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Town of Harwich, Massachusetts

Water Department

# Water Rules and Regulations

Adopted by

Board of Water & Wastewater Commissioners

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Adopted <<TBD>>

**Introduction**

Under authority of the General Laws, Acts of the State Legislature of the Commonwealth of Massachusetts, the following rules and regulations are hereby established by the Town of Harwich in the county of Barnstable, and hereby made and shall be considered a part of the contract between the Harwich Water Department and every person or persons liable for water charges or other charges subject to our jurisdiction, and the filing of an application to take water, or the taking of water, shall be considered express assent to be bound by these rules and regulations and any other changes which may hereinafter be made.

By the virtue of Massachusetts General Law Chapter 41 and other authority and powers, the Water/Wastewater Commissioners of the Town of Harwich, Massachusetts establish the following Rules and Regulations relating to the provision of water by the Harwich Water Department. All customers on the Harwich Water System are bound by these Rules and Regulations and future amendments thereto and are further bound to take water only for purposes stated in an application made by the customer for water service, made to and approved by the Harwich Water Department.

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**Table of Contents**

**Introduction..... 1**

**Section 1: Definitions ..... 5**

**Section 2: General Provisions ..... 6**

    2.1 Contractual Agreement..... 6

    2.2 Application for Water Service ..... 6

    2.3 Ownership Responsibilities & Liability ..... 6

    2.4 Responsibility for Charges ..... 6

    2.5 Availability of Municipal Water..... 6

    2.6 Location, Plans and Specifications ..... 6

    2.7 Construction..... 7

    2.8 Private Wells..... 7

    2.9 Right of Entry ..... 7

    2.10 Fires ..... 7

    2.11 Conditions under Which Service is Furnished ..... 7

    2.12 No Liability for Interruption of Service ..... 7

    2.13 No Liability for Dirty Water..... 8

    2.14 No Liability for Customer’s Pipes..... 8

    2.15 No Liability for Collapsed Boilers, Etc..... 8

    2.16 No Liability for Shutting Off Water without Notice ..... 8

    2.17 Restriction of Water Use ..... 8

    2.18 Easements ..... 8

    2.19 Liability for Freeze Ups..... 9

**Section 3: Charges..... 9**

    3.1 Establishment of Rates ..... 9

    3.2 Bills Payable ..... 9

    3.3 Overdue Charges ..... 9

    3.4 Payment Plans..... 9

    3.5 Shut-Off for Non-Payment ..... 9

    3.6 Collection of Miscellaneous Water Charges ..... 10

    3.7 Delinquent Accounts ..... 10

    3.8 Claims for Adjustments on Bills ..... 10

    3.10 Leaks..... 10

    3.11 Service Tap Renewals or Replacements..... 10

**Section 4: Meters..... 11**

    4.1 Meter Installation..... 11

    4.2 Customers to Pay for Meter Repairs..... 11

    4.3 Meters Purchased from Department ..... 11

    4.4 Meter Removal ..... 11

    4.5 Meter Pits..... 11

    4.6 Meter Tampering ..... 11

    4.7 Water Department’s Right to Change Meters ..... 12

    4.8 When Meter is Out of Order..... 12

    4.9 Repairing Meters ..... 12

    4.10 Access to the Meter ..... 12

|                   |   |           |
|-------------------|---|-----------|
| 4.11              | Residential Meter Testing vs. Testing Meters by Request .....         | 12        |
| 4.12              | Commercial/Industrial Meter Testing .....                             | 12        |
| 4.13              | Irrigation/Sewer Deduct Meter .....                                   | 13        |
| <b>Section 5:</b> | <b>Service, Pipes and Fixtures.....</b>                               | <b>13</b> |
| 5.1               | Service Pipes.....  | 13        |
| 5.2               | Joint Use of Pipes or Trenches .....                                  | 13        |
| 5.3               | Portion of Service Pipe Furnished by Water Department .....           | 13        |
| 5.4               | Right to Repair and Replace Service Pipes .....                       | 13        |
| 5.5               | Temporary Service from Adjacent Premises.....                         | 13        |
| 5.6               | Materials on Private Premises .....                                   | 14        |
| 5.7               | Irregular Service .....   | 14        |
| 5.8               | One Service to Each Unit .....  | 14        |
| 5.9               | Requests for Turning On or Shutting Off Water .....                   | 14        |
| 5.10              | Seasonal Service .....  | 14        |
| 5.11              | No Pipes Furnished in Winter .....                                    | 14        |
| 5.12              | Service Pipe Trenches .....   | 14        |
| 5.13              | Standby Fire Protection .....   | 14        |
| 5.14              | Water Supply Availability .....                                       | 15        |
| 5.15              | No Right to Furnish Water to Others.....                              | 15        |
| 5.16              | Use of Fire Hydrants.....   | 15        |
| 5.17              | Cross Connection Control .....  | 15        |
| <b>Section 6:</b> | <b>Requirements &amp; Specifications for Laying Water Mains .....</b> | <b>16</b> |
| 6.1               | Materials and Installations.....                                      | 16        |
| 6.2               | Pipe Size .....   | 16        |
| 6.3               | Fire Hydrant Spacing.....   | 16        |
| 6.4               | Fire Hydrant Access .....   | 16        |
| 6.5               | Cost of Water Mains and Hydrants .....                                | 16        |
| 6.6               | Need for Water Mains .....  | 16        |
| 6.7               | Application for Water Main Installations .....                        | 17        |
| 6.8               | Pipe and Fittings .....   | 17        |
| 6.9               | Valves .....  | 18        |
| 6.10              | Hydrants.....   | 18        |
| 6.11              | Cover over Pipe .....   | 18        |
| 6.12              | Ledge .....   | 18        |
| 6.13              | Blasting Precautions .....  | 18        |
| 6.14              | Survey Markers.....   | 19        |
| 6.15              | Excavation within the Limits of Public Ways.....                      | 19        |
| 6.16              | Service Pipes.....  | 19        |
| 6.17              | Testing of Water Mains .....  | 19        |
| 6.18              | Tapping Sleeves & Valves: Gate & Butterfly Valves .....               | 19        |
| 6.19              | Gate Boxes.....   | 19        |
| 6.20              | Water Mains on Private Roads .....                                    | 19        |
| 6.21              | Road Layout .....   | 20        |
| <b>Section 7:</b> | <b>Violations .....</b>   | <b>20</b> |
| 7.1               | Violations of Regulations .....                                       | 20        |
| 7.2               | Discontinuance of Service .....                                       | 20        |

