

RULES AND REGULATIONS GOVERNING THE TOWN OF LONGMEADOWS PUBLIC WATER SYSTEM.....

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TOWN OF LONGMEADOW
RULES AND REGULATIONS
GOVERNING THE PUBLIC WATER SYSTEM

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RULES & REGULATIONS GOVERNING THE PUBLIC WATER SYSTEM

ARTICLE I.

INTRODUCTION

Under authority of the General Laws of the Commonwealth of Massachusetts, the Home Rule Amendment to the Massachusetts Constitution, the Longmeadow Charter, applicable provisions of the Agreement with the Springfield Water and Sewer Commission, Town Bylaws, and all other enabling authorities, the following Rules and Regulations are hereby established by the Town of Longmeadow, in the County of Hampden, and are hereby made and shall be considered a part of the contract between the Town Water Department and every person or persons liable for water charges or other charges subject to our jurisdiction, and filing of an application to take water, or the taking of water, shall be considered express assent to be bound by these Rules and Regulations and any other changes which may hereinafter be made.

The following regulations are a part of the contract with every person who takes water, and govern the relations between the Longmeadow Department of Public Works and its consumers and contractors/developers who install water systems. All previous rules and regulations are superseded by these rules and regulations.

Except as otherwise provided herein, the Director of Public Works of the Town of Longmeadow shall administer, implement and enforce the provisions of these rules and regulations.

ARTICLE II.

DEFINITIONS

1. **Consumer:** The term "consumer" shall mean the individual, firm or corporation whose name the Water Department has on its books as the party who has applied for water service, or any individual, firm, or corporation, who, in fact, uses the water service of the Town of Longmeadow.
2. **Contractors:** "Contractors" shall mean an individual, firm or corporation who installs water mains, water services and their appurtenances.
3. **Curb Stop:** A shut off valve on a Service Pipe generally located at the curb or property line.
4. **Corporation Stop:** A shut off valve near the main that is used to isolate the water from the main from the service connection.
5. **Department of Public Works:** shall mean the authorized designees of the Department of Public Works of the Town of Longmeadow.
6. **Director of the Department of Public Works:** Director of the Department of Public Works shall be the duly appointed person whose duties shall include supervision of all Department of Public Works (DPW) departments on behalf of the Town, acts under the direction of the Town Manager. The Director of the Department of Public Works, or his/her designee, is the individual responsible for the oversight of the Water Division Rules and Regulations established by the Select Board of the Town of Longmeadow.
7. **Distribution Charge:** A charge or fee imposed on water users to cover various administrative and fixed costs associated with operating the water system.
8. **Dwelling Unit:** Any individual house, apartment or living quarters that has been provided with, or is eligible for, Town water service.
9. **Emergency:** Any event; such as a fire, water main break, water contamination, loss of water supply that necessitates action by the Department of Public Works to limit or curtail water use in Town or some other action to respond to the event.
10. **Main:** A "main" is the supply pipe laid in the street or right of way, from which service connections are made.
11. **Property:** Any privately or publicly owned land or real estate.
12. **Property Owner:** The legal owner of record of a particular parcel of land or real estate.
13. **Select Board:** Select Board shall be the duly elected persons whose powers are defined in the Town of Longmeadow Charter.
14. **Service Connection:** The connection off of the main that is installed to provide water service to a consumer. All connections off the main pipe will be classified as service connections, regardless of size.

15. **Service Pipe:** A "service pipe" is the pipe running from the main in the street to include a corporation stop and curb stop at the property line, a shutoff valve, meter and meter connection usually inside the cellar wall.
16. **Structure or Building:** Any house, apartment complex, or other habitable unit that is constructed on a legal building lot.
17. **Surcharge:** An additional sum added to the water use fee and/or service charge for circumstances caused by the water user/customer which prevent or inhibit the normal operation of the Water Division or violate the rules listed within these regulations.
18. **Town:** shall mean the Town of Longmeadow, Massachusetts or its duly authorized representative(s).
19. **Water Meter:** A device for measuring and recording the water consumption at a building, installed by or at the request of the Water Division, and used for billing by the Department of Public Works.

ARTICLE II.

GENERAL PROVISIONS

Sec. 2-1. Application for water service - new.

All applications for introduction of Town water to private premises, shall be made at the Office of the Department of Public Works by the owner of the property or by the person to be charged therefore, or by his/her authorized agent. Applications will be required for all new service connections.

Sec. 2-2. Responsibility for charges.

Consumers of water will be charged with and held responsible for all water passing through their service pipe until such time as they shall notify the Water Division, at its' office in the Department of Public Works, they no longer desire the use of water.

Sec. 2-3. Town to have free access to premises.

