

# **Rules and Regulations for Metered Service** 6/27/19 (revised)

**For**

**Town of Ballston All Water Districts**

**Town of Ballston**

**Saratoga County, New York**

## **1. Territory To Which Schedule Applies**

All water districts, Town of Ballston, Saratoga County

## **2. Application For Water Service**

### **2.1 Written Application Required.**

All applications for the use of water must be made in writing to the District. If the premises to be supplied has no service pipe connection to the water main, application must be made to the District for the tapping of the main and installation of the service pipe from the main to property line. No person shall use water without first signing and filing with the District an application for service.

### **2.2 Examination of Premises**

The acceptance of applications for service is subject to an examination of the premises to be supplied.

### **2.3 Applications Not Accepted From Applicants or Premises in Arrears**

No agreement will be entered into by the District with any applicant for water service until all arrears and charges due from the applicant for water service at any premises now or heretofore owned or occupied by him in the territory supplied by the District shall have been paid. The same provisions shall apply with respect to any premises against which any charges are in arrears.

The word "District" as used in these Rules and Regulations refers to the Water Commissioners of the District or their duly authorized representatives.

## **3. Service Pipe and Main**

### **3.1 Separate Application for Each Premises**

A separate application must be made and a separate service installed for each premise

The word "**premises**" as used herein shall be restricted to the following:

- (a) A building under one roof and occupied as one residence or one place of business, or
- (b) A combination of buildings in one common enclosure occupied by one family as a residence or one corporation or one firm as a place of business, or
- (c) Each unit of a multiple house or building separated by a solid vertical partition as a residence or one corporation or one firm as a place of business or occupied by more than one family, or

- (d) A building having a number of apartments, offices, or lofts which are rented to tenants using in common one hall and one or more means of entrance, or
- (e) A building two or more stories high under one roof and having an individual entrance for the ground floor occupants and one for the occupants of the upper floors, or
- (f) A combination of buildings, such as a garden-type apartment, in one common enclosure, none of the individual buildings of which is adapted to separate ownership, or
- (g) A public building, or
- (h) A single Plot, such as a park or playground, or
- (I) A farm including the residence of the family operating the farm, but excluding other residences, if any, on said farm.

**3.2 Service Pipe Materials**

For sizes up to 2", the entire service pipe shall be copper tubing Type "K" copper manufactured in accordance with A.S.T.M. Specifications B-88.

Service from the curb cock to the meter less than two inches in diameter shall be pure, seamless, soft-tempered copper tubing with flared bronze fittings. Tubing shall be of the following thickness.

<b>Normal Pipe Size</b>	<b>Outside Diameter of Tubing</b>	<b>Type</b>
3/4"	7/8"	<b>K</b>
1"	1-1/8"	<b>K</b>
1-1/4"	1-3/8"	<b>K</b>
1-1/2"	1-5/8"	<b>K</b>

No soldered joints shall be permitted in copper tubing underground and no red or white lead or joint compound shall be used on joints between the meter and the main.

The minimum diameter of the service pipe shall be 3/4 inch for services two inches or larger in diameter, cast iron, or other pipe of strength and quality approved by the District shall be used.

**3.3 Minimum Depth of Service Pipes**

Minimum depth of service pipes from to premises shall be five feet below the surface of the ground. Where covering over mains is less than five feet, the connection shall be made on the side of the main and the service pipe shall in no case have less covering than the main, and in no case shall a service pipe be permitted to be laid in the same trench with a gas, steam, electrical or other conduit.

**3.4 Installation of Services**

The District, upon proper application, will tap the main and provide the corporation cock and in addition install the service pipe from the main to the property line at the applicant's expense. Fee to be established by the Water Commissioners of the District.

No such application shall be granted unless a bond shall be delivered to the municipality approved as to amount, sureties and form by a majority of the members of the Board, indemnifying and saving harmless the municipality from damages to property or damages resulting from death of any person or injuries suffered by any person by reason of the construction work done for which water is used.

The bond, under this section, shall not be required where the water is being furnished to the municipality or its highway department for work being done by its employee's.

That portion of the service line without the territorial limits of any street, avenue, road or way that is used for highway purposes which is installed by the applicant at his expense must be approved by the District before the trench is backfilled.

No attachment to such pipe or any branch thereof shall be made between the meter and the main.

### **3.5 Property Owners Responsibility for Service Line Repair**

Property owners are responsible from curbox to the house or business whenever leakage or repairs are needed. If the property owner fails to make repairs in a timely manor the District reserves the right to discontinue the supply until such time as the leak is repaired.