7.3 Inactive Services ..... 20

7.4 Cross Connections ..... 20

7.5 Treatment..... 21

7.6 Mandatory Water Use Restrictions..... 21

7.7 Swimming Pools..... 21

7.8 Unauthorized Water Use ..... 21

7.9 Defacing and Littering Upon Town Owned Property ..... 21

7.10 Tampering..... 21

7.11 Markouts..... 21

7.12 Utility Markout Policy..... 21

**Section 8: Rates & Charges..... 22**

8.1 Setting Fees and Charges..... 22

**Section 9: Irrigation Systems ..... 22**

9.1 Irrigation System Notification ..... 22

9.2 Irrigation Backflow Device ..... 22

9.3 Irrigation/Sewer Deduct Meter..... 22

**Section 10: Service Tight Program..... 22**

10.1 Service Tight Program..... 22

**Appendix A. Schedule of Rates and Fees..... 24**

DRAFT

**Section 1: Definitions**

- 1.1 Backflow** – The flow of water or other fluids, mixtures or substances into the distribution pipes of a potable water source.
- 1.2 Backflow Prevention Device** – An approved mechanical device designed to prevent Backflow.
- 1.3 Contractors and Developers** – Contractors and Developers shall mean an individual, firm, corporation or any entity who installs water mains and their appurtenances.
- 1.4 Corporation Stop** – A shut off valve near the main that is used to isolate water from the main from the service connection.
- 1.5 Cross Connection** – An actual or potential connection between a distribution pipe of potable water supplied by the public water system and any waste pipe, soil pipe, sewer, drain or any other contaminated or hazardous source. Without limiting the generality of the foregoing, the term "cross connection" shall also include any bypass arrangement, jumper connection, removal Section, swivel or changeover connection and any other temporary or permanent connection through which Backflow can or may occur.
- 1.6 Curb Stop** – Part of the water service, usually located at or near the owner's property line, where the Town has complete access and control to shut off the water supply to the premises.
- 1.7 Customer** – The term "customer" shall mean the individual, firm, corporation or any entity listed as the owner of the property. Customer shall mean the Owner of the Premise / Property, who shall be responsible for payment of bills for charges for water and sewer service to the property whether or not the premises is occupied by the Owner or the Owner's authorized representative.
- 1.8 Department** – "Department" shall mean the Town of Harwich Water Department.
- 1.9 Irrigation/Sewer Deduct Meter** – Meter used for the purpose of determining water use for lawn sprinklers or other approved process use that are either owned and maintained by the Water Department or the Owner of the Property.
- 1.10 Main** – A "main" shall mean the supply pipe laid in the street from which property connections are made. The Department shall consider part of the main to include from the corporation stop to the street side of the curb stop.
- 1.11 Meter Pit** – An underground vault enclosing a meter.
- 1.12 Service** – A "service" shall mean the pipe running from the curb stop and a curb box into property. Customer Water Service shall be defined as the entire water service excluding any corporation stop and/or valves directly associated with the water main. The Customer will be assessed for any repairs, replacements, or other services rendered to the Customer Water Service.

- 1.13 Superintendent** – “Superintendent” shall mean the Superintendent of the Water Department or the Superintendent’s designee.

**Additional Definitions**

Additional definitions as applicable are adopted as set forth in Massachusetts Universal State Plumbing Code, 248 CMR and in the Massachusetts Board of Fire Prevention Regulations, 527 CMR.

**Section 2: General Provisions**

**2.1 Contractual Agreement**

Acceptance of service shall bind the customer to the laws, rules, regulations and policies of the Commonwealth of Massachusetts, the Town of Harwich and the Harwich Water Department, and shall form a part of the contract with every customer and shall be adhered to and govern the relations between the Department and the customer who is connected to the municipal water system and is bound hereby.

**2.2 Application for Water Service**

All applications for any new installations, alterations, replacements or change to water service shall be submitted for approval to the Superintendent or Superintendent’s designee to the water office by the owner of the property or their authorized agent in writing. All applications shall include an engineered plan stamped by the Board of Health locating the septic system on the property. A building permit must be acquired before a service tap can be furnished.

**2.3 Ownership Responsibilities & Liability**

All pipes, valves, taps and other appurtenances between the municipal water main and the curb stop up to the property line are the property and responsibility of the Department. All piping, valves, equipment and any other appurtenances “downstream” of the curb stop are the property and responsibility of the customer although such items are required to meet the standards and specifications of the Department. An exception to the above is the primary water meter, which will always be the property of the Department.

**2.4 Responsibility for Charges**

Customers of water shall be charged with and held responsible for all water passing through their water meter. All charges remain with the account until paid regardless of sale.

**2.5 Availability of Municipal Water**

Application will be accepted for review subject to there being an existing municipal water main in a street or right-of-way abutting the premises to be served, but approval of an application shall in no way obligate the Department to extend its mains to provide water to a property.

**2.6 Location, Plans and Specifications**

The Department has the exclusive right as to the location of any and all water services, fire service lines, hydrants and water meters on the distribution system. Plans for said construction and or replacement shall be submitted with the application showing the curb

box connection, the service line to the structure and the meter location. In the event that more than one meter is serviced by one service line, there will be a manifold used to provide a separate meter hookup for each designation. This must be provided on each preliminary plan before final approval is given. Any service line over 100' must have a meter pit closest to the curb stop or property line before their meter installation is approved.

## **2.7 Construction**

Owner of property desiring construction, alterations or attachments connected with the water supply shall submit plans and specifications for the proposed work to the Superintendent for inspection and approval and for a determination as to whether the same is permissible. The Superintendent shall determine the terms, charges and conditions under which the proposed use shall be permitted.

## **2.8 Private Wells**

All private wells used for irrigation shall not be connected to the Harwich water system or domestic plumbing at any time. Should any violation be noted, the Department reserves the right to shut the water off until the situation is resolved and all fees have been paid.

