

VILLAGE OF CHAUMONT

WATER USE LAW

**REGULATES THE USE OF PUBLIC WATER
FACILITIES**

**AND THE FURNISHING OF WATER TO
CONSUMERS OF ANY**

WATER DISTRICT WITHIN THE

VILLAGE OF CHAUMONT,

TOWN OF LYME,

COUNTY OF JEFFERSON,

STATE OF NEW YORK

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**VILLAGE OF CHAUMONT
WATER DISTRIBUTION SYSTEM LAW**

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**VILLAGE OF CHAUMONT
WATER DISTRIBUTION SYSTEM LAW**

A LOCAL LAW REGULATING THE USE OF PUBLIC WATER FACILITIES AND THE FURNISHING OF WATER TO THE CONSUMERS OF THE VILLAGE WATER DISTRICT LOCATED IN THE VILLAGE OF CHAUMONT, TOWN OF LYME, COUNTY OF JEFFERSON, STATE OF NEW YORK.

BE IT ENACTED BY THE VILLAGE BOARD OF THE VILLAGE OF CHAUMONT AS FOLLOWS:

ARTICLE I. PURPOSE AND SCOPE

1.1 REGULATIONS

- A. THE FOLLOWING LAW AS ESTABLISHED BY THE VILLAGE BOARD OF THE VILLAGE OF CHAUMONT (HEREINAFTER CALLED THE VILLAGE BOARD), OR AS HEREINAFTER AMENDED OR MODIFIED, HEREBY REGULATES EACH CONSUMER, TAKER OR USER OF WATER FURNISHED DIRECTLY OR INDIRECTLY FROM THE MAINS OF ANY CHAUMONT VILLAGE WATER DISTRICT.**
- B. COMPLY WITH THE FEDERAL PURE WATER ACT (1976) AND NEW YORK STATE HEALTH DEPARTMENT.**

1.2 ADMINISTRATION OF THE SYSTEM

- A. THE VILLAGE BOARD SHALL BE RESPONSIBLE FOR THE ADMINISTRATION OF ALL AFFAIRS CONCERNING THE OPERATION OF THE VILLAGE WATER DISTRICT AND GENERAL MANAGEMENT OF THAT DISTRICT.**

- B. THERE ARE TWO (2) CERTIFIED WATER OPERATORS EMPLOYED BY THE VILLAGE OF CHAUMONT AND THEY WILL ACT IN AN ADVISORY CAPACITY TO THE VILLAGE BOARD ON ALL WATER ISSUES. THOSE FUNCTIONS INCLUDE BUT ARE NOT LIMITED TO:**
- 1. REVIEW OF CAPITAL PROJECTS AND OPERATION AND MAINTENANCE OF FACILITIES.**
 - 2. UPDATE THE VILLAGE BOARD ON ANY ISSUES WITH THE WATER SYSTEM. REVIEW ALL COMPLAINTS AND PROBLEMS AND RECOMMEND SOLUTIONS TO THE VILLAGE BOARD.**
 - 3. ACT AS A LIAISON WITH THE NYS DEPT. OF HEALTH, NYSDEC AND ANY OTHER GOVERNMENT AGENCIES.**
- C. THE VILLAGE BOARD SHALL BE RESPONSIBLE FOR THE ESTABLISHMENT OF LAWS, RULES AND REGULATIONS, WATER RATES, CHARGES AND APPOINTMENT OF ALL NECESSARY PERSONNEL. NABLE UPON PROPER NOTIFICATION TO MAKE SUCH**
- D. THE VILLAGE BOARD SHALL HAVE CONTROL OF THE INSTALLATION, OPERATION, MAINTENANCE, REPAIR AND ADJUSTMENT OF TAPS, MAINS, CURB BOXES, VALVES, HYDRANTS, LATERALS AND METERS. THE VILLAGE BOARD SHALL NOT BE RESPONSIBLE FOR BREAKS, OBSTRUCTIONS OR INTERRUPTION OF SERVICE ARISING FROM ANY CAUSE FROM THE CURB STOP TO THE RESIDENCE. THE VILLAGE BOARD MAY TAKE SUCH STEPS, AS ARE REASONABLE, TO MAKE NECESSARY REPAIRS TO RESTORE SERVICE FROM THE MAIN TO THE CURB STOP.**

ARTICLE II. DEFINITIONS

AS USED IN THIS LAW AND THESE REGULATIONS, THE WORD OR PHRASES LISTED BELOW SHALL BE DEEMED TO HAVE THE FOLLOWING MEANING:

- 2.1 “ACTIVE SERVICE” – ANY SERVICE WHICH INCLUDES WATER USAGE THROUGH A CURB STOP.
- 2.2 “APPLICANT” – ANY PERSON MAKING A REQUEST IN WRITING FOR “ACTIVE SERVICE” TO BE RENDERED OR FURNISHED BY THE DISTRICT.
- 2.3 “BASIC SERVICE” – ANY PREMISES ON WHICH A CURB STOP HAS BEEN INSTALLED. BASIC SERVICE DOES NOT INCLUDE WATER USAGE THROUGH A CURB STOP OR ANY OTHER MEANS.
- 2.4 “BUILDER, CONTRACTOR OR REAL ESTATE DEVELOPER” – ANY PERSON OWNING OR HAVING AN INTEREST IN A PARCEL OR TRACT OF LAND WHO APPLIES FOR A SUPPLY OF WATER TO SUCH PREMISES WHICH ARE INTENDED TO BE SOLD, CONVEYED OR LEASED BY SAID PERSON TO AN OWNER OR OCCUPANT.
- 2.5 “CUSTOMER” – THE PROPERTY OWNER WHO IS RESPONSIBLE FOR PAYMENT OF CHARGES FOR WATER OR OTHER FACILITIES AND SERVICES FURNISHED BY THE DISTRICT.
- 2.6 “COMMERCIAL OR COMMERCIAL SERVICE” – PREMISES ON WHICH ACTIVITIES OF INDUSTRY OR COMMERCE ARE ROUTINELY CONDUCTED. SUCH ACTIVITIES OF COMMERCE SHALL INCLUDE MANUFACTURE, BUYING OR SELLING OF ANY COMMODITY OR SERVICE OR THE CONDUCTION OF ANY BUSINESS RELATED ACTIVITIES ON A ROUTINE YET INTERMITTENT BASIS.
- 2.7 “CURB BOX SHUT-OFF” – THE IN-GROUND ENCLOSURE CONTAINING THE CURB STOP.
- 2.8 “CURB STOP” – THE IN-GROUND HOUSING AND VALVE THAT CONTROLS WATER BETWEEN THE MAIN AND THE PREMISES SERVICED.
- 2.9 “DANC” – DEVELOPMENT AUTHORITY OF THE NORTH COUNTRY.
- 2.10 “DISTRICT” OR “THE DISTRICT” – VILLAGE OF CHAUMONT WATER DISTRICT
- 2.11 “EDU” – EQUIVALENT DWELLING UNIT
 - 1 EDU – FULL HOOKUP
 - 1/2 EDU – CURB STOP INSTALLED ON VACANT LAND

