

5. Service Installation Requirements

The Village will lay and maintain service pipe from the curb cock. Service pipes shall be laid at least 5 1/2 feet below the surface of the ground at all points. The curb cock shall be installed between the sidewalk space and the curb line close to the curb line. The meter (when required) shall be installed within the building to be served as close as practicable to the point where the service pipe enters, unless otherwise directed or permitted by the Village, and shall be set with the inlet in a horizontal line with the register on top and shall be so located as to be readily accessible at all times for reading, inspection or repair. A stop valve shall be provided within the building on the inlet side of the meter. Provision shall be made to prevent hot water from reaching the meter. No red or white lead or joint compound shall be used on joints between the main and the meter. No tee or other fitting through which water can be taken will be permitted on the service pipe between the main and the meter. No branch will be allowed to be inserted in any service pipe without a written permit from the Village. Where branches already exist a valve shall be installed so that in case of default in payment of water rent by any one consumer, the service may be cut off for that consumer until the back charges are paid. Meters (when required) may be set outside of buildings in underground pits only by special permission of the Village, and in such cases the construction of the pit, and the method of setting the meter, shall conform to the directions which will be furnished by the Village for each specific instance.

No pipe or fixtures connected with the mains of the Village shall also be connected with pipes or fixtures supplied with water from any other sources, unless specifically approved by the Department of Health of the State of New York and the Village of Dolgeville.

6. Construction or Blasting Near Gas Mains

Section 1918 of the Penal Law of the State of New York provides that no construction or excavation shall be done within 100 feet of any existing street, highway, or public place in which there is a gas main unless 72 hour advance notice of such work shall have been given in writing to the person, corporation or Village engaged in the distribution of gas in such territory. The law further provides that no blasting shall be done within 200 feet of such street, highway or public place in which there are gas distribution mains unless the aforementioned, written, 72 hour advance notice is given. The applicant for water service shall, therefore, ascertain for himself if there are any gas mains in any street or highway within 100 feet of his excavation or within 200 feet of any proposed blasting and shall provide written, 72 hours advance notice in accordance with the preceding.

7. Opening of Streets

No street or public place shall be opened by any person for the purpose of making a connection with the mains or for the laying of water pipes or fixtures, unless permission shall have been granted by the authority having jurisdiction.

8. Protection When Street is Opened

Whenever any street or public place shall have been opened for the purpose of making a connection with the mains or for the laying of water pipes or fixtures, the applicant or the party acting for the applicant, shall have proper regard for public safety and convenience and said street or place shall be restored to its original condition as soon as practicable. Open trenches shall be guarded with barricades and sufficient warning lights or flares shall be displayed at night.

9. Changes in Ground Over Service Lines

In the event that a change in ground elevation leaves a service pipe insufficiently buried, the consumer shall promptly lower or raise his service pipe to conform to the new ground elevation. In case of failure or neglect of the consumer to make such alterations promptly, the supply of water will be shut off until the alterations are completed, and a charge established in the Village Fee Schedule will be made to cover the labor and expense by the Village resulting from the consumer's failure to do so.

10. Notification of Village to Leakage and Repair of Service Lines

Service pipes (between the curb cock and meter, when required) and meters and the appurtenances thereto shall be kept in good repair and protected from the frost by the consumer at his own expense.

The owner of premises into which water is introduced by a service pipe, shall be required to maintain in perfect order and repair at the owner's expense, the said service pipe and its fixtures and appurtenances, from the curb box to and into the premises up to the meter (when required). All such repairs to be done under the supervision and direction of the duly authorized agent of the Village.

Maintenance of street service connection up to and including the curb cock will be performed by the Village at its expense and risk.

The consumer shall notify the Village promptly of any leak, defect or damage affecting the service pipe between the property line and the point where metered (when required).

11. Stop or Waste Valve Required

A stop or waste valve shall be provided within the building so located that all piping on the consumer's side of the meter (when required) can be drained whenever necessary.

12. Vacant Premises

In case a house or other building is to be closed or become vacant, notice thereof should be given the Village in order that the meter (when required) may be read and curb cock closed. Where such notice is not given and pipes burst from freezing or other cause, the value of water lost by reason thereof, as estimated by the duly authorized agent of the Village, together with the additional sum defined in the Village Fee Schedule to cover labor and expense to the Village shall be added to the next bill and be paid in like manner as regular water charges.

