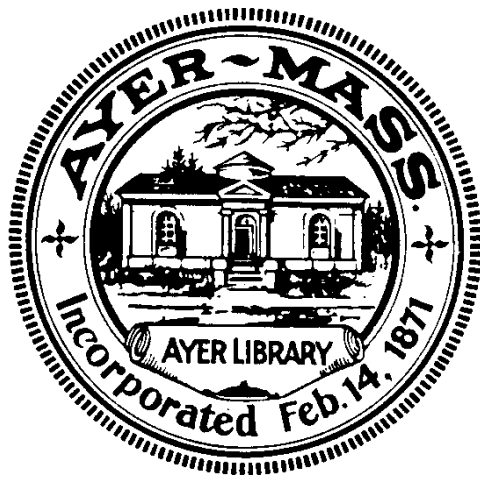


# **WATER RULES AND REGULATIONS**

**TOWN OF AYER, MASSACHUSETTS**

**DEPARTMENT OF PUBLIC WORKS - WATER DIVISION**

**August 21, 2012  
Revised February 14, 2018**



**WATER RULES AND REGULATIONS**  
**AYER DEPARTMENT OF PUBLIC WORKS**

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# WATER RULES AND REGULATIONS

## AYER DEPARTMENT OF PUBLIC WORKS - WATER DIVISION

### DEFINITIONS

**Approved.** Accepted by the Town as meeting an applicable specification stated or cited in this regulation, or as suitable for the purpose use.

**Backflow.** The flow of water or other liquids, mixtures or substances into the distributing pipes of a potable water supply system from any other source or sources other than its intended source.

**Backflow Prevention Device.** A device or means designed to prevent backflow or siphonage.

**Board of Water Commissioners.** The Board of Selectmen are the Board of Water Commissioners for the Town of Ayer.

**Contamination.** Impairment of the quality of the potable water by sewage, industrial fluids, waste liquids, compounds or other materials to a degree which creates an actual hazard to the public health through poisoning or through the spread of disease.

**Cross-Connection.** Any physical connection or arrangement of piping or fixtures between two otherwise separate piping systems, one of which contains potable water and the other non-potable water or industrial fluids of questionable safety, through which, or because of which, back-flow or back-siphonage may occur into the potable water system.

**Curb Stop.** A Curb Stop is an in-ground structure at the property line, which contains a service valve and is the connecting point between the water service line (Town System) and service pipe (Customer's connection). The Curb Stop and service valve are the property of and maintenance responsibility of the Town. All pipe, valves and appurtenances from the curb stop to the building are the responsibility of the Customer.

**Customer.** Any person, partnership, firm, corporation, trust (real estate or other body) or organization of any type in which the owner(s) is supplied with water by the Town Water System. The Customer is normally the record owner of the property being supplied with water and responsible for the account.

**Double Check Valve Assembly.** An assembly of two independently operating approved check valves (mechanical one-way flow device), with tightly closing shut-off valves on each side of the check valves, plus properly located test cocks for the testing of each check valve.

**Hazard.** Any condition, device, or practice in the water supply system and its operation which could create, or, in the judgment of the Superintendent, may create a danger to the health and well being of the water customer.

**Outdoor Water Use Meter.** Outdoor Water Use Meters are standard water meters used to measure outside water that is used for irrigation, pool filling, car washing etc. where water is not returned to the sewer.

**Premises.** The commercial or residential property being serviced with water from the Water Distribution System.

**Reduced Pressure Principle Device.** An assembly of two independently operating approved check valves, with an automatically operating differential relief valve, between the two check valves, tightly closing shut-off valves on either side of the check valves, plus properly located test cocks for the testing of the check and relief valves.

**Service Line:** A Service Line is a pipe that connects the water supply main to the Curb Stop. The Service Line is the property of and responsibility of the Town.

**Service Pipe:** A Service Pipe is a pipe running from the Curb Stop to a Cellar Valve, which valve is located immediately inside the structural wall of the Premises. The Service Pipe and the cellar valve are the property of and maintenance responsibility of the Customer.

**Superintendent.** The Superintendent of Public Works, or his designated agent, in charge of the Water System of the Town of Ayer.

**Town.** Shall include elected and appointed officials, Department of Public Works, Water Division and Board of Water Commissioners and Authorized agents.