1/4 EDU – VACANT LAND WITHIN THE WATER DISTRICT

- 2.12 “HEALTH DEPARTMENT” – THE NEW YORK STATE DEPT. OF HEALTH, BUREAU OF PUBLIC WATER SUPPLY PROTECTION.**
- 2.13 “INSTITUTIONAL OR INSTITUTIONAL SERVICE” – ANY PREMISES ON OR IN WHICH THE FOLLOWING SERVICES ARE PROVIDED: EDUCATION IN ANY ORGANIZED FORM, MEDICAL TREATMENT OF ANY TYPE, GOVERNMENTAL SERVICES OF ANY TYPE, AND OTHER USES AS DETERMINED BY THE VILLAGE BOARD.**
- 2.14 “LATERAL” – THE PIPE INSTALLED BETWEEN THE CURB STOP AND THE PREMISES.**
- 2.15 “OCCUPANT” – THE PERSON ACTUALLY IN POSSESSION OR CONTROL OF ANY PREMISES OR PART THEREOF WHO IS A CONSUMER.**
- 2.16 “OWNER” – THE PERSON WHO HAS LEGAL OR EQUITABLE TITLE TO THE PREMISES.**
- 2.17 “PERSON” – AN INDIVIDUAL, FAMILY, FIRM, ASSOCIATION, INSTITUTION OR CORPORATION.**
- 2.18 “PREMISES” – ANY BUILDING, VACANT OR UNIMPROVED PARCEL OF LAND CONTAINED WHOLLY OR PARTIALLY WITHIN THE DISTRICT.**
- 2.19 “PRIVATE FIRE PROTECTION SYSTEM” – WATER MAINS, PIPES, HYDRANTS, SPRINKLERS OR OTHER FACILITIES INSTALLED ON PRIVATE PREMISES OR ON A PUBLIC OR PRIVATE STREET FOR THE PURPOSE OF PROVIDING PRIVATE FIRE PROTECTION.**
- 2.20 “PRIVATE STREET” – ANY STREET, ROAD OR WAY THAT IS NOT FOR ANY HIGHWAY PURPOSE UNDER THE JURISDICTION OF ANY VILLAGE, TOWN, CITY, COUNTY OR THE STATE OF NEW YORK.**
- 2.21 “PUBLIC FIRE PROTECTION SYSTEM” – DISTRIBUTION AND STORAGE FACILITIES, WATER MAINS, PIPES, HYDRANTS AND OTHER FACILITIES INSTALLED OR OWNED BY THE DISTRICT AND USED FOR THE PUBLIC PROTECTION OF PREMISES.**
- 2.22 “PUBLIC STREET” – ANY STREET, AVENUE, ROAD OR WAY THAT IS FOR ANY HIGHWAY PURPOSE UNDER THE JURISDICTION OF ANY VILLAGE, TOWN, CITY, COUNTY OR THE STATE OF NEW YORK.**
- 2.23 “SERVICE CONNECTION” – THE FACILITIES AND EQUIPMENT USED TO SUPPLY WATER TO ANY PREMISES AND WHICH ARE INSTALLED WITHIN THE LIMITS OF THE STREET BETWEEN THE MAIN AND CURB BOX SHUTOFF TO THE PREMISES TO BE SERVED.**
- 2.24 “THE VILLAGE” – THE VILLAGE OF CHAUMONT BOARD, CONSISTING OF THE MAYOR, A DEPUTY MAYOR AND 3 TRUSTEES.**

ARTICLE III. DISTRICT LIMITS

- 3.1 THIS WATER USE LAW SHALL APPLY TO ALL PREMISES SERVED AND TO BE SERVED BY THE WATER FACILITIES OF THE DISTRICT. DISTRICT LIMITS SHALL BE THOSE GEOGRAPHICAL LIMITS WITHIN THE VILLAGE OF CHAUMONT.

- 3.2 EACH AND EVERY USER, OR TAKER OF WATER FROM THE WATER SYSTEM SHALL BE IN ALL RESPECTS BOUND BY, AND SHALL BE CONSIDERED TO HAVE AGREED TO THE RULES, REGULATIONS, REQUIREMENTS OF THIS LAW, AND SCHEDULES OF WATER RATES AND OTHER CHARGES AS HEREINAFTER SET FORTH, OR AMENDED OR MODIFIED BY THE VILLAGE BOARD AS A CONDITION PRECEDENT TO THE RIGHTS OF SERVICE FROM SAID WATER SYSTEMS.

ARTICLE IV. APPLICATION FOR SERVICE

4.1 APPLICATIONS FOR ACTIVE SERVICE – GENERAL

ALL APPLICATIONS FOR “ACTIVE SERVICE” SHALL BE MADE IN WRITING AND SUBMITTED TO THE VILLAGE CLERK. UPON ACCEPTANCE BY THE VILLAGE BOARD, THE APPLICATION SHALL CONSTITUTE A CONTRACT BETWEEN THE VILLAGE AND THE APPLICANT, OBLIGATING THE APPLICANT TO PAY THE VILLAGE THE ESTABLISHED RATES AND TO COMPLY WITH THE LAW.

4.2 PRE-EXISTING MUNICIPAL WATER MAIN REQUIRED.

APPLICATION SHALL BE ACCEPTED SUBJECT TO THE EXISTENCE OF A MAIN IN A STREET OR RIGHT-OF-WAY ABUTTING ON THE PREMISES TO BE SERVED, BUT ACCEPTANCE SHALL IN NO WAY OBLIGATE THE VILLAGE TO EXTEND ITS MAIN TO SERVICE THE PREMISES EXCEPTING AS HEREINAFTER PROVIDED.

4.3 APPLICATIONS FOR ACTIVE SERVICE – MULTIPLE PREMISES.

A SEPARATE APPLICATION MUST BE SUBMITTED FOR EACH PREMISE.

4.4 OUTSTANDING CHARGES.

NO AGREEMENT WILL BE ENTERED INTO BY THE VILLAGE WITH ANY APPLICANT FOR SERVICE UNTIL ALL CHARGES DUE FROM THE APPLICANT FOR WATER OR SERVICE AT ANY PREMISE NOW OR HERETOFORE OWNED BY THE APPLICANT ARE IN ARREARS SHALL HAVE BEEN PAID.

4.5 RESALE OF WATER

SUB-METERING OR RE-SALE OF WATER WILL NOT BE PERMITTED WITHOUT WRITTEN PERMISSION OF THE VILLAGE BOARD.

4.6 CRITERIA FOR ACCEPTANCE OF APPLICATIONS.

ACCEPTANCE OF AN APPLICATION MADE BY A PERSON, PRIVATE OR MUNICIPAL CORPORATION OR SPECIAL IMPROVEMENT DISTRICT SHALL BE AT THE SOLE DISCRETION OF THE VILLAGE BOARD. SERVICE MUST BE ECONOMICALLY FEASIBLE AND WITHIN THE CAPACITY OF THE VILLAGE TO RENDER WITHOUT PREJUDICE TO THE DEMANDS IMPOSED UPON ITS SYSTEM BY ITS OTHER CUSTOMERS.

4.7 SITE PLAN

WHENEVER THE OWNER OR OPERATOR OF A LAND PARCEL CONTAINING MORE THAN ONE COMMERCIAL OR RESIDENTIAL PREMISES APPLIES FOR THE SERVICE OF WATER TO SAID PREMISES, THERE SHALL BE FURNISHED TO THE VILLAGE BOARD A MAP OR PLAN THEREOF SHOWING ITS LOCATION, THE ESTIMATED NUMBER OF RESIDENTIAL OR COMMERCIAL PREMISES AND OTHER STRUCTURES TO BE SERVED, AND THE ARRANGEMENT OF LATERALS, ROADS, DRIVEWAYS AND LANES AFFORDING ACCESS TO AND WITHIN THE LIMITS OF SAID PREMISES.

ARTICLE V. INSTALLATION OF SERVICES

5.1 SERVICE CONNECTION CHARGES – GENERAL.

UPON WRITTEN APPLICATION FOR “ACTIVE SERVICE” BY AN OWNER OF ANY PROPERTY ABUTTING ON ANY PUBLIC OR PRIVATE STREET CONTAINING A DISTRICT MAIN OF SUFFICIENT SIZE AND CAPACITY, AND UPON PAYMENT OF THE APPLICABLE CHARGE FOR THE SIZE SERVICE TO BE INSTALLED, AS PRESCRIBED HEREIN, THE DISTRICT WILL SUPPLY, INSTALL, OPERATE, MAINTAIN AND WHEN NECESSARY, REPLACE AT ITS OWN COST AND EXPENSE, THE SERVICE CONNECTION BETWEEN THE MAIN AND THE CURB BOX SHUT OFF ON BOTH PUBLIC AND PRIVATE STREETS. EASEMENTS ACCEPTABLE TO THE VILLAGE BOARD MUST BE FURNISHED AT THE APPLICANT’S EXPENSE WHERE

NECESSARY FOR ALL WATER SERVICE INSTALLATIONS. ALL SERVICE LINES INSTALLED BY THE VILLAGE SHALL REMAIN THE PROPERTY OF THE VILLAGE.

