

**CONCISE SUMMARY OF
MUNICIPAL WATER ORDINANCE
TOWN OF WILLIAMSTOWN**

Intention: The Williamstown Board of Selectmen has approved an Ordinance on August 4, 2008, under authority granted by 24 V.S.A., Chapter 89, § 1671 (10), which is operated by the Town of Williamstown Water Department. The system distributes water for domestic use, fire suppression and other purposes within the Municipal Water District.

Principal Provisions: The principal provisions of the Ordinance are those laws governing Waterworks Use Restrictions, Authority and Eminent Domain and Water Supply.

Section Headings: Article 1 – Ownership and Permit, General Information Article 2 – Definitions: Article 3 – Authority To Require Connections Article 4- Water Service Boundaries Article 5 – Water Quality Testing Article 6 – New Service Connections, Installation Of New Service Article 7 – Water Expansion Construction, Installation Of New Distribution Mains Article 8 – Cost Of Recovery For Water Service Expansion Article 9 – Temporary Service Article 10 – Sprinkler Systems Article 11- Fire Hydrants Article 12 – Installation Materials Article 13 – Water Meter Article 14 – Access By the Town Article 15 – Bills and Billing Article 16 – Appeals and Exceptions Article 17 – Disconnection Of Service Article 18 – Prohibited Disconnection Article 19 – Restoration of Water Services Article 20 – Request For Disconnection Of Service Article 21 -Water Supply Emergencies Article 22 – Unauthorized Use Of Municipal Water Article 23 – Protection From Damage / Penalties For Violation Article 24 – Amendments & Changes Article 25- Severability Article 26 Adoption

**THE FULL TEXT MAY BE EXAMINED
AT THE TOWN OFFICES**

Questions Regarding the Ordinance may be directed to:

Garrett Earls, Town Manager
Town Manager's Office
Williamstown, VT 045679
Telephone: (802) 433-6671

THIS ORDINANCE SHALL BE EFFECTIVE SIXTY (60) DAYS AFTER THE DATE OF ITS ADOPTION UNLESS A PETITION PURSUANT TO 24 V.S.A. SECTION 1973 IS PRESENTED TO TOWN OFFICIALS WITHIN FORTY-FOUR (44) DAYS OF ADOPTION. SUCH PETITION, IF SIGNED BY FIVE (5) PERCENT OF THE VOTERS, SHALL CALL FOR A SPECIAL PUBLIC MEETING AT WHICH VOTERS MAY DISAPPROVE THE ORDINANCE.

TOWN OF WILLIAMSTOWN MUNICIPAL WATER ORDINANCE

ARTICLE 1

OWNERSHIP AND PERMIT:

The Town of Williamstown owns and operates a potable water distribution system as authorized by 24 V.S.A., Chapter 89, §3301 and defined in 10 V.S.A., Chapter 56, §1671 (10), which is operated by the Town of Williamstown Water Department. The system distributes water for domestic use, fire suppression and other purposes within the Municipal Water District.

The public water system operates in accord with a public water system permit issued by the Secretary, State of Vermont Agency of Natural Resources. The public water system permit shall be issued or renewed only upon a finding by the Secretary that operation of the system will comply with the standards adopted under the Vermont Water Quality Standards, 10 V.S.A., Chapter 56, §1250, § 1671, §1675, and the Federal Safe Drinking Water Act.

Said permit shall regulate the design, flows, construction, operation, maintenance and alteration, repair or extension to the existing public water system. It will ensure that the system will not constitute a public health hazard or a significant public health risk.

The permit will regulate the ongoing monitoring and testing of drinking water and public water systems to be performed by a laboratory certified pursuant to section 501b of Title 18. The permit may define public water source protection areas, and provide for the mitigation or prevention of public health risks arising from public water sources, public water systems and public water source protection areas.

The Board of Water Commissioners (BOARD) is obligated by law to comply with conditions of said permit, and to operate and manage the system according to governmental functions under and pursuant to 24 V.S.A.

GENERAL INFORMATION:

This Ordinance and its rules and regulations shall constitute a part of the contract between each customer and the Town of Williamstown. Each customer of the Water Department and the Town of Williamstown shall be bound by this Ordinance and all subsequent additions and/or amendments hereto. New customer application for water service shall be considered his/her consent to abide by the same.

The Municipal Water District infrastructure incorporates the use of two pressure reducing valve (PRV) stations. These PRV's are located within the system to regulate the service flow pounds per square inch (psi) to certain areas of the water district. The valves are adjustable, to allow for future expansion.

Requests for information concerning this Ordinance and any of its rules and regulations should be directed to the Town Manager by contacting the Town Office.

Copies of this Ordinance may be obtained at the Town Office.

Failure to become familiar with this Ordinance and its rules and regulations does not excuse the customer from penalties for violation of its provisions.

ARTICLE 2

DEFINITIONS:

Unless the context specifically indicates otherwise, the meaning of terms used in this Ordinance shall be as follows:

- (1) Backflow - (1) A flow condition induced by a differential in pressure, that causes the flow of water or other liquid into the distribution system of a potable water supply, from any source other than its intended source. (2) The back up of water through a conduit or channel in the direction opposite to normal flow.
- (2) BOARD - The Board of Water Commissioners or Water Commissioners, Williamstown Board of Selectmen acting as the Williamstown Board of Water Commissioners.
- (3) District, Williamstown Water Department, Water Department, Town of Williamstown, and Town, are all interchangeable terms.
- (4) Manager - Town Manager, including an authorized representative or employee of the Town of Williamstown.
- (5) Owner or Property Owner - The actual owner of a property as evidenced by the recorded deed for that property. An owner may be any of the parties identified as a person elsewhere in these definitions.
- (6) Peak Demand - The maximum momentary load placed on a water system.
- (7) Permit - A written document issued by the Municipality pursuant to this Ordinance giving designated person permission to operate and/or construct, alter, renovate, connect to or draw water from the public water system.
- (8) Person - An individual, persons, partnership, association, syndicate, company, firm, trust, corporation, government, institution division, agent, or any entity recognized by law.
- (9) Potable Water - Water free from impurities in amount sufficient to cause disease or harmful physiological effects, with the bacteriological, chemical, physical and radiological quality conforming to applicable regulations and standards of the Vermont Water Supply Division.
- (10) Pressure Reducing Valve Station - A device used to regulate the maximum permitted water pressure within the infrastructure of the water mains delivering water throughout the municipality.
- (11) Pressure Reducing Valve - A device recommended to be installed on each water service line just before the water meter that regulates the water pressure going to each internal appliance.
- (12) Service – The provision of potable water and fire protection to an owner.
- (13) Water Service Boundaries - The area of the municipality designated by the Water Commissioners that obligates the Town to provide potable water as shown on a map identified as Attachment #1. The Water Department shall operate within these boundaries, under the authority of this Ordinance and pertinent Federal and State regulations.

- (14) Service Connection - Each single water pipeline, which provides water to an individual residential living unit, a commercial unit or an industrial unit from the public water system, is a service connection. Once installed, the responsibility for the maintenance and repairs on the service connection is split at the curb stop between the owner and the Town. The Owner has responsibility for maintenance and repairs from beyond the curb stop to and inside the building with the exception of the meter.
- (15) Testing - Any test of a non-municipal potable water source performed by a certified laboratory.

ARTICLE 3

AUTHORITY TO REQUIRE CONNECTION:

Nothing herein shall be construed as limiting or impairing the authority of the Town of Williamstown or its BOARD to require connections within the municipal water service boundaries under the general laws of the State or local ordinances.

ARTICLE 4

WATER SERVICE BOUNDARIES:

- (1) The water service boundaries of the Municipal Water District are shown on the map identified as Attachment # 1. A larger and clearer copy of this map may be seen at the Town Office. These boundaries are the property boundaries of owners who are connected to the current Municipal water system and who have previously agreed that they will not drill a well, except where the current water system cannot provide service as it is currently operated.
- (2) Any new or improved structure, the useful occupancy of which would require potable water and which is located within the water service boundaries must be connected to the municipal water system. No drilled, dug wells or springs shall be permitted as a potable water supply within these boundaries.
- (3) Within the water service boundaries of the Municipal Water District, any wells or springs currently being used as sources of potable water may continue to be so used; but further development or replacement of them as water sources will not be allowed.
- (4) Any property owner within the current service area that wishes to connect to the Municipal Water System may apply to be connected in accordance with the terms, regulations, and procedures set forth elsewhere in this Ordinance.
- (5) Any owner of property located within the water service area boundaries whose dwelling is 700 feet or more from an existing water main may request a variance from the Board of Water and Sewer Commissioners to install a drilled well. The Board shall not unreasonably withhold approval of such variance. The board shall notify the Vermont Department of Environmental Conservation (DEC) of any such request prior to making any decision.

ARTICLE 5

WATER QUALITY TESTING:

- (1) To ensure the health of the townspeople, the BOARD, for just cause, may require any existing spring or well within the water service boundaries be tested by the Town to ensure potability.
- (2) The BOARD shall determine the testing to be performed on these water sources. Each owner shall be notified at least 5 days before the sample is to be taken and arrangements made to take the sample from a suitable tap in the presence of the owner, if the owner wishes to be present.
- (3) If the testing of the property owner's water shows contamination, the Town's Health Officer shall determine if the contaminant can be eliminated in a reasonable and timely manner.
 - a) If such is the case, the Health Officer shall provide an order setting out the time frame and the methods to be used to eliminate the contaminant. During this time frame, the water source may not be used until it is determined by testing that the contaminant has indeed been removed.
 - b) Should the Health Officer determine that the contaminant cannot reasonably be removed; the Health Officer shall issue an order condemning the water source and require the Owner to connect to the Municipal Water System.
 - c) The decision of the Health officer concerning contamination may be appealed to the BOARD. The decision of the BOARD about the Health Officer's order of contamination shall be final.

ARTICLE 6

NEW SERVICE CONNECTIONS:

- (1) Interconnection of the municipal water system with any other source of water to include wells, cisterns, tanks or streams, is strictly forbidden.
- (2) The Town shall not jeopardize the integrity of the water system by careless allocation of new or increased water services whereby unreasonable demands are placed on the system. The Town shall be under no obligation to commit service to any party but shall endeavor to allocate valuable water supply in a fair and conservative minded attitude in an effort to maintain such integrity.
- (3) The Town shall be under no obligation to commit new service connections or additional capacity to any person who is currently a delinquent tax or user account.
- (4) Any new service connection shall provide for a curb stop on the same side of the road as the unit to be provided service. In the event a water main is replaced or relocated by the Town, the Town shall provide the curb stop connection on the same side of the road and within the public right-of-way as the unit to be provided service.