**Water Distribution System:** Network of water supply mains, booster pumps and storage tanks, used to deliver water to the customer.

**Water Main :** The water pipe that is a part of the Town water distribution system to which a service line is connected to supply water to the Premises.

**Water Meter :** A device for measuring and recording the flow of water from the municipal supply to the Premises.

**Water - Non-Potable.** Water which is not safe for human consumption or which is of questionable potability.

**Water – Potable.** Water from a source which has been approved by the Massachusetts Department of Environmental Protection.

**Water – Used.** Any water supplied by the Town from the Town water system to a customer's water system after it has passed through the point of delivery and is no longer under the sanitary control of the Town.

## SECTION 1 - AGREEMENT

These regulations and all subsequent changes, amendments or additions thereto shall be considered a part of the agreement and contract with every water customer. Violation of any of those regulations or evidence of fraud or abuse of equipment shall be deemed sufficient cause for shutting off the water supply of the offender, in accordance with Massachusetts General Laws Chapter 40 Sections 42A through 42I.

These rules and regulations have been accepted by the Board of Selectmen in their role as Water Commissioners and will be in full force and effect as of August 21, 2012.

## SECTION 2 - MODIFICATIONS

The Board of Selectmen, in their role as the Board of Water Commissioners, reserve the right to change or amend these rules and regulations, and make additions thereto or exceptions therefrom, at any time without advance notice, and to establish and assess penalties for violations, including the right to suspend or terminate water service.

## SECTION 3 – RIGHTS & RESTRICTIONS

### A. Rights of Access

1. Agents or representatives of the Town shall have free access, at reasonable times, to all premises supplied with water to determine or verify the quantity of water used, the manner of its use, type of fixtures used which shall be subject to rejection if found to be unsuitable for the purpose, and whether there is unlawful waste.
2. Duly authorized representatives of the Town may inspect the property or the facilities of any customers (including facilities under construction) to ascertain compliance with these regulations. Customers of premises where water service pipes or fire pipes are located shall allow properly identified Town representatives ready access, at all reasonable times during normal business hours and at such other times as the Town reasonably suspect that a violation of the regulations may be occurring, to such parts of the premises as would enable the Town personnel to inspect observe, measure, sample and test:
  - a. water use;
  - b. water quality;
  - c. meters;
  - d. water service pipes;
  - e. fire pipes
  - f. cross connections and backflow preventers; and
  - g. other facilities that the Town reasonably believes may be contributing to a violation of these Rules and Regulations.

### B. Consequences

1. Consequences of Denial of Entry or Access: Where a customer, after having received reasonable notice from the Town, refuses to permit properly identified Town personnel to

enter or have access to premises or facilities in accordance with the terms of this section, the Town may forthwith give written notice of its intent, which may be up to and including the termination of water service to such customer.

2. When the Town determines that a) a violation of these regulations, or b) any damage to the public water mains, is threatened or has occurred, any one or more of the following actions may be taken:
  - a. The Town may shut off water service as authorized elsewhere in these regulations.
  - b. The Town may issue an order to cease and desist any such violation and may direct the violator(s) as follows: (1) To comply with these Rules and Regulations and with the cease and desist order either forthwith or in accordance with a time schedule set forth by the Town; or (2) To take appropriate remedial preventive action in the event of a threatened violation.
  - c. The Town may require the customer in question to submit a detailed schematic plan and time schedule showing the specific actions to be taken in order to prevent or correct a violation. The Town may modify such schematic and time schedule, or require such other actions within such times, as the Town deems appropriate.
  - d. The Town may take direct enforcement action by filing suit in any court of competent jurisdiction pursuant to any applicable statute or regulation.

C. Restrictions

1. The Superintendent shall have the right to restrict the use of lawn hoses, sprinklers, irrigation systems or place any other restrictions on the use of water in any and all parts of the Town if he deems it necessary for the purpose of maintaining adequate pressure for public health, fire protection or for conservation of the water as detailed in Attachment F – Water Use Restriction Regulations.
2. The Town reserves the right to refuse or curtail service wherever excessive demand for water results in inadequate service to others.
3. The Town reserves the right at any time, without notice, to shut off the water in the mains for the purposes of making repairs, extension or for other necessary purposes.
4. No private well or water supply shall be connected to the Town water system.

