

Rules and Regulations  
of the  
Water Commissioners of the Town of Waterford  
A Public Corporation

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As ordained and established September 1913, Amended March 1990, Amended March 2003,  
Amended May 2008, Amended July 2009, Amended Nov 2015

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APPENDIX 1 (FEES)

## **100 Rules and Regulations are Part of Contract**

The following rules and regulations, adopted and amended to date by that public corporation known as the Water Commissioners of the Town of Waterford, a body corporate created by special law by the Legislature of the State of New York, herein called sometimes simply "Commissioners", shall be a part of the contract with any person, firm or corporation supplied with water or whose property is supplied with water by the Commissioners and every such person, firm or corporation taking water from or whose property is supplied with water by the Commissioners shall be bound thereby.

## **200 Rates, Fees and Charges**

The rates, fees and charges for water, installations, repairs, labor, maintenance of facility, services, application, etc. and all penalties, shall be as specified by the Commissioners and shall be set forth in Appendix 1 to those Rules and Regulations labeled "Schedule of Fees", as same may be set and amended from time to time. Because these amounts naturally may change, the current contents of the "Schedule of Fees" should always be read and checked at the office of the Commissioners to insure current accuracy.

## **300 New Service**

1. Any person desiring introduction of service or supply pipe into their premises must apply to the Commissioners on the form(s) provided for that purpose by the Commissioners. No new service will be initiated if the applicant or property owner has an outstanding balance owed to the Commissioners.
2. The cost of materials and labor for installation of new services shall be paid by the owner or customer, or his (her) representative. Ordinarily these will include, among else, a tapping fee, corporation, curb stop and box, meter with remote *dialog* register, angle stop, gate valve, double check valve or backflow prevention device and associated fittings, in the case of a new residential service. In the case of a new commercial service, the items included, in addition to a tapping fee, will be approved by the Commissioners.
3. All installations of new services shall involve the use of materials and connections and workmanship approved by the Commissioners. Prior to installation of new services the owner or the owner's representative should consult with the Commissioners on applicable requirements. A plot plan with associated equipment locations shall be submitted with dimension to two permanent tie points such as survey monuments, catch basins, foundation walls etc. All installations require as built drawings. All installations must be inspected prior to backfilling.
4. In the case of residential installations materials used, for the types of equipment previously mentioned in this section, ordinarily must be purchased in advance from the Commissioners unless other arrangements are approved.

5. Installation of a meter and remote register at a residential installation shall be performed by the Commissioners. All other installation work should be “meter ready” per the Commissioners criteria.
6. Tapping of mains for water will be performed by or at the direction of the Commissioners.
7. Taps ordinarily will be made and allowed only when weather is favorable for such work in the discretion of the Commissioners.
8. Installation of water service pipes, of curb boxes, installation of curb stops, introduction of service pipes through foundation walls, backfilling and restoration work, etc., shall be performed by the owner or the owner’s representative and approved by the Commissioners. A plot plan with associated equipment locations shall be submitted with dimension to two permanent tie points such as survey monuments, catch basins, foundation walls etc. All installations require as built drawings.
9. Water service pipe, equipment, installation, etc., shall be in accord with the then applicable requirements of the Commissioners and shall be approved in advance.
10. The Commissioners should be notified as far in advance as is reasonable to coordinate any new taps. No appointments will be made with less than 48 hours advance notice. The tapping excavation and location must be prepared to OSHA excavation entry standard and be available when the Water Commissioner personnel arrive at the site. The standard hourly rate will apply to any standby time incurred.
11. All domestic (residential) taps will ordinarily be performed by the Commissioners, unless otherwise approved or directed by the Commissioners.
12. Before work is performed and a tap accomplished, all tapping fees, material fees, and charges as may be applicable must be paid to the Commissioners. Applicable fees, etc., shall be as set forth on Appendix 1.
13. On residential properties new services shall be installed to serve only one dwelling unit, unless the building is a multi-family structure where variations may be approved by the Commissioners in advance, in its discretion. Any variance must be approved in writing. Notice: It may require a minimum of 45 day for a variance to be granted.
14. No service shall be placed in the same trench with any other utility pipe or conduit.
15. A meter must be in place at the time of commencement of water consumption on any property. The required minimum charge for water service will be charged when the service line is installed to the building. Any unauthorized use of water before a meter is installed will be subject to an unauthorized use service charge per Appendix 1.
16. Commercial and industrial services, prior to installation, shall meet the foregoing requirements, unless otherwise indicated. Any water service not serving a single or multi-family residential dwelling shall be classified as commercial or industrial.
17. Service lines for commercial and industrial use shall be sized and otherwise in accord with the requirements of the Commissioners. A plot plan showing proposed service lines will be

