

HECTOR WATER DISTRICT RULES AND REGULATIONS

ADOPTED THE FOURTH DAY OF APRIL, 1974

AMENDED ON: 3/4/1976, 1/16/1991, 10/14/1991, 11/12/1991, 9/8/1992, 1/19/2000, 10/12/2004, 6/10/2008, 11/4/2010, 04/09/13, 05/12/2015, 09/08/2020

Section 1. Purpose and Intent. Hector Water District (the "District") will supply water to persons and premises within its boundaries through its facilities provided and maintained therefore, subject to the terms, provisions and conditions of these Rules and Regulations, in accordance with the scheduled rates and charges on file in the District's Office, which schedule of rates and charges is hereby made a part of these Rules and Regulations.

Section 2. Request for Service. To obtain water service for any premises, or for the extension of any water main installed for the conveyance of water, or for a change in the type of service for any existing application, an application must be made to the Town Clerk of the Town of Hector, or a duly designated deputy or agent, on application forms to be furnished by the District for that purpose. Applications shall be signed by the owner of the real property to be serviced, or the owner's duly authorized agent. The application must be accompanied by payment of the installation charge as fixed by the scheduled rates on file in the Town Clerk's Office or District Office. The District's receipt of an application does not obligate the District to provide or change service or extend a main. By submitting an application, a property owner agrees that upon the District's acceptance of the application the property owner will be a customer of the District and subject to these Rules and Regulations.

Section 3. Applications. A separate application shall be made and a separate meter shall be installed for each premises to be served, defined as follows:

- A. A building under one roof owned or leased, and occupied by one consumer, as one residence or one place or business.
- B. Each unit of a multiple unit building separated by a solid, vertical and/or horizontal partition wall, occupied by one family or one firm.
- C. A building owned or leased by one consumer having a number of apartments or offices which are rented to tenants, and using in common one hall or means of entrance.
- D. A supply station for commercial use which shall be separate from other buildings.

Section 3.1 Special Conditions

- A. No connection shall be made to any premises for the benefit of any other residence, family or establishment other than as specified in the application, nor shall any sub-metering be allowed.
- B. Water will not be turned on unless the owner of the premises to be served, or the owner's duly authorized agent is present.
- C. No connection will be made, and water service will not be turned on, unless and until the District determines that property and appropriate water service connections exist at the premises to be served, and the premises is otherwise compliant with these Rules and Regulations.
- D. All premises receiving water service from the District shall at all times keep and maintain a water receipt, delivery and disposal system that is compliant with these Rules and Regulations as well as the New York State Sanitary Code, the New York State Uniform Fire Prevention and Building Code, and all other applicable laws, codes and regulations, all of the foregoing being hereby incorporated by reference into these Rules and Regulations.
- E. The District may refuse service in any situation where the District determines that providing service to the premises might be detrimental to the Town's water supply due to conditions of non-compliance with these Rules and Regulations, the New York State Sanitary Code, the New York State Uniform Fire Prevention and Building Code, or any other applicable laws, codes and regulations. In the event that the District has incurred any cost or expenses in preparation for providing service the time the determination to refuse service is made, all such costs and expenses shall be paid by the owner of the property for which service is refused, within thirty days following the District's invoicing therefor.
- F. These rules and regulations describe potential variations in water pressure and quality, as well as circumstances where water service may be temporarily or permanently discontinued by the District (all of the foregoing being herein referred to as the "Water Supply and Termination Conditions"). By applying for service from the District, the property owner to whom service is provided expressly agrees to, without limitation, the Water Supply and Termination Conditions, and agrees that the District and the Town of Hector shall be released from all liability related to or arising out of the Water Supply and Termination Conditions (to the fullest extent permitted by law), and agrees to indemnify, defend and hold harmless the Town of Hector and the District from and against all claims, costs and expenses incurred by the Town of

Hector or the District relating to or arising out of the Water Supply and Termination Conditions (to the fullest extent permitted by law).

Section 4. Types of Service. Application for water service shall be either an application for continuing service or for seasonal service.