D. Liability

1. The Town does not guarantee constant pressure or uninterrupted service, nor does it assure the customer either a full volume of water or the required pressure per square inch necessary to effectively operate hydraulic elevators, sprinkler systems or other appliances, the same being subject to all the variable conditions that may take place in the use of water from the Town water mains.
2. No customer shall be entitled to damages, or to have payment refunded, for any interruption of supply or by shutting off for the purpose of additions or repairs to the works, or by the stoppage or shortage of supply due to causes beyond the control of the Town, such as

excessive drought, excessive use of and waste of water by other customers, or by leaks or defects in the pipes or appliances owned by him or other customers.

3. The Town will not be responsible for damages caused by discolored water resulting from the opening or closing of any valve for repairs or system maintenance, the use of any hydrant, or the breaking of any pipe or any other situation that may result in a discoloration of the water.
4. It is the responsibility of customers to ensure that all plumbing, fixtures, meters and appliances in their Premises are protected from freezing. The customer shall make any repairs that may be necessary to prevent leaks and damage. The Town shall not be held responsible for loss or damage to any plumbing, fixtures, meters or appliances due to freezing and any repairs to same made by the Town shall be paid for by the customer.
5. The Town is not responsible for any damage to pipes or other property which may be attributed to electrical ground wires attached to water pipes.

#### SECTION 4 - GENERAL CONDITIONS

- A. Only Town employees will turn off/on water service at the street. Except in the case of emergencies, all water shut offs and turn ons shall be scheduled within a minimum of two (2) days prior notice to the DPW and shall be billed according to the current fee schedule.
- B. For water service one inch (1") and under, the service line from the water supply main to the curb stop and the curb box at the property line shall be owned and maintained by the Town. For the service pipe from the curb stop to the premises, the customer is responsible. In the event of a leak in line under the customer's ownership and control, such leak shall be repaired by the customer upon discovery as a condition of continued water supply.
- C. The service pipe from the curb box to the building to the meter shall be installed, owned and maintained by the customer. In the event of a leak in this service pipe, the customer shall repair the leak upon discovery as a condition of continued water supply.
- D. The curb stop must be accessible to the Town should it be necessary to turn off the water supply.
- E. No gas line or other utility shall be installed within three (3) feet of any water main, service line or service pipe trench.
- F. No sewer main or sewer connection shall be installed within ten (10) feet of any water main, service line or service pipe trench.
- G. The Town is not responsible for filling of private swimming pools.
- H. No person shall tap any water main or connect any service pipe therewith, nor set, remove, or repair meters, nor turn on or off the water from any pipe or hydrant in the system without

completing the water service application, street opening permit and approval of the Superintendent or his authorized agent.

- I. No customer will be allowed to supply water to any other person or families, nor shall any person take or carry away water from any hydrant or public fountain, without the consent of the Superintendent.
- J. When water shall be supplied to more than one party through a single tap, the bill of the whole supply furnished through such tap, will be made to the owner of the premises. The owner of the premises shall be responsible.
- K. When two or more parties take water through one service pipe, the provisions in regard to shutting off the water shall apply to the whole supply through that service, although one or more of the parties may be innocent of any cause or offense.
- L. Any change in the location of a meter shall be by the approval of the Town and at the customer's expense.
- M. There shall be a charge to turn the water off and on. Charges are as stated in Attachment A – Water and Sewer Rate Schedule and Fees
- N. Leaks or breaks on water services located on private property are the sole responsibility of the property owner.
- O. All new multi-family units (duplexes, condos, etc.) shall have a dedicated water service, curb stop and meter for each unit back to the main.

#### SECTION 5 – APPLICATION FOR SERVICE

- A. All applications for service connections and the use of water must be made in writing on the form furnished by the Town and available at the Department of Public Works, 25 Brook Street, Ayer, MA. There shall be an application and inspection fee for this service which is designated in Attachment A -Water and Sewer Rate Schedule.
- B. Applications shall be in accordance with Attachment B - Application for Water Service
- C. Service pipes shall be of a size and material approved by the Superintendent. They shall be installed by authorized Plumbers or Contractors who meet all requirements of Section 6 of this regulation.
- D. Service lines installed by a Contractor in a public way must be guaranteed for one (1) year from date of acceptance, and meet all requirements pertaining to Attachment C - Water Main and Water Service Materials, Installation and Testing.