WHEN A BUILDING WITH AN EXISTING SERVICE IS DEMOLISHED AND REPLACED WITH A NEW STRUCTURE, OR IS SUBSTANTIALLY REMODELED, THE VILLAGE BOARD WILL ASSESS THE SAME CONNECTION FEE AS FOR A NEW BUILDING, EXCEPTING HOWEVER THAT THE VILLAGE BOARD MAY WAIVE THE FEE IN THE EVENT NO ADDITIONAL EXPENSE IS INCURRED BY THE DISTRICT.

THE COST OF WATER CONNECTIONS SHALL BE THAT INCURRED BY THE WATER DISTRICT MAY BE WAIVED OR MODIFIED BY THE VILLAGE BOARD.

IN THE EXPANSION OF THE VILLAGE WATER DISTRICT OR FORMATION OF NEW WATER DISTRICTS, A CURB STOP WILL BE INSTALLED ON ANY BUILDABLE VACANT LOT. IF THE LOT IS UNBUILDABLE, NO CHARGE WILL BE PLACED ON THE PROPERTY.

5.2 SERVICE CONNECTION CHARGES – PRIVATE FIRE PROTECTION SERVICE.

PRIVATE FIRE PROTECTION SERVICE WILL ONLY BE PROVIDED UNDER A WRITTEN AGREEMENT BETWEEN THE APPLICANT AND THE VILLAGE BOARD. ADDED EXPENSE WILL BE DONE AT NO COST TO THE VILLAGE.

5.3 SERVICES.

THE VILLAGE WATER DISTRICT, AT ITS EXPENSE, WILL MAINTAIN, AND WHEN NECESSARY, REPLACE ANY EXISTING SERVICE CONNECTIONS FROM THE MAIN TO THE CURB STOP SHUTOFF ON ALL WATER SERVICE CONNECTIONS. THE OWNER SHALL BE RESPONSIBLE TO MAINTAIN THE PIPE INSTALLED BETWEEN THE CURB STOP AND ANY PREMISES IN LEAK-PROOF CONDITION AND TO THE FULL SATISFACTION OF THE VILLAGE.

SERVICE CONNECTIONS SHALL NOT BE TRESPASSED UPON NOR INTERFERED WITH IN ANY RESPECT. THE CURB STOP MAY NOT BE USED BY THE CUSTOMER FOR TURNING ON OR SHUTTING OFF THE WATER SUPPLY, BUT IS FOR THE EXCLUSIVE USE OF THE VILLAGE WATER DISTRICT.

IN ALL CASES, THE VILLAGE WILL ONLY BE RESPONSIBLE FOR REPAIRS TO THE CURB STOP. THE OWNER WILL BE RESPONSIBLE FOR ALL COSTS FROM THE CURB STOP TO THE PREMISES. THE VILLAGE WILL NOT BE LIABLE FOR ANY DAMAGE OR LOSS THAT MAY ARISE DUE TO A FLUCTUATION IN WATER PRESSURE.

5.4 SERVICE ON APPLICANT'S PROPERTY.

THE APPLICANT, AT THEIR EXPENSE, SHALL INSTALL THE LATERAL FROM THE CURB BOX SHUT OFF TO THE PREMISES IN ACCORDANCE WITH THE SPECIFICATIONS HEREIN. IN ADDITION, THE APPLICANT SHALL INSTALL ONE METER AND TWO VALVES, TO BE LOCATED INSIDE THE BUILDING AT THE TERMINUS OF THE LATERAL. ONE VALVE IS TO BE ON THE SUPPLY SIDE OF THE METER AND THE OTHER ON THE DOWNSTREAM SIDE OF THE METER, THUS PERMITTING CONTROL OF THE WATER SUPPLY BY THE CUSTOMER. THE VALVES SHALL BE OF A MAKE AND TYPE APPROVED BY THE VILLAGE. THE SUPPLY SIDE VALVE WILL BE OFFICIALLY SEALED BY THE VILLAGE AFTER INSTALLATION. THE SUPPLY SIDE VALVE MAY NOT BE USED BY THE CUSTOMER FOR TURNING ON OR SHUTTING OFF THE WATER SUPPLY, BUT IS FOR THE EXCLUSIVE USE OF THE VILLAGE. FINALLY, THE VILLAGE REQUIRES THE CUSTOMER TO INSTALL, AT THEIR OWN EXPENSE, SUITABLE NYSDOH APPROVED EQUIPMENT PROPERLY LOCATED TO PREVENT BACKFLOW OF WATER, WHICH MAY CAUSE DAMAGE TO THE METER, OR CONTAMINATION TO THE SYSTEM.

THE METER SHALL BE SO LOCATED AS TO BE CONVENIENTLY ACCESSIBLE FOR READING AND CHANGING. IT MUST ALSO HAVE SUFFICIENT FLEXIBILITY IN THE PIPING FOR PROPER PROTECTION AND CLEARANCES AS REQUIRED. THE METER MUST BE PLACED EITHER IN A CELLAR, OR IN A METER PIT. AT THE EXPENSE OF THE CUSTOMER, THIS PROPERTY SHALL BE MAINTAINED AND WHEN NECESSARY, REPLACED. FOR THIS INSTALLATION AND MAINTENANCE THEREOF, THE CUSTOMER SHALL UTILIZE A COMPETENT PLUMBER AND ALL WORK SHALL BE PERFORMED IN A MANNER SATISFACTORY TO THE VILLAGE.

ANY EXISTING WATER SERVICE WITHIN THE RESIDENCE MUST BE DISCONNECTED PRIOR TO CONNECT OF THE NEW SERVICE.

ALL LATERALS AND EQUIPMENT SHALL BE SUBJECT TO THE INSPECTION AND TESTING, IF SO DEEMED NECESSARY, BY THE VILLAGE. THE MINIMUM SIZE, MATERIALS, DEPTH OF COVER AND METHOD OF CONSTRUCTION SHALL BE THE SAME AS SPECIFIED FOR A LATERAL INSTALLED BY THE VILLAGE OR AS OTHERWISE SPECIFIED OR PERMITTED. THE ENTIRE SERVICE LINE SHALL BE INSPECTED BY THE VILLAGE WATER OPERATOR PRIOR TO BACKFILLING OR ENCLOSURE. IF ANY DEFECTS IN WORKMANSHIP OR MATERIALS ARE NOTED, OR IF THE CUSTOMER'S LATERAL HAS NOT BEEN INSTALLED IN ACCORDANCE WITH SUCH SPECIFICATIONS, OR WITH THE VILLAGE'S REQUIREMENTS, WATER SERVICE WILL EITHER NOT BE TURNED ON OR WILL BE DISCONTINUED IF SUCH DEFECTS ARE NOT REMEDIED. NO SERVICE WILL BE ACTIVATED BY THE VILLAGE UNTIL THE LATERAL AND SERVICE CONNECTION FROM THE PREMISES TO THE STREET HAVE BEEN INSTALLED, TESTED AND APPROVED IN A MANNER SATISFACTORY TO THE VILLAGE.