- A. **Continuing Service:** Applicant will request in his application that water service be continued without interruption, until discontinuance is requested by the owner in writing. The owner will be required to pay for all water service as billed and, in any event, the minimum service charge each billing period as established by the schedule of rates. Prior to the time of a sale or property transfer or if the system has been off for more than 12 months, the property's water system must be inspected by the District. Any area of the system not meeting current standards must be upgraded and/or repaired as necessary, which shall include replacing service lines if necessary. All repairs and upgrades shall be at the property owner's expense.
- B. **Seasonal Services:** In the event the application shows that less than one full year's continuous service is requested, such application shall be considered an application for seasonal service. The installation charge shall be the same as the installation charge for a continuous service, and the water rate charge shall be the same. The minimum billing period shall be for a period of not less than four months. Meters will be read and service discontinued at the end of each seasonal period. No charges for water will be made to owners while service is discontinued. Services will be reinstated when requested by the owner.

Section 5. Connection with Mains. The District will furnish all labor and materials to tap the main water line, including curb box and valve, at the property owner's expense. All materials will be paid for by the property owner by making payment to the District prior to commencement of installation. Installation of service lines from the main curb box to the premises shall be the property owner's responsibility and expense. All permits and additional materials necessitated by any road or highway crossing shall be the property owner's sole responsibility and expense.

All service lines from curb box to consumer's premises shall be CTS High Density Polyethylene 200 psi rating installed with a tracing wire. Service lines shall not be smaller than 1-inch diameter. All service lines from curb box to building or buildings must be at a depth of not less than four and one-half (4½) feet below the grade. Service pipes or lines must be laid in a separate and distinct trench by itself at least four feet away from any other buried lines or equipment (electric, sewer, drain tiles, etc) unless the distance specified in the New York State Building Code is greater. Further the lines must be bedded on top of at least 6" of sand with an additional 6" covering after inspection and approval. Large stones over 6" are not allowed in covering fill. Each line must be pressure tested with water before water is turned on. Every service pipe or line whether in a trench or building must be inspected and tested by the District before it is covered or concealed. No private water lines or systems will be permitted to be laid in the same trench with a line or service from the curb box. No soldered joints shall be permitted in any pipe lines below the surface of the ground. Upon completion of a satisfactory test and approval of the installation by the District a meter will be installed and the water service line may be covered. No connections in a service pipe or line between the curb box and the meter shall be permitted. A ball valve must be placed in every service line immediately inside the building wall and so situated that the water to the premises can be completely shut off before entering the meter. Another ball valve will be required after the meter for service work. There shall be no connection between District-supplied water and any other water supply. All water service systems must have an approved backflow prevention device in an approved location. If water line pressure has the potential to exceed sixty pounds per square inch, property owners will be required to install at their expense a pressure reducing device. All of the foregoing shall be the property owner's sole responsibility and expense.

Section 6. Building Installations vs. Water Meter Pit Installations.

- A. In cases of mobile homes, doublewide mobile homes, seasonal dwellings, normally gated and inaccessible buildings, service runs in excess of 200 feet, and/or buildings where any portion of the installation is not in a frost-free location, an approved water meter pit will be required. Water meter pits must be within 50 feet of the water main. Water meter pits are required to have a curb valve with box and stainless-steel rod installed just after the meter pit. The property owner is responsible for, and shall bear the cost of, the meter pit and curb valve.
- B. For buildings not covered in section 1 above no meter pit is required, but a meter pit can be purchased and installed by the property owner at the owner's option. Non-meter pit installations require a minimum of 5.5 feet of clearance in the basement. The property owner is responsible for protecting the service line from freezing.
- C. The "High Pressure Area" is defined as the area on County Road 2 between Bassett Road and the County Road 2 water pump station. All water services in this area are required to have an approved water meter pit with PRV unit, second curb valve, box and stainless-steel rod, and a second PRV unit in the served building. The District shall purchase, install and maintain the water meter pit and water meter pit PRV unit. The second curb, box, stainless steel rod and PRV unit shall be purchased and installed at the property owner's expense.