INSTALLATION OF NEW SERVICE:

- (1) No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public water line or appurtenance without first obtaining a written permit (Attachment #2) from the Town.
- (2) The owner or agent shall make application for water service on a form supplied by the Town and shall identify whether the water use will be for residential or commercial/industrial. The permit shall be supplemented by any plan, specifications or other information considered pertinent in the judgment of the Water Commissioners. A water service fee as set forth in this Ordinance (Attachment #3) shall be paid to the Town at the time the application is filed. No physical construction between the water service connection piping and the main waterline shall be made until the application is approved by the Water Commissioners and the water mains are fully tested and found to be acceptable by the Town.
- (3) All costs and expense incident to the installation and connection of the building water service connection from the main to the building or structure shall be borne by the owner. The Town shall inspect all necessary excavation from the main to the curb stop. The property owner is responsible for and must provide all necessary excavation from the curb stop to the building structure. The owner shall indemnify the Town from any loss or damage that may directly or indirectly be occasioned by the installation of the water service.
- (4) A separate and independent corporation stop and curb stop with valve box shall be provided for every building. All curb stops will be placed in the Town right-of-way, and are the property of the Town. No one will operate or tamper with the curb stop valve unless approved by the Town.
- (5) The customer is responsible for insuring the new service complies with all local, state, and federal regulations pertaining to installation and the use is consistent with approved water allocation. Interconnection of the municipal water system with outer sources of water is strictly forbidden. A back flow preventer must be installed on all new service lines. No second connections will be allowed between the curb stop and the meter.
- (6) The inclusion of a pressure reducing valve (PRV) is strongly recommended. Most household appliances carry a maximum water pressure rating. State water regulations do not place an upper limit on the maximum pounds per square inch (psi) of municipal water system output. Factors such as varying elevations within the water district boundaries, area of service within these boundaries, and the use of fire suppression sprinkler systems necessitate elevated psi output from the municipal water storage tank. The Town assumes no liability for appliances damaged as a result of no PRV being installed.
- (7) Prior to any service connection being made to the main water line, the Town Manager or his designee shall be given at least two working days notice in order that the work can be scheduled for inspection. All service connections will be made during normal workday hours and no connection shall be allowed on Saturday, Sunday or legal Town Holidays. If the Manager has not been properly notified and the work has proceeded, the Manager may require the completed work to be uncovered for examination at the owner's expense. The owner shall be prepared to bear all repairs and restoration costs if problems arise. The owner shall agree, as a condition of receiving approval for connection to the Town water system, to restore the street, sidewalk, curbs, electrical lines, grassed or open areas or other features to their original conditions after installation of the water line. The property owner or agent shall also be responsible for obtaining all local and state permits required prior to any excavation.

- (8) The size, depth, alignment, materials or construction of the building water service connection and the methods to be used in excavating, placing the pipe, jointing, testing and backfilling the trench, shall conform to the requirements of Article 7 of this Ordinance or other applicable rules and regulations of the Town. In absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the National Plumbing Code, Ten State Standards for Water Main and A.W.W.A. (American Water Works Association) Standards, all latest edition, shall apply.
- (9) Upon written application, a commercial user may be granted a waiver of sewer charges for uses in excess of 45,000 gallons of water used in a six (6) month billing cycle. If said waiver is approved by the Water Commissioners, the applicant shall obtain a permit, and purchase a water meter from the municipality. Design and hookup shall be as approved by the Water Department. Installation shall be at the sole expense of the applicant, and shall comply with all pertinent sections of this Ordinance. The Town Manager shall be notified once the meter is installed, and the Water Department prior to use must inspect the connections.

ARTICLE 7

WATER EXPANSION CONSTRUCTION:

The applicant shall have all necessary construction performed by a contractor approved by the Board.

The list of Approved Contractors shall be reviewed annually, and are listed alphabetically in Attachment #4 of this Ordinance. The selected contractor shall:

- (1) Submit a detailed proposal of the work to be performed, including a Bill of Materials for Final Approval by the BOARD following joint review and recommendation for approval by the Water Operator, Town Road Foreman, and Town Manager.
- (2) Apply for all required Permits.
- (3) Have the connection Inspected and Approved jointly by the Town Manager, Road Foreman and Water Operator prior to excavation closure.
- (4) Comply with the Town of Williamstown Highway Policy should any road cut be required.
- (5) Have the road cut repair inspected and approved by the Town Manager and Road Foreman.

Any property owner outside the current Municipal Water District that wishes to connect to the Municipal water system may apply to be connected in accordance with the terms, regulations, and procedures set forth in this Ordinance. Upon Board approval of the application, the boundaries may change by expanding; the boundaries will not shrink for any reason.

Such changes in area may affect neighbors of the applicant by bringing them into the service area. It is the applicant's responsibility to identify the affected neighbors and provide a written letter of notification of his request from each. All affected neighbors shall be notified by the Town Manager of the date, time and location where the application will be heard by the Board, so they may be fully informed of their possible change in status and its effect on them

INSTALLATION OF NEW DISTRIBUTION MAINS:

- (1) All water mains laid as replacements or extensions of the existing system shall be of ductile iron, a minimum of eight (8) inches in diameter, unless otherwise specified by the Board of Water Commissioners, and shall comply with plans for the future water distribution network. Design and layout of the proposed water main, including valves, hydrants and appurtenances, shall be according to Vermont Standards for System Design, Construction and Protection and A.W.W.A. standards in effect at the time and shall also be approved by the Board of Water Commissioners prior to commencement of construction. If a State permit is required for the project, this must be obtained prior to application with the Town.
- (2) Trenching: Contractor shall use proper equipment and follow proper safety regulations during installation. All pipes shall be installed with a minimum burial depth of six feet (6') material over the top of the pipe (after compaction). For any areas where this depth to cover cannot be obtained, insulation board may be required. A firm, even bearing throughout the length of the pipe shall be constructed by tamping suitable excavated material at the sides of the pipe, up to the mid-section. In rock/ledge areas, the rock shall be removed to a depth of eight (8) inches below the bottom of installed pipes and replaced with clean sand, screened, or crushed gravel. Backfill shall be placed in six (6) inch layers and each layer thoroughly compacted to ninety-five percent (95%) or better density. At all times, the pipe shall be protected from damage and the infiltration of foreign materials.
- (3) Thrust blocking: Thrust blocking shall be installed for all bends, hydrants, tees, and any other locations as directed by the Board of water Commissioners. The required area of thrust must meet acceptable design standards. Thrust blocks shall be either slate block or concrete as directed by the BOARD. Blocking shall be placed against undisturbed material. Where concrete is used, joints must be protected by heavy plastic sheeting prior to placement of concrete and concrete shall not cover joints, bolts, or nuts, or interfere with the removal of any joint.
- (4) Testing: All pipelines, including services, shall be hydrostatic and leakage tested in accordance with the A.W.W.A. Standards. All Testing shall be done in the presence of an authorized Town representative.
- (5) Construction Requirements: All construction shall be performed in accordance with the A.W.W.A. Standards and the Vermont State Department of Health Regulations for Public Water System Regulations. All chlorination shall be done in the presence of an authorized Town representative. Total coliform test shall also be required upon construction completion.
- (6) Performance Bonding and Insurance Requirements: No construction shall be authorized until certified copies of performance bonding in an amount at least equal to the total cost of construction are on file in the Town Manager's office. A Certificate of Insurance with general liability limits not less than the minimum required by Vermont State Insurance laws will also need to be on file with the Town Manager's office prior to commencement of construction.
- (7) Acceptance: Once the water line extension or replacement project has been completed to the satisfaction of the Board of Water Commissioners, including successful testing of the lines, the BOARD shall take action on whether or not to accept the new water line a part of the Town distribution system. The developer or property owner must provide a deed to the Town, along with the easements required by the Board of Water Commissioners, for the water line and appurtenances prior to final acceptance of the water line/appurtenances. The