- E. All water line installed on public or private property must be inspected and approved by the Town personnel prior to backfilling.
- F. No new water service will be turned on until the water meter is installed and the water service is approved by the Town.
- G. No water services shall be installed after November 1st of each year, or before April 15th of each year, or in frozen ground unless approved by the Superintendent.

#### SECTION 6 – AUTHORIZED WATER CONTRACTORS

- A. All plumbers and contractors performing work related to the Town water system must be authorized by the Town as an Authorized Water Main and Water Service Installer in accordance Attachment D prior to performing any work.
- B. Authorized contractors shall renew authorizations, license, bond and insurance by January 1st of each year.

#### SECTION 7 – WATER RATES AND BILLING

- A. Billing
  - 1. The Town shall establish rates and charges for the use of water and reserve the right to change the rates and charges as needed. Rates will be adjusted annually at the start of each fiscal year or as needed to maintain funds needed to operate the water system.
  - 2. Current fees and charges are shown in Attachment A.
  - 3. Water bills will be considered delinquent if full payment is not received within 30 days of date of billing. Interest will be charged not to exceed 14% annually of the balance due. Delinquent water bills that remain unpaid for at 6 months shall be transferred to the Tax Collector's Office and will be treated as delinquent taxes. The amount to be transferred will be the past-due balance with attached accumulated interest.
  - 4. Late payments will be subject to water service termination in accordance with Section 8. Late payment notices will be issued if payment is not received. The final notification will be issued after the bill is 60 days overdue. This notification will include a brightly colored notice placed on the customer door or other easily visible location with a date and time of the termination of water service.
  - 5. When a building is vacant and the water is shut off at the street, no minimum water charge will be made during the time service is shut off.

6. If a meter malfunctions or fails to register, the customer shall be charged at the average consumption as shown by the meter when in order. The owner of such property shall schedule an appointment for repair/replacement immediately.
7. The Town will periodically read the inside meter to verify the accuracy of the remote recorder. In the case of a discrepancy between the two readings, the inside meter reading will be considered accurate and the customer will be billed accordingly.

B. Abatements

1. Requests for abatements of water bills or any portion thereof must be filed with the Department of Public Works office.
2. The Superintendent of Public Works will review all abatement requests and provide a written decision based on the requests and the Water Rules and Regulations. Appeals to the Superintendents decision will be reviewed by the Board of Selectmen at a posted meeting.
3. The Town is not responsible for leaks or breaks on the customer's premises. No abatements will be given to owner's of rented or business properties for excessive bills due to leakage or breaks.

SECTION 8 - TERMINATION OF WATER SERVICE

A. The Town shall have the right to shut off water for the following reasons:

1. Making unauthorized alterations or repairs to Town water meters, water services, mains, valves or hydrants.
2. Disregard of the Water System Rules and Regulations of the Town of Ayer.
3. Neglecting to make payments of charges for water service or other charges or fees related to the water service.
4. Misrepresentation in application as to the premises or fixtures to be supplied, or the use of the water supply.
5. Use of water for any purpose not described in the Application for Water Service.
6. Tampering with any service pipe, meter, curb stop, seal, or shut off valve related to the Town water system.
7. Failure to maintain, in good order, connections, service lines, or fixtures for which the customer or property owner is responsible.
8. Vacancy of the premises.
9. Refusal of access to premises to inspect, read, maintain, or remove meters.
10. Waste of water or refusal to conserve water during periods of restricted supply in accordance with the Town Water Use Restriction Bylaw.
11. Any cross connection which would introduce water or any liquid other than that supplied by the Town.

B. The Town assumes no responsibility for damage resulting from shutting off water for the above reasons.

- C. Water service termination and renewal will only occur during DPW business hours, 7:30 AM to 3:30 PM, Monday through Friday. Water service renewal will be done after normal working hours for emergency situations authorized by the Superintendent.
- D. Payment to Avoid Termination- In order to forestall termination of service to a delinquent account, payment following the issuance of a Final Notice shall be made either in cash or by a certified or a bank cashier's check. A person making a payment in person to forestall termination shall be referred to a designated Town representative. Upon receipt of payment, the designated representative shall issue a stop termination order and present the individual with a receipt.
- E. Payment after Termination -A customer seeking renewal of water service after termination due to the customer's non-payment of charges must pay the past due balance on the account as well as a water service turn-on fee. Payment must be in cash or by a certified or bank cashier's check. Customers may make arrangements with the Town to pay the past due balance over time.
- F. Collection Agreements - A customer who cannot pay the full amount due the Town for charges may be permitted to enter into a collection agreement with the Town. Customers shall be required to sign the agreement which will be furnished by the Town. The agreement will detail all the conditions that are required to stay termination. Failure to adhere to the collection agreement will result in termination of the customer's water service pursuant to these regulations.