Where a building is demolished and service is discontinued, the service line must be shut off at the main.

13. Limitation of Use

All use of water shall be subject to the following limitations:

A. Sprinkling

Water may be used for sprinkling purposes except when prohibited by the Superintendent of Public Works. The Superintendent may, whenever he deems it advisable, prohibit the use of water for sprinkling or for any purpose other than household consumption; or, he may limit the hours during which water may be so used. He shall cause a notice to be published in the official newspaper of the Village setting forth the hours during which such limitations or prohibition shall be effective.

B. Supply to Neighboring Premises

No consumer shall supply water in any manner, or through any fixture or devices whatever, to the occupants of neighboring premises of any description except by special permission in writing from the Superintendent.

14. Service Connection Installation Requirements

Where a new connection is made with street mains and where new extensions or attachments are made in unoccupied houses, the curb cock shall be closed by the duly authorized agent of the Village. Notice of the completion of the work shall be given the Village and the curb cock shall not again be opened until the work has been inspected and approved by the Village and the meter (when required) read. Pipes and connections between the main and the meter (when required) shall not be covered until so inspected and approved.

15. Metering Required

The Board of Trustees of the Village of Dolgeville, may, by resolution, require that all water to various types and classes of consumers shall be measured through meters. Such a resolution shall be made by the Board only after a public hearing has been held thereon with at least fifteen (15) days notice to the public. The following section shall apply to each water service where meters are specifically ordered by the Board:

A. When the Board makes a determination that on a certain date all water will be supplied and sold by measurement only, then and thereafter all water used by customers shall be sold by measurement only.

B. The Village shall provide all water meters and the installation and maintenance thereof shall be a charge to the consumer.

C. If a meter is out of order and fails to register, the consumer will be charged at the average consumption as shown by the meter when in order.

D. At the written request of a consumer, the Village will test the meter supplying the premises of said consumer. If the meter on testing is found to be registering over three percent more water than actually passes through it, no charge will be made for the test; otherwise a charge as defined in the Village Fee Schedule to cover the cost of removing, testing and resetting the meter will be made.

E. No seal placed by the Village for the protection of any meter, valve or other water connection shall be tampered with or defaced. If the seal is broken, the Village reserves the right to remove and test the meter at the customer's expense.

F. Where, after installation, damage to any meter is caused by the negligence of the consumer, the charge for renewing or repairing of same shall be at the expense of the consumer. Tampering with any meter shall be a misdemeanor and punishable as provided by the Code of Ordinances of the Village of Dolgeville.

16. Fire Hydrants

A. No person shall open, interfere with, or draw water from any fire hydrant in the Village without permit from the Village therefore, except that hydrants may be opened by or on the order of any member of a Fire Department within the Village in case of fires or fire drills for the purpose of attaching thereto fire hose and equipment.

B. Whenever a hydrant has been opened and used, notification of such fact shall be promptly given the Village.

C. No tools or implements shall be used to open hydrants except such as are furnished by the Village or by the Fire Department.

17. Abandoned Service

Within thirty days after abandonment of any water service, the service line shall be disconnected at the main and the connection sealed off by the Village at the expense of the owner of the premises.

18. Discontinuance of Service Notice to Village

Notice in writing delivered to the Clerk's office at least ten (10) days before the semi-annual billing date shall be required in all cases of applications for discontinuance of water service, otherwise the consumer shall be liable for the minimum charge for the following half-year.

19. Discontinuance of Service - Meter (When Required) and Refund

In the event an owner shall notify the Village that he no longer desires to take water from the water system, the meter, if any, shall be removed, and there shall be a refund of the deposit less the cost of any necessary repairs to put the meter in operating condition.

20. Reconnection after Temporary Discontinuance

When the supply of water shall have been discontinued, either through action of the Village or at the request of the consumer, re-application shall be required in the manner provided in Section 4 above, and payment of a reconnection fee as set forth in the Village Fee Schedule.