applicant must furnish an approved and up-to-date set of plans "as built" and blueprints to the Town, which shall indicate the location of all pipes & valves, hydrants and other appurtenance. Upon acceptance, the main will be owned and maintained by the Town.

- (8) Looping of water mains shall be encouraged wherever feasible.

ARTICLE 8

COST OF RECOVERY FOR WATER SERVICE EXPANSION:

Any extension of the water service area to provide for new users shall be funded in the following way:

- (1) Upon the issuance of a Land Use Permit by the State of Vermont, certification by the Water Operator, and final approval by the BOARD, the property owner, developer, builder, etc., hereafter referred to as the applicant, will be required to pay an Expansion Take-Over Fee of Five Dollars (\$5.00) per foot for each foot of water main installed. The applicant shall pay the entire cost of the expansion and upgrading of the water service determined necessary and adequate by the BOARD.
- (2) If the Expansion Take-Over Fee is Ten Thousand Dollars (\$10,000) or less, the fee must be paid before the Town will accept the completed water extension or allow its use. If the take-over fee is more than Ten Thousand Dollars (\$10,000), the completed water extension will be accepted and use allowed after the initial payment is paid as described below:

50% or Ten Thousand Dollars (\$10,000) whichever is greater, due upon acceptance with future payments due at sale of lots. The balance shall be paid in full when 1/2 of the lots offered for development are sold or within 4 years of water line acceptance, whichever comes first. The developer will provide land record recordable security to the satisfaction of the BOARD in lieu of paying the entire extension upon completion and acceptance.
- (3) For a period of five (5) years after acceptance of a water line extension, the Town shall provide reimbursement to the applicant. The refund will be equivalent to one-half of the Tap-In Fee for each main or service connection to the extended water line, except those connections in the developer's own project.
- (4) No more than five (5) allocations will be committed at one time for any approved subdivision. For those developments with more than five (5) total lots, the developer should present to the Planning Commission a phased development proposal, restricting each phase to a five (5) lot maximum. Each phase of development may be approved at a preliminary level. Infrastructure must be completed for each phase as approved in accordance with this policy. After 60% of the lots in prior phases have been developed, subsequent phases can be considered for final approval and/or additional reserve allocation.
- (5) Unless otherwise directed by the BOARD, any water allocation reserve commitment shall expire upon abandonment or after one (1) year, whichever is less.

ARTICLE 9

TEMPORARY SERVICE:

Contractors, builders and property owners desiring installation of metered temporary service for any reason shall make application to the Town Manager and secure written approval. The cost of the installation and maintenance of a temporary service shall be borne by the applicant. Installation of service lines shall be inspected, tested and approved by the Water Department prior to covering and use. The estimated cost of consumption shall be paid by the applicant in advance to the Town Treasurer. Upon completion of the intended use of the temporary service, an accounting of all associated costs shall be made by the Town and mailed to the applicant for payment.

ARTICLE 10

SPRINKLER SYSTEMS:

- (1) Applications for sprinkler systems must be made in writing by the legal property owner or agent and are subject to the provisions of this Ordinance. The applicant must furnish an approved and up-to-date set of plans and blueprints which shall indicate the location to be serviced and the proposed locations of the valves, pipes, hydrants, tanks, sprinkler heads, and any other appurtenances, including size and ratings. A copy of such plans and permits shall be furnished for Town records and it shall be the responsibility of the applicant to ensure that such plans are kept updated as improvements or changes are made.
- (2) The plans must comply with state regulations in effect at the time of application and the customer of his/her designated agent is responsible for obtaining any other permits (i.e., Department of Labor and Industry) required for the installation and operation of the sprinkler system.
- (3) All sprinkler systems shall be subject to periodic inspections by the Town for the purpose of determining water usage only. The property owner will give the Town inspectors all reasonable assistance in making the inspection and will give all required information about the system as requested. Inspections will be made with as little inconvenience to the owner as possible.
- (4) The Town may refuse to authorize any sprinkler service in whole or in part, if in the determination of the Board of Water Commissioners, such system will place undue demand upon the integrity of the Town water system.

ARTICLE 11

FIRE HYDRANTS:

- (1) Fire hydrants may be installed by the Town within its legal and common right-of-way as determined by the Board of Water Commissioners for the safety and welfare of Town residents and their property. The Town shall consider an application for installation of fire hydrants by property owners, contractors, or developers and determine the feasibility of the same. The Town may require installation of fire hydrants by property owners, developers, or contractors when proposed new or expanded developments are planned.