SECTION 9 - MATERIALS & INSTALLATION OF WATER MAINS & SERVICE CONNECTIONS

- A. All water services, mains and other water related appurtenances shall be in accordance with Attachment C -Water Main and Water Service Materials, Installation and Testing.

SECTION 10 - FIRE SERVICE

- A. Private fire service pipes may be installed at the customer's expense including the connection to the water main. The layout of check valves, type and size of pipe, control valves and meter shall be subject to the approval of the Superintendent, the Fire Department, the Fire Underwriters, Massachusetts plumbing code and the MassDEP.
- B. The customer shall be responsible, at their expense, for installing the fire pipe and appurtenances, tapping and making connection to the public water main, and cutting and capping any water service pipe to be abandoned. The customer shall provide a minimum of 24 hours advance notice for all required inspections by the Town.
- C. The entire private fire line extending from the public water main to the premises and including the control valve at the main, shall be owned and maintained by the property customer.
- D. Cross-connection and backflow device will be installed on the fire service line wherever required under the conditions of these Water Rules and Regulations and Massachusetts codes.

- E. No water service line or tap shall be connected to a private fire line. Failure to comply with this regulation will subject the customer to discontinuance of service.
- F. No consumption is permitted through fire connections except for the extinguishing of fires.
- G. The Town is not responsible for the maintenance of pressures, volume, or supply of water. The service may be subject to shut downs or variations in pressure as system operations require.

#### SECTION 11 - OPERATION AND USE OF HYDRANTS

- A. The Fire Department will have control of the hydrants in the event of a fire. In no other case will any person be allowed to handle hydrants or other water apparatus without permission of the Superintendent. Persons found making unauthorized use of fire hydrants shall be subject to MGL 165, Section 11 and fines in accordance with Attachment E.
- B. Any connection to a hydrant must be metered and receive the approval of the Superintendent, and all use shall be controlled by a separate valve other than the hydrant valve. The Town will provide and install the meter and backflow device at the customer's expense. The customer must provide a minimum of 24 hours notice. The customer will pay for all charges related to the installation, use of water and removal of the Town meter device.
- C. No object, material, debris or structure of any kind shall be placed on or around any fire hydrant or gate box connected with the water system so as to prevent access to the hydrant or gate box at all times.

#### SECTION 12 – METERS

- A. General
  - 1. All water must be metered and the meter and associated reading device, materials and installation is paid for by the customer. The Town will furnish water meters up to 1-inch size. All new meters shall be minimum 3/4 inch and all meters must be approved by the Superintendent. The Town reserves the right to specify the size and type of service and meter dependent upon requirements that may be made upon them by fixtures installed on customer's premises.
  - 2. Any meter over 1-1/2 inch shall have an approved bypass installed by the customer and approved by the Superintendent.
  - 3. The customer must provide a minimum of 72 hours notice for the Town personnel to install, repair, remove or replace meters within the property. The water service must be plumbed and ready for meter installation prior to contacting the Town. Town is not responsible for any damage done to finish surfaces as a result of the meter installation.
  - 4. All customers shall keep their meters and fixtures in good repair and protected from frost at their own expense and will be held liable for all damages resulting from their failure to do so.