## **2.9 Right of Entry**

Owner or occupants of any premises served by the Harwich water system shall, upon presentation by Department personnel of their credentials, authorize entry to their premises without a warrant for the purpose of inspecting and surveying their water system for new installation, cross connection, leak detection or to remove, repair, read or replace the water meter at any time the department deems necessary. When such access is refused, the water shall be shut off and shall not be turned on until such access has been allowed and fees have been paid.

## **2.10 Fires**

In the event of a large fire all customers shall curtail the use of water in the affected area.

## **2.11 Conditions under Which Service is Furnished**

The Town does not guarantee constant pressure or uninterrupted service, nor does it assure the customer either a full volume of water or the required pressure necessary to effectively operate hydraulic elevators, sprinkler systems or other appliances, the same being subject to all the variable conditions that occur in the supply of water from the Town's water system.

## **2.12 No Liability for Interruption of Service**

No customer shall be entitled to damages or to have payment refunded for any interruption of supply, occasioned by accident to any portion of the works, by shutting off for the purpose of additions or repairs to the works or by the stoppage or shortage of supply due to causes beyond the control of the Department, such as excessive drought, excessive use of and waste of water by customers or by leaks or defects in the pipes or appliances owned by customer or other customers.



**2.13 No Liability for Dirty Water**

The Town shall not be responsible for damages caused by dirty water resulting from opening or closing of any gate, use of any hydrant, the breaking of any pipe, or maintenance of the water system.

**2.14 No Liability for Customer's Pipes**

The Town assumes no liability for conditions, which exist in customer's pipes and cause trouble coincident with or following the repairs of any main, service pipe, meter or other appliances belonging to the Department.

**2.15 No Liability for Collapsed Boilers, Etc.**

The Department reserves the right at any time and without notice to shut off the water in mains for the purposes of making repairs, extensions or for other necessary purposes. Customers having boilers or other appliances on their premises depending on the pressure in pipes to keep them supplied with water are hereby CAUTIONED against danger from these sources and are required to provide, at their own expense, suitable safety appliances to protect themselves against such danger as per Massachusetts Drinking Water Regulations 310 CMR 22.22. In any event, it is expressly stipulated that the Department will not be liable for any damage resulting from water having been shut off either through accident or necessity.

**2.16 No Liability for Shutting Off Water without Notice**

When it becomes necessary to shut off the water from any Section of the Town because of an accident or for the purpose of making changes or repairs, the Department shall endeavor to give timely notice to as many customers affected thereby as time and the character of the repairs or the accident will permit and shall, so far as practical, use its best efforts to prevent inconvenience and damage arising from any such cause. However, failure to give such notice shall not render the Department responsible or liable for any damages that may result from the shutting off of the water or any coincident conditions.

**2.17 Restriction of Water Use**

The Department reserves the right in periods of declared drought or emergencies or when, by Declaration of a State of Water Emergency under Massachusetts General Laws Chapter 21G are deemed essential to the protection of the public health, safety and welfare, to restrict water supply for secondary or non-essential purposes such as watering of lawns and gardens (either by hand or sprinkler) and vehicle washing (EXCEPT for sanitary purposes such as rubbish trucks). The Department shall have the right to fix the hours and periods when water may be used for such purposes. Any such restrictions will be promulgated by means of Special Water Regulations or By-Laws adopted by the Harwich Board of Water/Wastewater Commissioners. During this time the filling of swimming pools, hydro seeding, soaker hoses and power washing are strictly prohibited.

**2.18 Easements**

In any case where an existing municipal water main or appurtenances are located on private property and a recorded easement does not exist, an implied easement is deemed to exist with the same force and effect as a recorded one.

**2.19 Liability for Freeze Ups**

It is the responsibility of all water service customers to ensure that all plumbing, fixtures, meters and appliances are protected from freezing. The customer shall make any repairs, which may be necessary to prevent leaks and damage. Neither the Town nor the Department shall be held responsible for loss or damage to any plumbing, fixtures, meters or appliances due to freezing and any repairs to same made by the Department shall be paid for by the customer.

**Section 3: Charges****3.1 Establishment of Rates**

Rates chargeable for water and payable by the customer shall be determined by the Harwich Board of Water/Wastewater Commissioners as instructed under Massachusetts General Laws Chapter 41 § 69B.

**3.2 Bills Payable**

Bills for water service are due and payable upon issuance of the bill. The failure of the customer or his/her agent to receive notice of their water bill or other related charges does not relieve them from the obligation for payment or from the consequences of nonpayment. All charges are due and payable upon issuance of billing and are past due THIRTY (30) DAYS after the date of the billing. The records of water supplied in the Department shall be sufficient basis for billing and to commence action for nonpayment against present and or consequent owners of record.

**3.3 Overdue Charges**

Any overdue charge including late fees or interest charges may be collected by any legal means, including a lien on the property or shutting off the water service as an action of contract as provided under the provisions of Massachusetts General Laws Chapter 40 § 42A-42F.

**3.4 Payment Plans**

If a payment plan is requested, the account must not be in arrears by more than two billing periods. If a payment plan is requested after the original billing due date, a late penalty will be assessed to the account. If the terms of the payment plan agreement are not kept, the plan becomes void.

**3.5 Shut-Off for Non-Payment**

The Water Department may shut off the flow of water to a property if the water customer has failed or refused to pay the lawful charges associated with the account. A water shut-off notice will be issued by means of a notice card left at the property and or by certified postal mail directed to the last address furnished to the department giving at least 36 business hours' notice as required by law. If the full balance is not paid within the 36 business hours, the water service may be terminated by department personnel between the hours of eight anti meridian and four post meridian, Monday through Friday. After the service has been shut off, the account will be assessed a reconnection fee to have the water reinstated and any associated administrative costs.

The balance must be paid in full before the water service can be reinstated. If the turn on is requested after regular operating hours, the after-hours rate will be assessed and the

balance is to be paid no later than the next business day. If the water cannot be turned off due to special circumstances, a lien will be placed against the property. The property owner or tenant may at any time appear before the Board of Water/Wastewater Commissioners. The property owner may also appeal a Board's decision to the Appellate Tax Board within three months of the date hereof pursuant to the provisions of G. L. c. 59, §§ 64 to 65B, inclusive.

### **3.6 Collection of Miscellaneous Water Charges**

All department services and materials rendered at a property shall be subject to the same conditions as charges for water.

