

LOCAL LAW # 3 OF 2007

**WINDHAM WATER DISTRICT # 1
RULES & REGULATIONS
LOCAL LAW OF THE TOWN OF WINDHAM**

LAW:

No. 1 - It shall not be lawful for any person to throw into any supply reservoir of the Windham Water District No. 1 or upon the banks thereof, or upon the ice formed in said reservoir when the same is frozen over, any stick, stone, refuse or other substance or material of any description whatsoever, either liquid or solid, nor to skate, run, slide, walk, stand, go or be upon any ice that may form upon any reservoir. Any person violating any of the provisions of this section shall be guilty of trespass as defined in Penal Law Section 140.05.

No.2 - No person shall use water supplied by Windham Water District No. 1 to sprinkle other than his own premises and no street sprinkling with garden or other hose will be permitted on any street. All permissible sprinkling must be done between the hours of four o'clock in the afternoon and nine o'clock in the forenoon and at no other time. Nozzles larger than 3-16 inch in diameter shall not be used for sprinkling. Any person violating any of the provisions of this section shall be liable to a penalty of five (\$5.00) dollars.

No.3-No person except the Windham Town Board or the Superintendent of the water works, or persons acting under their or his direction or permission, shall open any fire hydrant, or draw water there from except that the chiefs of the fire department in the Town of Windham, and their assistants and members of the fire departments, are authorized to use said hydrants for the purposes of extinguishing fires or testing engines, hose and apparatus, but all such uses shall be under the direction and supervision of the chiefs of the fire departments and their assistants, and in no case shall inexperienced or incompetent persons be allowed to manipulate or interfere with any such hydrant, or any gate, valve or other fixture of said water works. Any person violating any provision of this section shall be guilty of criminal tampering as defined in Penal Law Section 145.15.

No.4 - It shall not be lawful for any person not authorized by the Town Board or the Superintendent to tap any main of the Windham Water District No.1 or to make any connection or connections therewith or to in any manner interfere with said mains or any of them. Any person violating any provision of this section shall be guilty of criminal tampering as defined in Penal Law Section 145.15.

RULES AND REGULATIONS:

The following rules and regulations shall form a part of the contract with all persons using the water of the Windham Water District No. 1 and the fact of using said water shall be considered an assent on the part of the owner or user to be bound thereby.

Section 1. All persons or corporations wishing to use the water of the Windham Water District No. 1 for any purpose must first make application to the District No. 1 in writing. Said writing must be signed by the owner of the property where the water is to be used, or by his or her duly authorized agent, stating without reserve the various uses to which the water is to be applied and should the water be required for other purpose after work is commenced or finished, notice in writing must be given before the change desire is made and an additional permit granted.

PAYMENT OF WATER RENTS:

Section 2. Water rents are payable semi-annually on the first days of January and July at the Office of the Windham Water District (Windham), Hensonville, New York. At least one semi-annual payment shall be made by each consumer, regardless of actual shut-off time. In those instances where water is turned on prior to July one, and shut off after July one, two semi-annual payments must be made.

Water rents are a lien on the real property upon which the water is used. Therefore, owners of the real property will be responsible for the water rents of their tenants or licensees.

Section 2A. Access by the Water Superintendent or his designee to enter premises for purpose of reading meter twice a year for billing purposes and any other time he deems necessary for maintenance of meter during regular business hours. If the meter is not available to be read, the consumer will be charged the highest charge from previous readings.

VACANCY:

Section 3. Consumers desiring to discontinue the use of the water on account of the premises upon which it is used being vacant, or for any other reason, must notify the District Office in writing so that the water may be shut off at the curb. In the event no such notice is given, the owner or occupant will be held responsible for the water rent at the full amount and also for any damage or waste which may occur on account of freezing or bursting of pipes due to such vacancy. A fee of ten dollars and fifty cents (\$10.50) will be charged for each time the water is turned on or off, together with labor costs after being turned off for the first time.

SERVICE PIPE AND FIXTURES:

Section 4. All persons taking water will do so at their expense, and all owners shall furnish their own service pipe from their building to the water main which must be not less than three quarter (3/4) inch standard copper tubing for underground use; also a stop and waste cock to be properly located inside the building; and have pipes so arranged that the water can be drawn off to prevent freezing, and shall keep the curb box uncovered and exposed to view and on a level with the top of the curb stone. All service pipe must be laid at least four (4) feet beneath the surface of the ground. All fixtures shall at the owner's expense, be protected from frost and kept in order to prevent waste of water and should any users wish to discontinue the use of the District water and remove their fixtures, they may do so upon giving notice in writing to the District Office and obtaining a permit, but in all such cases, the corporation cock, service pipe, curb cock and box must be left undisturbed.

A style B Ford Retrosetter check valve must be installed as a protective device of the public water system to prevent draining back into the municipal system. This device will be supplied through the Town of Windham at the users cost. All protective devices are to be tested at least annually by a certified tester. The Water District or its employees will not be responsible for any damage that may occur as a result of failure to observe this important rule.

SHUTTING OFF WATER:

Section 5. The water may be shut off from the mains of the entire Water District or of any part thereof when repairs, connection or changes are to be made or when necessary for any purpose. When practicable, notice will be given in advance when the water is to be off, but the Town Board shall not be responsible for failure to do so in any case, and neither shall the said Board in any case be liable for any such damages which may result from shutting off said water, whether such notice be given or not.