Section 7. Meters. All water shall be sold by the District by meter. The standard size of a meter shall be $\frac{3}{4}$ ". All meters shall be installed by the District and shall remain the property of the District. Meters shall be installed at locations which will give them the greatest protection from freezing and make them easily accessible to District employees for reading, service and repairs. Ball valves must be provided before and after a meter by the property owner. Property owners shall permit access to the meters by employees and/or designated agents of the District at all times for the purpose of reading and repairing. The placement and design must ensure that the meter is protected from freezing and must be approved by the District before service begins. Any existing meter pit that is in need of repair or upgrading due to insulation or freezing will be repaired by the District at the property owner's expense.

Section 8. Additional Meters. The District may furnish more than one meter for a single property on the following conditions: A second meter is mandatory when a resident receives water from the original residential hookup. The owner must provide at the owner's expense, suitable plumbing for all meters, which shall be subject to inspection and approval by the District. Each meter shall represent a separate and distinct account. The property owner shall be billed and liable for all accounts for water service furnished through such meters. At the property owner's written request, the District will send bills directly to tenants, but the property owner shall remain responsible for timely and complete payment of each account.

Section 9. Trailer Parks. Trailer parks shall be serviced by a master meter coming into the park. When a master meter is used, each trailer will count as one unit and the billing will reflect the number of units multiplied by the minimum rate charge. All water over the total minimum will be billed at the commercial rate. All required permits must be received prior to water being provided.

Section 9a. Seasonal Properties. Camps, cottages, and cabin parks will be required to meet all health department regulations. A master meter will be required and purchased by the owner. Each camp, cottage, or cabin will count as one unit and the billing will reflect the number of units multiplied by the minimum rate charge.

Section 10. Meter Repairs. The District shall make all necessary meter repairs. All persons other than employees and designated agents of the District are prohibited from installing, removing, repairing or otherwise tampering with such water meters in any way. The property owner is responsible for the cost of repairs resulting from the carelessness, negligence or the failure to maintain adequate insulation or heat during the cold weather, and shall be charged at prevailing rates for labor and materials as determined by the District. Other meter repairs will be made without charge. Any evidence of tampering with the meter or seals and any violation of this section will constitute a violation of these Rules and Regulations and subject the property owner to fees as herein provided.

Section 11. Accessibility of Premises. All structures, buildings and premises taking water service from Hector Water District, and all premises for which an application for service has been filed shall be accessible and open to inspection by District employees and agents at all reasonable hours for the purpose of examining pipes, lines and service installations, and to locate breaks, leaks or other damages or defects needing repairs, and to otherwise determine compliance with these Rules and Regulations. If, at any time, a defect, break, or leak shall appear in a property owner's line between the curb box and the property owner's premises, such leak, break, or defect shall be repaired as quickly as possible by the property owner at the property owner's expense, subject to the specifications and requirements of these Rules and Regulations, and such repairs shall be inspected and approved by the District before backfilling or covering. In the event the property owner fails to make immediate repairs, the District may turn off water to the service or enter upon the premises with personnel, machinery and equipment to take such actions as are necessary to affect the repair, including excavations, at the property owner's expense. In such even the property owner shall be charged at prevailing rates for labor and materials as determined by the District.

Section 12. Water Supply, Shut-Off. The District undertakes to use reasonable diligence and care to provide at all times a constant supply of water at adequate pressure, and shall comply with all applicable codes, rules and regulations regulating water quality. The foregoing notwithstanding, the District shall not be liable for failure of the water supply, any damage caused by bursting or breaking of any mains, low, high or inconsistent water pressure, problems with service pipes or any attachment of the waterworks of the District, or water quality deficiencies. Without limiting the foregoing, there is no guaranty that water will be free from rust and other nontoxic impurities, and users requiring water of a high purity are responsible for installing the necessary filtering systems at the property owner's sole cost and expense. The District reserves the right, at any time, without notice to shut off the water temporarily, for any purpose. In the event of such a shut-off, reasonable effort will be made to notify consumers but no liability shall be assumed for failure to do so. No persons other than the duly authorized employees or agents of the District shall do any work upon or operate the mains, valves, hydrants, meters, curb boxes or services of the District, except members of a duly organized fire department who may operate hydrants in the performance of their duties or training, or other persons duly authorized by Water Superintendent or Town Supervisor.