5. The customer shall provide a location for a meter easily available for reading and for repair, said location to be subject to the approval of the Town. A minimum 3 foot by 3 foot access way is required. Where circumstances do not permit a suitable location for the meter within the building, the meter will be placed within a meter pit at the curb, at the expense of the customer.
6. The customer must allow access to the Town for all work related to the water meter and water service. If the meter location is inaccessible to the Town personnel, the customer shall remove obstructions and provide a safe working environment to the Town. The customer must provide access within 24 hours of the time it has been determined by the Town the area is inaccessible.
7. All meters shall be equipped with remote reading capability. This includes communication devices that transmit meter registration information off the premises so that meters may be read remotely by radio receivers. The Town maintains the right of access to the premises in order to verify the consistency of the meter registration with the remote registration.
8. Meters may be removed for repairs at any reasonable time by the Superintendent or authorized agents and may enter any property served by the Town at reasonable hours for purposes of inspection or repair.
9. No meter or reader shall be disconnected or moved except by authorized Town employees.
10. All meters must be installed horizontally to provide optimal operation. Water meters installed shall have a ball valve located before and after the meter for the purpose of isolating the meter for repair and replacement. Ball valves shall be approved by the Town and installed according to the Town's standard meter installation detail.
11. The Town will test meters upon written application by the customer accompanied by a deposit as per Attachment A. If meter is found to over-register by an average amount exceeding two percent (2%), a replacement meter will be furnished and a reduction will be made on water bill for a period not exceeding six (6) months. There is no charge for testing of a meter in error over 2%. If meter does not over-register by an amount exceeding two percent (2%) it will be returned to service.
12. If a meter installed on the customer's premises is stolen, or is damaged in any way due to the act of negligence of the customer, the cost of repairs or replacement shall be paid for by the customer.
13. Where a customer is supplied with more than one service, each equipped with a meter, each meter shall be considered separately in the computation of charges.

## B. Meter Tampering

1. Tampering with, hindering, altering or intentionally damaging water meters are offenses subject to fines and penalties under Massachusetts General Law Chapter 165, Section 11, as amended by Chapter 374 of the Acts of 2010 along with the authority provided under G.L. c. 40 Section 39G.
2. If a meter is tampered with by the water customer or a person within the water customer's property, the customer is responsible for notifying the Town and replacing the meter in accordance to the water regulations. If the meter becomes out of order and fails to register correctly from the tampering, the customer shall be charged at the average consumption as shown by the meter when in order.
3. The fines for meter tampering shall be triple the amount of any damages or \$1,000, whichever is greater, in accordance with Massachusetts General Law. Damages shall include the cost of damaged equipment, labor costs incurred in repairs and the value of repair.

## C. Commercial and Industrial Meters

1. Commercial and Industrial meters shall be furnished, installed and maintained by the customer but shall be of a size, type and located as approved by the Superintendent based on the AWWA Manual Section M22 and M6 or as amended. All meters will be remote read as required by the Town.
2. Commercial meters shall be replaced at the customer's expense every 15 years from the date of original installation. The meter installation date is on file at the Town however, it is the customer's responsibility to replace the meter within 60 days of the 15 year anniversary. Failure to comply with replacement will result in shut off protocol within this document.
3. If an industrial/commercial meter appears to have gone out of order, the customer will be notified via certified mail. The customer will have 10 business days from receipt of letter to notify the Town of what action has been taken for the repair or replacement of the meter and 20 business days to have the actual repair or replacement completed.
4. Failure to respond to the first notice will result in a second notice informing the customer that if in 10 business days, the meter is not repaired or replaced, water service to the building will be shut off. The billing will be based on the highest quarterly usage out of the last four billing cycles.
5. Town personnel must be present for inspection when the new or repaired meter is installed and a new seal will be placed on the meter.
6. Meters are to be tested and calibrated on an annual basis at the customer's expense by a qualified meter testing company and the results of shall be forwarded to the Town. The Town must be notified when the meter is being removed to be tested. Meters are to be tested per

AWWA Standards C700 and C702. The Superintendent can require that a large commercial or industrial meter be tested if there is reason to believe that said meter is not registering water accurately.

7. The Superintendent, at his discretion, may direct a customer of a meter larger than 1-inch to have the meter analyzed to determine whether the meter size is appropriate.