### **3.7 Delinquent Accounts**

No person who owes an overdue bill shall be entitled to further use of water or services at the same or any other premises until such charges are paid in full, together with any associated fees.

### **3.8 Claims for Adjustments on Bills**

All claims for adjustments of water bills shall be made within thirty (30) days of the billing due date. Abatements will be made for clerical errors, misreads or failure of Department equipment. Abatements will not be issued for water leaks or high consumption, unless otherwise determined by the Board of Water/Wastewater Commissioners.

When determining abatements for domestic water leaks (excluding irrigation leaks), usage from three similar usage quarters can be averaged and any usage above may be considered for adjustment at the first-tier rate as a one-time disaster forgiveness occurrence.

### **3.9 All Water to be Metered and to be Paid**

All water must be metered and paid for whether used or wasted. A minimum charge shall be assessed for water service from the date the water is connected to the town water supply, unless otherwise determined by the Board of Water/Wastewater Commissioners.

### **3.10 Leaks**

The Department shall have the right to shut off water supplied to any property where a leak exists or is believed to exist. Any such leaks must be repaired and must pass inspection by the Department before water will be restored. In addition, each customer shall be responsible for the cost of any repairs to any private portions of the water system as well as the cost of water.

### **3.11 Service Tap Renewals or Replacements**

In the event a new service tap is required or requested it shall be considered a service renewal using the existing main tap. If a new main tap is needed, applicable charges will apply.

**Section 4: Meters****4.1 Meter Installation**

A shut-off valve at the meter inlet shall be the first fitting inside of a serviced building and shall be installed by the Department. A ball valve as the first fitting “downstream” of the meter shall be installed at the expense of the customer. The meter shall be located in a clean, dry, warm and accessible location. A certified Plumber must complete any connection past the meter. Any service line over 100’ must have a meter pit closest to the curb stop or property line before their meter installation is approved.

The appropriate size, type and location of the meter shall be determined and approved by the Department and based on the AWWA Manual Sections M22 and M6 or as amended. All meters will be remote read as required by the Department. Any meter larger than 2” must be a compound meter. Meter and installation are at the expense of the owner. Routine meter maintenance shall be provided by Department.

**4.2 Customers to Pay for Meter Repairs**

Meter repair or replacements due to damage caused by accident or negligence shall be charged to the customer.

**4.3 Meters Purchased from Department**

All water meters must be purchased from the Department. Only these meters may be used on its water system.

**4.4 Meter Removal**

Water meters shall not be removed from the water system by anyone other than Department personnel. Once a meter has been removed, it is the responsibility of the owner to maintain custody of the water meter at the property. Violation of this rule shall be considered meter tampering and be subject to applicable fines.

**4.5 Meter Pits**

Installation of meter pits shall be at the customer’s expense. When it is necessary or expedient to locate the meter in an underground box or vault approved by the Department, the customer shall bear the expense of same and shall bear the responsibility of reasonable care and maintenance of said box or vault such as keeping it clean and dry. The customer shall not be permitted to cover the pit or in any way hinder access to the water meter. Meter pit covers must remain exposed at all times. Pits shall be furnished with inlet and outlet connections that accept a variety of Mueller underground service connection fittings that meet requirements of the latest revised AWWA Standard C800-89. For the purpose of standardization, the meter pit shall be Mueller with specifications determined by the Superintendent or Superintendent’s designee.

**4.6 Meter Tampering**

A penalty or charge will be levied for each incident of tampering, installation alteration, and removal of a water meter by anyone not authorized by the Department. In addition, the Department reserves the right to pursue further prosecution in accordance with Massachusetts General Law Chapter 165 § 11.

**4.7 Water Department's Right to Change Meters**

If, in the opinion of the Superintendent, a meter does not fit the conditions of the service installation, the Department has the right to change such meter. Such a change shall be made in accordance with current regulations and paid by the customer.

**4.8 When Meter is Out of Order**

If a meter fails to register, the customer shall be charged based on the best available information concerning water use.

**4.9 Repairing Meters**

The Department shall have the right to remove, repair or replace any meter at any time it so determines.

**4.10 Access to the Meter**

It shall be the duty of all customers to ensure that meters on service connections be readily accessible at all times to Department personnel. Failure to provide access or remove any obstruction which prevents access to the meter within three days after being notified by the department shall cause the water to be shut off to the premises and it shall not be turned on until all obstructions are removed, all regulations complied with, and all expenses for shutting off and turning on the water are paid.

**4.11 Residential Meter Testing vs. Testing Meters by Request**

If during any dispute where a water meter reading is being contested, a customer may request to have the meter sent to a certified testing facility at the owner's expense. Should the Department request to have the meter tested, it will be at the Department's expense. If as a result of the test the meter is found to register over two (2) percent more water than actually passes through it, the meter shall be replaced. At that time, they may receive abatement. Their bill will also be adjusted in accordance with the result of this test.

However, if it appears that the customer was charged or has paid for less water than they should have been charged or should have paid, they shall, forthwith, be charged with the proper additional amount and shall pay the same together with the expense of the examination and test to the Department. If the Department chooses to change a meter at any time, it is not an admission that there is something wrong with the present meter.

**4.12 Commercial/Industrial Meter Testing**

The Superintendent can require that a large commercial or industrial meter be tested if there is reason to believe that said meter is not registering water accurately. Based on AWWA Standard C700, all meters shall be tested by agents or representatives of the Department.

Commercial/Industrial Meter Testing will be done at the expense of Department. If Superintendent requires such testing, the owner will be notified via certified mail. The owner will have 10 business days from receipt of letter to notify the Water Department of what action has been taken for the repair or replacement of the meter and 20 business days to have the actual repair or replacement completed. Failure to respond to the first notice will result in a second notice informing the owner that if in 10 business days they have not responded, the water service to the building will be shut off. The billing will be based on the highest quarterly usage out of the last four billing cycles.

**4.13 Irrigation/Sewer Deduct Meter**

Properties served by the Towns wastewater collections system may install, at the owner's expense, a second meter to monitor outdoor usage. Properties electing to install an irrigation/sewer deduct meter will have two (2) water meters, one meter will register all water entering the property and the second meter capturing only outdoor usage not contributing flow to the municipal sewer system. Outdoor usage captured by the second meter will NOT be subject to sewer usage fees. Irrigation/Sewer Deduct meters shall be installed in accordance with the Department Irrigation/Sewer Deduct Meter Policy.