Fire departments must notify the Water Superintendent of all emergency drafts from the system in a timely manner after the event has occurred. For planned uses, prior notification must be given to District Superintendent. The fire department shall make and maintain a record of water used and shall provide such record promptly to the District following the usage event.

Individuals who wish to have their water turned on or off for seasonal use or repairs should contact the District office at 607-546-5286. For non-emergencies, three business days notice must be provided. A \$40.00 fee will be charged for turning the water back on for seasonal shut-offs. Customers are prohibited from turning their own water service on or off unless they will remain active in terms of billing and have a second curb valve installed for this purpose. Water is considered off the day the District is notified in the District office. If water meter is found to have advanced after the turn-off date, customer will be billed back to date of turn off plus a \$45.00 fee.

Property owners are responsible for notifying the District in writing of any change in billing address, regardless of the cause. Failure to notify the District of a change in address will not excuse payment of a bill and will not prevent penalties from being assessed and charges levied on the property tax bill.

During any water shortage declared by the District Superintendent, Town Supervisor, and/or NYS Department of Health all customers are required to conserve water by eliminating vehicle washing, house washing, lawn and garden watering, filling swimming pools and any other restrictions deemed necessary by the District Superintendent, Town Supervisor, and/or NYS Department of Health. During such shortages all commercial water haulers are required to deliver water only for consumption in the Town of Hector. When a water emergency is declared by the Town of Hector, haulers will not be allowed to haul any water at all from the system.

Section 13. Water Rates and Charges. The Town Board shall establish, and may amend or change from time to time, a schedule of water rates and charges to be paid by consumers. A schedule of such rates as adopted, including the changes and amendments, shall be on file in the Office of the Hector Town Clerk and the District office, and shall be available to consumers. Such rates when adopted shall become a part of these Rules and Regulations. All unpaid water charges, as well as any unpaid fees or charges assessed to the property owner pursuant to these Rules and Regulations, shall be liens on and against the real property benefited thereby and shall be added to and collected with real property taxes as provided for in Town law. A penalty of 10% will be added to all amounts levied to a property's tax bill.

Section 14. Schedule of Water Rates and Charges. The Town Board of Hector, by this Resolution does hereby adopt the following service charges and water rates for Hector Water District to wit:

- A. Installation Charge:** A service connection fee of \$200.00 shall be charged each property owner connecting to an existing curb box that has been used for service in the past 5 years. In all cases where no curb box has been installed or the service has not been used for the past 5 years, property owners shall be charged the actual cost of the installation of a curb box, meter and connecting the service line thereto, such cost in no event to be less than \$1,400 for a 1" line, 3/4 " meter, with larger installations to pay actual cost. All requests for meters larger than the standard 3/4 inch shall be made to the superintendent with documentation that shows a need. An applicant would show that a large number of gallons in a short period of time is necessary therefore requiring a larger meter or a compound meter. The increased cost for service lines larger than 1 inch and meters larger than 3/4 inch will be the responsibility of the property owner requesting service and shall be billed to them.
- B. Reading Meter:** Meters will be read and consumers will be billed bi-monthly or monthly for both seasonal and continuing service. No interim reading will be made. When properties are sold on which water service is installed, the water bills and charges shall be adjusted and settled between the buyers and sellers or their agents. All inside meters must be made available to read when necessary. If a meter stops functioning, an estimate of usage will be made by the District until meter can be replaced, which estimate shall be binding and conclusive in the absence of manifest error.
- C. Late Payment Charges:** A late payment charge of 10% of the current unpaid balance shall be added to all bills more than thirty days past due. If the due date falls on a Saturday, Sunday or legal holiday, the net bill will be accepted on the first business day thereafter, without penalty.
- D. Leaks:** All leaks that occur in a line between the meter and the curb box will require an immediate shutdown so repairs can be made. All repairs will require inspection before burying line. The District reserves the right to require replacement of the entire line to meet current standards. Property owners will be charged a minimum of \$75.00 to cover turn off, turn on and inspection. The fee may be higher in cases of neglect where a customer allows a water line to freeze while absent from the property for more than 72 hours. In this case an estimate of water usage will be determined by the District, which estimate shall be binding and conclusive in the absence of manifest error. If a leak is a full break, a minimum of 30,000 gallons will be charged to the account. The property owner is responsible for all water that is recorded by the meter. Any damage to the meter or other District equipment will be charged in addition to the above amounts at current costs for labor and materials as determined by the District.

