

VILLAGE OF WATERVILLE
LOCAL LAW # "WATER LAW OF 2007"
Amended by Local Law 1 of 2015

1. PURPOSE

It is the purpose of the Water Department of the Village of Waterville to:

- A. Furnish an adequate supply of pure and wholesome water to the residences and business establishments in the Village of Waterville and its immediate vicinity.
- B. Supply sufficient water with sufficient pressure in its immediate vicinity.
- C. To properly maintain, improve and extend the water supply system.
 - 1. Primarily for the benefit of the water users and taxpayers within the village.
 - 2. Secondary for the benefit of the water users outside of the Village who are already connected with water system.
 - 3. Finally for the benefit of any applicants for water service outside the Village limits or in its immediate vicinity.

2. APPLICABILITY

This chapter shall be a local law applicable to all property and water users within the Village of Waterville, and the terms of this chapter shall be applicable to all water users outside the Village of Waterville as terms of a contract in accordance with which water is to be supplied in such outside users.

3. DEFINITIONS

- A. The term "VILLAGE" shall mean the Village of Waterville and /or the Village of Waterville Water Supply System.
- B. The term "CONSUMER", "CUSTOMER" or "APPLICANT" shall mean the individual, firm, association, corporation, landowner, or owner whose name the Water Department has on its books as the party who applied for water service, or any individual firm , association corporation, landlord or owner who used the water.
- C. The term "FAMILY" shall mean one (1) or more persons occupying a single premises or unit.
- D. The "MAIN" shall mean the supply pipe laid in the streets or right-of-way from which service connections are made for the supply of water to consumers.
- E. "TRANSMISSION LINE" shall mean the line from the main to the curb stop.
- F. The "SERVICE PIPE" shall mean the pipe leading from the curb stop to the meter or to the internal piping system on the premises of the consumer.
- G. The term "PREMISES" and /or "UNIT" as used herein shall be defined as follows:
 - 1. A building under one roof owned or leased by one (1) customer and occupied as one (1) residence or by one (1) place of business.

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2. A combination of buildings owned or leased by one (1) customer, in one (1) common enclosure, occupied by one (1) family or one (1) corporation or firm as a residence or place of business.
3. Each separate unit of a multiple house or building occupied by one (1) family or one (1) firm as a residence or place of business.
4. Garden apartments owned by one (1) individual or firm and located in one (1) enclosure.

4. APPLICATION FOR SERVICE

- A. All applications for the use of water must be made in writing and addressed to the Board of Trustees of the Village.
- B. Applications will be accepted subject to there being an existing water main in the street or right-of-way abutting on the premises to be served, but acceptance shall in no way obligate the Village to extend its water mains to beyond Village limits to service additional premises.

5. INSTALLATION OF SERVICE PIPE

Customers shall furnish and install at their expense, the service and transmission pipe from the curb cock at the main to and including the meter. This cost shall also include the curb cock, curb stop, curb box and a shut off valve and back flow preventer on the street side of the meter. All service pipes shall have a minimum cover of four and one-half (4 1/2) feet. Where this is not possible the service pipe must be installed to the superintendent's specifications. No service pipe shall be less in size than three-fourths (3/4) inch in diameter.

Type-K soft-tempered copper tubing shall be used on three-fourths (3/4) inch and one (1) inch services. Type-K copper tubing shall also be used on one (1) and one half inch (1 1/2) and two (2) inch services. All services larger than two (2) inches in diameter shall be cast-iron or PVC pipe of quality equal to American Water Works Association Standard specifications and of weight of suitable pounds per square inch. The Village reserves the right in all cases, to stipulate the size and type of service connection to be used.

All taps made to the main for three-fourths (3/4) inch and (1) inch shall be made by Village personnel at a fee to be set by the Village Board. All taps larger than one (1) inch shall be made by the property owners contractor who must be approved by the Superintendent of Public Works.

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6. MAINTENANCE OF SERVICE LINES

All service lines are owned and shall be maintained, repaired or replaced by the property owner. Service lines are the lines commencing at but including the curb stop and running from this point to the inlet side of the meter. The Water Department shall have the right to test service pipes for leakage at any time. Should investigation disclose a leak on the service to any property, the owner will be notified in writing. Such notice will inform the owner that if the repairs are not made within ten (10) days of the notice, the Water department will shut off the service as required to stop the leak.