provided to the Commissioners prior to installation. The plot plan with associated equipment locations shall be submitted with dimensions to two permanent tie points such as survey monuments, catch basins, column lines, foundation walls etc. All installations require as built drawings. The required minimum charge for water service will be charged when the service line is installed to the building and charged.

18. Design of the proposed water service, including the method of tapping the main, curb boxes, valving, service entry to building served, and other appurtenances must be approved in advance by the Commissioners. In the discretion of the Commissioners, design of the service by a licensed professional engineer prior to consideration for approval may be required.
19. Layout and accomplishment of the work and installation regarding relocated service to properties already served shall be considered by the Commissioners and, as to location and method of introduction of the service, approved by the Commissioners before work commences in all cases. Tapping in such cases shall be performed only by the Commissioners. So far as applicable the requirements for new installations shall apply, unless waived by the Commissioners, in the case of relocation of services. Unless otherwise directed, all work in such cases shall be performed at the owner's expense and shall be subject to the inspection and approval of the Commissioners. In relocations the meter and remote register shall be installed by the Commissioners. In cases of relocation a tapping fee will ordinarily not be required if existing tap is used.

#### **400 Abandonment of Services**

1. A temporary abandonment shall mean abandoning a water service with intent of restoring it to service within a two year time period. Unless otherwise approved by the Commissioners in writing. The minimum water service fee will remain in effect during the temporary service interruption.
2. A permanent abandonment shall be considered to be the abandonment of a water service after two years of non-use.
3. In the case of a temporary abandonment water must be shut off at the curb stop and disconnect from the service line on the property owners side of the service. Cost of excavation and other work shall be borne by the owner. The "curb stop" will be shut off by the Commissioners at the service rates in effect at the time of service. When service is resumed excavation and reconnection of water service line will be at the owner's expense. The Commissioners will turn the service back on at the service rates in effect at the time the service is rendered see Appendix 1.
4. In the case of permanent abandonment or after two years of non-use, water must be shut off and the service disconnected at the main. This will be done by the Commissioners at the owner's expense. In the event such a property ever seeks reactivation of a water service, it is to be treated as a new service and subject to tapping fees and all requirements of new service. Any unpaid service charges after one year will appear as a tax lien against the property.

## **500 Temporary Service Interruption**

In the event it becomes necessary to remove a meter to prevent freezing or for other temporary reasons, the meter shall be removed by Commissioners personnel, stored by it and reinstalled when appropriate and desired. Water service shall be shut off at the curb. During the time the meter is not in place no water shall be used in the water system to the property being served. Any unauthorized use of water will be subject to unauthorized service charge per appendix 1. Normally 48-hour notification for meter removal for temporary interruption, or meter replacement will be required. The minimum water service fee will remain in effect during the temporary service interruption. Fee for temporary service interruption, work, etc., shall be consistent with the fees set forth on Appendix 1 to these Rules and Regulations.

## **600 Residential Meters**

Each dwelling unit served with water by the Commissioners shall have a meter. All detached dwelling units shall have a meter and separate service line. All residential meters shall be purchased from the Commissioners. The Commissioners shall install all meters and the charge for such as specified in Appendix 1. All meters shall be sealed upon installation or resealed upon repair. No one but a Commissioner representative shall remove a seal. Unavoidable or accidental disturbance of a seal shall be immediately brought to the attention of the Commissioners. Meter location in the case of new construction must be approved prior to installation by the Commissioners. Any residence or residence unit occupied without a meter and receiving water service shall be subject to an unauthorized service charge per appendix 1. Homeowners and residential occupants shall assure meter and associated equipment are not damaged or abused. All meters shall be tested for accuracy by the Commissioners prior to installation. Any malfunctioning or stopped meter shall be brought to the attention of the Commissioners immediately. It shall be an owner's responsibility to ensure there is convenient access to all water meters for Commissioners representatives at all times.

