conway must be reviewed and signed by the Superintendent prior to construction.

- All excavations for water line installation shall be adequately guarded with barricades and lights so as to protect the public from hazards. 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 owner's expense when the owner(s) or their agents perform such work.

- The owner of the property or their licensed plumber is required to contact the Water Department and obtain, complete, and submit a Water Connection Application (Appendix B).

- All work performed must be inspected by a Water Department employee before backfilling is done.

- Meter purchase invoice and connection fees must all be paid in full before service commences.

C. Alteration of Property Piping

- No customer shall install any additions or alterations of any service pipes or private property plumbing additions or deletions without first notifying the Water Department of the proposed changes.
- The owner of the property or their licensed plumber is required to contact the Water Department and obtain, complete and submit a Change of Use Application (Appendix C).
- A Building permit and/or zoning application from the Town of Conway stating change and approval from Town must be reviewed and signed off by the Superintendent.
 - Additional Connection fees may apply if additional services are required.
 - Additional Demand Fees may apply if additional meters are installed.
- All work performed must be inspected by a Town of Conway Water Department employee before backfilling is done.
- All invoices and connection fees must be paid in full before service commences.

D. Installation, Ownership, and Maintenance

- All service pipes, including the curb stop, shall be owned by the Town; from the limits of the curb stop to the property will be owned by the property owner. Any maintenance from the curb stop to the property must be performed by the owner or agent.

- Any defects in the installation or workmanship of the customer's line that are found not to be in accordance with accepted Town standards will be corrected; failure to do so in a timely manner will result in the water service being terminated after proper written notice.

- All service pipes between the curb stop and the property will have a minimum ground cover of six feet or equivalent insulation. In the event that a line is less than 6 feet deep, appropriate insulation materials will be used to avoid freezing.

E. Repair or Replacement of Service

The Town will, when making repairs or investigating any loss of water service, replace an existing service from the main pipe, to and including the curb stop, if it appears to the Superintendent that it is the best way to alleviate the problem. However, if any customer feels that their water services should be replaced, the customer will be required to pay whatever costs are realized in the replacement of same.

Installation for replacement service will include all or part of the following list:

- Tapping the main, if necessary
- Appropriately-sized pipe and service tap from main to the curb stop
- Curb stop at or near the property line
- Appropriate excavation and restoration

F. Material Specifications

METERS

1. For single family homes, a T10 Neptune 5/8” meter with a re-setter, a check valve, and a shut-off installed by Town specifications – purchased through the Water Department..
2. For other than single family homes, the Water Department will perform a meter size evaluation to determine the appropriate meter size.
3. Each meter will have a radio reader attached to the meter purchased through the Water Department.
4. Once meter is installed, A Water Department employee must inspect the hook up.
5. It is strongly recommended that an expansion tank be installed on the incoming cold-water line after the meter (interior plumbing side). It is also recommended that a pressure reducer be installed as well.
6. This work must be done by a plumber as the Water Department staff are not licensed plumbers.
7. The Town will only be responsible for the meter itself. All components around the meter are the property owner’s responsibility.

WATER MAINS

Pipes:

- Pipe shall meet or exceed current AWWA C151 specifications for Ductile Iron pipe. Maximum length twenty (20) feet.
- Double cement lining, seal coating inside and bituminous outside coating shall meet or exceed AWWA C104.
- Push-on joints conforming to current AWWA 111.
- Pipe to be furnished complete with gaskets and lubricant.
- Certificate of Compliance to above-mentioned specifications must be supplied with shipment. Certificates must be notarized by Notary Public or Justice of Peace.
- Class 52 required to size (6) through twenty-four (24) inch diameters.

Valves:

- For size six (6) through twelve (12) inch, valves shall be resilient seated with non-rising stem and conform to or exceed current AWWA C509 specifications.
- Directions to open – left

FITTINGS

- Fittings shall be Ductile Iron with mechanical joints and accessories and shall conform to or exceed current AWWA C113.
- Fittings to be new, unused and free from rust, coated and cement lined.
 - Ductile Iron – Class 350
 - Mechanical joints and accessories shall meet AWWA C111
 - Double cement lining, inside seal coating and bituminous outside coating shall meet AWWA C104.

VALVE BOXES

- Base: 48 inch
- Top: 5-1/4" x 36" with top flange (screw type not acceptable)
- Cover: Marked "water"
- Only two-piece boxes acceptable
- Acceptable makes and models (American or Canadian made)
 - Standard valve box with top flange and belled base section, slide type.

RESTRAINED JOINTS

- Retainer glands shall be used to restrain joints as necessary.
- Thrust blocks are acceptable behind hydrants and all ductile bends more than 11 degrees.
- Anchor tees are acceptable for use on hydrant branches to retain the hydrant branch valve.
- All retaining glands shall be U.L. approved and meet or exceed AWWA C111.

WATER SERVICE LINES

Plastic:

- Tubing shall be CTS (copper tube size) polyethylene (ASTM #2239). Plastic tubing shall be a minimum 250 lb. class. Compression fittings with stainless steel inserts shall be used.

Brass:

- All brass fittings shall meet or exceed AWWA C800 specifications.
- Acceptable manufacturers: Mueller, Ford, and MacDonald.
- Must be no-lead.

SERVICE FITTINGS

3/4" and 1" Fittings

- All corporation threads shall be "CC" on the inlet and "CPPJ" on the outlet thread.
- All curb stops shall be ball valves.

2" Fittings

- All corporation threads shall be "CC" on the inlet and "CPPJ" on the outlet.

- All corporation and curb stops shall be ball valves.

CURB BOXES

- Erie style standard service box, appropriate length plug cover or two-hole cover.
- Appropriate size (single piece) rod, 1" upper shaft

HYDRANTS

- Acceptable make and model: American Darling B84B

Features:

- Direction to open – left
- Breakable flange (traffic model)
- Valve opening at 5-1/4"
- 2 – 2 ½" NST hose nozzles
- 1 – 4 ½" NST pumper nozzle
- Operating nut and nozzle caps – NS #7 pentagon
- Depth as needed to meet grade
- Six (6) inch mechanical joint connection with accessories for 6.90 O.D. Ductile Iron pipe
- Drain hole "Plugged"
- Shall meet or exceed C502

The Town of Conway reserves the right to require a sample for evaluation of any supplied item. Alternative items shall receive prior approval of the Superintendent. In any case, the Town of Conway reserves the right to accept or reject any material to be used.

G. Fluctuation of Pressures by Customer's Apparatus

No customer shall install or use water consumption apparatus, which will affect the Town of Conway pressure or operating conditions as to interfere with the service of another customer. Where a customer has or proposes to install apparatus, which requires water in sudden and/or material quantities, impairing pressure to the detriment, damage or disadvantage of other customers, the Town reserves the right to require such customer to install such devices or apparatus which will confine such fluctuation of demand or reduction of pressure within reasonable limits as determined by the Town.

If the customer, after receiving written notice from the Town, fails to present an acceptable remedial plan with a limit set by the Town, service will be discontinued.

H. Joint Use of a Trench

Water service pipes will not be placed in the same trench with gas pipes, electric wires or conduits, sewers or similar structures that would, in the opinion of the Town, be harmful or unsafe except under special conditions and only with prior approval of the Town.

I. Town Property

All gates, valves, shut-offs, mains and standpipes and service lines and curb-stops which are the property of the Town are not to be tampered with, nor opened or closed by any person other than an authorized employee of the Town.

