

SECTION 1 - Declaration of Legislative Findings and Intent.

The Village Board of Trustees is conscious of the Village's rising operation costs and is sensitive to the household costs of Village residents. To date, the Village has uniformly applied water rates to commercial and residential buildings, alike. The Village has the power to establish and fix a scale of rents for the use of water pursuant to Village Law § 11-1118 and Municipal Home Rule Law § 10(1). The purpose of this Local Law is to amend the Village's Water Use Law to establish two classes of properties with respect to the application of the Village's water rates. The Village is permitted to establish water rates based on consumption. This Local Law is enacted and adopted pursuant to the Municipal Home Rule Law § 27.

SECTION 2 – Service Application, Connections & Construction

A) Applications for Service

1. All applications for the use of water must be made in writing on forms provided by the Village, designated "Application for Metered Water Service". See Appendix A of this Law.
2. Application for new service must be signed by the property owner.
3. Application will be accepted subject to there being an existing main in the street or right-of-way abutting on the premises to be served, but acceptance shall in no way obligate the Village to extend its mains to serve the property.
4. A separate application must be made for each property. A property is defined as follows:
 - a) A building under one roof owned by one customer and occupied as one residence or one place of business.
 - b) A combination of buildings owned by one customer, in one common enclosure, occupied by one family or one corporation or firm, as a residence or place of business.

- c) Each unit of a multiple house or building separated by a solid vertical partition wall, occupied by one family or one firm, as a residence or place of business.
- d) A building owned by one customer having a number of apartments, offices, or lofts, which are rented to tenants and using in common one hall and one or more means of entrance.
- e) A building one or more stories high under one roof, owned by one customer having an individual entrance for the ground floor occupants and one for the occupants for the upper floors.
- f) Garden apartments owned by one individual or firm and located in one common enclosure.

B) Service Connections

1. Installation from main to property line

- a) Service connections from the village main to the property line will be installed by the village or its authorized representative at the expense of the applicant and shall consist of a corporation stop inserted into the main, sufficient copper tubing to reach the applicant's property line and a curb stop and box.
- b) In case of the installation of new services, the owner pays a tapping fee for which the village taps the main and installs the service connection to the curb or property line. This fee is \$75.00 for a $\frac{3}{4}$ " connection plus the estimated cost of parts and labor and \$125.00 for a 1" or 2" connection plus the estimated cost

of parts and labor. The estimated fee will be paid by the applicant at the time of making his application.

- c) All curb boxes once installed shall be adjusted to changes in grade and shall be kept accessible and in repair by the owner.
- d) Service pipe and 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.

2. The applicant shall, at his own expense, install the service pipe from the curb box shut off to the property and a valve to be located preferably just inside the building wall, permitting control of the water supply by the customer. This property shall be maintained at the expense of the customer and when necessary replaced. The customer is responsible to employ a competent plumber, and all work shall be performed in a manner satisfactory to the village. The minimum size, materials, depth of cover and method of construction shall be the same as specified for a service pipe installed by the village. If any defects in workmanship or materials are found, or if the customer's service pipe has not been installed in accordance with such specifications or with the village requirements, water service will not be turned on or will be discontinued, until such defects are remedied.
3. All service pipes shall have a minimum cover of 5'. No service pipes shall be less in size than $\frac{3}{4}$ " inside diameter. United States Government Specification Type K soft tempered copper tubing shall be used on $\frac{3}{4}$ " and 1" services. Type K copper tubing

- shall be used on 1 ½" and 2" services. All services larger than 2" in diameter shall be ductile iron pipe of quality equal to American Water Works Association standard specifications and of weight suitable for service under a pressure of 150lbs. per square inch. All connections of service pipes to a main with a ground cover of less than 5' shall be made on the side of the main so that such service pipes 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.
4. After November 1st, the water department will make no installation of water mains or service connections until weather permits in the spring, except in case of an emergency.
 5. In the event of a frozen water service line, the property owner will be responsible for hiring someone to thaw the line from the curb stop to the service location for one hour. If after one hour the service line is not thawed, the village will be responsible for thawing the service line from the curb stop to the main.

C) Construction

1. Approval required. All new development, which requires public water facilities, shall be subject without exception, to final approval by the Village Board of Trustees.
2. Construction expense. All water mains, hydrants, valves and necessary accessories other than replacement of existing ones shall be constructed and installed without expense to the water department and shall become property of the Village Board of Trustees by deed, easement or bill of sale without expense to the Board of Trustees before being placed in use. This does not include lands accepted for highway purposes prior to the adoption of the rules and regulations. Furthermore, all replacement or

repair of mains, pipes, hydrants, valves, etc. outside the Village, which are supplied regularly with water by the water department, shall be under the supervision of the Board of Trustees and made without expense to the Board of Trustees.