## **700 Commercial Meters**

1. All meters for commercial and industrial properties shall be designed, along with related service lines, piping, valving, appurtenances, etc., by a professional engineer licensed to practice the profession of engineering in the State of New York and applicable plans, specifications and design details submitted to and approved by the Commissioners prior to any work being undertaken or any installation accomplished. Approval by the Commissioners shall be in writing.
2. The owner of commercial or industrial property shall be responsible for keeping the meter for that property in proper working order at all times. Routine maintenance and calibration of meter on such properties must be accomplished at least once every five years. Evidence of satisfactory calibration and accuracy shall be provided to the Commissioners whenever maintenance and calibration is accomplished or required by the Commissioners. Calibration of meters shall be performed by a qualified person, acceptable to the Commissioners at owner's expense. Any nonconforming meter, which cannot be calibrated within acceptable

limits, must be removed and replaced or repaired with an acceptable meter by the owner. All new installations on commercial or industrial property shall be completed with a remote reader for each meter. All meter locations shall be maintained to allow easy access and lighting and to be kept free from damage from the elements of weather and water. Access to the meter reader or other representatives of the Commissioners shall be permitted during all normal working hours. Discontinuance of any meter or damage to any meter shall be subject to notification to the Commissioners for repair or replacement of the damage or stopped meter and shall be effected as quickly as possible at owner's expense. During time or improbability of a meter, in such a case, water consumption, for billing purposes, shall be estimated based on the same period of time for the equivalent period in the prior year.

3. Any new installation to industrial or commercial property may be accomplished once approved in writing by the Commissioners. No installation shall be undertaken prior to such approval. Commissioner's representatives will inspect installation and construction and any deviation from approved plans for such, must be approved by the Commissioners. Placement of the meter and related appurtenances into service will not take place until the Commissioners have inspected and approved the installation.

## **800 Meter Readings**

1. Residential meters are routinely read once each three months. Bills for water consumed are sent out on or about the first of the month following that month in which the meter is read. Water bills are sent quarterly.
2. Industrial meters are routinely read once each month on or about the 25<sup>th</sup>. Bills for water consumed are sent out on or about the first of each month and are based upon water consumed during the preceding period.
3. Whenever a high reading of a meter is found, the Commissioners, upon request or on its own initiative, shall investigate to determine the cause. A reading shall be considered higher than normal if it is 1.5 times that use in the prior winter or 2.0 times that use in the summer, as the case may be. Should a high reading be determined not to be at the fault of the Commissioners, the customer shall be billed for water used. Should the evidence available not indicate the cause of the high reading and the customer had no knowledge for the reason for such, the matter shall be resolved by the Commissioners in their discretion.
4. All contested bills in the case of any customer of the Commissioners shall be resolved, upon request, by the Commissioners, whose discretion and judgment in such matters, shall be, in all respects, and for all purposes, controlling.

## **900 Meter Replacement**

All meter installations and replacements shall be performed by the Commissioners. All new installations and replacements shall include a remote register. In the case of any meters without a remote register, the Commissioners shall have the right, at any time, to provide a remote register at no charge to the owner. Ordinarily to effect meter replacement there shall be a reasonable and ample justification for the meter replacement such as, damaged meter, a stopped meter, an obsolete meter, major renovation or change in use of premises. In the case of a damaged meter, where it appears the damage was by the act or negligence of the owner, the owner will be responsible for any equipment and labor charges associated with repairing or replacing the equipment. See appendix 1 for applicable service charges.

## **1000 Frozen Meters**

Commissioners assume no responsibility, nor liability in the case of frozen meters. Fees for repair or replacement of meters damaged from freezing are set forth on Appendix 1 and such fee includes removal, repair, recalibration, testing and reinstallation.