No alterations shall be made in any of the pipes or fixtures inserted by the Town except by its agents who shall have free access at all times to the premises, supplied after reasonable notices, except in the case of an emergency, to ascertain the quantity of water used and the manner of its use. When such access has been unreasonably refused, the water may be shut off. No person shall tamper with a water meter or he may be subject to a surcharge, or estimated bill, as set forth in Article VII.

Sec. 2-4. Emergencies.

Whenever an emergency occurs in the Town that requires limiting the water use, after public notice by the Director of Public Works, Assistant Director of Public Works for Water and Wastewater Operations, Fire Chief or Town Manager, it is the duty of consumers to discontinue, as far as practicable, use of all water.

Sec. 2-5. Conditions under which service is furnished.

The Town does not guarantee constant pressure nor uninterrupted service, nor does it assure the consumer 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 mains. If the pressure provided at the mains is insufficient for the consumer's purposes the consumer may install and maintain at their own expense a tank or booster pump as approved by the Department of Public Works. If the pressure provided at the main is considered too high for the consumers use, it is consumer's responsibility to install the proper regulating device to lower the pressure to the extent desired.

Sec. 2-6. No liability for interruption of service.

No consumer shall be entitled to damages, or to have payment refunded, for any interruption of supply occasioned either by accident to any portion of the works, 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 Department, such as excessive drought, excessive use of and waste of water by other consumers, or by leaks or defects in the pipes or appliances owned by him/her or other consumers.

Sec. 2-7. No liability for dirty water.

The Town will not be responsible for damages caused by dirty water resulting from the opening or closing of any gate for repairs, the use of any hydrant, or the breaking of any pipe.

Sec. 2-8. No liability for consumer's pipes.

The property owner is responsible for the service lines from the meter to the water main, excluding the corporation stop and the curb stop. The Town assumes no liability for conditions which exist in consumer's pipes and cause trouble coincidental to or following the repairs of any main pipe, service pipe, meter or other appliance belonging to the Town.

Sec. 2-9. No liability for collapsed boilers, etc.

The Department reserves the right at any time, without notice to shut off the water in the mains for purposes of making repairs, extensions or for other necessary purposes. Persons having boilers or other appliances on their premises depending on the pressure in the pipes to keep them supplied with water are hereby cautioned against danger from these sources, and are required to provide, at their own expense, suitable safety appliances to protect themselves against such danger. In any event, it is expressly stipulated that the Department will not be liable for any damage resulting from water having been cut off, either through accident or necessity.

Sec. 2-10. No liability for shutting off water without notice.

When it becomes necessary to shut off the water from any section of the Town because of an emergency, accident or for the purpose of making changes or repairs, the Department will endeavor to give timely notice to as many of the consumers affected thereby, as time and the character of the repairs or the event will permit, and will, so far as practicable, use its best efforts to prevent inconvenience and damage arising from any such cause but failure to give such notice will not render the Town responsible or liable for any damages that may result from the shutting off of the water or any coincident conditions.

Sec. 2-11. Violations of Regulations.

Any violations of these regulations may result in the Department of Public Works ordering the shutting off of the water to the violator's premises after "due process" has been executed. When the water has been shut off for violations of rules, or their offense, it may not be turned on again until the Department is satisfied that there will not be further cause of complaint, and charges shown in the Appendix, Fee Schedule, and any other penalty or charges have been paid to cover the cost of shutting off and turning on the water.

Sec. 2-12. No liability for frozen pipes.

The Town shall be held harmless for damages caused by frozen pipes whether they are the property of the consumer or the property of the Town.

Sec. 2-13. Private wells.

No private wells will be allowed except only as permitted under the Regulations of the Board of Health. No cross connections are allowed between any private well and the municipal water supply system.

Sec. 2-14. Shutoff Policy.

Per Chapter 600, Paragraph 2-601, section (m) of the Town's Bylaws, if a bill for water services remains for 30 days the Department of Finance and Administration shall inform the Select Board who acting as Water and Sewer Commissioners, who have the authority to cause the water supply to be turned off".

Sec. 2-15. Winter Shutoff Policy.

Delinquent accounts will not be shut off between November 15 and March 15.

Sec. 2-16 to 2-25. Reserved.

ARTICLE III.

CHARGES

Sec. 3-1. Charges for Water Service.

The charge for water service shall be based upon a distribution charge and a charge for water consumption. The Department of Public Works shall conduct annually, a review of water and sewer rates to consider rate adjustment. The Department shall also consider Capital Improvement funding.

The rate shall be the prevailing rate as established by the Select Board acting as the Water and Sewer Commissioners.