J. Private Fire Protection

Customers desiring to install private fire protection systems shall first consult with the Fire Chief of the Town as to availability of water mains and pressures etc. Upon approval, installation of the fire service shall be coordinated through the Superintendent of the Town Water Department and the Fire Chief. The tap into the main, the gate valve and any related equipment shall be installed under the direction of the Water Department Superintendent and all costs shall be borne by the customer. However, once installed and in place, the tapping sleeve and/or gate shall become the property of the Town and be maintained solely by the Town of Conway Water Department.

No private fire connection service is to be used for any purpose other than fire protection. No connection other than a fire connection will be allowed to be connected to the pipes of the fire protection system. All sprinklers, pipes, and other fire connections shall be so placed as to be readily inspected.

Charges for fire protection risers shall be a quarterly rate set by the Board of Selectmen.

Private fire protection systems shall have a backflow preventer, wet systems shall be tested bi-annually, dry systems annually.

Article XVI. Water Use

A. Unauthorized Use of Water

1) Use of water is confined to the premises named in the application.

No customer shall supply water to another not entitled to the use of water, nor shall they use it for any purpose not mentioned in their application. No person shall obtain water service from any hydrant, fountain, or other fixture of the town without previous consent of the town.

2) All public water used must be metered.

- a) It is prohibited for any User to make, have, or maintain a connection at or use water from a point located before (upstream of) any Town water meter. Such circumstances shall be treated as a bypass around the meter and be subject to the provisions of Article VIII of the Town of Conway Water Rules and Regulations.
- b) There shall be no connections/taps from fire service lines for any use other than for fire suppression in an approved and inspected fire suppression system.

B. Water Use Restriction

The Town of Conway reserves the right, in periods of drought or emergency or when deemed essential to the protection of the public health, safety and welfare to restrict, curtail or prohibit the use of water for secondary purposes, such as sprinkling, car washing, air conditioning or filling swimming pools, and shall have the right to fix the hours and periods when water may be used for such purposes.

C. Use of Fire Hydrants

Hydrants may be used only for the extinguishment of fires or for such other purposes as may be approved by the Board of Selectmen. Hydrants shall be opened and closed only by an employee or agent of the Town of Conway or a regular appointed fireman of the Town of Conway Fire

Department. After any hydrant has been opened, the Town of Conway water department Superintendent shall be notified.

Article XVII. Owner's Responsibility

A. Transfer of Ownership

When any property changes ownership, it will be the responsibility of the present owner or agent to notify the Town of Conway Water Department Office of the change and to submit the name, address and phone number of the new owner(s) prior to the closing date (Appendix E).

B. Account Name

It is the policy of the Town that all accounts be in the name of the property owner, preferably under the same name as the taxes. It is understood however, that for business purposes, the name on the account may not necessarily match the tax card. If the name on the account does not match the tax card on file, the name used shall be associated with the actual property owner.

C. Maintenance of Leaks, Freezing, etc.

The customer's portion of the service pipe will be maintained by the owner of the property or his designated agent. All leaks will be repaired in a timely manner.

In the event of a frozen pipe, the Superintendent or his agent will determine where the frozen area is located. If the area affected lies between the main pipe and the curb stop, then it is the responsibility of the Town to have the matter corrected. If the affected area lies between the curb stop and the building of the owner, then it is the responsibility of the property owner to have the situation resolved.

When it becomes necessary to thaw a frozen service pipe and it cannot be determined where it is frozen, and the Water Department, at the customer's request, undertakes to thaw the same, one-half of the cost thereof will be paid by the customer.

D. Cross Connections: Health & Safety Hazards

Pursuant to the Federal Safe Drinking Water Act of 1974 and in accordance with the State of New Hampshire Revised Statutes Annotated 148-B:2 VI, 148:22, 148:26, 148:27, the Town has adopted regulations pertaining to the implementation of a cross connection prevention program for protecting the public potable water from backflow of dangerous substance by back-pressure, or back-siphonage which would endanger the public health or physically damage the public water system (see Appendix A). The Selectmen shall file with the New Hampshire Water Supply and Pollution Control Commission a copy of these cross connection regulations and any subsequent additions or modifications. The backflow prevention assemblies will be installed and tested as per State and local regulations to prevent contamination of the public drinking water system due to either a high degree or low degree hazard. The ultimate objective is to prevent the containment of any possible substance from reentering the public water system. The Town reserves the right to specify the type of backflow prevention device to be installed by the customer from the list of various types of backflow prevention devices approved by the New Hampshire Water Supply and Pollution Control Commission. The entire cost of installation and all future testing and inspection shall be borne by the property owner.

To ensure the protection of the public water system, the Town shall have reasonable access to any premises using water to ensure that no cross connections exist. In the event that cross connections are found, the Town, after legal notification, shall terminate the water service if

corrections are not made. If it is found that existing backflow prevention devices have been removed, or bypassed or in any way rendered ineffective, water service shall be discontinued immediately.

It shall be the duty of the Town to insure that when necessary, the owner of the property install, repair, overhaul, replace and be financially responsible for any backflow prevention devices that are existing or required in private water systems or property where it is felt that cross connection protection is necessary. At no time without the installation of proper backflow prevention devices, shall the Town allow a cross connection between the Town public water system and a private water system or auxiliary fire protection system.

It shall be necessary for the Town, in cooperation with all property owners that have backflow prevention devices installed, to have them tested for proper functioning upon completion of installation and to have them tested semi-annually in high hazard situations and annually in low hazard situations except in exceptional situations that the Town feels should be inspected more often [Ws. 364 .04c(3)].

The Town requires that property owners comply with certain backflow prevention devices in their private properties and does not in any way extend the responsibility for maintenance or repair beyond that which exists presently (being the physical curb stop at the property line) for the Town. However, the Town or its designee shall have the right to access the property for purposes of inspecting and/or testing all required backflow prevention devices.

All required backflow devices shall be installed in easily accessible locations for testing and/or repair. They shall not be enclosed in any way by walls, boxes, or other obstructions. Nor shall they be installed in any area that could adversely affect the operation of the devices due to extreme weather conditions or temperatures.

E. Safeguarding Owner's Water Devices

All customers having direct pressure water devices, including but not limited to hot water tanks, or secondary systems supplied by automatic feed valves, shall have installed and maintained in operating condition appropriate vacuum, temperature and pressure relief valves or cut-outs in the water system and/or secondary system to prevent damage to the water device or secondary system or their appurtenances should it become necessary to shut off the water main or service or should a pressure failure or surge occur for any other reason. Water service supplied to any customer not providing such protective devices will be strictly at risk of the customer and the Town will not be held liable for damage resulting from the lack or failure of such protective devices.

Article XVIII. Power and Authority of the Town

A. Access to Premises

The Town shall have free access to all premises supplied with water, at all reasonable hours, to permit the inspection of plumbing and fixtures, to ascertain the amount of water used and manner of use, and to enforce these Rules and Regulations.

B. Authorized Access Required

Authorized employees of the Town bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing.

C. Safe Conduct Required

While performing the necessary work on all premises, the Town shall observe all safety rules applicable to the premises established by the industry.

D. Easement Access Required

Authorized employees of the Town bearing proper credentials and identification shall be permitted to enter all properties through which the Town holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, sampling, repair and maintenance, of any portion of the facilities lying within said easement. This includes easements granted to Conway Village Fire District prior to its dissolution. 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 property involved.

E. Town Authority Over Private Housing or Industrial Developments and/or Subdivisions

In the interest of Public Health and Safety of the Town, Town employees shall have the authority to inspect the areas that the Town supplies with water and are in the private domain, when in their opinion there may exist a health or safety hazard as to endanger the well-being of the Town as a whole.