**Section 5: Service, Pipes and Fixtures****5.1 Service Pipes**

Customers must keep their water pipes and fixtures in good repair and protected from freezing temperatures at their own expense. They shall be held responsible for any damage resulting from their failure to do so. They shall prevent any waste of water.

**5.2 Joint Use of Pipes or Trenches**

Water service pipes will NOT under any circumstances be placed in the same trench with other pipes, conduits or similar structures such as gas lines, electrical conduit, sewer pipe, etc.

**5.3 Portion of Service Pipe Furnished by Water Department**

New service connections shall be made by the Department and brought to the meter. The Customer shall be charged the current rate for tapping and connection fees.

**5.4 Right to Repair and Replace Service Pipes**

The pipe from the property line to the meter is the responsibility of the customer and all the repairs to the same shall be made at customer's expense unless covered by the Service Tight Protection plan. All service pipes between the street line and the meter must be repaired or replaced by the Department when it deems it necessary for the protection of the supply or the supplying of satisfactory water service. The cost shall be charged to the customer. The Department also reserves the right to assess the condition of "owner responsibility" service piping, valves, etc. on a periodic basis in order to determine the functional and physical adequacy of the stated appurtenance and, if such is determined to be inadequate, the Water Superintendent may order the owner to replace such at the owner's expense. Failure to take corrective actions as prescribed by the Superintendent will be cause for termination of water service to those premises. In addition, each customer of water furnished by the Department shall be responsible in case of a break or a leak in the service pipe for both water loss and cost of repairs. Costs will be actual or estimated as determined by the Department.

**5.5 Temporary Service from Adjacent Premises**

When permission to open a permanently paved street is refused by the Highway Department or when, for any physical reason, it is impossible to open a street and the applicant requests that water be furnished temporarily from an adjacent service, the same may be done at the expense of the customer if approved by the Superintendent.

**5.6 Materials on Private Premises**

All fittings supplied by the Department to the customer shall be billed to the customer.

**5.7 Irregular Service**

Services that are not used for permanent and or habitable structures must be approved by the Department before any use is allowed.

**5.8 One Service to Each Unit**

The Department will only allow one (1) service connection per unit. A meter shall be placed in each individual unit located in a building. This includes all commercial or industrial buildings, new Condos and Town Houses.

**5.9 Requests for Turning On or Shutting Off Water**

Requests for turning on or shutting off a water service for repairs shall be made during normal business hours, except in case of an emergency. Customers shall be charged for turn on and turn off of each such service. Only Department personnel shall open and or close curb stops. Should the customer require after hour turn on or turn off, they shall be billed at the overtime rate. The Department shall not be held responsible for or perform any work downstream of meter.

**5.10 Seasonal Service**

All seasonal service requests for water turn on or shut off will require a two-week notice for completion (the two-week notice begins in advance of water turn on request date and for shut off requests, the two-week window begins after the property has been drained) and will be done between the hours of 7:00 a.m. and 3:30 p.m., Monday through Friday except for emergencies. All prior bills, charges, fees and liens must be paid in full prior to service being activated. If a seasonal customer fails to schedule their 2-week notice and wishes to pay the out of rotation fee, they shall be billed at the overtime rate. See applicable Rates and Fees. The owner shall be responsible for having the service properly winterized prior to scheduling the water to be shut off by the Department.

**5.11 No Pipes Furnished in Winter**

No new water mains shall be installed from November 15<sup>th</sup> through March 15<sup>th</sup> unless weather permits. The only other exception allowed are circumstances deemed an emergency. Applications must be received by November 1<sup>st</sup> for installation by November 15<sup>th</sup>. Installation of services beyond the end of an existing water main shall not be allowed. The main must be extended (including necessary hydrants and appurtenances) to the furthest limit of the customer's property at their expense. Water mains shall be looped when required by the Superintendent.

**5.12 Service Pipe Trenches**

Service pipes shall not be placed within 10 feet of any other utilities, except under special conditions and with the approval of the Superintendent. The Department shall not be responsible for damage to other utilities laid within 10 feet of a water service or water main.

**5.13 Standby Fire Protection**

Customers desiring standby fire protection must submit a water service application to the Department. The Department shall furnish water for a fire protection service in

accordance with the specifications for that sprinkler system. All equipment for this purpose shall be installed entirely at the expense of the customer and with the approval of the Superintendent. Such pipes shall not be used for supplying water for any other purpose than the fire system. The fire system must be arranged so that Department personnel can make easy inspection. Whenever it is considered necessary for the protection of the water supply and in the interest of the Town, the Superintendent shall have the right to require the installation of meters, alarms, backflow devices or other accessories. The installation and upkeep of such equipment shall be done so at the customer's expense. All installations and testing must be completed in accordance with Massachusetts General Laws.

#### **5.14 Water Supply Availability**

The Department shall make the determination as to the availability of adequate water supply for such services. The Department shall not bear responsibility to extend existing water mains in order to provide adequate water supply for such service. No fire service connection shall be less than a six (6) inch diameter and shall not be used for anything other than fire protection.

No water shall be taken or used through private fire systems for the purpose of testing unless the Superintendent issues written permission. Such test must be conducted under the supervision of the Department.

#### **5.15 No Right to Furnish Water to Others**

A customer shall not be permitted to supply the premises of another person with water, except in special emergencies and then only with the approval of the Superintendent.

#### **5.16 Use of Fire Hydrants**

The use of all fire hydrants is restricted to employees of the Water Department or by persons given specific authorization by the Water Department. During emergencies members of the Fire Department of the Town of Harwich and or other towns lending mutual aid are authorized to operate fire hydrants. In the event that a hydrant is to be used for any other purpose, the Department must be notified and a hydrant meter installed. If the hydrant meter is needed longer than a 24-hour period during frigid weather, the Superintendent or his/her acting agent may require the removal and reinstallation of the meter in order to protect it from freezing. All labor and usage charges incurred from the use of the hydrant, are the responsibility of the requesting party. Hydrants are not to be used to fill swimming pools. Any unauthorized use of fire hydrants without written permission of the Harwich Water Department will result in a \$1,000.00 Fine.