D. Outdoor Water Use Meters

1. Outdoor water use meters (OWU) shall be furnished, installed and maintained by the customer but shall be of a size, type and located as approved by the Superintendent based on the AWWA Manual Section M22 and M6 or as amended. All new irrigation installations shall have automatic controllers and automatic shut-off device such as a rain sensor or moisture sensor. All OWU meters will be equipped with remote readers as required by the Town.
2. The Customer is responsible for completing the Application for Water Connection included in Attachment B.
3. The Customer must hire a licensed and DPW authorized plumber who will be responsible to obtain a plumbing permit from the Building Department and license from the DPW.
  - a. The plumber is responsible to install the OWU meter before the primary meter.
  - b. A reduce pressure zone backflow prevention device must be installed on any water line which services an irrigation system or swimming pool.
4. There are no inside connections allowed after the second water meter inside the dwelling.
5. OWU meters are for outside usage only (example: filling of pools, irrigation, etc). Any customer that is found using the OWU meter for inside use, will lose the OWU meter privileges and will be fined.
6. An inspection must be made by the Town before any credits will be issued on water bills.
7. OWU meters are the responsibility of the Customer. If the OWU meter breaks or fails to register, the Customer is responsible to purchase a new meter from the Town.
8. The Town reserves the right to discontinue use of OWU meters at any time.

SECTION 13 - INTERRUPTION OF SERVICE

- A. Whenever leaks occur between the curb stop and the meter, customers will arrange for repairs immediately. Failure to do so will be justification for shutting off the service until repairs are made, after which the fee as stated in Attachment A will be paid before service will be turned back on.

- B. The Town may at any time, without notice, shut off the water for the purpose of making repairs or changes in its piping system or for any purpose. Customers shall install proper safety devices on plumbing fixtures to protect from damage. The Town is not responsible for collapsed water tanks or for any damage which may occur due to leakage, shut-off or pressure fluctuations

SECTION 14 – CROSS CONNECTION CONTROL REGULATIONS

- A. Authority- Under Public Law 93-523, the Safe Drinking Water Act (SDWA) of 1974, and the Commonwealth of Massachusetts Drinking Water Regulations, 310 CMR 22.22, the Town has the primary responsibility for preventing water from unapproved sources, or any other substances, from entering the public potable water system.

B. Purpose

1. To protect the public potable water supply of the area served by the Town from the possibility of contamination or pollution by isolating within its customers internal distribution system(s) or its customers private water system(s) such contaminants or pollutants which could backflow or back-siphon into the public water supply system; and
2. To promote the elimination or control of existing cross-connections, actual or potential, between its customers in-plant potable water system(s) and nonpotable systems, plumbing fixtures and industrial piping systems; and
3. To provide for the maintenance of a continuing program of cross-connection control which will systematically and effectively prevent the contamination or pollution of all potable water systems by cross connection.

- C. Responsibility - The Town 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 pollutants, through the water service connection. If, in the judgment of the Superintendent, an approved backflow prevention device is required at the Town's water service connection to any customer's premises, the Superintendent or his designated agent shall give notice in writing to the customer to install an approved backflow prevention device at each service connection to his premises. The customer shall, within thirty (30) days install an approved device or devices at his own expense; failure, refusal or inability on the part of the customer to install the device or devices within thirty (30) days shall constitute a ground for shutting off water service to the premises until a device or devices have been properly installed.

D. Policy

1. No water service connection to any premises shall be installed or maintained by the Town unless the water supply is protected as required by Massachusetts State Law and this regulation. Service of water to any premises will be disconnected by the Town if a backflow prevention device required by this regulation is not installed, tested and maintained, or it is determined that the



device has been moved or by-passed, or if an unprotected cross connection exists on the premises. Service will not be restored until these conditions or defects are corrected.