UPON RECEIPT OF AN APPLICATION FOR A NEW SERVICE OR FOR THE REINSTATEMENT OF AN EXISTING SERVICE, THE VILLAGE MAY ASSUME THAT

THE PIPING AND FIXTURES, WHICH THE SERVICE WILL SUPPLY, ARE IN PROPER ORDER TO RECEIVE SERVICE. THE VILLAGE WILL NOT BE LIABLE IN ANY EVENT FOR ANY ACCIDENT BREAKS OR LEAKAGE ARISING IN ANY CONNECTION WITH THE SUPPLY OF WATER OR FAILURE TO SUPPLY SAME. THE VILLAGE RESERVES THE RIGHT TO REQUIRE PRESSURE TESTING OF ANY AND ALL BURIED OR ENCLOSED PIPES.

THE VILLAGE RESERVES THE RIGHT TO REQUIRE PRESSURE TESTING OF ANY AND ALL BURIED OR ENCLOSED LATERALS AT ANY TIMES FOR REASONABLE CAUSE.

5.5 LATERAL SPECIFICATIONS.

ALL LATERALS SHALL HAVE A MINIMUM EARTHEN COVER OF FIVE (5) FEET IN NON-PLOWED AREAS AND SIX (6) FEET IN AREAS CUSTOMARILY PLOWED. NO LATERAL SHALL BE LESS IN SIZE THAN THREE QUARTERS INCH (3/4") INSIDE DIAMETER. U.S. GOVERNMENT SPECIFICATION TYPE K SOFT TEMPERED COPPER TUBING (ASTM B-88) OR POLYETHYLENE TUBING MEETING ASTM D-2737, PE 3408, AND AWWA C-800, MINIMUM PRESSURE RATING 200 PSI, SHALL BE USED IN ALL SERVICES UP TO AND INCLUDING THREE INCHES (3") IN DIAMETER.

EXCEPTIONS TO THIS MINIMUM DEPTH WOULD BE THOSE AREAS WITHIN THE VILLAGE THAT HAVE SHALLOW DEPTH AND BEDROCK. IN THESE AREAS LATERALS SHALL HAVE A MINIMUM OF THREE (3) FEET IN DEPTH, SLEEVED AND INSULATED WITH SEAMLESS COPPER PIPING.

ALL SERVICES 4" PIPE OR GREATER IN DIAMETER SHALL BE DUCTILE IRON PIPE OF QUALITY EQUAL TO AWWA STANDARD SPECIFICATIONS (CLASS 50 MINIMUM) AND OF WEIGHT SUITABLE FOR SERVICE UNDER A PRESSURE OF 200 PSI. ALL CONNECTIONS OF LATERALS TO A MAIN WITH A GROUND COVERING OF LESS THAN SIX (6) FEET SHALL BE MADE ON THE SIDE OF THE MAIN SO THAT SUCH LATERALS SHALL IN NO CASE HAVE LESS COVERING THAN THE MAIN. THE VILLAGE RESERVES THE RIGHT IN ALL CASES TO STIPULATE THE SIZE AND TYPE OF SERVICE CONNECTION TO BE USED.

5.6 WINTER PROVISIONS.

THE VILLAGE SHALL NOT BE REQUIRED TO INSTALL ANY SERVICE LINES OR SERVICE CONNECTIONS BETWEEN NOVEMBER 1ST AND APRIL 15TH.

5.7 SERVICE METER SIZE.

WHERE THE LATERAL IS LARGER THAN THREE FOURTHS (3/4) INCH IN DIAMETER, A METER OF SMALLER SIZE THAN THAT OF THE LATERAL MAY BE

USED, PROVIDED THE CONSUMER SATISFIES THE VILLAGE BOARD THAT FLOW THROUGH THE METER ONLY RARELY EXTENDS THE AMOUNT SPECIFIED BY THE FOLLOWING TABLE:

SIZE OF METER	MAXIMUM ALLOWABLE FLOW IN GALLONS PER MINUTE
5/8 INCH	20
3/4 INCH	34
1 INCH	53
1 – 1/4 INCH	72
1 – 1/2 INCH	100
2 INCH	160

ARTICLE VI. INSTALLATION OF METERS

6.1 INDIVIDUAL METERS REQUIRED.

AN INDIVIDUAL METER SHALL BE REQUIRED FOR EACH "ACTIVE SERVICE" CONNECTIONS TO A PREMISE.

6.2 PURCHASE OF METER.

THE APPLICANT SHALL PURCHASE THE METER THROUGH THE VILLAGE AND SHALL BE RESPONSIBLE FOR ITS PROPER INSTALLATION. THE VILLAGE RESERVES THE RIGHT IN ALL CASES TO STIPULATE THE SIZE, TYPE AND MAKE OF THE METER TO BE USED IN ANY CONNECTION.

6.3 LOCATION OF METER.

WHENEVER POSSIBLE, METERS FOUR INCHES (4") IN SIZE AND UNDER SHALL BE SET IN THE BASEMENT. THE METER SHALL BE LOCATED AT A CONVENIENT POINT APPROVED BY THE VILLAGE SO AS TO PROTECT THE METER AND TO MEASURE THE ENTIRE SUPPLY OF WATER THROUGH THE CONNECTION. WHEN A METER CANNOT BE SET IN THE BASEMENT, IT WILL BE SET NEAR AND INSIDE THE PROPERTY LINE OR IN A LOCATION DESIGNATED BY THE VILLAGE AND ALL EXPENSES INCURRED BY THE VILLAGE IN CONNECTION WITH ITS PROPER HOUSING SHALL BE PAID BY THE APPLICANT.

METERS LARGER THAN FOUR INCHES (4") SHALL BE SET NEAR AND INSIDE THE PROPERTY LINE OR IN A PLACE DESIGNATED BY THE VILLAGE AND ALL EXPENSES INCURRED IN CONNECTION WITH ITS PROPER HOUSING, INCLUDING

BY-PASS FOR TESTING, IF REQUIRED, SHALL BE PAID BY THE APPLICANT. ALL METERS TWO (2") INCHES OR LARGER SHALL HAVE A BY-PASS FOR TESTING.

IN ALL CASES, IRRESPECTIVE OF METER SIZE, WHERE THE DISTANCE FROM THE CURB STOP SHUT OFF TO THE FRONT WALL OF THE BUILDING IS GREATER THAN ONE HUNDRED AND FIFTY (150) FEET, THE VILLAGE MAY REQUIRE THAT THE METER BE SET NEAR AND INSIDE THE PROPERTY LINE.

ALL METERS SHALL BE EXTERNAL READOUT DEVICES ACCEPTABLE TO THE VILLAGE.

WHEN, DUE TO SPECIAL CIRCUMSTANCES, IT IS NECESSARY TO SET ANY METER WITHIN THE LIMITS OF A PUBLIC STREET, ALL EXPENSES INCURRED BY THE CONNECTION WITH ITS PROPER HOUSING SHALL BE PAID BY THE APPLICANT. THE METER WILL BE FURNISHED AND CONNECTED AS PRESCRIBED HEREIN. METER HOUSINGS LOCATED IN PUBLIC STREETS WILL BE MAINTAINED BY THE VILLAGE AND WHEN NECESSARY REPLACED, ALL AT THE EXPENSE OF THE APPLICANT.

6.4 METERS MAY NOT BE ALTERED.

ALL METERS AND METER CONNECTIONS SHALL AT ALL TIMES REMAIN UNDER THE DIRECT CONTROL OF THE VILLAGE, AND SHALL NOT BE INTERFERED WITH IN ANY RESPECT. ALL METERS WILL BE MAINTAINED BY AND AT THE EXPENSE OF THE VILLAGE, SO FAR AS ORDINARY WEAR AND TEAR ARE CONCERNED, BUT THE CUSTOMER WILL BE HELD RESPONSIBLE FOR DAMAGES DUE TO FREEZING, HOT WATER, OR OTHER EXTERNAL CAUSES. IN CASES OF DAMAGE THE VILLAGE WILL REPAIR THE METER, IF NECESSARY, REPLACING IT WITH ANOTHER METER AND THE COSTS SHALL BE PAID BY THE CUSTOMER. METERS SHALL NOT BE INTERFERED WITH OR REMOVED BY ANY PERSON EXCEPT THE WATER OPERATOR OR DESIGNEE. SEALS PLACED ON METERS, VALVES OR OTHER FITTINGS SHALL NOT BE TAMPERED WITH OR BROKEN. IF A SEAL IS BROKEN THE METER WILL BE REMOVED, TESTED, CALIBRATED AND REPLACED, IF NECESSARY, AT THE EXPENSE OF THE CUSTOMER.