#### **5.17 Cross Connection Control**

If, in the opinion of the Superintendent, the installation of an approved backflow preventer (s) on the property side of a meter is considered necessary for the safety of the water system, such approved device(s) shall be immediately installed at the expense of the customer after due notice in writing has been given to the customer by the Superintendent. Said device(s) shall be installed and tested in accordance with the drinking water regulations of Massachusetts, 310 CMR 22.22. All tests shall be performed by the Department or agent and shall be charged as set forth in § 8. Failure to install or properly maintain a Department approved device, may result in the water being



shut off to the property until compliance requirements are met. In addition, all private water lines running below grade shall be fit with a testable backflow device.

## **Section 6: Requirements & Specifications for Laying Water Mains**

### **6.1 Materials and Installations**

All materials to be used in conjunction with any and all water mains and installations of the same shall be in strict accordance with these “Specifications for Water Mains and Service Installation” of these regulations. All water mains and appurtenances shall be installed by the Department employees or a Contractor who has been approved by the Department.

### **6.2 Pipe Size**

All water mains shall be sized by the Department in conjunction with the Master Plan of the distribution system, or as calculated by the Department or its consulting engineers. All new water mains shall have the minimum diameter of eight (8) inches. Piping for hydrant services shall have the minimum diameter of six (6) inches.

### **6.3 Fire Hydrant Spacing**

Fire hydrants shall be spaced at a minimum distance of 500 feet in residential zoned areas; 250 feet in commercial, business, and industrial zoned areas. The Fire Chief can request a different spacing standard depending on the situation. The applicant must show proof that the Fire Chief has approved all proposed fire hydrant locations. Measurements shall be taken along traveled way, whether public or private. Space and additional fire hydrants shall begin at the closest existing hydrant. An additional fire hydrant shall be placed at the dead end of all water mains.

### **6.4 Fire Hydrant Access**

No person shall obstruct access to a fire hydrant. Fire hydrants shall have a three-foot clear radius measured from the center of the stem of the top of the hydrant. No foliage, fencing, parking space, or other object shall obstruct the clear area. No person may landscape to change the grade around the base of the hydrant so as to prevent the use of a four inch cap. Location where existing objects such as, but not limited to, buildings, walls, fences, trees, on sloping grades that does not permit a three (3) foot clearance radius, may be granted a waiver by the Water Department. Before any waiver of this Regulation is granted, all other possible locations must be considered. Existing hydrant locations shall not be altered or moved for any reason unless determined by the Superintendent.

### **6.5 Cost of Water Mains and Hydrants**

In private division of lands, commercial, business or industrial complexes, and all other areas not presently serviced by Harwich water system, the developer or owner shall be responsible for all costs with regard to water main installation(s), hydrants and connection(s) to existing system and or maintenance of already installed water mains and hydrants. All water mains shall be installed to the furthest property line.

### **6.6 Need for Water Mains**

The developer or owner of a division of land where water is available within 500 feet will be required to serve and supply the development with water in accordance with these

regulations. Any property that has existing public water service and is a division of land, the developer or owner will be required to upgrade the water mains and services to comply with these rules and regulations before the transfer of any parcel. Industrial, commercial, condominiums or multi-family residential, and like buildings that are not a division of land shall be reviewed by the Water Superintendent and the Fire Chief on an individual basis. They shall still be governed by these Rules and Regulations and be required to install and maintain water mains and fire hydrants.

#### **6.7 Application for Water Main Installations**

An application for water main installation shall be completed by the developer or owner and submitted to the Department for review and approval before any work can proceed. All applications must contain the complete information requested and an engineered construction plan prepared by a Massachusetts Registered Professional Engineer. Payment of all required tapping fees, and installation fees including the service availability charge and any other fees established by the Board of Water/Wastewater Commissioners shall be made at the time of application.

Water main installations must be performed by an approved contractor listed on the Department's certified Water Main Installer list. Water main inspections must be performed by an approved inspector listed on the Department's certified Water Main Inspector list.

Contractors and/or Inspectors interested in becoming certified, must first submit a letter of interest, credentials, certificates of insurance and three letters of reference for similar work performed in nearby, surrounding towns, to the Board of Water/Wastewater Commissioners for approval. Once approved, the contractor and/or inspector must complete 3 water main installations and/or inspections within the town of Harwich during a probationary timeframe. Upon the successful completion of 3 jobs that meet or exceed the Department's expectations, the contractor and/or inspector will be added to the certified list of Water Main Installers and/or certified Water Main Inspectors.

#### **6.8 Pipe and Fittings**

All water main pipes shall conform in design and manufactured to the latest issue.

ANSI/AWWA standard C151-91 Class 52 "Ductile-Iron pipe, Centrifugal cast, for water or other liquids". The pipes shall be supplied in lengths not to exceed 20 feet. Pipe shall have a pressure class of 300.

All fittings shall be Ductile-Iron and conform in design and manufactured to the latest issue of AWWA standard C110 "ductile-Iron and Gray-Iron fittings, 3 ins. through 48 in. for water and other liquids".

All pipe and fittings shall have a Cement-Mortar lining inside and a Bituminous Seal Coat applied both inside and outside to conform to AWWA C104, "Cement-Mortar lining for Ductile-Iron pipe and fittings for water".

Push on and Mechanical joints shall be manufactured domestically and shall conform in design and manufactured to the latest issue of AWWA standard C111 "Rubber-Gasket joint for Ductile-Iron pressure pipe and fittings".

**6.9 Valves**

All valves shall conform in design and manufactured to the latest issue of AWWA standard C500 “Resilient-Seated gate valves for water supply”, rated at 150-psi working pressure and a minimum 300-psi pressure test.

All valves shall have a 2-inch operating nut, mechanical joint hubs (except for wet taps), and open in a counter clockwise direction. If shallow depth of burial or other conditions of service requires that the valve be installed in a horizontal position, a nut-operated bevel gear shall be fitted to the valve for service operation through a valve box.

**6.10 Hydrants**

Hydrants shall comply with the following:

- Direction of Opening – Right Open
- Bury Length – 5.5 feet
- Height (bury Line to Opening Nut) – 28.75 inches minimum
- Model – Traffic (Breakaway Design)
- Color – Safety Blue Body
- All chains must be removed.