F. Winter Construction

The Town shall determine construction time tables. Except in cases of emergency, no new service pipes or extension of water main will be installed during winter conditions (when frost is in the ground) which increases the cost of the work. The customer shall pay all extra expenses over and above ordinary construction costs for such emergency work. The customer will also be responsible for the normal installation costs.

Article XIX. Limits of Liability

A. Service Activation / Termination

When requested by the property owner or agent, the Town shall not activate water service unless the owner or agent is present. Activation will occur during regular business hours. If the on-call employee is called to activate or terminate service after regular business hours, an Afterhours Service Call fee will be charged to the account.

After periods of non-use of water, the Town will accept no responsibility for any damage caused by leaking pipes in the property of any customer. It shall be the general practice of Town employees to only turn on any curb stop when there is someone present at the property to be affected.

B. Water Shortage Due to Repairs

The Town cannot be held liable for the reason of shortage of supply or for the purpose of making repairs, extensions or connections or for any other reason beyond the control of the Town. Should it become necessary to shut off water in the mains, the Town will not be responsible for any damages occasioned by such shutoff, or no refunds of charges will be allowed unless the interruption is in effect for a continuous period of ten (10) days, in which case a proportional refund will be made. Notice of shutoff will be given when practicable, but nothing in this rule shall be construed as requiring the giving of such notice.

The Town will not be held responsible for damage caused by dirty water, which may be occasioned by cleaning of pipes, standpipes, or the opening of any gates or hydrants.

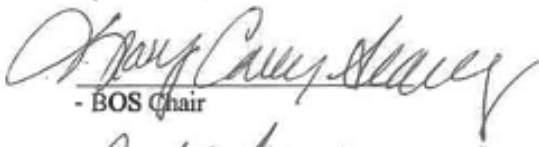
In cases requiring an immediate shut down of main piping due to emergency situations, the Town of Conway shall make reasonable attempt to notify its customers, but lack of notification shall not cause the Town to be liable for damage of equipment inside the customer's facility.

Article XX. Rules and Regulations Signature Page

These Rules and Regulations shall be in full force and effect as an ordinance regulating Water Department Operations within and under the control of the Town of Conway from and after their passage, approval, recording and publication as provided by law.

Duly enacted and ordained this 21 day of January, 2025 by the Selectmen of the Town of Conway in Carroll County, State of New Hampshire, at a duly noticed and duly held session of said selectmen.

By our hand,


- BOS Chair


- Selectman


- Selectman


- Selectman


- Selectman

APPENDICES

Appendix A – Cross Connection Control Program (Backflow Prevention)

Appendix B – Water Connection Application

Appendix C – Change of use Application

Appendix D – Authorization for Duplicate Bill

Appendix E – Transfer of Ownership template

APPENDIX A

Town of Conway Cross-Connection Control Program

I. Purpose

Cross-Connections between water supplies and non-portable sources of contamination are significant threats to health in the water supply industry. This ordinance is designed to maintain the safety and potability of the water in the Town of Conway Public Water System by establishing rules and procedures to prevent the contamination of public drinking water by the backflow of water from an approved source or other fluids.

- A. The purpose of this regulation is:
 - 1. To protect the public water supply of the Town of Conway Public Water System from the possibility of contamination by isolating contaminants which could backflow or back-siphon into the public water system within its customers' internal distribution system(s);
 - 2. To promote the elimination or control of cross-connections, actual or potential, between its customers' in-plant drinking water system(s) and anything that could contaminate or pollute it; and
 - 3. To provide for the maintenance of a cross-connection control program to effectively prevent the contamination or pollution of all drinking water systems.

This document is intended to supplement the rules listed in section II below. Changes to this document in the future must be approved by the New Hampshire Department of Environmental Services (NHDES).

II. Authority

- A. New Hampshire Administrative Rule Env-Ws 505, or subsequent rules, *Backflow Prevention*.
- B. The Town of Conway Public Water System rules and regulations, adopted.

III. Requirements

The water superintendent shall be responsible for the protection of the public potable water distribution system from contamination or pollution due to the backflow or back-siphonage of contaminants or pollution through the water service connection. If, in the judgment of the Water Superintendent, an approved backflow prevention device is required at the Town's water service connection to any customer's premises for the safety of the water system, the Water Superintendent or his designated agent shall give notice, in writing, to said customer to install an approved backflow prevention device at each service connection to his premises. The customer shall, within 90 days, install an approved device or devices at his own expense. Failure, refusal, or inability on the part of the customer to install said device or devices within 90 days shall constitute grounds for discontinuing water service to the premises until such device or devices have been properly installed.

IV. Administration

- A. The Town of Conway Water Department will operate an approved cross-connection control ordinance, including the keeping of necessary records to fulfill the requirements of NHDES's Backflow Rules, Regulations, and related laws.
- B. The owner shall allow the town water department to inspect his property for possible cross-connections and shall follow the provisions of the Town of Conway Water System's ordinance and their rules.
- C. If the town water department requires that the public supply be protected by containment, the owner shall be responsible for the water quality beyond the outlet end of the containment device and should utilize the appropriate device approved for that purpose.

V. Responsibilities

A. Town of Conway Public Water System

1. On new installations, the Town of Conway Water Department will provide an on-site evaluation and/or inspection and review of plans in order to determine the type of backflow preventer, if any, that will be required.
2. On new installations, the town water department or its agent will perform an inspection and testing. Once a passing report is submitted, the device will be considered “permitted”.
3. For premises existing prior to the start of this program, the town water department will:
 - a. Perform an assessment of the function of the premise and determine if it poses a cross-connection risk. If a risk is present, assess the risk as high hazard or low hazard.
 - b. Inform the owner in writing of any corrective action deemed necessary, the method of achieving the correction, and the time allowed for the correction to be made. Ordinarily, 90 days will be allowed. However, this time period may be shortened depending upon the degree of hazard involved and the history of the device(s) in question.
4. The town water department will not allow any cross-connection to remain unless it is isolated by an approved backflow prevention assembly, commensurate with the degree of hazard, for which a permit has been issued and which will be regularly inspected/tested to ensure satisfactory operation.
5. The town water department shall inform the owner in writing of any failure to comply and the time allowed for the correction to be made. If upon re-inspection the owner has not complied, the town water department may allow an additional 15 days for the correction. In the event the owner fails to comply with the necessary correction by the time of the second re-inspection, the town water department will inform the owner, by certified letter, that the water service to the owner’s premises will be terminated within a period not to exceed five days. In the event that the owner informs the town water department of extenuating circumstances as to why the correction has not been made, a time extension may be granted by the town water department.
6. If the town water department determines at any time that a serious threat to the public health exists, the water service shall be terminated immediately.
7. The town water department shall begin inspections to determine the nature of existing hazards and corrections to be made, following approval of the program by NHDES. Initial focus will be on high hazard water use.
8. Certified backflow prevention device inspectors must be certified through the NEWWA Certified Backflow Prevention Device Inspectors/Testers Program.
9. The town water department shall also develop installation standards and specifications for each type of backflow preventer to ensure they are installed in a manner in which they have been evaluated and approved and to allow for periodic testing and maintenance.