6.5 TESTING OF METERS.

THE VILLAGE RESERVES THE RIGHT TO REMOVE AND TEST ANY METER AT ANY TIME AND TO SUBSTITUTE ANOTHER METER. IN CASE OF A DISPUTED ACCOUNT INVOLVING THE ACCURACY OF THE METER, SUCH METER WILL BE TESTED. WHEN THE TEST IS REQUESTED BY THE CUSTOMER, THE FEE FOR TESTING SUCH METERS SHALL BE ACCORDING TO THE VILLAGE OF CHAUMONT'S CURRENT RATE SCHEDULE, PAYABLE IN ADVANCE OF THE TEST. IN THE EVENT THAT THE METER SO TESTED IS FOUND TO HAVE AN ERROR IN REGISTRATION IN EXCESS OF FOUR PERCENT (4%) AT ANY RATE OF FLOW WITHIN THE NORMAL TEST FLOW LIMITS, THE FEE ADVANCED FOR TESTING WILL BE REFUNDED AND THE BILL

FOR THE PREVIOUS PERIOD BE ADJUSTED FOR OVER-REGISTRATION. REFER TO CURRENT RATE SCHEDULE.

ARTICLE VII. EXTENSION OF MAINS

7.1 APPLICATION FOR EXTENSION OF WATER SERVICE.

APPLICATION FOR WATER SERVICE IN AREAS NOT SERVED BY A VILLAGE OWNED MAIN OR WHERE EXISTING FLOWS OR PRESSURES ARE DEEMED INADEQUATE, THE VILLAGE WILL OR MAY EXTEND ITS MAINS OR INSTALL NECESSARY MAINS IN ACCORDANCE WITH THE TERMS OF THE WATER MAIN EXTENSION REQUIREMENTS. NO WATER SERVICE WILL BE ALLOWED TO PROPERTIES OUTSIDE THE VILLAGE BOUNDARIES. IF THE PROPERTY OWNER IS WILLING TO ANNEX THEIR PROPERTY INTO THE VILLAGE, WATER SERVICE WILL BE PERMITTED AND AFTER ALL LEGAL DOCUMENTS HAVE BEEN FILED, THE INSTALLATION WILL CONTINUE IN ACCORDANCE WITH THE TERMS OF THE WATER MAIN EXTENSION REQUIREMENTS.

7.2 EXTENSION REQUIREMENTS.

REQUEST MUST BE SUBMITTED TO THE VILLAGE BOARD. THE REQUEST MUST BE ACCOMPANIED WITH AN ENGINEERS DRAWING SHOWING THE AREA TO BE INCLUDED IN THE EXTENSION. THE VILLAGE BOARD WILL CONSIDER THEIR REQUEST. PERMISSION MUST BE APPROVED BY DANC FOR THE EXTENSION. ONCE APPROVED, THE APPLICATION FEE MUST BE PAID TO THE VILLAGE CLERK. THE WATER OPERATOR WILL OVERSEE THE PROJECT AND ENSURE THAT ALL REQUIREMENTS OF THE EXTENSION ARE COMPLIED WITH. REFER TO CURRENT RATE SCHEDULE.

7.3 SIZE AND TYPE.

THE VILLAGE RESERVES THE RIGHT TO DETERMINE AND SPECIFY THE DIAMETER AND TYPE OF PIPE REQUIRED TO PROVIDE THE SERVICE REQUESTED, AND ITS LOCATION WITHIN OR OUTSIDE THE LIMITS OF A STREET. THE VILLAGE FURTHER RESERVES THE RIGHT TO INSTALL A MAIN LARGER IN DIAMETER THAN THE MAIN REQUIRED TO RENDER THE SERVICE REQUESTED, IN CASES WHERE THE VILLAGE BOARD FEELS THE LARGER MAIN IS JUSTIFIED.

7.4 TITLE.

TITLE TO ALL WATER MAIN EXTENSIONS SHALL BE VESTED IN THE VILLAGE AND SHALL CARRY THE RIGHT TO FURTHER EXTEND ANY MAIN INSTALLED PURSUANT TO THE TERMS OF ANY MAIN EXTENSION CONTRACT, IN AND TO OTHER STREETS OR PREMISES WITHOUT REPAYMENT OR REFUND TO THE APPLICANT. THE MINIMUM WATER MAIN EXTENSION EASEMENT/RIGHT-OF-WAY SHALL BE 20 FEET. THE VILLAGE RESERVES THE RIGHT TO CONSIDER EXTENSIONS MADE AT THE APPLICANT'S EXPENSE. THE VILLAGE WILL REQUIRE A METER TO BE INSTALLED, IN ACCORDANCE WITH THIS LAW, AT THE BEGINNING OF THE EXTENSION TO MEASURE ALL WATER USED, AND TITLE TO THE LINE BEYOND THE METER IN SUCH CASE WILL BE VESTED IN THE CUSTOMER, WHO WILL BE RESPONSIBLE FOR OPERATION, MAINTENANCE AND REPLACEMENT WHEN NECESSARY.

7.5 MAINTENANCE AND REPLACEMENT.

THE VILLAGE, AT ITS EXPENSE, WILL MAINTAIN AND WHEN NECESSARY, REPLACE VILLAGE OWNED MAINS LOCATED WITHIN PUBLIC OR PRIVATE STREETS USED TO SUPPLY WATER TO ITS CUSTOMERS; AND IF, IN THE OPINION OF THE VILLAGE BOARD ADEQUATE SERVICE REQUIRES THE RECONSTRUCTION OR REPLACEMENT OF SUCH MAINS, SAID MAINS WILL BE RECONSTRUCTED OR REPLACED BY THE VILLAGE AT ITS EXPENSE.

ARTICLE VIII. PAYMENT FOR SERVICE

8.1 RESPONSIBILITY FOR PAYMENT.

ALL PERSONS OWNING LAND WITHIN THE VILLAGE DISTRICT, OR RECEIVING ANY SERVICE FROM SAID DISTRICT, INCLUDING BASIC SERVICE, SHALL PAY TO THE RECEIVER OF WATER CHARGES, AT THE TIMES PROVIDED BY THE VILLAGE BOARD, RENTS AND/OR CHARGES AS MAY BE FIXED BY THE VILLAGE BOARD, FROM TIME TO TIME, AND BASED ON THE CRITERIA SET FORTH HEREIN.

8.2 COMPONENTS OF THE WATER BILL.

THE SOURCE OF THE REVENUES FOR RETIRING DEBT SERVICE, CAPITAL EXPENDITURES, OPERATION AND MAINTENANCE COSTS OF THE WATER SYSTEM, SHALL BE WATER SERVICE CHARGES. CHARGES MAY BE A COMBINATION OF BASIC SERVICE CHARGES AND WATER USE CHARGES ASSIGNED TO OWNERS OF ALL PROPERTY LOCATED WITHIN THE WATER DISTRICT OR FORMAL OR INFORMAL EXTENSIONS THERETO. NOTHING HEREIN CONTAINED, HOWEVER, SHALL REQUIRE UNIFORMITY OF METHOD OR BASIS OF CHARGES AMONG ANY OTHER WATER DISTRICTS WITH THE VILLAGE OF CHAUMONT AND THE VILLAGE BOARD IS EMPOWERED HEREBY TO ESTABLISH DIFFERENT METHODS OR BASIS OF CHARGES WITHIN EACH RESPECTIVE WATER DISTRICT.