### **3.6 Construction or Blasting Near Gas Mains**

No construction or excavation shall be done within 100 feet of any existing street, highway, or public place in which there is a gas main unless 72 hour advance notice of such work shall have been given in writing to the person, corporation, or municipality engaged in the distribution of gas in such territory. The law further provides that no blasting shall be done within 200 feet of such street, highway, or public place in which there are gas distribution mains unless the aforementioned, written, 72 hour, advance notice is given. The applicant for water service shall, therefore, ascertain for himself if there are any gas mains in any street or highway within 100 feet of his excavation or within 200 feet of any proposed blasting and shall provide written, 72 hours, advance notice in accordance with the preceding.

## **4. Metered Service**

An individual meter, pressure reducing valve and check valve shall be required for each premises and for each separate service connection.

The District will furnish the meter, the meter couplings and the pressure reducing valve. The cost if the meter, meter couplings and pressure reducing valve, shall be paid by the applicant. The District will maintain meters as stated insofar as ordinary wear and tear is concerned. In case of damage by freezing, hot water or external damage, the property owner shall be liable for the cost of repairs.

The water pressure reducing valve shall be installed between the inlet stop valve and the meter.

Back flow of water, which may cause contamination of the water supply, must be prevented by the installation of a Mueller M-98 (or equal) Top Entry or Angle check valve on the outlet side of the meter.

### **NOTE: SAFETY WARNING – HOT WATER SYSTEM RELIEF.**

**ALL HOT WATER TANKS AND HOT WATER HEATING SYSTEMS SHALL BE PROVIDED WITH PRESSURE RELIEF VALVES. EXISTING RELIEF VALVES SHALL BE IN WORKING ORDER.**

#### **4.1 The property owner shall provide a place acceptable to the District for the location of the meter.**

Meters should be installed inside building, unless otherwise required or agreed by the District.

They are usually located in basements and should be placed in a clean, dry, safe place at or near the front wall, as close as possible to the point of entrance of the connecting pipe.

Meters should be supported firmly, not less than 12 inches or more than 36 inches above the floor level and should be readily accessible at all reasonable times for inspection, reading or changing by employees of the District.

Where it is necessary to set the meter outside the building, it shall be installed at the expense of the property owner, in a pit, which is water tight and frost-proof. The cover of the pit shall be fastened with a convenient locking device.

#### **4.2 Reading of Meters**

Meters will be read and inspected periodically by the District. If property owners find that the meter registers an unusual increase over the average amount of water used, which cannot be accounted for, they should inform the District immediately.

#### **4.3 Right to remove and Test Meters**

The District reserves the right to remove and test any meter at any time and to substitute another meter in its place.

The property owner shall be given the opportunity to obtain a reading and the substitute meter will be read and recorded.

#### **4.4 Testing of Meters**

The District will test its meters periodically in accordance with the current rules. In case of a disputed account involving the accuracy of a meter; the District will test the meter upon the request of the property owner. A fee payable in advance of test required is as given in the attached schedule.

In the event that the meter is found to over register in excess of 4 per cent at any flow within the normal test flow limits, the fee will be returned to the property owner, otherwise it will be retained. Adjustments in bills for over-registration of the meter will be made in accordance with the current rules of the District ( see 5.4).

#### **4.5 Replacement of defective Meters**

In all cases where a meter is found to be defective, it will be replaced as soon as practicable by a meter that has been tested and properly adjusted.

#### **4.6 Seals**

All meters must be sealed. No seal placed by the District for the protection of any meter, valve or other water connection shall be tampered with or defaced. If the seal is broken, the District reserves the right to remove and test the meter at the customer's expense.

#### **4.7 Meter Specifications**

All meters shall be Badger SS E-Series Ultrasonic Meters with Orion Remove ME Endpoints.

## **5. Payment for Metered Water Service**

### **5.1 Bills Based on Meter Reading**

The reading of a duly installed meter showing the amount of water consumed shall be used for all metered billing purposes except where an inaccuracy has been established, as provided in this schedule.

### **5.2 Rendering of Bills**

Bills for metered service will be rendered at least twice in each calendar year. Bills will show the dates on which the meter readings were taken and will show the readings at the beginning and end of the period for which they are rendered. Except in cases where an inaccuracy has been established, as provided in this schedule, a bill based on the reading of the meter is deemed conclusive and must be paid.

### **5.3 Property Owner's Responsibility for Payment**

A property owner's responsibility to pay for water service continues from the time service is commenced, pursuant to his application, until ten days' written notice is received by the District of a change of ownership or occupancy of the premises or ten days' written notice is received by the District to discontinue the applicable service. Upon receipt of such notice, the District will arrange for a final meter reading and billing. No allowance will be made in cases of no-occupancy, unless the District is notified in writing, as stated above. Should the premises change ownership, all open charges shall be a charge against the premises, payable on billing by the new owner in the extent that the prior owner fails to pay for the same.