21. Water for Building Construction

When water is required for use in connection with building construction, application shall be made to the Village therefor. When the owner of the premises is not the applicant, deposit of such sum as the duly authorized agent of the Village shall deem sufficient to pay for water to be used and charges attendant thereon shall be paid in advance to the Village. Where, after installation and commencement of use of water, in the opinion of the duly authorized agent of the Village, more water is used or will be used than is covered by the deposit, he may then require a further deposit, in default of which he may discontinue service when the amount of water charges and other Village charges equals the amount of the deposit. After completion of the work, upon claim duly made therefor to the Board, any surplus of the deposit over and over the amount of the water charges and other expenses attendant thereon shall be refunded to the applicant. Charges for this purpose shall be the same as provided herein for permanent service.

Installation unless otherwise permitted by the Village shall conform to the rules and regulations herein provided for permanent service.

22. Special Use of Water Other than for Building Construction

Persons or corporations desiring to use water for construction purposes, other than mentioned in Section 21, shall make application to the Village therefor setting forth the name and address of the applicant, the object and purpose of the use of water, the quantity estimated to be needed, and shall give such other information as the duly authorized agent of the Village shall require. If such application is granted, the supply of water shall be furnished in such manner as the Village shall allow, and the water rates shall be as in these rules established, except that there shall be no minimum charge. A meter (when required), shall be furnished by the Village for use of which a reasonable charge will be made by the Village, and where the duly authorized agent of the Village shall deem it advisable, an inspector appointed by the Board shall be maintained on the work at a wage not to exceed a charge per day defined in the Village Fee Schedule to be paid by such application. Where water for such purpose is taken from a hydrant provision shall be made for the protection of the meter and for quick disconnection in case such hydrant or hydrants are needed to extinguish any fire.

No such application shall be granted unless a bond, in such sums as the duly authorized agent of the Village shall deem sufficient, approved as to sureties and form by a majority of the members of the Board, shall be delivered to the Village to indemnify it for any damage which may be suffered by it to its water system, gate boxes, meters, valves, or fire hydrants by reason of the construction contemplated.

No such application shall be granted unless a bond shall be delivered to the Village, approved as to amount, sureties and form by a majority of the members of the Board, indemnifying and saving harmless the Village from damages to property or damages resulting from death of any person or injuries suffered by any person by reason of the construction work done for which water is used.

The provision of Section 21, insofar as it provides for the deposit of money to secure payment of water charges and insofar as it provides for reimbursement of surplus deposit, shall apply to the use of water for the purposes contemplated by this section except that no deposit shall be required of the State or any Village corporation or any district, bureau or department thereof, where the work is being done by its own employees and where the purpose for which the water is used has been duly authorized, in which event bills for water charges shall be rendered at such times as the duly authorized agent shall deem advisable.

The bond, under this section, shall not be required where the water is being furnished to the Village or its highway department for work being done by its employees.

23. Subdividers or Developers to Provide Mains

For all installations of water lines and/or services and appurtenances in areas not included within existing highways or streets, such as for developments where roads are being prepared and offered for acceptance as public roads, the following provisions shall apply:

A. Connection shall be made to the water system at a point designated by the duly authorized agent of the Village.

B. Pipe, valves, and hydrants shall be installed in accordance with a plan approved by the Board.

C. Service connections shall be made with coopertubing, Type K, 3/4 inch minimum size, with corporation cock, curb stop, and curb box to be of make, type and size as approved by the duly authorized agent of the Village.

D. Furnishing of materials and installation of all water lines, valves, hydrants, and services shall be in a manner satisfactory to the duly authorized agent of the Village.

E. All costs of materials and installations of water mains, valves, hydrants, and services shall be borne by the developer.

F. As a condition of obtaining service, all water mains, valves and hydrants, plus water services to the limits of existing public highways or to the outer limits of a 50-foot area proposed for ultimate dedication as public highways, shall be deeded to the Village.

24. Water for construction Purposes by Permit Only

Except with the permission of the Village, water for construction purposes shall not be taken from any service connection used for any other purpose whether or not on the same premises or from any main or hydrant.

25. Entry of Premises of Consumer

The duly authorized agent of the Village shall have full power to enter the premises of any consumer, at all reasonable hours, to read meter (when required) or to examine fixtures, plumbing and manner of using water.