Bills are payable within 30 days from date of issue and are subject to a lien on the property (Ch. 40 Sec. 42A-42I of the General Laws).

Sec. 3-2. Fee Schedule

The fee schedule for all water charges is included as an Appendix.

Sec. 3-3. Date of consumer's liability to pay.

A distribution charge will be assessed for water service from the date the water is turned on whether the water is used or not (see Appendix, Fee Schedule). All past due water bills must be paid in full before any abatements can be made.

Sec. 3-4. Collections of miscellaneous water charges.

All bills for labor or material on consumer's property and charges for shutting off or turning on water will be subject to the same conditions as bills for water usage.

Sec. 3-5. Charge for turning on or off water.

A charge will be made for turning on or shutting off water (Appendix, Fee Schedule).

Sec. 3-6. Delinquent Accounts.

If a water/sewer service remains unpaid for 30 days after the bill is issued the water/sewer department shall send out a demand notice. The demand notice will reflect a \$10.00 demand fee and interest from the due date of the original bill.

September of each year, the Department of Finance and Administration will send a letter to the Owner of Record who has prior fiscal year outstanding water/sewer advising that their water/sewer bill will need to be paid in full by November 1st. If the water/sewer bill is not paid in full, the Department of Finance and Administration will start the process of liening the outstanding amount to the Actual Real Estate bill. Once the water/sewer is liened, it then becomes part of the Real Estate Tax bill and if it goes unpaid it is subject to a Tax Taking. If a bill for water services remains unpaid for thirty (30) days after the bill is due, the Department of Finance and Administration shall send a notice to the delinquent; and, if the bill remains unpaid for fifteen (15) days thereafter, the Department of Finance and Administration shall inform the Select Board

acting as Water and Sewer Commissioners, who have the authority to cause the water supply to be turned off.

Sec. 3-7. Claims for adjustments on bills.

All claims for adjustments of water bills shall be made within sixty (60) days of the date of the mailing by the Department of Public Works.

Sec. 3-8. All metered water to be paid for.

All water passing through a meter must be paid for whether used or wasted. A distribution charge will be assessed for water service from the date the water was turned on.

Sec. 3-9. When meter is out of order.

If a meter is out of order or fails to register, the consumer will be charged at the average of the corresponding billing period consumption as shown by the meter when in order, for the corresponding period of three (3) years preceding.

Sec. 3-10. No right to furnish water to other premises.

A consumer of water by meter may use it for any and all purposes on his/her own premises, but will not be permitted to supply the premises of another person, except in special emergencies and then only with the express approval of the Director of Public Works or his/her designee.

Sec. 3-11. Water from non-metered source.

All water supplied by the Department of Public Works for any purpose shall be drawn from a metered service.

Sec. 3-12. No water will be turned on by someone other than the Department of Public Works.

In the case that water has been turned on to a premises by someone other than the Department of Public Works, the owner may be subject to a surcharge as outlined in Appendix, Fee Schedule, and may be subject to future loss of connection privileges with the water system.

Sec. 3-13. Catch up billing policy.

Any corrected water bill shall not be corrected further back than three years or 6 billing cycles. The period shall be the prior three years from the billing period in question. In the event of a water meter malfunction, the following procedure will be followed in lieu of billing actual consumption as registered by the meter. The consumption as recorded and billed for each of the prior same period bills for the prior three years will be averaged and that value will be considered the consumed water amount for the current billing. If the resident has owned the property for less than the three year period, the average consumption for the same billing cycle for the period that the resident has owned the property will be used.

Sec. 3-14. Policy for abnormally high water consumption due to break in residence.

In the event of a major water break in the cold or hot water piping inside a residence that results in abnormally high water consumption, as determined and verified by the Department, then the bill will be calculated by the following method. To account for regular usage the resident shall be billed for the average consumption of the same billing period for the three prior years. If the resident has not lived at that residence for three years the average of the same billing period for as many periods as available will be charged. The additional (abnormal) consumption due to lost water will be billed at the rate the Town currently pays its water supplier at the time of the break. This policy does not apply to high consumption due to leaks, e.g. leaking toilet or faucet. The policy does not apply to outside leaks such as for a sprinkler system. This policy does not apply to commercial accounts.

Sec. 3-15` to Sec. 3-20. Reserved.

ARTICLE IV.

METERS

Sec. 4-1. New Meter Installation.