Section 15. Backflow Devices. Each commercial, industrial, and institutional facility, and any facility/dwelling having the potential for hazardous or aesthetically objectionable water is required to have installed an approved testable backflow prevention device or an air gap separator depending on the use. The property owner shall purchase and install the backflow prevention device or air gap separator at the property owner's expense. Each unit must be tested and inspected by the District or its authorized agent at owner's expense prior to water being turned on and then annually thereafter. The owner of any property for which a backflow prevention device or air gap separator is required must provide a set of engineer-stamped plans for the unit installation to the District Superintendent for approval before the unit is installed. All designs and installation of backflow prevention devices and air gap separators must comply with applicable New York State Department of Health requirements and guidance, as determined by the District Superintendent.

Section 16. Fire Hydrants. Every fire hydrant installed and maintained as part of the District's water distribution system shall be kept open and readily accessible at all times. No person shall park any vehicle, or deposit materials of any kind, at any point within ten feet of any such fire hydrant. No hydrant shall be used for any other purpose other than fire service and water main flushing unless prior permission is obtained from superintendent. No unauthorized persons will be allowed to use, tamper or in any way damage a hydrant. A violation of this section shall be punishable upon conviction thereof in accordance with the provisions of Section 19 of these Rules and Regulations.

Section 17. Distribution system. No person, organization, group etc. shall build, construct, or dig within 10 feet of a water main without approval. The water District must be notified directly and through Dig Safely New York so that water mains may be properly marked out when a dig is planned. Valve boxes and underground vaults must be kept clear at least 10 feet of any plantings or structures. Access to valves and vaults must not be obstructed in any way.

Section 18. Unmetered Water. There will be no unmetered water usage.

Section 19. Violations. The violation of any of the provisions of these Rules and Regulations shall subject the property owner to a fine of One Hundred Dollars (\$100) per violation. Each day of non-compliance with these Rules and Regulations shall constitute a separate violation. Violations may also subject the perpetrator to criminal prosecution. Without limiting the foregoing, the District may discontinue water service to a property for any of the following reasons:

- A. Violation of these Rules and Regulations, and/or where any violations of these Rules and Regulations have not been corrected within the time required by the District;
- B. Denial of entry to a property for the purpose of reading a meter, performing inspections as provided for in these Rules and Regulations and/or performing necessary repairs/upgrades/replacements;
- C. Where an auxiliary water supply has been connected or reconnected to piping transmitting water supplied by the District;
- D. Where a property owner fails to provide requested data or information in a timely manner;
- E. Any misrepresentation in the application for water service, or any use of water service or plumbing or fixtures other than that described in the application;
- F. Willful or grossly negligent waste of water;
- G. Failure to maintain connections, service lines or fixtures in good order;
- H. Damage to any District property;
- I. Abandonment of the property;
- J. For any other good cause, as determined by the District Superintendent.

The District shall incur no liability for discontinuance of water service due to any of the foregoing.

Section 20. Amendments; Binding Effect. The Town Board of the Town of Hector hereby expressly reserves the right to revise, alter, amend or change any of the Rules and Regulations herein above set out, at any time, without notice. In the event that one or more of the provisions of these Rules and Regulations shall be declared invalid, such invalidity shall not impair the validity of any other provision thereof. The owner(s) of any property receiving water service from the District, and all users of such water service, are bound by these Rules and Regulations, as they may be amended or replaced from time to time.

Section 21. These Rules and Regulations shall take effect immediately.

These amended Rules and Regulations, duly adopted by the Town Board of the Town of Hector at a regular meeting held on the 8th day of September, 2020. Resolution #112