

**CITY OF BERLIN, NH  
PUBLIC WORKS DEPARTMENT  
ABATEMENT/APPEAL REQUEST FORM  
(forms also available online at berlinnh.gov)**



TO BE COMPLETED BY PARTY REQUESTING AN ABATEMENT

DATE: \_\_\_\_\_

NAME: \_\_\_\_\_ ACCOUNT NO. \_\_\_\_\_

ADDRESS: \_\_\_\_\_ TELEPHONE NO.: \_\_\_\_\_

E-MAIL: \_\_\_\_\_

REASON FOR ABATEMENT REQUEST

A. Do you feel there was a clerical (mathematical) error with regard to the consumption reported to calculate you bill?    \_\_\_\_ Yes    \_\_\_\_ No

B. If you are requesting an abatement for some reason other than a clerical error, please clearly explain why below. You may wish to include any supporting documents.

Explanation: \_\_\_\_\_  
\_\_\_\_\_  
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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature: \_\_\_\_\_

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**FOR OFFICE USE ONLY**

Necessary Action:    \_\_\_\_\_ Recheck Consumptions    \_\_\_\_\_ Forward to Sewer User Charge Appeal Committee

Determination: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Amount of Original Bill: \_\_\_\_\_

Amount Abated: \_\_\_\_\_

Research by: \_\_\_\_\_

New Balance: \_\_\_\_\_

Date Completed: \_\_\_\_\_

### **Abatement Requests and Appeals Policy**

1. It shall be the responsibility of the party seeking an abatement to provide reasonable proof and substantiating evidence that supports the request for an abatement.
2. The determination of the adequacy of the evidence shall be at the sole discretion of the Sewer User Charge Appeal Committee.
3. Each case shall be decided on its own merits, based on the supporting documentation provided.
4. A user's classification shall be defined by sewer use in accordance with Section 16-130 of the Code of the City of Berlin (see below).
5. In cases where there may be a question with regard to sewer use and/or classification, the annual sewer bill may be based on the most stringent classification (100% of water consumption). The sewer bill may be abated through the abatement process, in accordance with the Sewer User Ordinance and supporting policy of the Sewer User Charge Appeal Committee.

#### **Sec. 16-130. Abatements and appeals.**

- (a) Requests from users for abatements and/or appeals shall be made to the city engineer in writing on prescribed forms. The city engineer is hereby empowered to grant abatements resulting from errors in the meter-reading calculation and clerical process of producing invoices.
- (b) Other abatement requests and/or appeals shall be reviewed by a sewer charge appeal committee of the city council. The committee shall adopt formal abatement policies and publicize these in the general news media.
- (c) All abatement requests and/or appeals must be made to the committee within thirty (30) days of the date of invoice.
- (d) The decision of the committee shall be final and subject only to the superior court relief of RSA 252:15.
- (e) All abatement requests must be accompanied by documentation sufficient to prove the extent of the abatement requested.
- (f) No abatements shall be provided for prior years' sewer charges.
- (g) The sewer user charge appeal committee reserves the right to make one- time abatements for special or unique circumstances.
- (h) Abatements may be based on any percentage of the billed amount, up to and including but not exceeding one hundred (100) percent, as the sewer user charge appeal committee deems fit.
- (i) In cases where it is impossible or impractical to submeter water flows which do not enter the city's sewer system or to meter the actual sewer outfall flows, and because the nature of the water use indicates that the billable consumption for sewer use should not be based on the total water consumption, the sewer user charge committee reserves the right to establish automatic abatements for a period not to exceed three (3) years. In such cases, it is the responsibility of the customer to request extensions of the abatements after each three-year period, and the customer shall be required to provide proof that the water use patterns have remained the same or to substantiate any claims for greater or lesser abatements.
- (j) Submission of an abatement request does not relieve the customer of payment of the original billed amount. Payment shall be required within thirty (30) days of the invoice date, regardless of whether an abatement is pending or not. Refunds of excess principal and interest shall be provided for accounts which are abated.