A quarter turn ball valve at meter inlet shall be the first fitting inside serviced building on all new water services. A meter is the next device installed and a quarter turn ball valve shall be installed near the outlet of the meter to permit removal of the meter without backflow from the house pipes. The consumer is responsible for the expense and installation of the ball valves before and after the meter. The Department is responsible for installing and sealing meters up to 1-inch. Meters larger than 1" will be supplied by the Department and installed by the consumer at the consumer's expense and shall be inspected and sealed by the Water Division. The cost of all meters will be billed to the consumer by the Department of Public Works. Associated costs are included in the Appendix, Fee Schedule. No residential property shall have a meter greater than 1" in size unless pre-approved by the Department. If uninterrupted service is required for any commercial installation, bypass piping and a bypass meter shall be provided at the consumer's expense.

Sec. 4-2. Consumers to pay for meter repairs.

All costs associated with replacing meters due to damage to meters from freezing, hot water, or external forces under control of the consumer, shall be charged to the consumer. No sale or other transfer of title of property in the Town of Longmeadow shall operate to bar the Department in the collection of any balance due for meter repairs.

Sec. 4-3. Meter size; type.

The proper size, type and kind of water meter required for any given service shall be determined by the Water Division.

Sec. 4-4. Meter not to be removed or tampered with.

All meters up to and including 1" in size shall be set by an employee of the Water Division, and shall not be moved or disturbed except by the same. Larger meters shall be installed and maintained by the consumer under Water Division supervision. All meters shall be sealed.

Sec. 4-5. Meter Pits.

Meter pits will not be allowed except where deemed absolutely necessary by the Department of Public Works. Installation of meter pits shall be at the consumer's expense. Meter pit specifications and location shall be as determined and approved by the Department.

Sec. 4-6. Town's right to change meters.

If, in the opinion of the Department of Public Works, Water Division, a meter does not fit the conditions of the service installation, the Department has the right to change such meter.

Sec. 4-7. Auxiliary meters.

Where the supply of water through a service is covered by a single meter, the Department will read and maintain this meter. If additional or auxiliary meters are desired for commercial applications for showing subdivisions of such supply, they may be furnished by the Department, at the discretion of the Director of Public Works or his/her designee and at the expense of the consumer. Any required piping changes will be performed by the owner at his/her expense. All applicable meter charges shall apply. Auxiliary meters for irrigation or any other purposes for residential use will not be allowed.

Sec. 4-8. Repairing meters.

The Department will have the right to remove, repair, or replace any meter at any time it sees fit, after reasonable notice except in the case of any emergency. All meter installations on services which cannot be shut off for meter repairs shall be equipped with a metered by-pass at the expense of the consumer.

Sec. 4-9. Access to the meter.

It shall be the duty of all consumers to see that meters on service connections, wherever located, shall be readily accessible at all times to the Department. Failure to remove any obstruction which prevents access to the meter within seven days after being notified by the Department may cause the water to be shut off from the premises, after due process, and it may not be turned on until all obstructions are removed, all regulations complied with, and all expense for shutting off and turning on the water are paid.

Sec. 4-10. Water turned on.

No water will be turned on for a building under construction unless a meter has been installed and only after provisions have been taken to protect the meter from damage of any kind.

Sec. 4-11. Inability to change meter or obtain meter reading.

In the case of homeowner's pipes or valves being in such poor condition where it inhibits the Department from changing a meter or making any other repairs to the meter or the Department is unable to obtain access to the meter to obtain a reading, the Department of Public Works will inform the owner in writing of the problem. The owner will have 90 days to correct the situation and if, after 90 days, the situation still exists, the Department of Public Works will continue to bill for average usage with an additional surcharge as outlined in Article VII applied to both water and sewer portions of the bill.

Sec. 4-12. Meter Accuracy and Testing

The accuracy of the meter on any premise is expected to be within acceptable industry standard as defined by the American Water Works Association. If any customer questions the accuracy of a meter, the Department will take action to verify the accuracy. The Department will review billing records and past meter reading results to determine whether the use is consistent with past usage. If necessary, a Department representative will be dispatched to the premises to identify any obvious problems such as leaks, broken equipment, or other inconsistencies. If these activities do not resolve the issue the meter will be tested by the Department upon written request of the owner. If, in such test the meter is found to register over two percent more water

than actually passes through it, the meter will be repaired or replaced, the water bill for the current period will be adjusted in accordance with the result of the test, and there will be no charge for the testing or other services. If, however, it appears that the person was charged or has paid for less water than he/she should have been charged or should have paid for, he/she shall forthwith, be charged with the proper additional amount and shall pay the same, together with the expense of the examination and test, to the Town. Test will conform to specifications of the American Water Works Association and copies of the test procedures can be obtained upon request at the Department of Public Works.

Sec. 4-13 to Sec. 4-20. Reserved.

ARTICLE V.

SERVICE, PIPES AND FIXTURES

Sec. 5-1. Construction of building water lines.