- (2) The Board of Water Commissioners shall determine the need for and installation of such hydrants. All costs incurred in the installation, testing and inspection of such hydrants shall be borne by the property owner, contractor, or developer.
- (3) All public fire hydrants connected to any portion of the municipal water system shall become the property and responsibility of the Town. If the Town must cut off the supply of water from any of the hydrants in Town for repairs or other causes, immediate notice must be given to the Fire Chief or in his/her absence, the next highest ranking officer. Notice shall be made to the same person when water supply is reconnected to the hydrant.
- (4) No person shall obstruct the access to any fire hydrant by placing or permitting to be placed any article whatsoever which shall restrict or obstruct access to and use of the hydrant. No private vehicles shall be parked within six feet of any fire hydrant.
- (5) Public fire hydrants are installed for the purpose of fire fighting and, with the exception of the Water Department, Highway Department, Fire Department or other qualified inspector; they shall not be tampered with, operated, or used in any manner whatsoever.
- (6) The Town shall from time to time be required to flush the fire hydrants and its system in an effort to ensure reliability and flush out impurities, which may accumulate during non-use. Advance public notice of flushing operations shall be given whenever possible.

ARTICLE 12

INSTALLATION MATERIALS:

- (1) Single Residential Service: Type "K" copper pipe or ductile iron pipe from the main to the residence with a minimum inside diameter of three-quarters of an inch (3/4") and a minimum burial depth of six feet (6') over the top of the pipe. It is recommended that insulation board be used on all installations. Corporation stops equal to or comparable to Everett J. Prescott (EJP) CC X CPPJ; curb stops, (EJP) CPPJ X CPPJ; curb boxes, Minneapolis pattern base type, through two inch (2") curb stop sizes, Mueller H-10300 with no drain. All copper or brass fittings shall provide for electrical continuity.
- (2) Electrical Grounding: When the attachment of electrical grounding wires to the municipal water piping is necessary a qualified licensed electrician shall perform the work. Those connections found to cause electrolysis or cause damage to any component of the municipal water system shall be disconnected and reinstalled to a separate and reliable grounding point at the property owner's expense.
- (3) Commercial Service: Shall meet the requirements of the Vermont Standards for water System Design, Construction and Protection.

ARTICLE 13

WATER METER:

- (1) Meters with remote read-outs must be installed at all points of service. The Town will own all water meters and readouts and meters must be installed by a licensed plumber approved by the Town. The customer may request that his or her own licensed plumber install the meter and read-out at the same time the service line is being installed.

- (2) A water meter and read-out servicing any mobile home must be disconnected by a licensed plumber and returned to the Municipal Water Department prior to removing said mobile home from any property. If the mobile home is being replaced at that location, the meter and read-out may be reused with the authorization of the Water Department. Reconnection must be completed by a licensed plumber and shall be inspected by the Water Department prior to re-connection of service at the curb stop.
- (3) Any customer who refuses to permit installation, inspection, or replacement of a water meter shall be charged \$500.00 per billing cycle for unmetered water usage or shall have their water service disconnected by the Town.
- (4) Any damage to or problem with a water meter, remote read-out or curb stop shall be reported to the Municipal Water Department or the Town Manager. The Water Department shall inspect damage and determine the appropriate repairs to be made.
- (5) Should a meter be damaged by frost or damaged in any way for which the customer is determined responsible, the customer shall be charged the cost of repair and/or replacement of the meter. Meters, which malfunction through no faults of the customer, shall be operationally checked, repaired, and/or replaced at no expense to the customer. The owner shall take reasonable measures to protect the meter and reader from damage.
- (6) Meters shall be subject to inspections by the Town when there is a reason to believe they are not functioning properly. The property owner will give the Town inspector reasonable assistance in making the inspection. Inspections will be made with as much convenience as possible.
- (7) The property owner of all buildings shall be required to perform all interior or exterior plumbing necessary to accommodate the required meters. The Town may require appropriate tests to be made to the pipes and appurtenances and the owner or their agents at their expense shall furnish all necessary tools, labor, materials and assistance for such tests and shall remove or repair any defective materials when so ordered by the Town.
- (8) In the event an owner desires additional meters within a structure to further establish usage in addition to the stated requirements, it shall be the owner's responsibility to purchase, install and read the additional meters. The Town prior to installation shall approve the meters.
- (9) Any existing customer utilizing un-metered service may be ordered to install a meter and appurtenances at the owner's expense.

ARTICLE 14

ACCESS BY THE TOWN:

- (1) The Manager and other duly authorized representatives of the Town Water Department bearing proper credentials shall be permitted to enter all properties for the purpose of inspection, observation, measurement, sampling, and testing and maintenance in accordance with the provisions of this Ordinance. No person shall deny access to any agent, employee or representative of the Water Department during normal working hours or times of emergency while such persons are in performance of their duties.

ARTICLE 15

BILLS AND BILLING:

- (1) Billing for water service is issued in the name of the landowner (customer) without regard as to whether he/she is the ultimate user. The owner must submit, at the time of the application, a valid mailing address for billing and notification purposes. Change of address or ownership without written notification to the Town shall not relieve the owner of the responsibility for user charges.
- (2) Disputes concerning water billing shall be made to the Town Treasurer. The Town may institute legal action to collect any past due or delinquent bill. A bill is considered past due, or delinquent, when the customer fails to pay a valid bill within 30 days of postmark date of that bill or charge, or by the "due date" at least 30 days after mailing which shall be clearly printed on the bill and which shall control in the absence of a post mark.
- (3) Past due bills are payable to the Town's Delinquent Tax Collector. Late fees consisting of 8% of the bill plus 1% interest per month will be charged. The customer may enter into a repayment agreement with the Delinquent Tax Collector to pay past due bills in installments. The installment agreement must be honored, or the customer will be subject to disconnection and collection fees.
- (4) According to the terms of this Ordinance, the customer agrees to pay the cost of such collection, or disconnection or both including attorney's fees, by applying for water service. Failure to pay will become an automatic lien against the property until the past due account is paid in full. The property may be scheduled for tax sale. If these collection options do not result in payment of the past due account, the Town may disconnect water service as outlined in 24 V.S.A. Chapter 129.
- (5) Water supplied to a building occupied by more than one tenant shall be charged to the owner or agent and shall not be charged to the various tenants in the building. In any event, the owner shall be primarily liable and responsible for water supplied.
- (6) Prorated charges may be granted to public non-profit organizations upon application and approval of the Board of Water Commissioners.
- (7) Upon written application, a commercial user may be granted a waiver of sewer charges for usages in excess of 45,000 gallons of water used in a six (6) month billing cycle. If said waiver is approved by the Water Commissioners, the applicant shall obtain a Water System Connection Permit, and purchase a water meter from the municipality. Design and Hookup shall be as approved by the Water Department. Installation shall be at the sole expense of applicant, and shall comply with all pertinent sections of Article 6, New Service Connections, of this document. The Town Manager shall be notified once the meter is installed, and the connections must be inspected by the Water Department prior to use.

ARTICLE 16

APPEALS AND EXCEPTIONS:

- (1) A customer can appeal only as to the proper amount of the bill or to the correctness of the application of the rules and regulations. The design of the rates themselves may not be appealed.

- (2) The first appeal must be made in writing to the Town Manager. If an agreement cannot be reached between the Town Manager and the customer, a written appeal may be made to the Chairperson of the Board of Water Commissioners.
- (3) The Water Commissioners shall fairly and promptly hear any and all written requests for appeals that are made by the customer after notice to all interested parties, and prior to the due date of the bill. The Water Commissioners may appoint one or more members to act as hearing officer for the purposes of appeal. Alternatively, the Water Commissioners may appoint a responsible citizen to act as a hearing officer for the appeal. Disconnection will be postponed during appeal. If the customer fails in his or her appeal, the bill must be paid.
- (4) Upon just cause shown, the Water Commissioners may grant exceptions to any ratepayer. The decision of the Water Commissioners is final.

ARTICLE 17

DISCONNECTION OF SERVICE:

If the customer fails to pay charges due, does not negotiate a payment agreement, or is unsuccessful in an appeal, the Town may disconnect water service after sending a uniform notice as described in 24 V.S.A., Chapter 129, §5144 to the customer (owner) of the property that will be effected by the disconnection.

ARTICLE 18

PROHIBITED DISCONNECTION:

The Town shall not disconnect water service in any of the following circumstances:

- (1) The delinquency is due solely to a disputed portion of a bill or other charge that is subject of an active appeal.
- (2) The disconnection would present an immediate and serious hazard to the health of the customer or a resident within the customer's household, as set forth in a physician's certificate made available to the Town. Notice that such certificate is forthcoming shall have the effect of receipt, providing that such certificate is in fact received at the Town Offices within seven (7) days thereafter.
- (3) Definition of a physician's certificate shall mean a written statement containing the physician's letterhead and issued by a licensed practicing physician, certifying that a customer or a resident within the customer's household would suffer an immediate and serious health hazard by the disconnection of the utility service to that household. The certificate will be considered valid in force for 30 days, or duration of the hazard, which ever is less.

ARTICLE 19

RESTORATION OF WATER SERVICES:

If water service has been disconnected for delinquency of payment of a valid billing or other charge, the Water Department shall, within twenty-four hours, restore service upon the customer's request, providing the cause for the disconnection has been corrected and all fees have been paid to the Town. The same will hold true for disconnection due to refusal of meter installation or meter access.

Restoration of service, to the extent feasible, shall be done so as to avoid charging ratepayers for overtime wages and other abnormal expenses.

ARTICLE 20

REQUEST FOR DISCONTINUANCE OF SERVICE:

Requests for discontinuance of water service shall be made in writing by submitting a Request for Discontinuance of Water Service Form (Attachment #5). A disconnection fee shall be paid to the Town at the time the application is filed. Any request for discontinued service must be made prior to the billing cycle and will take effect in the next billing cycle. All delinquent charges must be paid in full prior to a discontinuation of service.

ARTICLE 21

WATER SUPPLY EMERGENCIES:

- (1) The Board of Water Commissioners and/or the Town Manager may prescribe rules governing the supply and use of water during an emergency of a known shortage of the supply of available water. Such rules shall remain in effect for a period of time stipulated by such BOARD and/or Town Manager to protect the supply of water and users of the same during such an emergency.
- (2) Prior notice of interruption of water service is not mandated or assumed by the Town. It is the intention of the Town to make every effort possible to issue prior notice of service interruption insofar as possible during times of breakdown of equipment or emergency maintenance. In case of pipeline failure where the loss of water is evident, service to the affected areas will be shut off. Failure of the tenant or landowner to receive prior notice of interruption of service shall entail no liability on the part of the Town or its employees.
- (3) Whenever the Water Department shall cut-off the supply of water from any of the hydrants for repairs or other causes, the Fire Department shall receive immediate notice. Notice to the Fire Department shall also be made promptly by the Water Department when the hydrant is back in service. These notices shall be made verbally and then followed-up in writing to the Fire Department.

ARTICLE 22

UNAUTHORIZED USE OF MUNICIPAL WATER:

- (1) The Town may take necessary legal action against any person, persons, or organization that shall secure and use water from the municipal system without prior authorization of the Water Commissioners by:
 - (a) Tapping or making connection with any part of the municipal water system so as to take water illegally.
 - (b) Opening and/or closing any gate valve, hydrant, or fixture that is an integral part of the municipal water system.
 - (c) Obtaining the use of water from the municipal water system by any manner or device without prior authorization.

- (2) No person or persons shall be allowed to resell water supplied by the municipal water system, except by specific authority of the Water Commissioners.