2. The customer's system should be opened for inspection at all reasonable times to authorized representatives of the Town to determine whether cross connections or other structural or sanitary hazards, including violations of this regulation, exist. When such condition becomes known, the Superintendent shall deny or immediately discontinue service to the premises by providing for a physical break in the service line until the customer has corrected the condition(s) in conformance with state and town statutes relating to plumbing and water supplies and the regulations adopted pursuant thereto. All expenses relating to the disconnection and reconnection shall be borne by the customer.
3. An approved backflow prevention device, where required, shall be installed on each service line to a customer's water system at or near the property line or immediately inside the building being served but, in all cases, before the first branch line leading off the service line wherever the following conditions exist:
  - a. In the case of premises having an auxiliary water supply, the public water system shall be protected against backflow from the premises by installing a backflow prevention device in the service line.
  - b. In the case of premises on which any industrial fluids or any other objectionable substance is handled in such a fashion as to create an actual or potential hazard to the public water system, the public water system shall be protected against backflow from the premises by installing a backflow prevention device in the service line.
  - c. In the case of premises having (1) internal cross connection that cannot be permanently corrected and controlled, or (2) intricate plumbing and piping arrangements or where entry to all portions of the premises is not readily accessible for the inspection purposes, making it impracticable or impossible to ascertain whether or not dangerous cross connections exist, the public water system shall be protected against backflow from the premises a backflow prevention device in the service line adjacent to the water meter.
4. The type of protective device required shall depend upon the degree of hazard which exists as follows:
  - a. In the case of any premises where there is an auxiliary water supply or;
  - b. Where there are any materials dangerous to health which are handled in a fashion to create an actual or potential hazard to the public water system; or
  - c. Where there are "uncontrolled" cross connections, either actual or potential, the public water system shall be protected by an approved air-gap separation or an approved reduced pressure principle backflow prevention device at the service connection.
  - d. In the case of any premises where there is water or substance that would be objectionable but not hazardous to health, if introduced into the public water system, the public water system shall be protected by an approved double-check valve assembly.
  - e. In the case of any premises where, because of security requirements or other prohibitions or restrictions, it is impossible or impractical to make a complete in-plant cross connection survey, the public water system shall be protected against backflow or back-siphonage from the premises

by the installation of backflow prevention device in the service line. In this case, maximum protection will be required, that is, an approved air-gap separation, an approved reduced pressure principle backflow prevention device shall be installed in each service to the premises.

5. Any backflow prevention device required herein shall be of a model and size approved by the Superintendent. The term "approved backflow prevention device" shall mean a device that is on the "approved list of backflow preventers and double check valves" as revised by the Massachusetts Department of Environmental Protection (MassDEP).
6. It shall be the duty of the customer/user at any premise(s) where backflow prevention devices are installed to have certified inspections and operational tests made at least once per year as required under Massachusetts regulation and this regulation. The Town will conduct testing on these devices twice a year. The customers of the device will be charged for this test. The Town may have these test performed by a designated representative. In those instances where the Superintendent deems the hazard to be great enough, he may require certified inspections at more frequent intervals. These inspections and tests shall be at the expense of the water user and shall be performed by the Town personnel or by a certified tester approved by the Superintendent and approved by the State of Massachusetts. It shall be the duty of the Superintendent to see that these timely tests are made. The Superintendent shall notify the customer/user in advance when the tests are to be undertaken so that he or his representatives may witness the test if so desired. These devices shall be repaired, overhauled or replaced at the expense of the customer/user whenever said devices are found to be defective. Records of such tests shall be kept by the Superintendent.
7. All presently installed backflow prevention devices which do not meet the requirements of this section, but were approved devices for the purposes described herein at the time of installation, and which have been properly maintained, shall, except for the inspection and maintenance requirements under subsection 6, be excluded from the requirements of these rules so long as the Superintendent is assured that they will satisfactorily protect the utility system. Whenever the existing device is moved from the present location or requires more than minimum maintenance or when the Superintendent finds that the maintenance constitutes a hazard to health, the unit shall be replaced by a backflow prevention device meeting the requirements of this section.
8. All industrial and commercial establishments attached to the Town Water System will be required to install, at the service entrance and immediately downstream of the meter, a reduced pressure (RP) backflow device.
9. All decisions relating to determination of backflow devices will be made by the Town. Failure to comply with any directive from this office may result in termination of service. All testing and/or maintenance performed on backflow devices by the Town will be charged to the customer of the device.
10. All in-ground sprinkler/irrigation systems must have backflow devices installed.
11. No person shall cause a physical connection to be made between the Town water supply and any other unapproved water supply and any other water supply for commercial, domestic, sanitary,

fire protection or boiler feed purpose, or for any other purpose whatsoever, unless the Town water supply system is protected from risk caused by said Cross Connection. No unprotected cross connection is permitted between the public water supply and any other private source of water or any process which could contaminate the public water supply without a permit issued for the same by the Commonwealth of Massachusetts, DEP under (G.L. Chapter III, Section 160A). The 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 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 Superintendent or his designated agent shall give notice in writing to said customer to install such an approved backflow prevention device at each service connection to his premises. The customer shall, within 30 days, install such approved device or devices at his own expense, and failure, refusal or inability on the part of the customer to install said device or devices within 30 days shall constitute a ground for discontinuing water service to the premises until such device or devices have been properly installed.