## **1100 Stopped Meters**

The Commissioners will normally have responsibility for repair or replacement of any residential (or other 5/8-3/4 inch size) meter or remote register, which stops functioning for

naturally operational reasons. Any residential meters willfully damaged shall be repaired on a time and materials bases consistent with Appendix 1. Commercial or Industrial meters (or meters larger than 5/8-3/4 inch size) that are stopped must be repaired immediately by approved competent repair personnel at the expense of the owner. During the period of any outage of any such meter estimated bills shall be applicable plus service charges. The procedure for estimated bills is set forth in these Rules and Regulations.

### ***1200 Estimated Bills***

In the event a meter cannot be read by the Commissioners meter reader or other representative or by customer meter card, estimated bills shall be applied, the method of estimating to be usage for two previous years during similar billing periods on the same property and averaging the prior two years' amounts. Estimated billings shall carry, in addition to their total a \$10.00 surcharge. In the case of estimated billings, the owner or customer shall be advised by the Commissioners the reason for such, and assistance of the owner in permitting actual billings as soon as possible, shall be requested. In the lack of cooperation from the owner, water service may be discontinued after one or more estimated billings. In the case of non-working meters, when such condition is the subject of notice to the owner by the Commissioners in writing, and no action is taken by the owner with in one billing period, unauthorized use charge in addition to the minimum charge or estimated reading which ever is greater, per billing period may be applied in accord with the fees set forth in Appendix 1 until the situation is corrected.

### ***1300 Hydrant Use***

Use of hydrants is forbidden except for fire fighting purposes, without prior permission of the Commissioners. Use of said hydrants for other than fire fighting purposes shall be permitted on a case-by-case basis and only after full description of the nature of the use, duration and location of the hydrant, and written approval of the Commissioners. Use of hydrants for other than fire fighting purposes shall be in the discretion of the Commissioners, and shall be in accord with such guidelines as the Commissioners may from time to time establish. A fire hydrant permit will be require along with any applicable fees per Appendix 1. Whenever any fire hydrant is used by a company, fire fighters or others in freezing weather, such use under such conditions shall be brought to the immediate attention of the Commissioners. No person shall tamper in any way with the fire hydrant or inflict any damage upon a hydrant. Obstruction of fire hydrants is forbidden. Adjacent property owners to where a fire hydrant is located are asked to assist in keeping the fire hydrant clear during inclement weather. This act of community service could help save both property and life.

### ***1400 Privately Owned Hydrants And Fire Taps***

Maintenance of privately owned hydrants at industrial locations on privately owned property is the responsibility of the owner of such hydrant. The only permissible use of such hydrant is fire protection. When water mains serving these hydrants are on privately owned land the Commissioners assume responsibility for the line from the water main to the nearest valve but in no case beyond the property line. In the case of fire taps and lines for wet sprinkler systems

in industrial and commercial locations inside buildings, owners are fully responsible for these lines. A backflow prevention device is required for any installation servicing a wet or dry sprinkler system. Fees and rates for private hydrants, sprinkler systems, fire taps, etc., shall be in accord with the amounts specified in Appendix 1.

### ***1500 Service Lines***

The Water Commissioner of the Town of Waterford owns the water service line from the main to edge of the road right-of-way or the curb stop which ever is closer. The curb stop, curb box, service from the road right-of-way or curb stop into the house, the water meter and all other water conveyances and plumbing fixtures are owned by the property owners. Responsibility for replacement and care of an active water service lines rests upon the owner. Repair or replacement of any portion of the property owners water service, is totally the responsibility of the owner. Any replacement or repair to that portion of the service from the road right-of-way or curb box to house is the responsibility and shall be accomplished at the expense of the owner; if such repairs where the service from the main up to the road-right-of way or but excluding the curb box it is the responsibility of and shall be accomplished at the expense of the Commissioners. If a service is abandoned the Water Commissioners will assume responsibility per the section 400 of this document.