All hydrants shall have a permanently mounted marking device approved by the Department.

All hydrants must meet applicable parts of ANSI/AWWA C502 standard. In the event that a hydrant is not in service or temporarily taken out of service, the hydrant is to be clearly marked with an out of service ring and notification provided to the Fire Department.

**6.11 Cover over Pipe**

Pipe shall have five (5) feet of cover measured to finish grade of the street. Pipe to be hand covered one (1) foot with sand or stone free gravel and compacted and tamped around pipe to give good support and protection.

In case of any excavation, ground water swamps or when any unsuitable materials are encountered, the Contractor shall replace it with good material to provide proper support and alignment of the pipeline. In some cases, the Contractor shall use crushed stone for bedding covered with sand. Trench backfill shall be suitable material taken from excavation, approved common borrow or gravel hauled in. No mud, frozen earth, stones larger than 3/4” or other objectionable materials is to be used for refilling.

**6.12 Ledge**

All ledges shall be removed to width of two (2) feet or greater than the diameter of the pipe and one (1) foot below the underside of the pipe. A bed of sand shall be placed in the trench prior to laying pipe.

**6.13 Blasting Precautions**

All blasting shall be discussed with the Superintendent and or the Engineer’s and the decision shall be made on individual bases.

**6.14 Survey Markers**

Survey markers (line and grade) shall be required on all newly proposed streets. Pipes shall be laid within the roadway layout (easement in certain cases) as shown on plans approved by the Harwich Planning & Zoning Board.

**6.15 Excavation within the Limits of Public Ways**

Permission shall be obtained from the Highway Department before any excavation can begin within any Town way. Road restoration shall be completed in accordance with local or state regulations. A street opening permit shall be obtained from Massachusetts Department of Public Works before any excavation can begin on any State Highway. This work shall be performed in accordance with permit.

**6.16 Service Pipes**

Each service shall consist of a corporation stop, curb stop, curb box, ball valve and a meter and remote reader as soon as the water service enters building.

**6.17 Testing of Water Mains**

Before acceptance by the Department, the pipe shall be pressure tested and chlorinated in accordance with "Installation of Ductile-Iron Water Mains and Appurtenances" AWWA Designation C600 latest edition. No one shall pressure test or chlorinate an installation without notifying the Department at least 48 hours prior. An employee of the Department must be present for the duration of the pressure test and chlorination to witness and sign the chain of custody forms. All pressure test reports shall consist of actual distance of pipe and size, and the number of valves and hydrants. The Town shall furnish a water meter to measure water usage for disinfection and flushing. A sample of water taken after the disinfection of water pipes shall be delivered to a testing laboratory approved by the Commonwealth of Massachusetts. The contractor must then deliver two consecutive copies of the test results with zero background to the Superintendent. Before final approval is given by the Superintendent, the contractor must submit an as-built drawing to the Department. It is at this time the Superintendent shall then determine whether the pipes (project) may be accepted into the Town's water system.

**6.18 Tapping Sleeves & Valves: Gate & Butterfly Valves**

Tapping sleeves & valves, gate and butterfly valves shall be furnished in accordance with the requirements of the latest revised AWWA Standards C509-94 and C504-94. Tapping sleeves and valves shall be of the same manufacturer. Gate valves 6" through 12" shall be mechanical joint, bronze mounted, resilient seat wedge type, open left (counterclockwise) with 2" operating nut. For the purpose of standardization, tapping sleeves and valves, gate and butterfly valves shall be Mueller.

**6.19 Gate Boxes**

Buffalo #5663 slide type 24" top with flange at top of box with 30" bottom. Boxes to be cast iron, bituminous coated with cast iron covers for heavy traffic use. Covers shall be identified with legend "WATER".

**6.20 Water Mains on Private Roads**

It is the sole responsibility of the residents or owner(s) of private roads to repair and maintain all water mains and appurtenances, valves and hydrants. It is also the responsibility of residents and or owner(s) to maintain sufficient amount of soil coverage

over any water main. All water mains are required to maintain a minimum of a 5' depth below finish grade at all times. The Department is not responsible for water mains on private roads.

#### **6.21 Road Layout**

Any privately owned pipes and or wires in the Town's road layout are not the responsibility of the Department. Any items in the road layout that are damaged will not be paid for by the Town of Harwich.

### **Section 7: Violations**

#### **7.1 Violations of Regulations**

Any violation of these regulations may result in the Superintendent and/or the Board of Water/Wastewater Commissioners ordering a fine in accordance with Massachusetts General Laws Chapter 165, § 11 and/or the shutting off of the water to the violator's premises. If the water is shut off for violations of rules it shall not be turned on again until the Department is satisfied that there shall not be further cause of complaint and charges have been paid.

#### **7.2 Discontinuance of Service**

A water service may be discontinued for any reason such as nonpayment of water bills, fees, charges and liens or for violations of any rules and regulations contained herein, and in accordance with Massachusetts General Law Chapter 40 §42. A water service may be terminated without notice for fraudulent use. Reconnection of terminated service will be done ONLY during normal working hours of the Department; a reconnection fee shall be applied. Water service will not be reconnected until all charges have been paid in full.

#### **7.3 Inactive Services**

If an account does not have a meter and has been inactive for more than 24 months, the Department may disconnect and cap the service from the distribution system. If the property owner wishes to keep the service connected to the system, he or she must apply for an extension that may not exceed one year unless there is a special condition made and set forth by the Board of Water/Wastewater Commissioners.

#### **7.4 Cross Connections**

Whoever maintains a cross connection in violation of M.G.L. c. 111, § 160A, shall be:

1. punished by a fine of not more than \$25,000 for each day such violation occurs or continues, or by imprisonment for not more than one year, or both such fine and imprisonment, or
2. subject to a civil penalty not to exceed \$25,000 per day for each day that such violation occurs or continues.

Water will be turned off immediately until violation has been corrected. There will be a Turn on and Turn off fee assessed per violation. There is also a testing fee per device, see non water related fees.

**7.5 Treatment**

No treatment by any unauthorized personnel shall be permitted. If anyone is found adding any treatment to Town's water, they will be subject to fines established by the Board of Commissioners for each individual offense.