B. Owner

1. The owner shall be responsible for the elimination or isolation with the proper installation of an approved backflow preventer commensurate with the degree of hazard, for all cross-connections on his premises.
 2. The owner, after having been informed by a letter from the town water department, shall, at his expense, install, maintain, and inspect or have inspected (as determined by the town water department), all backflow preventers on his premises either annually or biannually determined by the level of hazard.
 3. The owner shall correct any deficiency of a backflow preventer which is revealed by inspection or testing. This shall include the replacement of parts or the replacement of the backflow preventer, if deemed necessary by the town water department.
 4. The owner shall inform the town water department of any proposed or modified cross-connections and also existing cross-connections of which the owner is aware but has not been found by the town water department.
 5. The owner shall not install a by-pass around any backflow preventer unless there is a backflow preventer of the same type on the by-pass. Owners who cannot shut down operations for inspecting of the device(s) must supply additional devices necessary to allow inspecting to take place.
 6. The owner shall install backflow preventers in a manner and location approved by the town water department.
 7. The owner shall only install USC approved backflow preventers from a list adopted by the town water department and NHDES.
 8. Any owner having a private well or other private water source must:
 - a. Have a permit if the well or source is cross-connected to the Town Public Water System's system. Permission to cross-connect may be denied by the town water department. The owner may be required to install a backflow preventer at the service entrance if a private water source is maintained, even if it is not cross-connected to the Town Public Water System's system.
 - b. In the event the owner installs plumbing to provide drinking water for domestic purposes which is on the Town's Public Water System's side of the backflow preventer, such plumbing must have its own backflow preventer installed.
8. The owner shall be responsible for the payment of all fees for semi-annual device inspections, repair and re-testing in the case that the device fails to operate correctly.

VI. Degree of Hazard

The Town of Conway recognizes the threat to the public water system arising from cross-connections. All threats will be classified by degree of hazard and will require the installation of approved backflow prevention devices for high and low hazards.

A. Low Degree of Hazard

If backflow were to occur, the resulting effect on the water supply would be a change in its aesthetic qualities. The foreign substance must be non-toxic to human.

B. High Degree of Hazard

If backflow were to occur, the resulting effect on the water supply could cause illness or death if consumed by humans. The foreign substance may be toxic to humans from either a chemical, bacteriological or radiological standpoint. The effects of the contaminants may result from short- or long-term exposure.

Only the following types of backflow prevention devices may be used for the containment of on-site contaminants for high and low hazard situations respectively:

C. High Hazard:

1. Air gap (AG)
2. Reduced pressure principal backflow preventer (RPZ)
3. Combination of the above

D. Low Hazard:

1. Air gap (AG)
2. Pressure vacuum breaker (PVB)
3. Double check valve assembly (DCVA)
4. Reduced pressure principal backflow preventer (RPZ)
5. Combination of the above

VII. Existing in-use Backflow Devices

Any existing backflow preventer shall be allowed by the Town of Conway Water Department to continue in service unless the degree of hazard is such as to supersede the effectiveness of the present backflow preventer, or unless an unreasonable risk to the public health results.

VIII. Periodic Testing

- A. Backflow prevention devices shall be inspected and tested semi-annually for all but seasonal use (campgrounds, etc.), irrigation and dry fire suppression systems which shall be inspected annually.
- B. Periodic inspections and testing shall be performed by an inspector certified through the NEWWA Backflow Prevention Device Inspectors/Testers Program. The inspections will be done at the owner's expense.
- C. When performed by an inspector from the Town of Conway Water Department, the inspections shall be conducted during the regular business hours. Exceptions to this, when at the request of

the owner, may require additional charges to cover the increased costs to the Town of Conway Water Department.

- D. Any backflow preventer which fails the inspection test during a periodic inspection will be repaired or replaced. When repairs are necessary, upon completion of the repair the device will be inspected a second time at the owner's expense to ensure correct operation. High hazard situations will not be allowed to continue unprotected if the backflow preventer fails the inspection and cannot be repaired immediately. In other situations, a compliance date of not more than 30 days after the inspection date will be established. The owner is responsible for spare parts, repair tools, and/or a replacement device. Parallel installation of two devices is an effective means of the owner ensuring that uninterrupted water service is provided during inspections or repair of devices and is strongly recommended when the owner desires such continuity.
- E. These devices shall be repaired or replaced at the expense of the owner whenever said devices are found to be defective. Tests and repairs shall be recorded on forms approved by the Water Superintendent, and copies shall be distributed to the owner and Water Superintendent within 30 days of the actual test.
- F. The Town reserves the right to use only Town of Conway employees who are certified through the NEWWA Certified Backflow Prevention Device Inspectors/Testers Program or to contract with a company that provides certified backflow prevention device inspectors/testers, to perform the semi-annual/annual tests.

IX. Records and Reports

- A. **Records** – The Town of Conway Water Department will initiate and maintain the following for a minimum of five years:
 - 1. Master files on customer cross-connection inspections and/or tests.
 - 2. Customers can obtain a copy of their test results upon request.
- B. **Reports** – Each year, by April 1, the Town of Conway Water Department will submit a summary of inspection results to NHDES that includes the following:
 - 1. The name, certifying organization, and certification number of the certified backflow prevention device inspector who performed the inspection and test on the device.
 - 2. The name of the owner and the location of the device.
 - 3. The purpose of the device and its hazard class.
 - 4. The type of device.
 - 5. The date and result of each test; and
 - 6. If the test failed, the subsequent test date and result until the device passes.

X. Fees and Charges

The Town of Conway Water Department will publish a list of fees or charges for the following:

A. Fees

1. Fees for testing

B. Charges

1. Charges for afterhours tests and repair

Addendum

I. Required Type of Backflow Prevention Assembly

The level of protection required shall be commensurate with the degree of potential public health hazard that exists or potentially exists on the customer's premises. Backflow protective devices that may be required in order of highest to lowest protection includes: (1) Air Gap Separation (AG); (2) Reduced Pressure Principle Backflow Prevention Device (RPZ); (3) Double Check Valve Assembly (DC); (4) Double Check Detector Assembly (DCDA); (5) Pressure Vacuum Breaker Back-siphonage Prevention Assembly (PVB); and, (6) Spill Resistant Pressure Vacuum Breaker (SVB). The customer may choose a higher level of protection than that required by the Cross-Connection Control Specialist; however, the customer shall be responsible for installation. The following list includes those facilities and activities requiring backflow protection with the minimum level indicated; however, this may be subject to change based on the findings of the Town. This is a non-exclusive list and any facility or activity not shown may be required to install backflow prevention devices as determined by the Cross-Connection Control Specialist.

1. Automotive Repair and Service Facilities – RPZ
2. Autopsy Facilities – RPZ
3. Auxiliary Water Systems (residential and non-residential) – RPZ
4. Bars - RPZ
5. Beverage Bottling Plant – RPZ
6. Breweries – RPZ
7. Buildings
 - a. Any building with sewage pumps or ejectors - RPZ
 - b. Any non-residential or non-single family residential with an ornamental fountain– RPZ
 - c. Multi-storied building with over 40 feet in height from service connection or that uses booster pumps or elevated storage tank to distribute water on site – RPZ
 - d. Any commercial structure in which the specific business activity cannot be ascertained or is subject to change without a building permit – RPZ
8. Chemical Plants – Any premises where the manufacturing, storing, compounding, or processing of chemicals occurs. Where chemicals are used as additives in the processing of products - RPZ
9. Commercial Kitchens or Food Preparation Facilities - RPZ
10. Convalescent Homes - RPZ
11. Dairy Processing Plants - RPZ
12. Dental Clinics - RPZ
13. Dry Cleaning Facilities – RPZ
14. Fuel Storage or Dispensing Facilities - RPZ
15. Film Processing Facilities – RPZ