If the leak is between an existing useable curb-stop and the house, the curb-stop will be closed to control the leakage. If the leak exists between the corporation stop and an existing usable curb stop, then the Water Department will make any necessary pavement cuts and excavations and repair the leak.

Any cost incurred by the Water department in investigating leaks that are determined to be on the customer's service could be charged against the customer. Any cost incurred in investigating leaks that are determined to be on the lines of the Water Department will be assumed and paid for by the Water Department.

7. LIMITATION ON SERVICE LINES

- A. Each property served by the water system shall have a separate and individual tap into the main, unless otherwise approved by the Village Board.
- B. No pipes or fixtures connected with the mains of the Village shall also be connected with pipe or fixtures supplied with water from any other sources. **NO CROSS CONNECTIONS!**

8. REMOVAL OR REPLACEMENT

In case of removal or replacement of the service pipe, the old service must be abandoned or removed and the old corporation cock turned off at the main before the new corporation cock will be turned on. Where a building is demolished, water service is to be shut off at the main by the contractor, owner, and architect or engineer handling the project.

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9. PRESSURE AND CURB BOXES

- A. Service pipes of all sizes, together with all plumbing fixtures shall be able to stand a pressure of 150 pound per square inch. Each installation shall be equipped with a curb-cock and curb-box located at an approved location.
- B. The Water Department is authorized as a condition of service to operate the curb-cock as required. The iron cover of the curb-box must be kept level with the surface of the ground and always in sight.

10. SERVICE CONNECTIONS

- A. Permanent and temporary connections, including the corporation stop and installation of water meter shall be at the expense of the customer.
- B. No pipe or fixtures connected with the mains of the Village shall be connected with pipes or fixtures supplied with water from any other sources as required by the Village of Waterville's "CROSS CONNECTION LAW"

11. INSTALLATION AND REPAIR OF METERS

- A. A 5/8 inch water meter will be installed and maintained by the village at a cost set by the Village Board. Meters larger than 5/8 inches will be provided by the owner after approval by the Superintendent of Public Works. The size of the meter required for any service shall be determined from the information supplied by the customer or his agent, architect or engineer. All meters shall be set as nearly as possible at the place of entrance of the service pipe to the building. Special care should be given to locating the meter to prevent freezing. There will be a charge for repairing or replacing meters damaged by freezing or hot water, payable at the time of regular billing. The charge will be the cost of labor and materials.
- B. The Water Department shall have the right to test, change, inspect, replace, repair or remove any meter at any time within reasonable hour.

12. ACCESS TO PREMISES

- A. The Water Department, through its properly authorized agents, shall have free access to the premises supplied, for the purpose of ascertaining the quality of water used, the manner of its use, and also that the meter or other apparatus or appliance belonging to the Water Department are properly protected and in good condition. If such access is refused, the Water Department may immediately discontinue the service without further notice.

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- B. It shall be the duty of all customers to see that the meters on service connections wherever located, shall be readily accessible at all times to agents or inspectors of the Water Department. Failure to remove any obstruction which prevents access to the meter within three (3) days after being notified by the Water Department will be just cause to have the water shut off to the premises and it shall not be turned on again until all obstructions are removed and all regulations complied with. The \$100.00 fee for turning water off or on will be charged for this service.**

13. TESTING METERS UPON REQUEST

The Water Department will test the accuracy of domestic meters upon request of the customer. Should the meter on test show a registration in excess of two percent (2%) in favor of the Water Department, the bill will be adjusted accordingly, and the cost of the excess water usage, exceeding the two previous readings shall be credited to the account. Where no such error is found, the customer will be charged for all costs involved in the testing.

14. NOTICE TO CUSTOMERS

Whenever any notice is required to be given by the Water Department under these regulations, the same shall be signed by the proper official or employee of the Water Department and shall be served by enclosing a copy thereof in an envelope, with postage prepaid, addressed to the person, firm, association or corporation to be notified as the same appears on the records of the Water Department, and notice so given shall be conclusively deemed to have been served at the time of mailing. Notice may also be served by delivering a copy to the customer personally.