**7.6 Mandatory Water Use Restrictions**

Any customer found in violation of a water ban shall be fined as follows:

- First Offense – written warning
- Second Offense - \$100.00 dollars
- Third and any subsequent offense - \$300.00 dollars

**7.7 Swimming Pools**

The filling of swimming pools with the use of a fire hydrant is strictly prohibited. Violators will be subject to penalties in accordance with Massachusetts General Laws, Chapter 165.

**7.8 Unauthorized Water Use**

Whoever unlawfully and intentionally damages a water meter or prevents such meter from registering the quantity of water supplied through it or uses or causes to be used water without consent of Department shall be fined in accordance with Massachusetts General Law, Chapter 165, §11.

**7.9 Defacing and Littering Upon Town Owned Property**

Any person or persons willfully defacing and or littering upon Town owned property located within its watershed shall be fined no less than \$300.00 dollars.

**7.10 Tampering**

All gates, valves, shutoffs, water meters and standpipes and any other portion of the municipal system, are the sole property of the Department, and are not to be opened, closed, removed or in any way tampered with or made inaccessible. Only personnel authorized by the Superintendent may operate any portion of the municipal system. Violators will be subject to charges or penalties determined by the Board of Water/Wastewater Commissioners.

**7.11 Markouts**

No excavator shall, except in an emergency, make an excavation where town water exists unless notice is given to the Department at least 72 business hours before excavation. If an excavation is made without the request of a water mark out, the excavator shall be held solely responsible for any and all damages and injuries caused, and any penalties or legal action that may be brought against excavator, company, or its representatives.

**7.12 Utility Markout Policy**

- a) Utility shall submit road cut permit request directly to the Highway Department.
- b) Utility shall submit markout request to the Department 72 hours before markout is needed, for 10 or less residences. For 10+ residences, a 2-week notice is required. Bad weather may alter this schedule.
- c) There will be a fee charged per markout(s) per fee schedule.
- d) The markout package shall include the following:
  - Utility's work order/reference and dig safe number

- A map/diagram highlighting area of utility service work to commence.
- Dig safe documentation
- Project start date
- Contact name, number and/or email address of contact.

As of 8/20/13, utility shall provide a complete markout package as noted in item D above. For large projects, Utility Representative must deliver by hand a complete markout package.

Each utility shall not submit more markout request than the utility can complete within thirty (30) days of initial work request(s). If work is not completed within thirty (30) days, a new markout request is required and the utility will be charged for the new markout.

Each utility will receive a monthly bill for services rendered. Payment will be due within 60 days. Late payment will result in late fee charge as per fee schedule.

If payment is not made within 3 months (90 days), the Department will cease all markouts until balance is paid.

## **Section 8: Rates & Charges**

### **8.1 Setting Fees and Charges**

Fees and charges are subject to change upon approval of the Board of Water/Wastewater Commissioners and after all legally advertised public hearings and meetings have been completed.

See Appendix for Current Rates and Fees

## **Section 9: Irrigation Systems**

### **9.1 Irrigation System Notification**

All properties with irrigation systems must notify the Department. If a property owner has not notified the Department, the water may be shut off to the property until proper notification has been filed.

### **9.2 Irrigation Backflow Device**

All irrigation systems must have a testable backflow device. All tests will be conducted by a State Certified Licensed Backflow Device tester. If a system is found to be operating without an approved backflow device, the water may be shut off to the property until all Department compliance requirements are met.

### **9.3 Irrigation/Sewer Deduct Meter**

See Section 4.13 Irrigation/Sewer Deduct Meter

## **Section 10: Service Tight Program**

### **10.1 Service Tight Program**

The Town offers a voluntary Service Tight Protection Plan; this program offers eligible customers the right to apply for enrollment into the Service Tight Program for all services

2" and under from the curb stop to the water meter. Condominiums, apartments, multi-unit properties and service lines after meter pits are not eligible under this plan. All enrollees must agree to and meet all conditions set forth in the Service Tight Program. This service will have an automatic fee, billed quarterly and will provide all services mentioned in the program brochure.

Delinquent accounts over ninety (90) days will be automatically unenrolled and will not be eligible for re-enrollment until all account charges have been paid in full. The Department reserves the right to cancel this program at any time. The Service Tight Program is not transferrable.

Enrollment begins ninety (90) days after application is received. The Customer may cancel the Service Tight Program at any time by placing their request in writing to the Harwich Water Department, 196 Chatham Rd. Harwich, MA 02645.

If the customer chooses to cancel the plan prior to the initial waiting period, they may do so in writing. If cancellation is requested after the billing period, no refund will be given. When the customer chooses to sign up for this service, it is the customer's responsibility to become familiar with the Service Tight Plan guidelines.

The department reserves the right to change the terms and conditions of the policy at any time. Please refer to the applicable Rates and Fees. The Harwich Water Department reserves the right to deny plan coverage for any reason.



**Appendix A. Schedule of Rates and Fees**

Existing Rates and Fees schedule can be found at <http://www.harwichwater.com/customer-service/billing-payments/water-rates.html>. A proposed rate increase, legal advertisement and hearing will follow in the near future.

DRAFT

**Authentication**

Upon due notice and hearing, we the undersigned, acting as Water/Wastewater Commissioners of the Town of Harwich, do this <<\_\_\_\_\_>> adopt the foregoing “Rules and Regulations of the Harwich Water Department”.

Board of Water & Wastewater Commissioners:

|                              |       |
|------------------------------|-------|
| _____                        | _____ |
| Gary Carreiro, Chairman      | Date  |
| _____                        | _____ |
| Judith Underwood, Vice Chair | Date  |
| _____                        | _____ |
| Allin Thompson, Clerk        | Date  |

- Adopted: February 25, 1935
- Revised: January 1, 1961
- Revised: January 1, 2001
- Revised: January 10, 2006
- Revised: May 1, 2008
- Revised: May 15, 2009
- Revised: June 19, 2009
- Revised: February 9, 2010
- Rates/Fees: March 1, 2010
- Revised: July 27, 2010
- Revised: December 7, 2010
- Rates/Fees: April 26, 2011
- Rates/Fees: March 13, 2012
- Rates/Fees: March 19, 2013
- Rates/Fees: March 17, 2015
- Revised: October 30, 2015
- Fees: October 30, 2015
- Fees: April 13, 2016
- Fees: September 13, 2017
- Revised: <<TBD>>>