16. Fire Protection Systems
 - a. Directly supplied from the Town of Conway Water Department system with no auxiliary source (dry system) – DCDA
 - b. Supplied from the Town of Conway water system with an auxiliary source - RPZ
17. Florists - RPZ
18. Grocery Stores - RPZ
19. Hazardous or potentially hazardous treatment processes with pumping equipment - RPZ
20. Hospitals – RPZ
21. Ice Manufacturing Plants – RPZ
22. Indoor Fitness facilities with a Spa or Pool - RPZ
23. Irrigation systems with capabilities for injecting fertilizers, or hazardous chemicals - RPZ
24. Irrigation systems only single use meter - DC
25. Laboratories – including, but not limited to, teaching institutions, biological and analytical facilities - RPZ
26. Laundries (Commercial) – RPZ
27. Massage Therapy Clinics and Spas - RPZ
28. Medical Building and Clinics – RPZ
29. Metal Manufacturing, Cleaning, Processing or Fabricating Plants - RPZ
30. Morgues – RPZ
31. Mortuaries – RPZ
32. Multiple Services: Includes two or more interconnected services provided by one or more water suppliers to a single Owner and/or Operator complex – RPZ
33. Nursing Homes - RPZ
34. Oil/Gas Production, Storage or Transmission premises – RPZ
35. Paper and Paper Products Manufacturing Plants – RPZ
36. Pet Stores – RPZ
37. Plastic Manufacturing, Extruding and Injection Molding – RPZ
38. Plating Plants – RPZ
39. Public or Commercial Swimming Pool - RPZ
40. Portable Spray or Cleaning Equipment which can be connected to the Town of Conway water system – RPZ
41. Radioactive Materials or Substances processing or storage – RPZ
42. Recycled Water – This includes premises where recycled water is used with no inter-connection to the Town of Conway water system – RPZ
43. Restaurant - RPZ
44. Restricted, Classified, or Other Closed Facilities – RPZ
45. Rubber Manufacturing – RPZ
46. Salon, Hair and/or Nails - RPZ
47. Sand and Gravel Plants – RPZ
48. Sanitariums - RPZ
49. Schools, Colleges and University – RPZ
50. Solar Heating
 - a. Solar collection systems that contain any hazardous materials and have a direct connection to the Town of Conway water system. - RPZ
 - b. Solar system that is once through such as domestic hot water systems do not require protection.
51. Tank Trucks – AG
52. Vehicle Washing Facilities – RPZ
53. Veterinary Facilities, Kennels, Animal Boarding – RPZ

The minimum level of protection for all applications, with the exception of irrigation only services and fire services, as delineated above, shall be a Reduced Pressure Principle Backflow Prevention Device (RPZ). Retrofit of fire protection systems, private and public, without access to an auxiliary supply or other cross connection shall be subject to the conditions of the permit from the Fire Department required for modifications to the fire system in accordance with NFPA 24 or local regulations.

II. Residential Dual Check

- A.** Effective the date of acceptance of this Cross-Connection Control Ordinance for the Town of Conway, all new residential buildings will be required to install a residential dual check valve device immediately downstream of the water meter. Installation of this residential dual check valve device on a retrofit basis on existing service lines will be instituted at a time and at a potential cost to the homeowner as deemed necessary by the Town of Conway Water Department.
- B.** The owner should be aware that installation of a residential dual check valve results in a closed plumbing system with the residence. As such, provisions may have to be made by the owner to provide for thermal expansion within the closed loop system, i.e., the installation of thermal expansion tanks and/or pressure relief valves.

III. Strainers

The Town of Conway Water Department strongly recommends that all new retrofit installations of reduced pressure principle devices and double check valve backflow preventers include the installation of strainers located immediately upstream of the device to prevent fouling of backflow devices due to unforeseen circumstances occurring to the water system such as water main repairs, water main breaks, fires, periodic cleaning and flushing of mains, etc. These occurrences may 'stir up' debris within the water main that will cause fouling of backflow devices installed without the benefit of strainers.

IV. Definitions

“Auxiliary Water Supply” – Any water supply on or available to the premises other than the purveyor’s approved public potable water supply.

“Backflow” – The flow of water or other fluids, mixtures or substances into the distribution pipes of a potable water system from any source other than the intended approved source of supply.

“Backflow Preventer” – A device or means designed to prevent backflow or back-siphonage.

1. “Air Gap” – A physical separation sufficient to prevent backflow between the free- flowing discharge end of the potable water system and any other system. Physically defined as a vertical distance equal to twice the diameter of the supply pipe but not less than one inch.
2. “Atmospheric Vacuum Breaker” – A device which prevents back-siphonage by creating an atmospheric vent when there is either a negative pressure or sub-atmospheric pressure in a water system.
3. “Double Check Valve Assembly” – An assembly of two independently operating spring-loaded check valves with tightly closing shut-off valves on each side of the double check valve, plus

properly located test cocks for the testing of each check valve.

4. “Dual Check Valve with Intermediate Atmospheric Vent” – A device having two independently operating spring-loaded check valves separated by an atmospheric vent chamber.
5. “Hose Bib Vacuum Breaker” – A device which is connected to a hose bib and which acts as an atmospheric vacuum breaker. Not to be used under constant pressure.
6. “Pressure Vacuum Breaker” – A device containing one or two independently operated spring-loaded check valves and an independently operated spring loaded air inlet valve located on the discharge side of the check valve(s). The device includes tightly closing shut-off valves on each side of the check valve(s) and properly located test cocks for the testing of the assembly.
7. “Reduced Pressure Principle Backflow Preventer” – An assembly consisting of two independently operating spring loaded check valves with an automatically operating differential relief valve located between the two check valves, tightly closing shut-off valves on each side of the check valves plus properly located test cocks for the testing of the check valves and the relief valve.
8. “Residential Dual Check” – An assembly of two spring loaded independently operating check valves. Generally employed immediately downstream of the water meter to act as a containment device in a single- or two-family residence.

“Backpressure” – A condition in which the owner’s system pressure is greater than the supplier’s system pressure.

“Back Siphonage” – The flow of water or other fluids, mixtures or substances into the distribution pipes of a potable water system from any source other than its intended source caused by the sudden reduction of pressure in the public water system.

“Containment” – A method of backflow prevention which requires a backflow prevention device at the water service entrance. Contaminant – A substance that may impair the quality of the water creating a potential health hazard to the public.

“Cross-Connection” – Any actual or potential connection between the public water system and any source of contamination or unapproved water source.

“Fixture Isolation” – A method of backflow prevention in which a backflow preventer, such as a hose bib or an atmospheric vacuum breaker, is located to correct a cross-connection at an in-plant location rather than at a water service entrance. This protects the drinking water in the building.

“Owner” – Any person who has legal title to, or license to operate or inhabit in, a property upon which a cross-connection inspection is to be made or upon which a cross-connection may be present.

“Person” – Any individual, partnership, company, public or private corporation, political subdivision or agency of the state, department, agency or instrumentality of the United States, or any other legal entity.

“Water Service Entrance” – That point in the owner’s water system beyond the sanitary control of the water supplier; generally considered to be the outlet end of the water meter or where the water service first enters the building.

“Water Superintendent” – The official, or his delegated representative, in charge of the Town of Conway Water Department who is invested with the authority and responsibility for the implementation of an effective cross-connection control program and for the enforcement of the provisions of this ordinance.

“Water Supplier” – The public water supply system.

Appendix B
Town of Conway
Water Department

128 West Main Street Conway, NH 03818

Phone: 447-5470; Fax: 447-3271

This Institution is an Equal Opportunity Provider

WATER CONNECTION PERMIT APPLICATION

Property Owner Information:

Name: _____

Mailing Address: _____

Town/State/Zip: _____

Phone Number: _____

Property Information:

Street Address: _____

Map/Parcel Numbers: _____ / _____

Type of Project: (please check one) New Construction _____ Existing Structure _____

Type of Structure: (please check one) Residential _____ Commercial _____

Construction Material/Information: (please refer to attached spec. sheet)

Pipe size: 3/4" _____ 1" _____ 2" _____ 4" _____ 6" _____ Other _____ (please explain in description)

Plastic/CTS _____ Copper _____ Ductile Iron Pipe _____ Other _____ (please explain in description)

Brief Description of Project: _____

Please provide a legible drawing indicating pipe layout including pertinent locations, intersecting lines, elevation, etc. and attach to application if plans have not been submitted to Superintendent.

