

# CHAPTER 81

The Town of Merrimack ordains...

---

## **Chapter 81, WATERLINES**

---

[Adopted 3-10-1998 by the Annual Town Meeting, Art. 17; Amended by the Merrimack Town Council 12-3-2009; 1-26-2012]

### **ARTICLE I, Apportionment of Cost**

#### **§ 81-1. Policy established.**

It shall be the policy of the Town of Merrimack that in regard to any and all street projects or sewer line projects that require the relocation of waterlines, the cost of said relocation **[above \$25,000]** shall be considered to be a project cost. **[The Merrimack Village District shall reimburse to the Town up to \$25,000 for waterline relocations.]**

#### **§ 81-2. Applicability.**

This policy shall be applicable to the following types of projects:

- A. Those projects related to the Town's Capital Improvement Program; and
- B. Any project of the Town of Merrimack which costs the Merrimack Village District more than ~~\$11,000~~ **[\$10,000]** in water line relocation costs. With respect to any project which costs the Merrimack Village District more than ~~\$11,000~~**[\$10,000]**, the Merrimack Village District shall pay for the first ~~\$11,000~~ **[\$10,000]** in relocation costs and the Town of Merrimack shall pay all amounts above and beyond the first ~~\$11,000~~ **[\$10,000]** paid by the Merrimack Village District.

#### **§ 81-3. Additional costs.**

It shall further be the policy of the Town of Merrimack that the Merrimack Village District shall be responsible for paying any additional costs incurred by the Town of Merrimack as the result of extending, upgrading or enhancing their systems during any project that requires the relocation of waterlines.

#### **§ 81-4. Relocation at direction of town.**

Furthermore, it shall be the policy of the Town of Merrimack that waterline relocations will become part of any overall street project or sewer line project, and shall be conducted at the direction of the Town of Merrimack. Nothing herein shall preclude the Merrimack Village Commissioners from assuming responsibility for relocating waterlines at the Village District's own expense.

#### **§ 81-5. Protection of separate interests.**

Finally, it shall be the policy of the Town of Merrimack that the Public Works Department of the Town of Merrimack and the Merrimack Village District shall arrive at mutually agreeable procedures for coordinating the relocation of waterlines to ensure that the interests of each are protected prior to the bidding of any project.

**§ 81-6. Bidding protection.**

Nothing in this chapter prevents the Merrimack Village District from bidding on the waterline portion of any street project or sewer line project being completed by the Town of Merrimack.

Authenticated:

\_\_\_\_\_  
Nancy M. Harrington, Town Council Chairman

\_\_\_\_\_  
Date

\_\_\_\_\_  
Diane Trippett, Town Clerk / Tax Collector

\_\_\_\_\_  
Date