### ***1600 Curb Boxes***

Curb boxes will be located at or near an owners property line and by design should terminate at or just below grade. Curb boxes are owned by the owner, and it is the responsibility of the owner to maintain curb boxes. Should a curb box cap be removed or damaged, upon notification, the Commissioners will replace the cap at the service rates in affect at that time. Should there be a "lost" curb box as a result of regrading or other similar reasons, the Commissioners should be notified and Commissioners personnel will attempt to locate the curb box and mark its location.

## ***1700 Backflow Prevention***

All new residential installations will be required to have a backflow prevention device installed. For residential installation at low risk, a dual check valve installation will be sufficient. Any residential installation found to contain a backflow risk or hazard as defined by the NYS Department of Health or other regulating agency shall be equipped with a proper backflow prevention device as recommended by the NYS Department of Health or other regulating agency.

All existing residential installations will be reviewed on a case-by-case base. It is the Water Commissioners intent to have installed backflow prevention devices on all services to reduce the risk of injury to the public as a result of backflow into the distribution system. Residential and other services are prohibited from using water powered sump pumps or other devices.

Certain commercial or industrial operations have the potential to back-siphon contaminated water or harmful substances into the portable water supply under certain conditions. Any commercial or industrial customer found to contain a backflow risk or hazard as defined by the NYS Department of Health or other regulating agency shall be equipped with a proper backflow prevention device as recommended by the NYS Department of Health or other regulating agency. Should such a protective measure be required, plans and specifications for the installation shall be prepared by a licensed professional engineer. These plans must be approved by NYSDOH and the Commissioners prior to installation..

Existing backflow prevention devices shall be the responsibility of the owner to inspect and maintain. Evidence of servicing and testing at a frequency not to exceed every year shall be furnished to the Commissioners by the owner or his authorized representative.

It shall be made known to the Commissioners each time a backflow prevention device discharges. The information provided shall include day, time and reason for discharge and remarks as to how the problem that caused the discharge has been corrected.

Individuals testing or maintaining backflow preventers shall be qualified and capable to do this work. The owner of a backflow device shall be held totally responsible for keeping this device in proper working conditions at all times.

Cross connections or interconnections from other sources shall not be permitted. There shall be a physical air break of at least twice the pipe diameter provided in any building or location that is served in any way by another water source or possible source of a contaminated substance. This specifically includes water wells even if they pre-existed the public water service.

## ***1800 Temporary Service In Emergencies***

In the event water service is discontinued to a home due to a broken or damaged service, temporary service may be provided by running a garden hose from outside faucet on one house to that of the customer out of service. Generally, weather must be above freezing to accomplish this. If weather is not above freezing, water must run continuously. Adjustment of

the water bill of the donor shall be made on the basis of water consumed for the similar billing periods, averaged, two years prior to the event. This usage shall apply to all residences involved. This set up shall be kept to a minimum time and corrective action shall be taken as soon as possible to limit this time.

### ***1900 Temporary Or Emergency Service Discontinued***

Discontinuation of services for short periods less than 3 months for temporary conditions or emergencies will be accomplished by the Commissioners in appropriate circumstances at the request of the owner. Any such temporary or emergency discontinuation shall be accomplished in the manner then normally employed by the Commissioners. When an owner desires a temporary service discontinuation, normally at least 24 hours advanced notice of such shall be required. Requests will be made at the office of the Commissioners. Minimum service charge will be effect during the temporary service disconnect.

### ***2000 Swimming Pool Filling***

Pool fillings through domestic residential meters require no prior notice nor indication to the Commissioners. A back flow prevention device is require on permanent or temporary water lines servicing the pool. Pool filling from a hydrant or a main shall conform to procedures prescribed by the Commissioners at the time, in each case. When such is permitted a hydrant use permit and fees will be required prior to filling the pools.

### ***2100 Pool Filling Services***

Tank or trucks and other vehicles of conveyance that are employed to fill swimming pools and provide other water services may secure water at the Commissioners main plant at the convenience of the Commissioners. A prepaid water permit is required prior to purchasing water at the main plant. The water purchased will be deducted from the prepaid permit as it is consumed. The tank truck or other equipment used to purchasing water from the Commissioners is subject to inspection by the Commissioners at any time. The Commissioners may refuse to sell water to anyone, at anytime for any reason, even if they hold a valid water permit. If so requested the Commissioners will reimburse the permit holder for any unused funds on the permit.