Have you applied for a building permit with the town? YES__ NO__ (if yes date of application _____)

Will you be digging in the Town Right-of-way? YES ___ NO ___ **If yes, you must complete the Construction/Excavation Permit Application and send a separate check for the bond made out to Town of Conway.**

Number of living units/business offices after completion of project _____

Number of bathrooms after completion of project _____ Please complete the attached "Fixture Count" worksheet and attach to application.

Have you read the Town of Conway Water Rules & Regulations (available on our website under Water Department). Yes _____ No _____

By signing this document, you acknowledge that you have read and will abide by the Town of Conway Water and Sewer Rules & Regulations.

Prior to backfill, all construction must be inspected by a Town of Conway certified inspector.

Town of Conway Inspector signature: _____

Owner/Contractor agrees to abide by general construction and plumbing standards recognized by the Town of Conway which includes, but is not limited to, NHDES Backflow/Cross Connection Protection, BOCA Plumbing Construction Standards, including Pressure Reducing Regulations, and the Town of Conway Water and Sewer Rules and Regulations.

There is a connection fee at the current per the Rate Sheet that must be paid prior to commencement of any service.

. By signing below, the property owner acknowledges that he/she is responsible for any charges incurred at this property regarding water and/or sewer and that they and/or the contractor have read and understand Article XIV of the Town of Conway Water Rules and Regulations – Building A Water Service Connection.

Printed Applicant Name

Applicant Signature

Date

Approved by Superintendent

Superintendent's Signature

Date

.....
Office Use only

Payment of Connection Fee collected _____

Service commencement date _____

RESIDENTIAL

Fixture Type	# of Fixtures
Bathtubs	
Bathroom Sinks	
3/8" conn.	
1/2" conn.	
Shower heads	
Toilets	
Flush valve	
wall flush valve	
Urinals	
Pedal flush valve	
Tank type	
Kitchen sinks	
1/2" conn.	
3/4" conn.	
Dishwasher	
1/2" conn.	
3/4" conn.	
Washing machine	
1/2" conn.	
3/4" conn	
1" conn	
Utility/Laundry sink	
1/2" conn.	
3/4" conn.	
Exterior spigot	
1/2" conn.	
3/4" conn.	

*COMMERCIAL PROPERTIES WITH
DISTINCT NEEDS SHOULD
SPEAK WITH THE SUPERINTENDENT*

Town of Conway, NH

Construction/Excavation Permit Application

Adopted by the Board of Selectmen, November 26, 1996

Revised July 14, 2009, Revised May 3, 2011, Revised May 10, 2017, Revised June 27, 2019, Revised February 27, 2020, Latest Revision November 20, 2024

Applicability: In accordance with NH RSA Chapter 236 and the legislative authority cited in §130-1, §130-66.C.8.(j), and §130-66.C.8.(k) of the Town of Conway Subdivision Regulations, this document is meant to guarantee the quality of work performed by contractors, developers, utilities or others doing work on town properties or town roads. This work includes, but is not limited to such activities as curbing cuts, installing driveways or drainage, providing sewer or water hookups, installing phone, power or cable television, building roads, trenching or paving.

Purpose/intent: This administrative policy and permit was developed to assure the quality of the work and the adherence to the adopted standards and specifications.

Fees: An application fee of one hundred dollars (\$100) shall be included with the application submission.

Surety: All work shall require either a continuing surety bond or a deposit on hand. In either case the amount of funding shall be equal to the cost of the work or five thousand dollars (\$5,000) whichever is greater. The surety will be returned upon completion of the project provided that the work and materials conform to the standards and specifications as determined by the Town or its agent. Any disputes over methods, materials or failure to perform work in the presence of an inspector will require a portion of the surety to be retained for one year from completion of the work as warranty. This warranty amount will be either 2% of the surety or \$5,000, whichever is greater. The applicant agrees to allow the Town to use the surety/warranty to finish/repair the work should the applicant fail to do so. The applicant agrees to assume any additional costs that the Town may incur to maintain finish or repair the work as necessary. The applicant also agrees to assume the cost of testing and inspection(s) fees.

Enforcement and penalties: Failure to obtain a permit prior to construction or failure to comply with the conditions and specifications of a permit shall be subject to the penalties, fines and enforcement procedures authorized by NH RSA 236:14, NH RSA 676:17, NH RSA 676:17-a. and/or NH RSA 676:17-b.

Notification: The Town will require 48 hours notice in order to schedule inspection personnel and mark infrastructure. It is the applicant's responsibility to contact Dig Safe, Inc., and have the area marked prior to the start of construction. It shall be the responsibility of the applicant/ contractors to schedule the inspector after an interruption of work. Exceptions may be made for emergency repairs.

Inspections: The cost of inspection, including materials testing, shall be paid by the applicant. Testing will be as deemed necessary by the Town or its agent.

Plans, Standards & Specifications: All work shall conform to the approved plans and standards. The Town's Road Standards are Article X, Chapter 130 of the Conway Codes. The New Hampshire Standard Specifications for Road and Bridge Construction shall govern when the Town Road Standards are silent. In addition, the following procedures shall be used:

When the pavement is to be excavated, it shall be neatly and uniformly cut with square edges by machine. Should the pavement edge become undermined due to collapse of the trench walls, and then the pavement shall be re-cut two feet back from the undisturbed soil. To prevent differential frost heaving all suitable materials below sub-grade must be saved and used for backfill. The backfill must be thoroughly compacted in accordance with the specifications in lifts not exceeding 12". The base material shall be 1 1/2" crushed gravel conforming to NHDOT 304.3 at 6" to 12" deep. Prior to the placement of the final patch, the pavement shall be saw cut with a two-foot overlap on undisturbed ground. The pavement patches shall be governed by the surrounding pavement as determined by the Town Engineer.

In other areas, the existing surface shall be restored by placing similar material to a depth equal to that of the existing material prior to excavation. Any existing grass shall be loamed, graded and re-vegetated. Any asphalt or concrete sidewalks shall have a surface of equal depth, kind and quality placed.

Additionally, the work shall conform to instructions issued by the Town engineer or authorized representative.

Construction Season/Weather: Work will generally not be permitted during winter months. All work must be complete prior to the pavement plant shutdown in the fall and shall not commence until the plants are operational in the spring. In addition, work may be suspended at other times due to such weather conditions as freezing temperatures, ground frost, snow, sleet, freezing rain, rain, fog or other acts of God. Exceptions may be made for emergency repairs.

Traffic/Access: Traffic must be maintained at all times. Traffic shall be protected by suitable barricades and standard warning signs in accordance with the MUTCD. Flaggers

will be used whenever two-way traffic cannot be maintained. All signs shall be kept in good repair at all times. Suitable unrestricted ingress and egress to abutting properties must be maintained at all times.

Liability: The applicant and its contractor agree to assume all liability associated with the construction. This liability is extended, but not limited to motorists, pedestrians, utility companies or abutters. The applicant or contractor agrees to maintain a minimum of one million dollars of liability insurance. Proof of liability insurance must be submitted to the Town prior to the start of construction. The applicant and the contractor further agree to hold harmless the Town of Conway from any and all claims arising from this construction.