### **5.4 Estimated Bills**

Where access to a meter cannot be had, the District may bill the amount charged for the corresponding period of the preceding year, and in such cases the amount paid will be treated as a credit, the amount due being determined by the next meter reading.

In cases where it is found that a meter has ceased to register or has registered inaccurately and the percentage of inaccuracy cannot be determined by reasonable test, an estimated bill for the billing period immediately preceding the date when such meter was found defective and for the period from said date to the date of replacement of the meter, may be rendered the property owner

The estimated bill will be based on the amount of water consumed in the corresponding period of prior years, except where it appears that there has been a change in the occupancy of the premises or in the use of water, in which case an equitable adjustment will be made.

## **5.5 Discontinuance of Service for No-Payment**

All bills are due and payable net cash when rendered. In case any water bill or charges provided for in and by these rules shall not be paid within thirty days following the rendering of the bill, the District or its agents may, after complying with the requirements of Law discontinue water service to the property owner and service will not be re-established until the water charges are fully paid, together with the charge for restoration of service as elsewhere provided herein.

## **5.6 Water for Billing Purposes**

Water for building or construction purposes will be furnished on an application for metered service through a service pipe connection to the main and the applicant will be liable for the amount of water used.

The applicant shall have metered service. He shall deposit with the District the cost of the meter and shall keep the said meter accessible during its use.

## **5.7 Private Fire Service**

Property owners desiring service connections of reasonable size to the mains of the District, for private fire protection on their premises shall make separate application for such service in writing. Such installations shall be in accordance with this schedule, particularly the rules regarding the installation of service pipes, connecting pipes and facilities. Such service lines shall be used exclusively for fire protection purposes.

All private fire service lines shall be equipped with meters. A flat rate shall be charged for this service, based upon the size of the meter used. No charge is made for water used solely for fire extinguishing purposes.

Except as to the liability, if any, imposed by law in case of loss or damage resulting from gross negligence or willful misconduct on the part of the District, its agents or employees, the District shall not in any way or under any circumstances be held liable or responsible to any party for any losses or damage resulting from fire or water or other causes which may occur, due to the installation or presence of a private fire service connection or any pipe or fixture connected therewith; or for any losses or damage resulting from any excess or deficiency in pressure or supply of water due to any causes whatsoever.

## **6. Public Fire Protection**

### **6.1 Installation of Fire Hydrants**

Fire hydrants are installed by the District on its system for purposes of public fire protection only.

They are owned by the District and subject to regular inspection and maintenance by the District.

Hydrants may not be used for street sprinkling, flushing or streets and sewers, catch basins, storm water drains, demonstrations, tests, fire drills or similar purposes, or for

filling swimming or wading pools or areas set aside for ice skating, without the written permission of the District.

## **6.2 Use of Hydrants in Emergency**

Where it is necessary to use hydrants for any purpose other than for public fire protection in an emergency or where no other source of water is available, a special permit is required, issued by the District, under restrictions imposed in the interest of public. The applicant for such permit shall notify the local fire department of the intended use of a hydrant before using it and keep the permit card with him when the hydrant is in use.

Fire departments should inform the district promptly of any hydrant which has been used, or which is leaking, or in need of attention, so that such hydrants may be placed in readiness for instant operation. This is particularly important during the winter months.

## **7. General Rules**

### **7.1 Supply and Pressure**

The District undertakes to use reasonable care and diligence to provide a constant supply of water at a reasonable pressure but reserves the right, at any time, after due notice (unless an emergency occurs) to shut off the water in its mains for the purpose of making repairs and extensions.

### **7.2 Sprinkling, Irrigation or Swimming Pool**

There may be times when, in the opinion of the District, it may be necessary to restrict the use of this service to certain definite periods or to prohibit it entirely. In this event, every endeavor will be made to notify property owners in advance by public notice.

### **7.3 Special Quality of Water**

The District does not undertake to supply any special quality of water for purposes, such as swimming pools, bleaching or dyeing plants, or laundries. Property owners requiring water of special quality, or water free from discoloration at all times, are required to provide their own means of filtering the water, or provide such other protection as may be deemed necessary for the purposes required.

### **7.4 Liability of District**

The District will not be liable for any injury, casualty or damage in any way from the supply or use of water service or from the presence or operation of the District's structures, equipment, pipes, appliances or devices on the property owner's premises or from the use of any equipment or materials installed in conformity with the District's requirements or recommendations, except injuries or damages resulting from the negligence of the District.