All building water lines from the property line shall be constructed according to the requirements of the State Plumbing Code, as applicable and the requirements of the Department of Public Works Standards, whichever is stricter. No alteration in the water service piping shall be made without written notice to the Department and filing of applicable permits. Relocation or repair of water services shall be the responsibility of the property owner.

Sec. 5-2. Costs and expenses for installation of service lines.

All costs and expenses for the installation of a service line, from the main to the building to and including the meter shall be borne by the applicant. The minimum connection fees for new building water lines are stated in Appendix, Fee Schedule.

Sec. 5-3. Water waste.

Consumers must keep their water pipes and fixtures in good repair and protected from frost at their own expense, and they will be held responsible for any damage resulting from their failure to do so. They shall prevent any waste of water. In the case of a known leak on the consumer's property, the consumer shall repair the leak in a timely fashion. If a consumer takes no action for thirty (30) days from notification by the Department to repair the leak, the Department may shut the water off to the premises, subject to due process. Charges for wasted water shall be as presented in Article III.

Sec. 5-4. All service pipes to be inspected.

All new or renewed service pipes must be inspected by the Department before covering the trench. All pipe and fittings, and the trench depth and location shall meet the approval of the Department.

Sec. 5-5. Furnishing of Public Service.

New service connections will be made by a Town certified Contractor at the Owner's expense. If a new main is installed by the Town, new services will be provided to the property line, or existing curb stop, as part of the project expense. Any work that needs to be undertaken on water service from the main to meter, excluding the corporation stop and curb stop, is the responsibility of the consumer. The consumer will be charged the current rate for service charges, as listed in Appendix, Fee Schedule.

Sec. 5-6. Temporary service from adjacent premises.

When water service is interrupted due a service line leak or break, the water may be furnished temporarily from an adjacent service if approved by the Director of Public Works or his/her designee. Repairs must be completed within 10 business days and the temporary service disconnected, unless otherwise approved by the Director or his/her designee.

Sec. 5-7. Charges for repairs.

The pipe from water main to the building is the responsibility of the consumer, excluding the corporation stop and curb stop and all repairs to the same must be made at his/her expense.

Sec. 5-8. Material on private premises.

All fittings supplied by the Department, as a courtesy to the consumer or their Contractors, shall be billed to the consumer.

Sec. 5-9. Temporary service.

Services for other than permanent structures, such as for buildings under construction or which are used only a part of the year may, at the option of the Director of Public Works or his/her designee, be put in at the expense of the consumer.

Sec. 5-10. One service to each premises.

Only one service connection will be made to each single family residence.

Sec. 5-11. Requests for turning on or shutting off water.

Requests for "turning on" or "shutting off" a water service shall be made at least 48 hours in advance except in case of emergency. A charge set forth in Appendix, Fee Schedule, will be made for each such service. Department personnel only shall open or close valves within the curb box. Requests for "turning on" or "shutting off" water during other than normal working hours shall be billed at the overtime rate and hourly minimum, plus the applicable service charges as set forth in Appendix, Fee Schedule, except in situations which pose an immediate threat to real and personal property, as determined by the Department, resulting from a failure of the customer's service pipe, in which case only the applicable service charges as set forth in Appendix, Fee Schedule, will be billed.

Sec. 5-12. No pipes furnished in winter.

No new service will be granted from November 1 to April 1 except in such cases deemed emergencies. Applications must be received by October 15 to qualify for installation by November 1. Installation of services beyond the end of an existing water main will not be allowed. The main must be extended (including necessary hydrants and appurtenances) so that the service pipe runs perpendicular from the main to the building being served. Water mains shall be "looped" when required by the Department.

Sec. 5-13. Service pipe trenches.

Service pipes shall not be placed within ten (10) feet of other utilities except under special conditions and with the approval of the Department. The Department will not be responsible for damage to other utilities laid within ten (10) feet of a water service pipe.

Sec. 5-14. Restriction use of water use.

The Select Board acting as Water and Sewer Commissioners have the authority to restrict the non-essential use of water during State mandated water states of emergency or under any

emergency conditions which require limitations per Chapter 600, Paragraph 2-601 (d) limitation on Use of the bylaws.

Sec. 5-15. Use of fire hydrants.

The use of fire hydrants, Town and private, is restricted to members of the Fire Department and to employees of the Department. Other persons may use the fire hydrants only with the specific permission of the Department.

Sec. 5-16 to 5-35. Reserved.

ARTICLE VI.
REQUIREMENTS AND SPECIFICATIONS FOR LAYING
WATER MAINS IN LONGMEADOW

Requirements and specifications will be approved by the Town Engineer as specified by the Department of Public Works.