3. Inspection and Certification. All new facilities and service connections, whether within or outside the Village, which are supplied regularly with water by the water department, shall be inspected and certified by the water department to be free from leaks, defects of installation, etc. before they are accepted and placed in use. No main of a size smaller than 6" shall be installed. 5' of earth coverage and a distance of not less than 4' from any open area or vault shall be required.
4. Acceptance. No deed or easement or dedication of land for highway purposes shall be accepted by the Village unless such deed also conveys completed facilities, including mains, valves and hydrants, or until the grantor tenders a performance bond, labor and material bond and payment bond to the Village.
5. Materials. Unless otherwise approved by the water department, the following specifications shall be conformed to:
 - a) Pipe. Class 52 ductile iron pipe, shall be push-on joint type with rubber gaskets, 4 brass connecting wedges to each joint, cement lined and tar coated to meet American National Standards Institute Specification A21.52-1976.
 - b) Fittings. Class 250 cast iron to meet American National Standards Institute Specification A21.11-1972 and American Water Works Association Specification C111-72.

- c) Hydrants. Shall meet American Water Works Association specifications and shall meet requirements of the Underwriters' Laboratories. Hydrants shall be 6", having a mechanical joint connection, 2 – 2 ½" hose connections and 1 pumper connection. Threads for nozzles shall be as required by the Village Fire Department. Hydrants shall be dry barrel type to meet the AWWA Standard C-502.

SECTION 3 - Metered Service

- A) Meters. The Village will furnish, install and maintain meters and meter couplings, but the customer shall install on his property the necessary piping, fittings, valves and pipe couplings to receive the meter. The Village will maintain meters where ordinary wear and tear is concerned, but in the case of damage by freezing, hot water or external damage, the customer will be held responsible for the cost of repairs. The Village recommends the installation of suitable equipment, properly located and installed to prevent back flow of hot water, which may cause damage to the meter or other damage to customer's plumbing.
- B) Location and reading of meters. The customer shall provide a place acceptable to the Village for the location of the meter. Meters shall be accessible for inspection and reading by the Village's authorized representative at any reasonable hour.
- C) Right to remove and test meters. The customer grants the water department the right of access to property to remove and test any meter at any time and to substitute another meter in its place.
- D) Testing of meters.
1. The Village will test its meters periodically. In the event of a disputed account involving the accuracy of a meter, the Village will test the meter upon the request of

the customer. A fee payable in advance of the test is required, and that said fee will be at the current wage rate for meters 1" or smaller and at actual cost for meters larger than 1", which have to be tested for a private concern.

2. In the event that the meter is found to over register in excess of 4% at any flow within the normal test flow limits, the fee will be returned to the customer, otherwise it will be retained. Adjustment in bills for over registration of the meter will be made.

E) Non-registering Meters.

1. The reading of a duly installed meter showing the amount of water consumed shall be used for all metered billing purposes except where it appears that the meter has ceased to register or has registered inaccurately.
2. In cases where it is found that a meter has ceased to register or has registered inaccurately and it cannot be determined by reasonable test the percentage of inaccuracy, an estimated bill for the billing period may be rendered by the consumer. The estimated bill shall be based upon the amount of water consumed in the corresponding period in prior years, except where it appears that there has been a change in the occupancy of the property or in the use of water, in which case an equitable adjustment shall be made.

SECTION 4 – Water Rates & Payment for Water Service

A) Water Rates

1. Rates for water use will be based on consumption, namely the rate charged may increase as water consumption increases.

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2. Rate will consist of a base charge for the base unit of water usage, currently set at 5,000 gallons; after the first 5,000 gallons tiered rates will be established for additional usage beyond the first 5,000 gallons.
3. The Village Board of Trustees shall review the total cost of operation and maintenance of the water system annually.
4. The Village Board of Trustees shall have the power to set, change, or amend the rates and penalties charged, following a Public Hearing subject to the provisions of Article 21 of the Village Law.
5. Rate increases will should normally coincide with the beginning of the Village fiscal year.

B) Payment for Water Service

1. Meters are read and customers are billed quarterly during January, April, July and October of each year. All bills are due and payable 30 days after rendition at the Village Office. On bills remaining unpaid after 30 days, a 10% penalty charge will be added. If the bill remains unpaid after 60 days, a 15% penalty charge will be added.
2. Base water rate will be charged for each connection to the system, regardless if water is used or not
3. Property owners are responsible for payment for water service
4. Failure to receive bills shall be no reason for nonpayment.
5. Unpaid water rent becomes a lien on the property.
6. Persons making complaint as to the correctness of meter bills and claiming to be overcharged can, by application to the Village Board within 10 days after rendition of

the bill, have the meter examined and the dial reread. The Water Department is authorized to correct any charge due to a fault in the meter or to incorrect reading of the dial, but shall have no power to reduce meter bills for any other reason whatsoever. This determination shall be made by the Board of Trustees.

7. Any persons wishing to have their water service temporarily suspended or reinstated on their property will need to go to the Village Office and submit their request in writing with the Village Clerk. This request will need to be accompanied by a fee of \$25.00 and the quarterly billing will continue as usual. This fee of \$25.00 will be required for both shut off and resuming of water services. This fee will be required for every resident within the Village Water System – no exceptions!