15. INTERUPTION OF SERVICE

- A. The Water Department does not guarantee constant pressure nor uninterrupted service, nor does it assure the customer full volume of water or the required pressure per square inch necessary effectual to operate appliances of any kind, the same being subject to all variable conditions that may occur in use of water from the distribution mains.**
- B. No customer shall be entitled to damages or to have any payment refunded for any interruption of service:**
- 1. Occasioned by accident to any portion of the works**
 - 2. For the purpose of making additions or repairs.**
 - 3. Due to causes that are beyond the control of the Water Department.
(Excess draft, excessive use or waste by other customers.)**
- C. The Water Department will not be responsible for damages caused by roily water resulting from the opening or closing of any pipe when the same is due to no lack of reasonable care on the part of the Water Department.**

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- D. The Water Department assumes no liability for conditions which may exist in customers pipes or appliances and which may cause trouble coincident with or following repairs o any distribution main, supply main, meter, or other appliances belonging to the Water Department.**
- E. The Water Department reserves the right at any time, without notice, to shut off the water in its distribution mains for the purpose of making repairs, extensions or for other necessary purposes. All persons having boilers or other appliances on their premises, depending on the pressure in the pipes to keep them supplied with water are herby cautioned against danger from these sources and are required to provide at their own expense, the necessary sage guards, namely, low-water cut-offs and pressure controls to shut the feed off.**

16. DISCONTINUANCE OF SERVICE

The customers service may be discontinued for any of the following reasons:

- A. The use of water for any other property than that described in the application.**
- B. The failure to maintain in good order connections or service lines owned by the customer, after due notice has been given by the Water Department.**
- C. Vacancy of premises**
- D. Refusal of customers after notice in writing to maintain and or relocate his meter to an approved location.**
- E. Use of Water through connections on the street side of the meter.**
- F. Molesting any service pipe, seal, meter or any other connection or appliance used in providing water service.**
- G. Nonpayment of bills for water or services rendered by the Village water supply as hereto set forth.**
- H. Cross-Connecting pipes carrying water supplied by the Village with any other source of water supply.**
- I. Not allowing reasonable access to the customer's premises for the purpose of inspecting fixtures and piping, repairs, testing or removing meters.**
- J. Reselling water.**

If a customers service is discontinued for any of the reasons stated above, the \$100.00 fee for turning the service off or on will be charged.

17. DEBT SERVICE CHARGE

The yearly Debt Service charge of \$110.00 will be applied to each property with a service connection and billed quarterly.

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18. RATES AND CHARGES

The Village Board reserves the right to levy such charges for metered water as it deems necessary. These levies will be separate from this law and controlled by resolution of the Village Board after a proper public hearing. All meters will be read in March and September and estimated in June and December of each year.

- A. The quantity of water registered by the meter on the customer's premises, whether used or wasted shall be accepted by the customer as the amount to be paid for. Bills shall be rendered on the basis of the reading or estimating of the meters.
- B. If a meter has ceased to register or is obviously registering inaccurately as determined by the Water Department, the customer shall be billed based on the average volume of water used during a corresponding semi-annual
- C. Debt Service Charge will be assessed to each property with a service connection. Debt Service charges are paid in advance and are assessed based on whether water service (a curb box) is available to the premises regardless of usage. If water service is discontinued for a period of one continuous year, the Debt service charge will stop being charged until such time as service is turned back on.
- D. Water use charges are payable on the meter reading or estimate of consumed when the bill is presented.

19. SERVICE CHARGES

The fees for the certified notice of termination of service, water turn on charge and water turn off charge will be levied by resolution of the Village Board after a proper public hearing.

20. PAYMENT

A. Water bills are presented on the first day of January, April, July and October each year and are due by the close of business on the 30th of said months. If the 30th falls on a weekend the due date will be the following Monday. If not paid by the close of business on or before the due date a onetime penalty of 15% will be added. The Village Board reserves the right to proceed with legal action to collect any unpaid water charges from outside the Village. Uncollected water charges due from inside the Village not paid by May 1 will be re-levied to the Village tax property tax.