26. Duly Authorized Agent's Authority

Wherever it is referred to herein that permission be granted by or that an application be made to, or that an act be done by or that an act be approved by the Village, it shall mean the duly authorized agent of the Village.

27. Service Connection from Main to Curb Box - Requirements and Charges

The corporation cock, curb cock and box, and service pipe from the street main to a point between the outside sidewalk line and the curb line shall be located as designated by the duly authorized agent of the Village. All shall be furnished and installed by the Village, if not already existing, upon application to the Village by the property owner made in accordance with the Sections of these Rules, Regulations and Ordinances as apply to application for water tap or new service.

A charge shall be made by the Village to the property owner for which the service connection is being provided for the above mentioned work in an amount which shall be established by the Village and which may be varied from time to time. Before the connection is made, the applicant for such service connection shall pay the Village the full amount of this service connection charge.

It is the responsibility of the property owner to provide and pay for all work done and material furnished in the completion of the service connection line from the curb cock to the meter (when required) placed on the service line. The service pipes and fittings and the meter settings shall be of a make, size, and pattern determined by the Board, with the installation of all these items to be made in accordance with the Rules, Regulations and Ordinances and under the direction of the duly authorized agent of the Village.

28. Protection Required of Steam Boilers and Hot Water Tanks

In all places where steam boilers or hot water tanks are supplied with water from the water system, the owner or consumer must see that the plumber places a suitable safety valve, or other proper device, to prevent damage from collapse or explosion when water is shut off. The Village shall not be liable for any damage resulting from sudden shutting off of the supply of water from any steam boiler or other fixture deriving its supply from the water system.

29. Restriction of Amount of Water Used

The Village reserves the right to limit the amount of water furnished to any consumer, should circumstances seem to warrant such action, although no limit may be stated in the application or permit for use; or said Village may entirely shut off the water supply used for any manufacturing purposes, or for furnishing power, or for lawn sprinkling, at any time, by giving reasonable notice of such intended action, or in case of making or construction new work, or in making repairs, or in emergency, the right is reserved to shut off the water from any consumer without notice for as long a period as may be necessary.

30. Pressures

The Village shall not be liable for any damage or loss of any name or kind to property or persons which may arise from or be caused by any change, diminution or increase of the water pressure from any cause whatever.

31. Service Pipes and Fittings

Service pipes and fittings, from the curb cock to the meter (when required) shall conform to such standards and shall be of such make and type as the Board shall direct and shall be of such size as the Village shall deem proper. The minimum size for any service hereafter installed shall, however, be three-quarter (3/4) inch. Service pipes from the curb cock to the meter (when required) less than two inches in diameter shall be of pure, seamless, soft-tempered copper tubing with flared bronze fitting, red brass pipe. Tubing shall be of the following thickness:

<u>Normal Pipe Size (inches)</u>	<u>Outside Diameter of Tubing (inches)</u>	<u>Type</u>
3/4	7/8	K
1	1-1/8	K
1-1/4	1-3/8	K
1-1/2	1-5/8	K

No soldered joints shall be permitted in copper tubing underground.

32. Violation and Authority to Discontinue Service

The duly authorized agent of the Village may discontinue water service and shut off the supply and remove the meter (when required) from any premises the owner or occupant of which has failed to comply with the provisions of this local law. Such service will not be resumed until the cause for such discontinuance is removed, and the expense of shutting off and turning on the water, if any, is paid the the Clerk.

33. Pollution, Contamination and Cross-Connections Prohibited

It shall be unlawful for the owner of property or the user of Village water or both to introduce or permit the introduction into the Village water supply system of pollution or contamination of any kind. Whenever cross-connection to other water supply into the Village system is found or whenever any other condition is found which presents the possibility of contamination or pollution, the water supply to such premises and/or other premises from which cross-connection is/eliminated** or the condition remedied. The authorized representative of the Village may permit or require a backflow preventer of pattern and design which the New York State Department of Health approves as reasonably adequate to prevent contamination, if the authorized representative determines that a complete physical separation from the Village water system is not practicable or necessary, or that adequate inspection for cross-connection cannot readily be made, or that such backflow preventer is necessary because of existing or possible backflow resulting from special condition, use or equipment.