THE CHARGES FOR WATER SERVICE SHALL CONSIST OF THE WATER SERVICE CHARGE AS OUTLINED IN THE PRECEDING PARAGRAPH PLUS THE BASE CHARGE AND THE PER THOUSAND GALLON CHARGE AS STIPULATED IN THE CURRENT WATER CONTRACT BETWEEN THE VILLAGE OF CHAUMONT AND DANC.

8.3 UNPAID WATER BILLS BECOME LIENS ON THE PREMISES.

ALL CHARGES AND FEES OWED TO THE ESTABLISHMENT OF THE WATER DISTRICT, AS WELL AS ANY SUBSEQUENT WATER RENT AND/OR SERVICE CHARGES LEVIED PURSUANT TO THIS LOCAL LAW ARE HEREBY MADE LIENS ON THE PREMISES TO WHICH IT RELATES AND IF THE SAME IS NOT PAID WITHIN 30 DAYS AFTER IT SHALL BE DUE AND PAYABLE, IT SHALL BE CERTIFIED TO THE FISCAL OFFICER OF THE VILLAGE OF CHAUMONT, WHO SHALL PLACE THE SAME ON THE REAL PROPERTY TAX BILL FOR THAT PARCEL AND FOR THAT YEAR WITH INTEREST AND PENALTIES ALLOWED BY LAW AND THEREAFTER COLLECTED AS OTHER VILLAGE TAXES ARE COLLECTED. ANY DELINQUENT BILLS ARE RELEVIED ON JUNE 1ST OF EACH YEAR.

8.4 TERMS OF PAYMENT.

ALL BILLS ARE PAYABLE IN ACCORDANCE WITH THE TERMS OF THE APPLICABLE SERVICE CLASSIFICATION. NEW SERVICES INSTALLED AT ANY TIME DURING THE BILLING PERIOD WILL BE SUBJECT TO THE FULL CHARGES FOR THE PERIOD.

8.5 CORRECT BILLING ERRORS.

IF A CUSTOMER IS CHARGED INCORRECTLY, OVER-CHARGED OR HAS AN ESTIMATED READING, REIMBURSEMENT WILL BE MADE BY A CREDIT TO THE CUSTOMER BY THE NEXT BILLING PERIOD, IF THE ACCOUNT IS STILL OPEN. IF THE ACCOUNT IS CLOSED, A REFUND WILL BE MADE TO THE CUSTOMER.

8.6 BILLING PERIODS.

METERS WILL BE READ AT THE DISCRETION OF THE VILLAGE BOARD PURSUANT TO THE PROVISIONS OF THE CURRENT WATER CONTRACT. CUSTOMERS WILL BE BILLED ANNUALLY, SEMI-ANNUALLY, QUARTERLY, BI-MONTHLY, MONTHLY, OR AT ANY REGULAR INTERVAL, AT THE VILLAGE'S OPTION AND AS AUTHORIZED BY RESOLUTION OF THE VILLAGE BOARD.

8.7 DETERMINATION OF THE QUANTITY OF WATER USED.

THE QUANTITY RECORDED BY THE METER SHALL BE CONSIDERED THE AMOUNT OF WATER PASSED THROUGH THE METER. THAT AMOUNT SHALL BE CONCLUSIVE ON BOTH THE CUSTOMER AND THE VILLAGE, EXCEPT WHEN THE METER HAS BEEN FOUND TO BE REGISTERING INACCURATELY OR HAS CEASED TO REGISTER. IN SUCH CASES, THE QUANTITY MAY BE DETERMINED BY THE AVERAGE REGISTRATION OF THE METER DURING THE MOST RECENT CORRESPONDING PAST PERIOD WHEN THE METER WAS IN ORDER, OR BY THE AVERAGE REGISTRATION OF THE NEW METER, WHICHEVER METHOD IS REPRESENTATIVE, IN THE VILLAGE BOARD'S OPINION, OF THE CONDITIONS EXISTING DURING THE PERIOD IN QUESTION.

8.8 CHANGE IN OWNERSHIP.

THE CUSTOMER SHALL NOTIFY THE VILLAGE BOARD IN WRITING OF ANY CHANGE IN OWNERSHIP. NO ADJUSTMENT OF THE BILLS WILL BE MADE BY THE VILLAGE BETWEEN OWNERS WITHOUT TEN (10) DAY'S NOTICE IN WRITING PRIOR TO CHANGE OF OWNERSHIP. NO CONSIDERATION WILL BE GIVEN FOR UNOCCUPIED PREMISES.

8.9 TIME FRAME FOR PAYMENT OF WATER BILL.

ALL BILLS ARE DUE AND PAYABLE NET CASH WHEN RENDERED. IN CASE ANY WATER BILL OR CHARGE IS NOT PAID WITHIN THIRTY DAYS FOLLOWING RENDERING OF THE BILL, SUCH BILL SHALL BE DELINQUENT. ALL UNPAID BILLS SHALL BEAR A PENALTY (SEE CURRENT RATE SCHEDULE) BEGINNING THE THIRTY-FIRST DAY FOLLOWING THE DATE OF BILLING. IF NOT PAID WITHIN FORTY-FIVE DAYS AFTER SUCH A BILL HAS BECOME DELINQUENT, THE VILLAGE, OR ITS AGENTS, SHALL DISCONTINUE WATER SERVICE TO THE CUSTOMER AND SERVICE WILL NOT BE RE-ESTABLISHED UNTIL SUCH UNPAID CHARGES, TOGETHER WITH CHARGES FOR RESTORATION OF SERVICE ARE FULLY PAID.

8.10 DISCONTINUATION OF ACTIVE SERVICE BY THE CUSTOMER.

ANY CUSTOMER MAY DISCONTINUE "ACTIVE SERVICE" BY GIVING THE VILLAGE WRITTEN NOTICE, NOT LESS THAN THIRTY (30) DAYS PRIOR TO THE DISCONTINUANCE OF SERVICE. LIABILITY FOR USAGE CHARGES EXCLUDING BASIC SERVICE CHARGES, FOR SERVICE RENDERED AFTER THE DISCONTINUANCE OF SERVICE AS HEREIN PROVIDED FOR, SHALL CEASE.

UPON DISCONTINUANCE OF "ACTIVE SERVICE", THE METER WILL BE READ AND THE CUSTOMER WILL BE BILLED FOR NOT LESS THAN THE BASIC SERVICE CHARGES AND ANY GALLONAGE CHARGES FOR WATER USED DURING THE PERIOD, PLUS THE TERMINATION FEE. REFER TO RATE SCHEDULE.