### ***2200 Commissioners Personnel Labor***

Commissioners' personnel shall perform services and labor only in the Town of Waterford. Normally, without prior approval of the Commissioners, Commissioners' personnel shall not perform services on the premises of customers or in regard to customer service other than those relating to these of meter installation, water turn on and shut off at curbs, repair and replacement of frozen meters, removal and reinstallation of meters, emergency work, and work specifically within right of way for easements of the Commissioners. Waiver from these limitations shall be on a case-by-case basis approved by the Commissioners.

## **2300 Unauthorized Connections**

All connections to the distribution system of the Commissioners shall be approved by the Commissioners. No water service shall be installed without a meter, unless an advance approval is obtained from the Commissioners for temporary un-metered use. All water service shall be installed under the inspection and approval of the Commissioners. No connection to the system without Commissioners approval shall be allowed. No excavation, modification, change, alteration, exposure, connection to or tampering with an exterior service, piping, valving or tapping without the prior approval of the Commissioners shall be permitted. "Exterior service" as used in the last sentence, shall mean service outside the building of a customer. No operation, working upon or tampering with any curb stop, corporation, valve or any other part of a water service, water main or any portion or part of a water system operated by the Commissioners shall be permitted except by Commissioners personnel.

The owner of a premise severed by the Commissioners will take every reasonable step to insure the safety of the water service on their premise, this includes not tampering or removing a meter, not tampering with or removing a backflow prevention device, not making a cross connecting with another unapproved water supply, not connecting the service to a potential hazardous chemical supply without prior approval from the Commissioners, not connecting a device which could create a pressure greater than the water supply pressure without prior approval from the Commissioners. The owner of a premise severed by the Commissioners is required to report to the Commissioners any activity or suspected activity, which could affect the safety of the public water supply. This may include but is not limited to, anyone making a connection to the water supply, any tampering or any evidence of tampering with the public water supply, any suspicious activity by any person or persons around a public water supply connection or component. Protection of the public water supply is the responsibility of everyone served by that water supply.

## ***2400 Leakage***

Owners of property shall assume all liability for damage from leakage as a result of neglect or failure of components own by them. Any assistance from the Commissioners to stop, remove, repair, or replace water conveyance equipment will be bill at the service rates then in effect per Appendix 1. The owner of the premise is responsible to notify the Commissioners in a timely manner of any water leakage from their or the owners equipment so repair may be made.

## ***2500 Service Interruption***

The Commissioners shall not be liable for any damage, which may result to any person, premises or property from shutting off water, from increase or decrease in water pressure, or for similar events, even where no notice is provided. When appropriate, and feasible the Commissioners may give notice of any intended discontinuance, interruption of increase or decrease in pressure in the service provided to the premises.

## ***2600 Access***

Commissioners personnel and persons delegated by them must at all reasonable hours have access to all parts of any premises supplied with water, or having water pipes therein, to examine pipes, meters, fixtures, etc.

## ***2700 Unpaid Bills***

Water bills and other charges not paid before September 1 of each year, and previously billed, will be placed on the tax roll with penalty added and will become a lien and charged against the property involved.

## ***2800 Misrepresentation***

In the case of any fraudulent misrepresentation on the part of any person, firm or corporation supplied with water by the Commissioners or the use of fixtures not reported, or for unreasonable waste of water, for non-payment of water rates, or other charges, or disobedience or violation of these Rules and Regulations, water to the involved premises may, in the discretion of the Commissioners, be shut off and discontinued until the matter is settled to the satisfaction of the Commissioners and all applicable charges determined appropriate within the circumstances are paid, including any fees for turning on water.

## ***2900 Miscellaneous***

The Commissioners maintain and establish from time to time various guidelines, requirements, material specifications, etc., regarding its operations, installation, to properties, repairs, services, etc., and such guides, etc. may be inspected at the office of the Commissioners.