ARTICLE 23

PROTECTION FROM DAMAGE / PENALTIES FOR VIOLATION:

- (1) No person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance, or equipment that is part of the Public Water System. Any person violating this provision shall be subject to prosecution as provided by law.
- (2) Any person found to be violating any provision of this Ordinance, except for #1 above, shall be served by the Town with written notice stating the nature of the violation and fine, if any is imposed, providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violation.
- (3) Any person who shall continue any violation beyond the time limit provided shall be guilty of a misdemeanor, and on conviction thereof shall be fined a maximum amount allowable under state statute. Each day in which any such violation shall continue shall be deemed a separate offense.
- (4) In addition to any fine imposed under #2 above, any person violating any of the provisions of this Ordinance shall become liable to the Town for any expense, loss, or damage occasioned the Water Department by reason of such offense.
- (5) Notwithstanding any of the foregoing provisions, the Town may institute any appropriate action including injunction or other proceedings to prevent, restrain or abate violations of any provisions of this Ordinance and damage to the water system.

ARTICLE 24

AMENDMENTS & CHANGES:

- (1) The Board of Water Commissioners may make such amendments or changes to this policy that appear in their judgment to be necessary for the efficient operation and or best interest of the water system. All rules, policies, procedures or other regulatory provisions in conflict with this document are hereby repealed.
- (2) In the event that the Water Service Boundaries, established under Article 4 of this ordinance, are modified or repealed, the Town shall provide the Vermont Department of Environmental Conservation (DEC) a 180 day written notification of its intent, requesting authorization to make said change.
- (3) The Town shall obtain written authorization from the DEC prior to adopting any amendment, modification or repeal pertaining to Water Service Boundaries.
- (4) Modification of Water Service Boundaries shall require an application to the Vermont Agency of Natural Resources (ANR) for an amended Water Supply Permit.

Permit # _____ - _____

TOWN OF WILLIAMSTOWN
Application for:
Water System Connection Permit

Applicant's Name: _____
(Legal Landowner)

Address: _____

Phone Number: _____ (Home) _____ (Work)

Tax Map Description of Property: Book _____, Page _____, Lot # _____

Address of Lot: _____

State Permits granted and filed with the Town Clerk:

Subdivision Permit?	_____ Yes	# _____	No _____
Deferral of Permit?	_____ Yes	# _____	No _____
Dept. of Environ. Conserv. Permit	_____ Yes	# _____	No _____

I/We hereby request a permit for a connection to the Town of Williamstown municipal water system at the above address. The connection shall be used for the following purpose(s).
(Check those that apply)

- _____ Service for a single residential unit.
- _____ Service for commercial or industrial use.
- _____ Service is to alter, repair or replace existing system.
- _____ A cut into the Road Will be Required.

I inspected the road cut repair on _____, I certify it was completed in compliance with the Municipal ordinance.

Road Foreman

Attach plot plan, and any other relevant information as required by the town's water ordinance and the standards adopted within the water ordinance.

Additional Comments (if any):

Permit # _____ - _____

I/We understand that issuance of the water system connection permit obligates me/us to abide by the town's water ordinance.

I certify that the above information is correct (permit may be denied or revoked if information is inaccurate or incomplete) and that the design and materials meet the minimum standards of the Williamstown Water Ordinance.

Signature of Applicant

Date

Date application received: _____ Fee: **\$1,000.00** Received By: _____

Contractor Information

Name: _____

Address: _____

Phone #: _____

Application approved for Water System Construction Permit: ____ Yes ____ No

Upon approval by the by Town Manager, the application will be signed, and a Permit Number will be assigned.

Applicant shall contact the Town Manager, (802) 433-6671, to request an inspection prior to covering the connection and service line. Once the connection is completed, water meter and touch pad are installed. The Municipal Water Operator will inspect the final connection, and water service will be turned on.

Signature of Town Manager

Date

I inspected the connection and service line on _____. I certify it was installed in compliance with the Municipal ordinance.

Water Operator

Document Recorded on _____; Book # _____ Page # _____. By: _____

The Water System Connection Permit is valid for two years from the date of issue. The permit must be re-certified prior to expiring in order to retain the right to use the permit.

Z:\PERMITS\MUNICIPAL WATER SYSTEM REQUEST.doc 8/28/2007

**Town of Williamstown
Municipal Water Department**

FEE SCHEDULE

METERED WATER:	Pro-rated each bi-annual billing cycle based on actual water department overhead for that time period.
DISCONNECT/RECONNECT/SERVICE CALL	\$30.00 (\$50.00 if Overtime)
FROZEN METER BASE PLATE CHANGE	\$20.00
UNSCHEDULED METER READING	\$25.00
NEW WATER CONNECTION PERMIT**	\$1,000.00
NEW SERVICE EXTENSIONS construction	Connection fee (above) plus all costs for water main extensions as specified in this Ordinance.
WATER METER REPLACEMENT	\$115.00
WATER METER REPAIR	Actual Cost of Parts
METER READ-OUT TOUCH PAD	\$40.00
ADMINISTRATIVE SERVICE NOTICE	Certified mail charges, posting and other Charges per Statute
DELINQUENT ACCOUNT	8% Late Fee plus 1% Interest on outstanding balance per month.

** Note: Permit charge includes cost of Meter and Touch Pad for 3/4" service line.

**Town of Williamstown
Board of Water Commissioners
Approved Contractors**

This alphabetical listing of contractors is provided as a convenience. While it does not restrict work to contractors listed, it contains the names of contractors who have previously provided quality workmanship within the municipality.