WASTE OF WATER:

Section 6. All property supplied with water by Windham Water District No. 1 shall be open and accessible to proper representatives of the Districts at all reasonable times for purposes of inspection. Whenever it is found that water is permitted to run to waste or is being wasted through defective faucets or other fixtures or equipment or is being taken from the premises by those not entitled to its use, except in cases of emergency, unless it is metered, the same will be sufficient cause for shutting off the supply without notice. The cost of repairs of service pipe leaks must be borne by the property owner and the Town Board reserves the right to discontinue service until such repairs have been made.

BRANCH SERVICE AND CURB COCKS:

Section 7. No service pipe will be allowed to run from one lot to another, but the owner or user may make application to the District Office for a permit to unite, and, if such permit is granted, may use one service pipe by placing at curb, branched service, and

independent curb cocks, and boxes whereby the supply to each lot may be controlled. The application for water shall accompany the application to unite.

METERS:

Section 8. The Town Board reserves the right to require a meter to be removed and tested and will furnish a substitute while the meter is being tested.

Tampering with water meter and or seals is forbidden and the person violating the same shall be guilty of criminal tampering as defined in Penal Law Section 145.15.

The New York State Department of Health requires that a water meter be on the service line of all water consumers. The Windham Water District requires that this water meter have a remote readout for accessibility. Such installation shall be at the consumer's expense. The minimum semi-annual rate for water meters shall be one hundred forty three dollars and seventy six cents. (143.76)

If a meter becomes inoperative or fails to register accurately, the consumer will be billed at an average rate based on previous billings, until such time as a new meter can be installed at the consumer's expense.

USE OF STREET GATES AND CURB COCKS:

Section 9. No person, persons or corporations except those having authority and or with the consent of the District Police shall open or close any gate or valve in any street main or cocks or valve in any curb box, or interfere with the same in any manner. Any person violating the provisions of this section shall be guilty of criminal tampering as defined in Penal Law Section 145.15.

APPROVED PLUMBING:

Section 10. The Town Board will not permit the mains to be connected with any plumbing unless such plumbing has been examined and approved by a plumber, approved by said Board to tap mains and a full report will be made by him for each service, said report including ordinary and special uses to which the water is to be applied, whether for new work, alterations or additions, with a full descriptions of the same and the number of families to use the water therefrom. All tapping of mains and installation of operation of curb cocks and boxes shall be done under the supervision of the Superintendent.

RULES GOVERNING PLUMBERS LICENSE AND BOND:

Section II: Any plumber or pipe fitter desiring to do business for the Water District or to put in, set up, apply, build or construct any plumbing work or pipe fittings or fixtures between any main and stop and waste cock in any building to be supplied with water

from District Mains for any consumer or user of District Water, must procure an approval from the Town board and execute a bond with two or more sureties or a Surety Company in the amount of five hundred (\$500.00) dollars, to be approved by the Board, conditioned that the said plumber or pipe fitter shall comply with and be governed by the rules and regulations of the board and save the Water District and the Board harmless from any and all responsibility and all liability or expense that may occur by reason of defective work, negligence or failure to provide against accidents of any nature.

WORK ON MAINS:

Section 12: No licensed plumber or pipe fitter shall do any work on or upon any of the mains, pipes, or other fixtures of the District Water System without first obtaining a permit from the District Office, whether it be for entirely new service or additional fixtures to service already connected.

GRANT OF PERMIT:

Section 13: No plumber or pipe fitter will be granted a permit to do any work on or upon any of the mains, pipes or other fixtures of the District Water System except on a written application signed by the owner or authorized agent of the premises on which the water is to be used, stating fully all the uses to which said water is to be put.

REPORT BY PLUMBER:

Section 14: Every plumber and pipe fitter shall within forty-eight (48) hours after the completion of any work for which a permit has been granted, file a report with the District Office containing a statement certified by said plumber or pipe fitter that the work has been completed in accordance with the application upon which the said permit was granted. In no case will the water be turned on until such report showing compliance with the terms of the application and containing such certification has been received by the District Office.

TRENCHES:

Section 15: All trenches dug for service connection must be properly guarded and lighted and not left open longer than is absolutely necessary to complete the work, and any road bed and/or sidewalk must be restored to its former condition to the satisfaction of the Superintendent. Flooding trenches to settle the ground will not be allowed.

CROSS CONNECTIONS:

Section 17: In conformity with the New York State Sanitary code, cross connections between potable public water supplies and non-potable supplies are prohibited.

TAPPING THE MAINS:

Section 18: All tapping of mains will be done by the Superintendent at the actual cost for the account of the owner or user.

SUSPENSION:

Section 19: The Town Board may suspend or revoke the permit of any plumber or pipe fitter for incompetence or misconduct and may refuse to grant permit to any person not found by them to be competent by reason of lack of experience or knowledge.

PENALTY FOR VIOLATION:

Section 20: If any plumber or pipe fitter shall violate any of the foregoing rules and regulations, the Town Board will, upon satisfactory evidence thereof, suspend his permit and may impose a fine of not less than twenty (\$20.00) dollars and no more than one hundred (\$100.00) dollars and his suspension shall stand until such fine has been paid or remitted by the Board or until such other time as the Board may in its judgement determine.

Section 21: Customer who fails to notify the Water Board of additions to their water delivery facilities will be penalized by a fine of not less than twenty (\$20.00) dollars and not more than one hundred (\$100.00) dollars for each such violation.

This Law shall be effective immediately upon filing with the Secretary of State of the State of New York.