Specifications and requirements will be filed in the Department of Public Works.

ARTICLE VII.

CONTROL OF BACKFLOW AND CROSS-CONNECTIONS

IN THE LONGMEADOW, MASSACHUSETTS WATER SYSTEM*

Sec 7-1 Authority.

Under Public Law 93-523. The Safe Water Drinking Water Act of 1974, and Massachusetts Regulations 310 CMR, Section 22.22 Protection of Sources of Water, the Department has the primary responsibility for preventing water from unapproved sources, or any other substances, from entering the public potable water system.

Sec 7-2 General Policy.

Sec. 7-2.1 Purpose.

The purpose of this regulation is:

1. To protect the public potable water supply of the area served by the Longmeadow Department of Public Works, from the possibility of contamination or pollution by isolating within its customer's internal distribution system(s) or its customer's 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 customer's in-plant potable water system(s) and non-potable 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.

Sec. 7-2.2 Responsibility.

The Director of Public Works or his/her designee shall be responsible for the protection of the public potable water distribution system from contamination or pollution due to the backflow or back siphoning of contaminants or pollutants through the water service connection. If, in the judgment of the Director of Public Works or his/her designee, an approved backflow prevention device is required, (at the customer's water service connection; or, within the customer's private water system) for the protection of the water system, the Director of Public Works or his/her designee shall give notice in writing to said customer to install an approved backflow prevention device at each service connection to his/her premises. The customer shall, within 30 days, install such approved device or devices at his/her 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. (*Note to Select Board: This paragraph includes potential for shut off to protect integrity of system*)

Sec 7.3 Definitions

1. **Approved:** - Accepted by the Director of Public Works or his/her designee as meeting an applicable specification stated or cited in this regulation, or as suitable for the proposed use.
2. **Auxiliary water supply:** Any water supply on or available to the premises other than the purveyor's approved public potable water supply.
3. **Backflow:** The flow of water or other liquids, mixtures or substances under pressure into the distributing pipes of a potable water supply system from any source other than its intended source.
4. **Back-siphonage:** The flow of water or other liquids, mixtures or substances into the distributing pipes of a potable water supply system from any source other than its intended source caused by the sudden reduction of pressure in the potable water supply system.
5. **Backflow preventer:** A device or means designed to prevent backflow or siphonage including the following:
 - a. **Air gap** - The unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or faucet supplying water to a tank, plumbing, fixture, or other device and the flood level rim of said vessel. An approved air gap shall be at least double the diameter of the supply pipe, measured vertically, above the overflow rim of the vessel; and in no case less than one inch.
 - b. **Reduced pressure zone (RPZ) 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.
 - c. **Double check valve assembly** - An assembly of two independently operating approved check valves 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.
 - d. **Pressure vacuum breaker** - A device containing one or two independently operating loaded check valves and an independently operating loaded air inlet valve located on the discharge side of the check or checks.
6. **Contamination:** Means an impairment of the quality of the potable water by sewage, industrial fluids or waste liquids, compounds or other materials to a degree which creates a potential hazard to the public health through poisoning or through the spread of disease.
7. **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.

8. **Cross-connections – controlled:** A connection between a potable water system and a nonpotable water system with an approved backflow prevention device properly installed that will continuously afford the protection commensurate with the degree of hazard.
9. **Cross-connection control by containment:** The installation of any approved backflow prevention device at the water service connection to any customer's premises, or the installation of an approved back-flow prevention device on the service line leading to the supplying a portion of a customer's water system where there are actual or potential cross-connections which cannot be effectively eliminated or controlled at the point of cross-connection.
10. **Director of Public Works:** The Director of Public Works or his/her designee is vested with authority and responsibility for the implementation of an effective Cross Connection Control Program and the enforcement of the provisions of these regulations.
11. **Hazard, degree of:** The term is derived from an evaluation of the potential risk to public health and the adverse effect of the hazard upon the potable water system:
 - a. **Hazard - health (high hazard) -** Any condition, device, or practice in the water supply system and its operation which could create, or, in the judgment of the Assistant Director of Public Works for Water and Wastewater Operations may create danger to the health and well being of the water consumer.
 - b. **Hazard - plumbing (high hazard) -** A plumbing type cross-connection in a consumer's potable water system that has not been properly protected by a vacuum breaker, air-gap separation or backflow prevention device. Unprotected plumbing type cross-connections are considered to be a health hazard.
 - c. **Hazard - pollutional (low hazard) -** An actual or potential threat to the physical properties of the water system or to the potability of the public or the consumer's potable water system and could cause damage to the system or its appurtenances, but would not be dangerous to health.
12. **Industrial fluids system:** Any system containing a fluid or solution which may be chemically, biologically or otherwise contaminated or polluted in a form or concentration which would constitute a health, system, pollutional or plumbing hazard if introduced into an approved water supply.
13. **Pollution:** Means the presence of any foreign substance (organic, inorganic, or biological) in water which tends to degrade its quality so as to constitute a hazard or impair the usefulness or quality of the water to a degree which does not create an actual hazard to the public health but which does adversely and unreasonably affect such waters for domestic use.
14. **Service connections:** The terminal end of a service connection from the public potable water system; i.e., where the water purveyor loses jurisdiction and sanitary control over the water at its point of delivery to the customer's water system. If a meter is installed at the end of the service connection, then the service connection shall mean the downstream end of the meter. Service connections shall also include water service connections from a fire hydrant and all other temporary or emergency water service connections from the public potable water system.