Cavino Construction (Vinnie Cavino)
2149 Snowbridge Road
Williamstown, VT 05679
(802) 476-0799

DuBoise Construction

Middlesex, VT
(802) 223-5288

Hebert Excavation Corp. (Larry Hebert)
Business Center Road
Williamstown, VT 05679
(802) 433-6283

Moran Construction (Jeff Moran)
P.O. Box 105
Washington, VT 05675
(802) 883-2382

E.E. Packard

East Montpelier, VT
(802) 229-5741

R & M Maintenance (Rodney Dimick)
P.O. Box 42
East Barre, VT 05649
(802) 224-9904

Town of Williamstown

Application for Water Meter Service Work / Water Service Disconnection / Reconnection

The undersigned, being the owner / owner's agent of the property located at:

Street Address: _____

Tax # _____ Tax Parcel _____ Tax Lot _____

Does hereby request to have water:

- Service Disconnect Service Reconnect
 Meter New / Replaced Meter Repaired

Property Owner:

Name: _____
 Address: _____
 Phone: _____
 Cell: _____

FOR OFFICE USE ONLY:		
	Received Date	Completed Date
Administration:	_____	_____
Billing:	_____	_____
Water Dept:	_____	_____

1.) In consideration of the service supplied by the Town of Williamstown Water Department, I agree to be responsible for payment of all bills rendered for service performed.

I understand that unpaid fees may result in water service disconnection.

I also agree to abide by all rules and regulations established by the Williamstown Water Department.

2.) Owner or owner's agent must be present on location while work is performed, except for Disconnection.

3.) I also understand that I must remove all skirting, insulation, heat tape ect... so Town of Williamstown agent may work freely on water meter, and that I am responsible to reinstall these myself.

Signed: _____ Date: _____

PLEASE MAKE CHECK PAYABLE TO TOWN OF WILLIAMSTOWN
 DO NOT COMBINE WITH ANY OTHER FEES

FOR OFFICE USE ONLY:			
	How Many	Fee Charge	Total for Line
Regular Time Service Call Fee:	1	\$30.00	
Overtime Service Call Fee:		\$50.00	
Regular Time Disconnect / Reconnect Fee:		\$30.00	
Overtime Disconnect / Reconnect Fee:		\$50.00	
New Water Meter Fee:		\$115.00	
New Water Meter Cast Base Plate Fee:		\$20.00	
New Water Meter Touch Pad Fee:		\$40.00	
Other: _____			
Work Performed By: _____			Date: _____
Water Meter: ID# _____	Reading: _____		Date: _____
TOTAL DUE: _____	Rcvd By: _____		Date: _____

ARTICLE 25

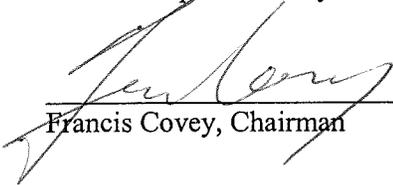
SEVERABILITY:

The invalidity of any section, clause, sentence, or provision of this policy shall not affect the validity of any other part(s) of this policy that can be given effect without such invalid part or parts.

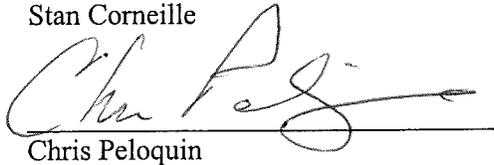
ARTICLE 26

ADOPTION:

This ordinance was adopted by the Williamstown Board of Water Commissioners on 8/4/08 and shall become effective on 10/3/08. To the extent that any provision herein shall be inconsistent with, or contrary to, any provision of the Town of Williamstown Municipal Water Ordinance, the provisions of this ordinance shall apply. The adoption of this Water Ordinance shall not interfere with the authority and responsibility of the legislative body as Water Commissioners in matters relating to the management and operation of the Municipal Water System as provided in 24 V.S.A. Chapter 89.


Francis Covey, Chairman

Stan Corneille


Chris Peloquin


Art Stone


Larry Hebert

**TOWN OF WILLIAMSTOWN
PUBLIC NOTICE OF ORDINANCE AMENDMENT**

The following amendment to the Williamstown Water Ordinance was adopted by the Selectboard on October 5, 2009. The amendment will take place on December 4, 2009, unless a petition signed by at least 5% of the voters of Williamstown is filed with the Town Clerk by November 18, 2009 asking for a vote to disapprove the ordinance amendment. Copies of the full text are available at the Town Hall from Manager, Garrett Earls. Telephone 433-6671.

TOWN OF WILLIAMSTOWN WATER ORDINANCE

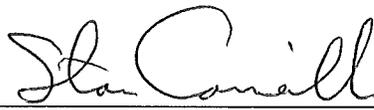
(New amendment only)

Article 15 – Bills and Billing

#(1) Billing for water services is issued in the name of the landowner (customer) without regard as to whether he/she is the ultimate user. The owner must submit, at the time of the application, a valid mailing address for billing and notification purpose. Change of address or ownership without written notification to the Town shall not relieve the owner of the responsibility for user charges. Mobile home owners on leased or rented lots will receive a duplicate copy of current and delinquent water and sewer bills.

(New text underlined)

Amendment adopted this 5th day of October, 2009 by the Williamstown Selectboard.



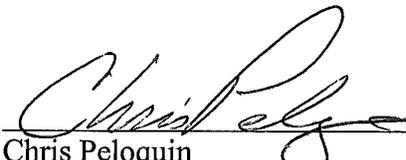
Stan Corneille- Chair



Art Stone



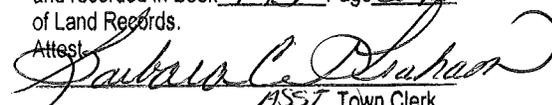
Larry Hebert – Vice Chair



Chris Peloquin



Rodney Graham

TOWN CLERK'S OFFICE
WILLIAMSTOWN, VERMONT
December 11 20 09
Received for Record
at 8 o'clock 30 Min 19 AM
and recorded in Book 143 Page 245
of Land Records.
Attest: 

PATRICK Town Clerk