SECTION 5 – General Rules

- A. Change of Occupancy. The customer shall notify the Village 5 days prior to any change in ownership.
- B. Discontinuance of service for non-payment. All bills are due and payable, net cash, within 30 days after rendition. In case any water bill or charges provided for in and by these rules shall not have been paid within 60 days following the rendering of the bill, the Village may discontinue water service to the customer, and service will not be reinstated until the water charges are fully paid. Additionally, the resident will be charged a fee of \$50.00 for suspension and recommencing of water service (\$25.00 for each). Moreover, an extra \$50.00 fee will be charged for reestablishing a service connection after 4:30 PM, as well as on weekends and holidays. These fees must be paid prior to restoring services.

Interruption of Supply. The Fee for suspending water service for nonpayment shall be incurred at the time the Village crew is dispatched to the property to suspend service.

1. As necessity may arise in the case of breaks in water mains or other emergencies of a similar nature, including the necessity for making repairs, connections, extensions and/or the installing and repairing of consumer services, the Water Department shall have the right and authority to temporarily shut off the water supply in order to perform the necessary work.
2. The Water Department will use, if possible, all reasonable and practicable means to notify the consumers in advance of such discontinuation of water service.
3. However, the Village shall not be liable for any inconvenience suffered by the consumer or for any damage which may result to the customer's piping, fixtures, heating appurtenances, appliances, etc, resulting from the shutting off of the water supply for any purpose whatsoever, whether or not previous notice has been given.
4. The Village will not be liable in any case for any claim against it at any time for the interruption of water service, lessening of the water supply, inadequate pressure or any other cause which may be beyond its control.
5. The Village will not be responsible for any accidents or damages that may result through supplying steam or hot water boilers directly from the service pipe and depending upon the pressure from the distributing pipes of the Water Department to fill such boilers under working pressure; nor will it be responsible for any accidents or damages that may result in consequence of house boilers being unprotected by vacuum or other valves or of the imperfect action of the same nor for any lack of strength in the boilers or in their appurtenances to withstand the pressure in the distributing mains; neither will it be responsible for any damage occasioned by reason of the breaking of any value or of any service pipe or

appurtenances thereto nor for any accidents or damages arising from shutting off the water for the repairs of mains, for new work or for any purpose whatsoever.

C. Discontinuance of service for violation of rules. Water service may be discontinued for any of the following reasons:

1. For use of water other than represented in application or through branch connection on the street side of the meter or place reserved therefore.
2. For willful waste or use of water through improper and imperfect pipes or by any other means.
3. For molesting any service pipe, seal, meter or any other appliance owned by the Village.
4. For non-payment of bills for water or services rendered.
5. For cross-connecting pipes carrying water supplied by the Village with any other source of supply or with any apparatus which may endanger the quality of the water supply.
6. For refusal of reasonable access to the property for the purposes of inspecting fixtures or piping or for reading, repairing, testing or removing meters.
7. For sub-metering or reselling water.

D. Hydrants.

1. No person shall open or interfere with or draw water from any public fire hydrant without permission from the Village, the Chief of the Village Fire Department or their authorized assistants. In case of testing a private fire connection, the Village Superintendent of the Water Department shall be notified.
2. The Water Superintendents will not issue any permits for the use of hydrants unless there is no other possible way to get water without reasonable hardship. No

permits will be issued in water. If the Water Superintendent issues a temporary permit, the person or persons applying for an application will pay a fee of \$5.00.

Additional charges will be made for water used in accordance with the schedule of water rates.

- E. Cross connection to other sources is prohibited. No pipe or fixtures connected with the mains of the Village shall be connected with pipes or fixtures supplied with water from any other source nor any apparatus which may endanger the quality of the Village's water supply unless a permit is obtained from the Water Department.
- F. Sprinkling or Irrigation. There may be times when in the opinion of the Village it may be necessary to restrict the use of this service to certain definite periods or to prohibit it entirely.

In this rare event, all customers will be notified by public notice.

SECTION 6 - Separability

The provisions of this Local Law are separable and if any provision, clause, sentence, subsection, word, or part thereof is held illegal, invalid unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity, unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words, or parts of this Local Law or their application to other persons or circumstances. It is hereby declared to be the Legislative Intent that this Local Law would have been adopted if such illegal, invalid, unconstitutional, or inapplicable provision, clause, sentence, subsection, word, or part had not been included therein, and as if such person or circumstance to which the Local Law or part thereof is held inapplicable, had been specifically exempt therefrom.

SECTION 7 - Repealer

All ordinances, local laws, and parts thereof inconsistent with this Local Law are hereby repealed.

SECTION 8 – Effective Date

This Local Law shall take effect upon filing with the New York State Secretary of State in accordance with Municipal Home Rule Law § 27.

APPENDIX A

APPLICATION FOR METERED WATER SERVICE

To: Village of Stamford

Date: _____

I, _____ being the owner of the
property at _____

request that the Village supply water to said property and hereby agree to pay the rates

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and comply with the rules and regulations of the Village. I agree to allow the Village to install a water meter that is properly suited to my said property. I agree to give prompt written notice to discontinue my service and it is understood that failure to do so will make the undersigned liable for all water charges at the premises until the time written notice is received.

Owner Signature: _____