15. **Water – Potable:** Water from a source which has been approved by the Massachusetts Department of Environmental Protection for human consumption.
16. **Water - Non-potable:** Water which is not safe for human consumption or which is of questionable potability.
17. **Water - Used** - Any water supplied by a water purveyor from a public potable water system to a consumer's water system after it has passed through the point of delivery and is no longer under the sanitary control of the Department.

Sec 7-4 Requirements.

Sec. 7-4.1 Water systems.

The water system shall be considered as made up of two parts - the utility system and the customer system:

- a. The utility system shall consist of the source facilities and the distribution system; and shall include all those facilities of the water system under the complete control of the utility, up to the point where the customer's system begins.
- b. The source shall include all components of the facilities utilized in the production, treatment, storage, and delivery of water to the distribution system.
- c. The distribution system shall include the network of conduits used for the delivery of water from the source to the customer's system.
- d. The customer's system shall include those parts of the facilities beyond the termination of the utility distribution system which are utilized in conveying utility-delivered domestic water to points of use.

Sec. 7-4.2 Policy

- a. No service connection to any premises shall be installed or maintained by the Department unless the water supply is protected as required by Massachusetts State Law Regulation 310 CMR, Section 22.22, and this regulation. Service of water to any premises shall be discontinued by the Department if a backflow prevention device required by this regulation is not installed, tested and maintained, or if it is found that a backflow prevention device has been removed, by-passed or if an unprotected cross-connection exists on the premises. Service will not be restored until such conditions or defects are corrected.
- b. The customer's system should be open for inspection at all reasonable times to authorized representatives of the Department to determine whether cross-connections or other structural or sanitary hazards, including violations of this regulation exist. When such a condition becomes known, the Director of Public Works or his/her designee may 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 local laws relating to plumbing and water supplies and the regulations adopted pursuant thereto. All expenses relating to the disconnection and reconnection shall be at the customer's expense.
- c. All new cross connections shall require a permit, to be issued by the Director of Public Works or his/her designee, prior to installation of said cross connection. An application shall be completed which shall include all pertinent information concerning the cross

connection and a schematic drawing showing the location and piping configuration of the device.

- d. All new commercial buildings, regardless of the intended building usage, shall require an approved backflow prevention device.
- e. 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:
 - 1. In the case of premises having an auxiliary water supply which is not or may not be of safe bacteriological or chemical quality and which is not acceptable as an additional source by the Massachusetts Department of Environmental Protection, the public water system shall be protected against backflow from the premises by installing a backflow prevention device in the service line appropriate to the degree of hazard.
 - 2. 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 appropriate to the degree of hazard.
 - 3. 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 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 by installing a backflow prevention device in the service line.
- f. The type of protective device required under these regulations shall be as follows:
 - 1. In the case of any premises where there is an auxiliary water supply as stated in subsection 5-95 (c)(1) of this section; or where there is any material dangerous to health which is handled in a fashion as to create an actual or potential hazard to the public water system; or 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 zone backflow prevention device at the service connector.
 - 2. 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.
 - 3. 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 a backflow prevention device in the service line. In this case, maximum protection will be required; that is, an approved air-gap separation or an approved reduced pressure principal backflow prevention device shall be installed in each service to the premises.