Any corrective measure, disconnection or change on private property shall be at the sole expense of the person in control of such property. Any changes required in the Village system outside the property or between the meter and the supply line or distribution and any charges for cut-off or disconnection shall be added to the charges for water against the premises necessitating such expenditure.

All physical connections which may constitute potential cross-connection are prohibited unless constructed, maintained and operated in accordance with the provisions of the New York State Sanitary Code, Chapter I, Part 5, Section 5-1-31.

**made shall be discontinued immediately until the cross-connection is

34. Acceptance of Rules and Regulations

All persons who hereafter make applications for water service, or who continue the use of the water service after the taking effect of the foregoing local law will be deemed to have assented thereto and to have agreed to conform to the provisions of said Rules and Regulations and to pay the water rates as established.

35. Violations Punishable as Misdemeanors

Each violation of this law herein shall constitute a misdemeanor and shall be punishable as defined in Section 1-8 of the Code of Ordinances of the Village of Dolgeville.

36. Water Sewer Rates

The Board of Trustees shall, by local law, establish a schedule of water sewer rates, fees and charges to be made to users of such services supplied by the Village. Rates shall be uniform, except that different rates may be set for various types and classes of customers.

37. Meter Reading

Meters used for measuring the quantity of water taken by consumers shall be read and recorded by the Village at regular intervals for the purpose of determining the amount of the water and sewer service bills.

38. Water and Sewer Bills

A. Combined Billing

Water customers who also have a connection to the Village Sewer system shall be charged for water and sewer services in one combined bill. The Village Treasurer shall mail bills to all water and sewer customers on or before the established DUE DATES.

B. Billing Periods

Bills shall be computed for periods as established by resolution of the Board of Trustees.

39. Overdue Bills and Penalty and Interest Charges

A. Water and sewer bills remaining unpaid thirty (30) days after the DUE DATE thereof shall become OVERDUE BILLS.

B. Penalty charges equal to five percent (5%) of the unpaid balance shall be added to all such bills when they become overdue. Additionally, interest will be charged on the unpaid balance as follows: one percent (1%) the first month, five percent (5%) the second month and one percent (1%) for each month thereafter until such overdue bills shall be paid, said interest to be compounded monthly.

40. Delinquent Bills, Tax Liens

A. ALL OVERDUE BILLS for water and sewer service, remaining unpaid thirty (30) days after becoming OVERDUE, shall become DELINQUENT BILLS.

B. On or before June 1 of each year, the Village Treasurer shall certify to the Board of Trustees a complete listing of all delinquent water and sewer bills, including penalty interest charges figures to the first day of the next following July.

C. The listing shall indentify the real property to which the service is furnished and the name of the owner thereof and all such amounts unpaid on said July 1 may be added to his annual property tax by the Board of Trustees, and shall be collected in the same manner and subject to the same rules, penalties and charges as apply to the collection of the General Village Tax.

41. May Shut Off Supply

A. In addition to other means of enforcing collection of delinquent water and sewer bills, the Board of Trustees may order that the supply of water be shut off and service discontinued to consumers whose bill has become delinquent.

B. Before such service shall be discontinued because of delinquency in the payment of bills, written notice shall be mailed to the consumer at least fifteen (15) days prior to the shut-off day.

C. At the expiration of the period of notice, it shall be the duty of the Superintendent of Public Works to have the water supply shut off forthwith, unless such bills have been paid in full.

D. In the case of consumers outside the corporate limits of the Village, the above action to shut off the water supply to delinquent customers shall be mandatory.

42. Right to Change and Amend

The right is reserved to change and amend these Rules and Regulations, to make special rates, variations and contracts in all proper cases, or to turn off the water supply without notice in case of extensions, repairs or other necessity, without liability for damages for lack of water, or for any damage which may result from the turning off of the water supply.

43. Repeal of Previous Rules, Regulations and Ordinances

All prior rules, regulations and laws inconsistent herewith are hereby annulled and repealed.

44. Effective Date

This local law shall take effect immediately upon filing in the Office of the Secretary of the State of New York.

See
Village Law
§ 11-106