ARTICLE IX. GENERAL RULES

9.1 DISCONTINUATION OF SERVICE BY THE DISTRICT.

“ACTIVE SERVICE” MAY BE DISCONTINUED FOR ANY OF THE FOLLOWING REASONS:

- A. FOR USE OF WATER OTHER THAN AS REPRESENTED IN THE APPLICATION, OR THROUGH BRANCH CONNECTIONS ON THE STREET SIDE OF THE METER OR PLACE RESERVED THEREOF.**
- B. FOR WILLFUL WASTE BY USE OF WATER THROUGH IMPROPER AND IMPERFECT PIPES, OR BY ANY OTHER MEANS OR ANY OTHER PURPOSES.**
- C. FOR DAMAGING ANY SERVICE PIPE, SEAL, METER, OR OTHER APPLIANCE OWNED BY THE DISTRICT, OR UNAUTHORIZED OPERATION OF A CURB STOP VALVE.**
- D. FOR NON-PAYMENT OF BILLS FOR WATER OR SERVICES RENDERED.**
- E. CROSS CONNECTING WATER SUPPLIED BY THE VILLAGE WITH ANY OTHER SOURCE OF SUPPLY, OR WITH ANY APPARATUS WHICH MAY ENDANGER THE QUALITY OF THE VILLAGE WATER SUPPLY OR INTEGRITY OF ITS SYSTEM.**
- F. FOR REFUSAL OF REASONABLE ACCESS TO THE PROPERTY FOR THE PURPOSE OF READING, REPAIRING, TESTING OR REPLACING WATER METERS OR INSPECTING WATER PIPING AND OTHER FIXTURES.**
- G. CONSTRUCTING, OR CAUSING TO CONSTRUCT ANY PIPE OR FITTING IN THE VILLAGE’S SERVICE LINE OR THE PRIVATE SERVICE LINE LOCATED BETWEEN THE CURB STOP AND THE METER WITHOUT WRITTEN AUTHORIZATION FROM THE VILLAGE.**
- H. FOR ANY VIOLATION OF THE WATER USE LAW.**

9.2 PROCEDURE OF DELINQUENT BILLS.

ANY WATER BILLS THAT ARE 45 DAYS OVERDUE ARE CONSIDERED DELINQUENT. A NOTIFICATION LETTER IS SENT TO THE CUSTOMER REQUESTING PAYMENT BE MADE WITHIN 15 DAYS OR SERVICE WILL BE DISCONTINUED. THE LETTER WILL INCLUDE A SHUT-OFF DATE. THE DAY BEFORE THE SHUT-OFF DAY, THE WATER OPERATOR WILL PLACE A TAG/LETTER ON THEIR DOOR INFORMING THEM THAT THE WATER WILL BE TURNED OFF THE NEXT DAY UNLESS THEY MAKE PAYMENT.

9.3 JOINT SERVICE LINES.

IN GENERAL, EACH PREMISE SHALL BE SERVED BY A SEPARATE LATERAL AND A CURB STOP SHALL BE INSTALLED FOR EACH PREMISE. THE VILLAGE BOARD MAY, IN CASES OF EXTREME HARDSHIP, ALLOW THE USE OF A JOINT LATERAL. WHEN TWO OR MORE PREMISES ARE SUPPLIED WITH WATER THROUGH ONE LATERAL, IF ANY OF THE PARTIES SO SUPPLIED SHALL VIOLATE ANY OF THE PROVISIONS OF THIS LAW, THE VILLAGE RESERVES THE RIGHT TO SHUT OFF THE SERVICE.

9.4 RESTORATION OF SERVICE.

WHEN "ACTIVE SERVICE" TO ANY PREMISES HAS BEEN TURNED OFF UPON ORDER OF THE CUSTOMER OR VIOLATION OF THIS LAW, A CHARGE WILL BE MADE FOR THE RESTORATION OF SERVICE. IF BY THE WILLFUL ACTS OF THE CUSTOMER OR OTHER CIRCUMSTANCES IT BECOMES NECESSARY TO SHUT OFF OR DISCONNECT THE LATERAL AT THE CURB STOP, THE CHARGE TO THE CUSTOMER FOR RESTORATION OF SERVICE WILL BE THE ACTUAL COST INCURRED BY THE VILLAGE INCIDENTAL TO THE DISCONNECTION AND RECONNECTION OF THE SERVICE. REFER TO CURRENT RATE SCHEDULE.

9.5 USE OF FIRE HYDRANTS.

NO PERSON, EXCEPT AS SPECIFICALLY AUTHORIZED BY THE VILLAGE BOARD, SHALL TAKE WATER FROM A FIRE HYDRANT FOR ANY USE WHATSOEVER. IF WATER IS USED FROM A FIRE HYDRANT WITHOUT SPECIFIC AUTHORIZATION, THE QUANTITY SO USED WILL BE ESTIMATED BY THE VILLAGE AND THE USER WILL BE BILLED AT THE RATES SET FORTH IN THE RATE SCHEDULE, AS WELL AS FACE ADDITIONAL COSTS AND FINES AS ALLOWED BY LAW OR THESE REGULATIONS.

9.6 CROSS CONNECTIONS.

AS MANDATED BY THE PUBLIC HEALTH LAW, AND IN THE INTEREST OF PUBLIC HEALTH, THE DISTRICT MAINS OR SERVICES SHALL NOT BE CONNECTED ON ANY PREMISES WITH ANY LATERAL OR PIPING WHICH IS CONNECTED TO ANY OTHER SOURCE OF WATER SUPPLY. THE MAINS OR LATERAL WILL NOT BE CONNECTED

IN ANY WAY TO ANY WELL, PIPING, TANK, BOILER, VAT, PRESSURE CLEANER, APPARATUS WHICH CONTAINS LIQUIDS, CHEMICALS OR ANY OTHER MATTER WHICH MAY FLOW BACK INTO THE LATERAL OR MAINS AND CONSEQUENTLY ENDANGER THE WATER SUPPLY.

9.7 CONTINUITY OF SERVICE.

THE VILLAGE WILL USE REASONABLE CARE AND DILIGENCE TO PROVIDE A CONSTANT SUPPLY OF WATER AT A REASONABLE PRESSURE TO CUSTOMERS THE VILLAGE MAY, WITHOUT NOTICE, SHUT OFF THE WATER IN ITS MAIN FOR THE PURPOSE OF MAKING REPAIRS OR EXTENSIONS, OR FOR OTHER PURPOSES DEEMED NECESSARY.

THE VILLAGE SHALL NOT BE LIABLE FOR A DEFICIENCY OR FAILURE IN THE SUPPLY OF WATER OR THE PRESSURE THEREOF FOR ANY CAUSE WHATSOEVER.

9.8 EASEMENTS.

APPLICANTS FOR SERVICE OR MAIN EXTENSIONS WILL PROVIDE, WITHOUT COST TO THE VILLAGE, PERMANENT EASEMENTS OR RIGHTS-OF-WAY WHEN NECESSARY FOR THE INSTALLATION, OPERATION AND MAINTENANCE OF THE SERVICE LINES AND SERVICE CONNECTIONS.

9.9 FORMS OF AGREEMENTS.

ALL APPLICANTS WILL USE FORMS PROVIDED BY THE VILLAGE BOARD. COPIES OF SUCH FORMS SHALL BE FILED WITH THE VILLAGE CLERK.

9.10 FROZEN SERVICES.

IN CASES WHERE A SERVICE IS FROZEN, THE CUSTOMER IS RESPONSIBLE TO THE CURB STOP FOR ALL THAWING AND REPAIRS. THE VILLAGE IS RESPONSIBLE AFTER THE POINT OF THE CURB STOP TO THE WATER MAIN FOR ALL THAWING AND REPAIRS.

9.11 SERVICE RESTRICTIONS.

THE VILLAGE RESERVES THE RIGHT, IN PERIODS OF DROUGHT OR EMERGENCY OR WHEN DEEMED ESSENTIAL TO THE PROTECTION OF THE PUBLIC HEALTH, SAFETY OR WELFARE, TO RESTRICT, CURTAIL OR PROHIBIT THE USE OF WATER INCLUDING, BUT NOT LIMITED TO LAWN WATERING, CAR WASHING, FILLING OF

SWIMMING POOLS, AND SHALL HAVE THE RIGHT TO FIX THE HOURS AND PERIODS WHEN WATER MAY BE USED FOR ANY SPECIFIC PURPOSES.

9.12 WATER CONSERVING FIXTURES.

WHEN ANY NEW PLUMBING FIXTURES ARE INSTALLED OR EXISTING FIXTURES ARE REPLACED WITHIN A PREMISE, WATER-CONSERVING FIXTURES ARE RECOMMENDED.