- g. Any backflow prevention device required herein shall be of a model and size approved by the Director of Public Works or his/her designee. 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, or is on the lists approved by the Director of Public Works or his/her designee. No devices shall be installed in sub-surface or underground pits, except those already in service.
- h. It shall be the duty of the customer-user at any premises where backflow prevention devices are installed to have certified inspections and operational tests made at the required intervals as required under Massachusetts Regulations and this Regulation. The Department will conduct testing on these devices. The owner of the device will be charged for these tests according to the Fee Schedule in the Appendix. The Department may have these tests performed by a designated representative. In those instances where the Director of Public Works or his/her designee 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 Department personnel or by a certified tester approved by the Director of Public Works or his/her designee and approved by the State of Massachusetts. It shall be the duty of the Director of Public Works or his/her designee to see that these timely tests are made. The Director of Public Works or his/her designee shall notify the customer-user in advance when the tests are to be undertaken so that the customer's 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 Department. When failed test occurs, repairs to, or replacement of, the device must be made by a licensed plumber and re-tested within 14 calendar days, as mandated by Massachusetts Regulation 310 CMR, Section 22.22. A repaired device may be re-tested by a private certified tester with certification of the test submitted to the Department. If the Department is required to re-test the device, another testing fee may be charged.
- i. 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 5-95 (f), be excluded from the requirements of these rules so long as the Director of Public Works or his/her designee 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 Director of Public Works or his/her designee 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.
- j. All decisions relating to determination of backflow devices will be made by the Director of Public Works or his/her designee. Failure to comply with any directive from this office will result in termination of service.
- k. All expenses incurred in the testing and/or maintenance of backflow prevention devices by the Department or its agent will be charged to the customer-user.

Sec 7-5. Appeal

Any person aggrieved by a decision of the Director of Public Works or his/her designee as it applies to the use of the public water system may appeal according to the same town procedures

Sec. 7-6 to 7-15. Reserved.

ARTICLE VIII.

RULES AND REGULATIONS IN FORCE

- (1) These rules and regulations shall be in full force and effect from and after their passage, approval, recording, and publication as provided by law and shall supersede all previous rules and regulations governing connection to and use of the Town's Public Water System.
- (2) Passed and adopted by the Longmeadow Select Board on this ?.

Approved by: **TOWN OF LONGMEADOW
SELECT BOARD**

, Chair

Date

APPENDIX

FEES

Entrance Fee

Payment of (entrance) fee and any connection charges must be made prior to issuance of a construction permit. Receipt of payments must be presented to the Department of Public Works. The entrance fee for a new water service is dependent upon the size of the service as follows:

¾" service	\$250
1" service	\$400
1 ½" service	\$500
2" service	\$600
4" service	\$800
6" service	\$1000
8" service	\$3000
12" service	\$5000

Service charges

Additional expenses for labor, materials and equipment costs above the minimum water entrance fee will be assessed at the prevailing labor, materials and equipment rates maintained by the Department of Public Works.

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| A. | New Meter Charge (5/8-inch through 1-inch)
Larger Meters: Retail Cost | \$315.00 |
| B. | Turn Water On (new dwelling, opening of previously vacated bldg.) | \$32.00 |
| C. | Turn Water Off (i.e. winter, close of building) | \$32.00 |
| D. | Water off and on for owner repairs | \$32.00 |
| E. | Meter Test (5/8" through 1" meters only) | \$43.00 |
| F. | New service inspection fee | \$80.00 |
| G. | Materials: Retail Cost | |
| H. | The Town will charge interest on bills for water services, charges, fees or costs, sixty (30) or more days overdue, at the rate of 1 % per month on the overdue balance. | |
| I. | Meter Tampering Charge: \$1,000 as pursuant to Chapter 374 of the Acts of 2010 of the Commonwealth of Massachusetts. | |
| J. | The water use charge is \$2.07 per 100 cubic feet of water consumption metered. | |

DISTRIBUTION CHARGES

The distribution charge is assessed every billing period. The distribution charge is dependent upon the size of the meter as follows:

<u>Meter Size</u>	<u>Water Distribution Charge</u>
5/8"	\$15.59
3/4"	\$15.59
1"	\$27.72
1 1/4"	\$43.31
1 1/2"	\$62.36
2"	\$110.86
3"	\$249.44
4"	\$443.45

Activating/Deactivating Accounts.

When the water is shut off at a residence for non-payment, a \$32.00 turn off fee shall be applied to the account. After thirty (30) days of being off with non-payment, and an additional \$32.00 charge shall be placed on the account and the then the account will be made inactive so no further billing will result. When all charges and interest on the account have been paid, the water can be turned on and account can be activated.

Backflow prevention devices – permit and testing charges.

A permit shall be required for all new backflow prevention devices and shall be obtained from the Department of Public Works. Testing by the Town will be required two (2) times per year for Reduced Pressure Zone (RPZ) devices, and one (1) time per year for double check valve devices, at a fee of \$75.00/test/device. Testing for existing devices located in sub-surface or underground pits to be charged at the rate of \$150/test/device. Testing interval for said devices is mandated under Massachusetts Regulations 310 CMR, Section 22.22 Protection of Source of Water. The customer shall pay for the acquisition, installation, and maintenance of all such devices.