With Completed Application Please Submit:

- Anticipated Work Schedule
- Insurance
- Work Zone Signage & Traffic Control Plan
- Construction/Excavation Plans
- Applicable Fees

Additional Requirements for Construction Permits:

1. Town Inspector shall be in attendance throughout the construction.
2. All work shall be in accordance with the schedule, plans, and specification or as approved by the Town Engineer.
3. Work Zone signage and traffic control shall be maintained throughout the construction.
4. No excavation shall be left unprotected.
5. Failure to adhere to items 1-4 shall result in revocation of the construction permit.
6. Additional Requirements: _____

Town of Conway, NH

Construction/Excavation Permit Application

Adopted by the Board of Selectmen, November 26, 1996

Revised July 14, 2009, Revised May 3, 2011, Revised May 10, 2017, Revised June 27, 2019, Revised February 27, 2020, Latest Revision November 20, 2024

FOR TOWN OFFICE USE ONLY

Permit # _____ is issued on __, 20__ Approved by

This permit will expire on _____ 20__

Any work remaining unfinished after the above expiration date shall be completed by the Town of Conway at the Applicant/Contractor's expense.

Property location: _____ Tax Map & Lot _____

For the following project: _____

Residential Access Commercial Access Other (specify): _____

Excavation Type: Open Cut Other: _____

Excavation Size: _____ Width _____ Length _____ Sq. Ft. _____ Depth

Total Sq. Ft. of Pavement Affected: _____ Total Sq. Ft. of Infrastructure Affected: _____

Purpose of Excavation: Water Sewer Drainage Gas Electric Telephone Other: _____

Type of Work: New Construction Alteration Repair/Replace

Agreement: I/we agree with the conditions and provisions set forth in this permit and by signing this application I/we authorize the Town of Conway and its representatives to enter on the property to perform whatever inspections, testing and measurements necessary to administer compliance with the permit:

Applicant: _____

Property Owner/Authorized Agent _____

E-mail: _____ Phone #: _____

Mailing Address: _____

Signature: _____ Date: _____

Contractor: _____

E-mail: _____ Phone #: _____

Mailing Address: _____

Signature: _____ Date: _____

I, _____ on behalf of _____ (Company Name) hereby agree to the above conditions and provisions set forth in this permit and that the work for this project will be performed in accordance with OSHA standards.

Date: _____

Contractor's Signature

Article XX. FOR TOWN OFFICE USE ONLY

PLAN VIEW (NTS)

Shows existing and proposed roads and drainage structures

PROFILE (NTS)

Section 20.01 CULVERT

Length _____ Diameter _____

Flow calculations for culvert size required? Yes _____ No _____

NA _____ Other _____

FINAL INSPECTION

Site Inspection - post construction conducted by _____ Date _____

Installation approved _____ Disapproved _____ Release deposit: _____ Y
_____ N

Signed _____ Title _____

Appendix C
Town of Conway
Water & Sewer Departments

128 West Main Street Conway, NH 03818

Phone: 447-5470; Fax: 447-3271

This Institution is an Equal Opportunity Provider

WATER AND/OR WASTWATER SERVICE CHANGE OF USE APPLICATION

Property Owner Information:

Name: _____

Mailing Address: _____

Town/State/Zip: _____

Phone Number: _____

Property Information:

Account Number: _____

Street Address: _____

Map/Parcel Numbers: _____ / _____

Type of Project: (please check one)

New Construction _____ Existing Structure _____

Type of Structure: (please check one)

Residential _____ Commercial _____

Water Construction Material/Information:

Pipe size: 3/4" _____ 1" _____ 2" _____ 4" _____ 6" _____ Other _____ (please explain in description)

Plastic/CTS _____ Copper _____ Ductile Iron Pipe _____ Other _____ (please explain in description)

Sewer Construction Material/Information: (please refer to attached spec. sheet)

Pipe size: 2" _____ 4" _____ 6" _____ Other _____ (please explain in description)

Plastic/PVC _____ SCH 40 _____ SDR 35 _____ Other _____ (please explain in description)

Lift Pumps/Grinding Station(s) _____ Other _____ (please explain in description)

Brief Description of Project: _____

Have you applied for a building permit with the town? YES__ NO__ If yes date of application

Will you be digging in the Town Right-of-way? YES ___ NO ___ **If yes, you must complete the Construction/Excavation Permit Application and send a separate check for the bond made out to Town of Conway.**

Number of living units/business offices after completion of project _____

Current number of bathrooms _____
Number of bathrooms after completion of project _____

Have you read the Town of Conway Water and Sewer Rules & Regulations (available on Town website – water/sewer page) . Yes _____ No _____

By signing this document, you acknowledge that you have read and will abide by the Town of Conway Water and Sewer Rules & Regulations.

If a new connection is required, prior to backfill, all construction must be inspected by a Town of Conway certified inspector.

Inspector signature: _____

Owner/Contractor agrees to abide by general construction and plumbing standards recognized by the Town of Conway, but is not limited to, NHDES Backflow/Cross Connection Protection, BOCA Plumbing Construction Standards, including Pressure Reducing Regulations, and the Town of Conway Water and Sewer Rules and Regulations.

Additional Connection: There is a connection fee per the current Rate Sheer for water and sewer (if applicable) that must be paid prior to commencement of any service.

By signing below, the property owner acknowledges that he/she is responsible for any charges incurred at this property regarding water and sewer and that they have read and understand the Water and Sewer Rules & Regulations.

Printed Applicant Name

Applicant Signature

Date

Approved by Superintendent

Superintendent's Signature

Date

.....
Office Use only

Payment of Connection Fee collected _____

Service commencement date _____

RESIDENTIAL

Fixture Type	# of Fixtures
Bathtubs	
Bathroom Sinks	
3/8" conn.	
12" conn.	
Shower heads	
Toilets	
Flush valve	
wall flush valve	
Urinals	
Pedal flush valve	
Tank type	
Kitchen sinks	
1/2" conn.	
3/4" conn.	
Dishwasher	
1/2" conn.	
3/4" conn.	
Washing machine	
1/2" conn.	
3/4" conn	
1" conn	
Utility/Laundry sink	
1/2" conn.	
3/4" conn.	
Exterior spigot	
1/2" conn.	
3/4" conn.	

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Town of Conway, NH

Construction/Excavation Permit Application

Adopted by the Board of Selectmen, November 26, 1996

Revised July 14, 2009, Revised May 3, 2011, Revised May 10, 2017, Revised June 27, 2019, Revised February 27, 2020, Latest Revision November 20, 2024

Applicability: In accordance with NH RSA Chapter 236 and the legislative authority cited in §130-1, §130-66.C.8.(j), and §130-66.C.8.(k) of the Town of Conway Subdivision Regulations, this document is meant to guarantee the quality of work performed by contractors, developers, utilities or others doing work on town properties or town roads. This work includes, but is not limited to such activities as curbing cuts, installing driveways or drainage, providing sewer or water hookups, installing phone, power or cable television, building roads, trenching or paving.

Purpose/intent: This administrative policy and permit was developed to assure the quality of the work and the adherence to the adopted standards and specifications.

Fees: An application fee of one hundred dollars (\$100) shall be included with the application submission.

Surety: All work shall require either a continuing surety bond or a deposit on hand. In either case the amount of funding shall be equal to the cost of the work or five thousand dollars (\$5,000) whichever is greater. The surety will be returned upon completion of the project provided that the work and materials conform to the standards and specifications as determined by the Town or its agent. Any disputes over methods, materials or failure to perform work in the presence of an inspector will require a portion of the surety to be retained for one year from completion of the work as warranty. This warranty amount will be either 2% of the surety or \$5,000, whichever is greater. The applicant agrees to allow the Town to use the surety/warranty to finish/repair the work should the applicant fail to do so. The applicant agrees to assume any additional costs that the Town may incur to maintain finish or repair the work as necessary. The applicant also agrees to assume the cost of testing and inspection(s) fees.