9.13 MANDATORY SERVICE – RESIDENTIAL PREMISES.

ANY NEW CONSTRUCTION, OR “SUBSTANTIALLY MODIFIED CONSTRUCTION” AS DEFINED BY THE NEW YORK STATE BUILDING CODE ON A RESIDENTIAL STRUCTURE AND LOCATED WITHIN THE WATER DISTRICT, SHALL BE REQUIRED TO CONNECT THE WATER SYSTEM AND REMOVE ANY OTHER SOURCE OF WATER FROM PRODUCTION PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY BY THE CODE ENFORCEMENT OFFICIAL. THIS PROVISION SHALL NOT BE SUBJECT TO WAIVER BY THE VILLAGE BOARD.

9.14 MANDATORY SERVICE – COMMERCIAL.

ALL COMMERCIAL, INSTITUTIONAL, INDUSTRIAL AND RENTAL PROPERTY, INCLUDING RESIDENTIAL STRUCTURES WHICH ARE LEASED OR RENTED AND ANY PREMISES CONTAINING A “PUBLIC WATER SUPPLY” AS DEFINED BY THE NEW YORK STATE DEPT. OF HEALTH, AND LOCATED WITHIN THE WATER DISTRICT, SHALL BE CONNECTED TO THE WATER SYSTEM WITHIN TWO (2) YEARS OF THE OPERATION OF THE SYSTEM OR EXTENSION OF THE DISTRICT TO INCLUDE SUCH PREMISES, WHICHEVER OCCURS FIRST.

9.15 AUTHORIZED USE OF THE CURB STOP.

SERVICE SHALL BE CONTROLLED AT THE CURB STOP. THE WATER SHALL BE TURNED OFF AND ON ONLY BY EMPLOYEES OF THE VILLAGE AND THEIR DESIGNATED REPRESENTATIVES. VIOLATIONS OF THIS RULE SHALL RESULT IN A PENALTY OF FIFTY (\$50.00) FOR EACH OFFENSE.

ARTICLE X. RATE SCHEDULE

10.1 ESTABLISHMENT OF RATES.

THE VILLAGE BOARD SHALL HAVE THE EXCLUSIVE AUTHORITY, BY RESOLUTION, TO ESTABLISH AND MODIFY, AS APPROPRIATE, RATES FOR ALL TYPES OF WATER SERVICE PROVIDED BY THE DISTRICT.

THE VILLAGE BOARD SHALL REVIEW AND MODIFY THE RATE SCHEDULE AS NECESSARY.

10.2 RATE SCHEDULE – RESIDENTIAL SERVICE.

A. AVAILABILITY.

ACTIVE SERVICE UNDER THIS RATE SCHEDULE WILL BE AVAILABLE TO ANY METERED RESIDENTIAL CUSTOMER WITHIN THE WATER DISTRICT, OR AUTHORIZED EXTENSION THERETO, OR THE RESIDENTIAL CUSTOMERS SERVED BY THE DISTRICT. ACTIVE SERVICE IS MANDATORY FOR NEW OR SIGNIFICANTLY MODIFIED STRUCTURES, OR PREMISES BEING RENTED, LEASED OR OTHERWISE USED BY OTHER THAN THE OWNER.

B. APPLICABILITY.

ANY REGULAR METERED PURPOSE, OR ANY UNUSED SERVICE CONNECTION.

C. MINIMUM BILL.

THE MINIMUM BI-MONTHLY BILL FOR SERVICES HEREUNDER SHALL BE COMPUTED AS FOLLOWS:

<u>SERVICE TYPE</u>	<u>MINIMUM BI-MONTHLY BILL</u>
ACTIVE SERVICE	BASIC + # EDU's * WATER USE.
BASIC SERVICE	# EDU's * (DEBT SERVICE + DANC LINE CHARGE + O&M)

AN EDU IS AN EQUIVALENT DWELLING UNIT. (SEE DEFINITIONS)

10.3 RATE SCHEDULE – COMMERCIAL SERVICE

A. AVAILABILITY.

ACTIVE SERVICE IS MANDATORY UNDER THIS RATE STRUCTURE FOR ANY COMMERCIAL, INSTITUTIONAL, INDUSTRIAL OR RENTAL PREMISE (OTHER THAN SINGLE-FAMILY RESIDENTIAL USE), INCLUDING ALL SOURCES OF "PUBLIC WATER SUPPLY" AS DEFINED BY THE NEW YORK STATE DEPT. OF HEALTH.

B. APPLICABILITY.

ANY COMMERCIAL, INSTITUTIONAL OR INDUSTRIAL SERVICE.

C. MINIMUM BILL.

THE MINIMUM BI-MONTHLY BILL FOR SERVICES SHALL BE BASED ON THE RATE FORMULA FOR WATER DISTRICT USERS AS DESCRIBED IN ARTICLE X, PARAGRAPH 10.2 C HEREIN.

10.4 RATE SCHEDULE – OTHER SERVICE.

A. AVAILABILITY.

SERVICE UNDER THIS RATE SCHEDULE SHALL BE AVAILABLE ONLY UPON AUTHORIZATION, VIA RESOLUTION BY THE VILLAGE BOARD.

B. APPLICABILITY.

ANY AUTHORIZED AND LEGAL PURPOSE, INCLUDING TEMPORARY SERVICE.

C. MINIMUM BILL.

THE MINIMUM BILL FOR SERVICE UNDER THIS RATE SCHEDULE SHALL BE DETERMINED BY VILLAGE BOARD RESOLUTION AND ESTABLISHED PRIOR TO THE START OF SERVICE. SAID RATE SHALL BE NOT LESS THAN THE MINIMUM BI-MONTHLY BILL FOR RESIDENTIAL ACTIVE SERVICE.

ARTICLE XI. WAIVER OR VARIANCE REGULATIONS.

IN THE EVENT THAT THE STRICT APPLICATION OF THESE REGULATIONS IS NOT REASONABLY POSSIBLE DUE TO THE EXISTENCE OF EXCEPTIONAL CIRCUMSTANCES, THE VILLAGE BOARD MAY, ONLY UPON A SHOWING OF EXCEPTIONAL CIRCUMSTANCES BY THE APPLICANT, GRANT A WAIVER OR VARIANCE OF THESE REGULATIONS. SUCH REQUESTS FOR A WAIVER OR VARIANCE MUST STATE, IN WRITING, THE SPECIFIC ARTICLE AND SECTION FOR WHICH A WAIVER OR VARIANCE IS SOUGHT, THE REASON THAT THE APPLICANT BELIEVES THAT EXCEPTIONAL CIRCUMSTANCES EXIST, AND THE PROPOSED COURSE OF ACTION THAT THE APPLICANT WOULD FOLLOW SHOULD THE REQUESTED REGULATIONS BE WAIVED OR VARIED. THE VILLAGE BOARD RESERVES THE RIGHT AND HAS THE RESPONSIBILITY TO VERIFY THE EXISTENCE OF EXCEPTIONAL CIRCUMSTANCES AND TO ASSERT THAT GRANTING THE

REQUESTED WAIVER OR VARIANCE WOULD NOT JEOPARDIZE THE SAFE AND EFFECTIVE OPERATION OF THE DISTRICT'S WATER DISTRIBUTION SYSTEM.

ARTICLE XII. SEVERABILITY AND EFFECT.

12.1 SEVERABILITY.

THE VALIDITY OF ANY SECTION, CLAUSE, SENTENCE OR PROVISION OF THE LOCAL LAW LATER HELD TO BE UNENFORCEABLE FOR ANY REASON SHALL BE DEEMED VOID, AND ALL REMAINING SECTIONS, CLAUSES, SENTENCES OR PROVISIONS SHALL CONTINUE IN FULL FORCE AND EFFECT. THE PROVISION OF ANY ORDINANCE OR OTHER LOCAL LAW IN CONFLICT WITH ANY PROVISION OF THIS LOCAL LAW IS HEREBY REPEALED.

12.2 EFFECT.

THIS LAW SHALL TAKE EFFECT UPON FILING WITH THE SECRETARY OF STATE.

FINAL DRAFT 8/12/11