## **7.5 Adequacy of Property Owners Facilities**

Neither by inspection nor acceptance, nor in any other way, does the District give any warranty, expressed or implied, as to the adequacy, safety or characteristics of any structures, equipment, pipes, appliances or devices owned, installed or maintained by the property owner, or leased by the property owner from third parties.

## **7.6 Cross Connection to Other sources Prohibited**

No pipe or fixtures connected with the mains of the District shall be connected with pipes or fixtures supplied with water from any other source whatsoever, nor any apparatus, which may endanger the quality of the District's water supply.

## **7.7 Interference with District Property Prohibited**

No person is permitted to turn the water on or off at any street valve, corporation stop and curb stop, or other street connection, or disconnect or remove any meter, pressure reducing valve or check valve without the consent of the District.

## **7.8 Frost Provision**

Extension of pipe line facilities are not normally made when the ground in which such pipes and connections are required to be laid, shall be frozen or shall otherwise present serious obstacles to laying the same.

## **7.9 Discontinuance of Service for Violation of Rules**

Service may be discontinued after complying with requirements of the law for any one of the following reasons:

- (a) Use of water other than represented in application or through branch connections on the street side of the meter or place reserved therefor.
- (b) Willful waste to the detriment of the Water District, or use of water through improper and imperfect pipes, or by any other means including violation of sprinkling or irrigation restrictions imposed by the District.
- (c) Tampering with any service pipe, seal, meter or any other appliance owned by the District.
- (d) Non-payment of bills for water or services rendered by the District in accordance with this schedule.
- (e) Cross-connecting pipes carrying water supplies by the District with any other source of supply whatsoever or with any apparatus which may endanger the quality of the District's water supply.
- (f) Refusal of reasonable access to the property for the purposes of inspecting fixtures or piping or for reading, repairing, testing or removing meters,
- (g) Sub metering or reselling water.
- (h) Failure to maintain, in good order, connecting pipes, connections or fixtures owned by the property owner.

- (i) Failure to properly construct and maintain meter pit or vaults.
- (j) In case of vacancy of premises.

### **7.10 Restoration of Service Charge**

When water service has been terminated or discontinued on written order of the property owner or for non-payment or for a violation of any of these rules and regulations there will be a charge of \$100.00. If service is again desired by the property owner, including seasonal customers, a charge of \$100.00 for restoration will be made.

If, however, by the willful act of the property owner it becomes necessary to shut off or disconnect the service pipe at the main, the charge to the property owner for restoration of service will be the actual cost incurred by the District incident to the disconnection of the service pipe or \$100.00 whichever is greater.

### **7.11 Authority of Agents or Employees**

No agent or employee of the District shall have authority to bind it by any promise, agreement or representation not provided in this schedule or the Rules and Regulations of the District, or in any way inconsistent therewith.

### **7.12 Change in Schedule for Water Service**

The District reserves the right to change, take from or add to this Schedule or its Rules and Regulations to the extent permitted by Law, or permitted by the applicable regulations of the state regulatory body having jurisdiction.

Bills for all meter-reading periods affected by a change in rates will be prorated and computed on the basis of average daily use.

### **7.13 Suidviders or Developers to Provide Mains**

For all installations of water lines and/or service and appurtenances in areas not included within existing highways or streets, such as for developments where roads are being prepared and offered for acceptance as public road, the following provisions shall apply:

- (a) Connection shall be made to the water system at a point designated by the duly authorized agent of the municipality.
- (b) Pipe, valves, and hydrants shall be installed in accordance with a plan approved by the District.
- (c) Service connections shall be made with copper tubing. Type K, 3/4-inch minimum size, with corporation cock, curb stop, and curb box to be of make, type, and size as approved by the duly authorized agent of the municipality.
- (d) Furnishing of materials and installation of all water lines, valves, hydrants, and services shall be in a manner satisfactory to the duly authorization agent of the municipality.
- (e) All costs of materials and installations of water mains, valves, hydrants and services shall be borne by the developer.
- (f) As a condition of obtaining services, all water mains, valves, and hydrants, plus water services to the limit of existing public highways or to the outer

limits of a 50-foot area proposed for ultimate dedication as public highways shall be deeded to the municipality.

## **8. Right To Change and Amend**

The right is reserved to change and amend these Rules, Regulations and Ordinances, to make special rates, variations and contracts in all proper cases, or to turn off the water supply without notice in cases of extensions, repairs or other necessity, without liability for damages for lack of water, or for any damage which may result from the turning off of the water supply.

## **9. Water Supply Contract**

Reference is hereby made to a certain contract entered into between the Town of Ballston and Town of Glenville and any subsequent contracts which may be entered into which shall be binding upon the District and all property owners for the supply of water to the Town of Ballston.