Enforcement and penalties: Failure to obtain a permit prior to construction or failure to comply with the conditions and specifications of a permit shall be subject to the penalties, fines and enforcement procedures authorized by NH RSA 236:14, NH RSA 676:17, NH RSA 676:17-a. and/or NH RSA 676:17-b.

Notification: The Town will require 48 hours notice in order to schedule inspection personnel and mark infrastructure. It is the applicant's responsibility to contact Dig Safe, Inc., and have the area marked prior to the start of construction. It shall be the responsibility of the applicant/ contractors to schedule the inspector after an interruption of work. Exceptions may be made for emergency repairs.

Inspections: The cost of inspection, including materials testing, shall be paid by the applicant. Testing will be as deemed necessary by the Town or its agent.

Plans, Standards & Specifications: All work shall conform to the approved plans and standards. The Town's Road Standards are Article X, Chapter 130 of the Conway Codes. The New Hampshire Standard Specifications for Road and Bridge Construction shall govern when the Town Road Standards are silent. In addition, the following procedures shall be used:

When the pavement is to be excavated, it shall be neatly and uniformly cut with square edges by machine. Should the pavement edge become undermined due to collapse of the trench walls, and then the pavement shall be re-cut two feet back from the undisturbed soil. To prevent differential frost heaving all suitable materials below sub-grade must be saved and used for backfill. The backfill must be thoroughly compacted in accordance with the specifications in lifts not exceeding 12". The base material shall be 1 1/2" crushed gravel conforming to NHDOT 304.3 at 6" to 12" deep. Prior to the placement of the final patch, the pavement shall be saw cut with a two-foot overlap on undisturbed ground. The pavement patches shall be governed by the surrounding pavement as determined by the Town Engineer.

In other areas, the existing surface shall be restored by placing similar material to a depth equal to that of the existing material prior to excavation. Any existing grass shall be loamed, graded and re-vegetated. Any asphalt or concrete sidewalks shall have a surface of equal depth, kind and quality placed.

Additionally, the work shall conform to instructions issued by the Town engineer or authorized representative.

Construction Season/Weather: Work will generally not be permitted during winter months. All work must be complete prior to the pavement plant shutdown in the fall and shall not commence until the plants are operational in the spring. In addition, work may be suspended at other times due to such weather conditions as freezing temperatures, ground frost, snow, sleet, freezing rain, rain, fog or other acts of God. Exceptions may be made for emergency repairs.

Traffic/Access: Traffic must be maintained at all times. Traffic shall be protected by suitable barricades and standard warning signs in accordance with the MUTCD. Flaggers

will be used whenever two-way traffic cannot be maintained. All signs shall be kept in good repair at all times. Suitable unrestricted ingress and egress to abutting properties must be maintained at all times.

Liability: The applicant and its contractor agree to assume all liability associated with the construction. This liability is extended, but not limited to motorists, pedestrians, utility companies or abutters. The applicant or contractor agrees to maintain a minimum of one million dollars of liability insurance. Proof of liability insurance must be submitted to the Town prior to the start of construction. The applicant and the contractor further agree to hold harmless the Town of Conway from any and all claims arising from this construction.

With Completed Application Please Submit:

- Anticipated Work Schedule
- Insurance
- Work Zone Signage & Traffic Control Plan
- Construction/Excavation Plans
- Applicable Fees

Additional Requirements for Construction Permits:

7. Town Inspector shall be in attendance throughout the construction.
8. All work shall be in accordance with the schedule, plans, and specification or as approved by the Town Engineer.
9. Work Zone signage and traffic control shall be maintained throughout the construction.
10. No excavation shall be left unprotected.
11. Failure to adhere to items 1-4 shall result in revocation of the construction permit.
12. Additional Requirements: _____

Town of Conway, NH

Construction/Excavation Permit Application

Adopted by the Board of Selectmen, November 26, 1996

Revised July 14, 2009, Revised May 3, 2011, Revised May 10, 2017, Revised June 27, 2019, Revised February 27, 2020, Latest Revision November 20, 2024

FOR TOWN OFFICE USE ONLY

Permit # _____ is issued on __, 20__ Approved by

This permit will expire on _____ 20__

Any work remaining unfinished after the above expiration date shall be completed by the Town of Conway at the Applicant/Contractor's expense.

Property location: _____ Tax Map & Lot _____

For the following project: _____

Residential Access Commercial Access Other (specify): _____

Excavation Type: Open Cut Other: _____

Excavation Size: _____ Width _____ Length _____ Sq. Ft. _____ Depth _____

Total Sq. Ft. of Pavement Affected: _____ Total Sq. Ft. of Infrastructure Affected: _____

Purpose of Excavation: Water Sewer Drainage Gas Electric Telephone Other: _____

Type of Work: New Construction Alteration Repair/Replace

Agreement: I/we agree with the conditions and provisions set forth in this permit and by signing this application I/we authorize the Town of Conway and its representatives to enter on the property to perform whatever inspections, testing and measurements necessary to administer compliance with the permit:

Applicant: _____

Property Owner/Authorized Agent _____

E-mail: _____ Phone #: _____

Mailing Address: _____

Signature: _____ Date: _____

Contractor: _____

E-mail: _____ Phone #: _____

Mailing Address: _____

Signature: _____ Date: _____

I, _____ on behalf of _____ (Company Name) hereby agree to the above conditions and provisions set forth in this permit and that the work for this project will be performed in accordance with OSHA standards.

Date: _____

Contractor's Signature

Article XXI. FOR TOWN OFFICE USE ONLY

PLAN VIEW (NTS)

Shows existing and proposed roads and drainage structures

PROFILE (NTS)

Section 21.01 CULVERT

Length _____ Diameter _____

Flow calculations for culvert size required? Yes _____ No _____

NA _____ Other _____

FINAL INSPECTION

Site Inspection - post construction conducted by _____ Date _____

Installation approved _____ Disapproved _____ Release deposit: _____ Y
_____ N

Signed _____ Title _____

Appendix D
Town of Conway
Water & Sewer Department
128 West Main Street Conway, NH 03818
Phone: 447-5470; Fax: 447-3271
This Institution is an Equal Opportunity Provider

AUTHORIZATION TO SEND A DUPLICATE BILL

_____/_____
ACCOUNT NUMBER

I/We, _____
Property owners' name

owner of _____
Street address of property

request that a duplicate water and/or sewer bill be sent to my tenant(s),

Name of tenant(s)

starting with the next billing cycle.

Tenants' Mailing address _____

Tenants' phone number _____

Owner's phone number _____

Owner's signature _____ Date _____

Note: Signing this contract indicates acceptance of the terms and conditions appearing within the Town of Conway Water and Sewer Rules and Regulations and in no way relieves the property owner of the responsibility for the water/sewer service of the property.

Appendix E
TOWN OF CONWAY
WATER & SEWER DEPARTMENT
Template for Closing (transfer of ownership)

Seller's name _____

Physical address of home being sold _____

Closing date _____

Date house will be vacated by current owner if known _____

Buyer's name _____

Buyer's phone number _____

Will this be buyer's primary residence: Primary ___ Secondary ___ Unknown ___

Below is for billing purposes in order to set up new account.

If secondary home, buyers mailing address _____

If primary, new mailing address if known _____