B. Uncollected water charges due from outside the Village will be due and collectable no later than April 30. All balances not paid in full by that date will have the water service terminated and the service will not be reinstated until the account balance and \$100.00 turn on fee are paid in full.

C. Water bills may be paid in person, by use of drop box at the Village Hall, or by mail. Payment must be received by the close of business on or before the last date acceptable to avoid penalty.

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- D. Bills shall be mailed to the owners of such property at the address to which Village tax bills are mailed. Failure of any owner or designated agent to receive a bill promptly shall not excuse nonpayment of same as herein provided and in the event an owner fails to receive a bill promptly, he shall obtain a bill at the office of the Village Clerk.

21. TRANSFER OF OWNERSHIP

Upon a transfer of ownership, the present owner or their agent must make a written request for a final meter reading and satisfy any unpaid balance before the responsibility will be conveyed to the new owner.

22. DISCONTINUANCE AND RENEWAL OF SERVICE

Upon the written request of the owner, providing this request meets all applicable health and safety laws and regulations, water will be turned off to any premises without in any way affecting the existing agreement for service. Debt service charges will continue until service has been off for one (1) continuous year.

**23. SPECIAL CONDITIONS FOR FURNISHING WATER SERVICE OUTSIDE
OF VILLAGE LIMITS**

- A. Upon written application for water service outside the Village limits, upon payment of the applicable charge for the tap and appurtenances connection with the water main and execution of written agreement therefore, the Village may supply water service outside of the limits pursuant to the other general conditions. All written agreements must be resigned every ten (10) years.
- B. Water will not be supplied to any users of the same or applicants therefore unless there is sufficient water for the supply of owners of property within the Village limits, and if and in the event the water supply shall become insufficient for Village users, the supply for outside users will be shut off or restricted until the water supply is again sufficient for Village and outside users.
- C. Water will not be supplied for use outside of the Village of Waterville unless and until a new applicant therefore duly signs an agreement specifying the particular conditions and terms, as the circumstances of the particular case may require.
- D. Water billings must be in the name of the property owner and the owner will remain liable for any water related charges.
- E. In no event will water be supplied to users outside the Village who prevent or attempt to prevent the Village Water Department, its agents or employees from entering upon their premises and inspecting all pipes and facilities for the use of water thereon and or shutting off or restricting the water supply in accordance with the provisions of this chapter and /or the laws of the State of New York.

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24. GENERAL RULES – EMERGENCIES

- A. Except as specifically authorized by the Superintendent of Public Works or the Fire Chief, fire hydrants will not be used for any other purpose than fire protection.**
- B. No person, with the exception of the Mayor, Superintendent of Public Works or the Fire Chief may declare a water emergency.**
- C. For the purposes of this item, a water emergency shall be deemed to have occurred when:
 - 1. A mechanical failure exists in the pumping system.**
 - 2. There is an insufficient supply of water in the water tower.**
 - 3. If, for a valid reason, either the Mayor, Superintendent of Public Works or Fire Chief determines that circumstances exists, with respect to said water supply, which jeopardize either the quality or the amount of the supply of water to the Village or which threatens both well-being of the residents of the Village.****
- D. Upon the declaration of a water emergency, customers must follow the directives issued by the person declaring said water emergency. The customers will be limited to using only that amount of water allowed to be used pursuant to the directives issued by the person declaring said water emergency. Any excessive or improper water usage will be considered a violation of this chapter, and grounds for immediate discontinuance of service.**

25. CONFLICTS AND SEPARABILITY

- A. CONFLICTS: All local laws or parts of local laws in conflict herewith are hereby repealed.**
- B. SEPARABILITY: The invalidity of any section, clause, sentence or provisions of this law shall not affect the validity of any part of this local law which can be given effect without such invalid part or parts.**

26. COMBINED UTILITY BILLING

- A. The Village of Waterville shall send out a Combined Utility Bill on the 1st day of January April, July and October of each year. This Utility Billing shall consist of three (3) components: Water billing, Sewer Billing and Sanitation Billing. This Utility Billing is for services and is not a property tax.**