

CHERRY VALLEY AND ROCHDALE WATER DISTRICT

RULES AND REGULATIONS



ADOPTED SEPTEMBER, 1989

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INTRODUCTION

The Cherry Valley and Rochdale Water District, in the Commonwealth of Massachusetts, hereinafter referred to as the "District", was established by the acceptance of Chapter 381 of the Acts of 1910 and as amended by Chapter 152 of the Acts of 1911, Chapter 68 of the Acts of 1925, and Chapter 71 of the Acts of 1939. The Act sets forth the corporate powers and the duties of the District. The following Rules and Regulations are supplementary to and in accordance with Section 13 of the Act.

These Rules and Regulations and all subsequent amendments thereto shall be considered a part of the agreement with the property owner served, hereinafter, referred to as "Person", and are supplementary to the Act and the By-laws of the District.

ARTICLE I

DEFINITIONS

(Arranged in alphabetical order)

Terms not specifically defined in this section, shall have the meanings given by the definitions section of the Leicester Zoning By-laws, which are for that purpose incorporated herein by reference.

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

Section 1: Applicant

"Applicant" shall mean any person that has submitted a request to the Superintendent for the water whether it is for a single-family home, a multi-family home, a sub-division, a business, or industry.

Section 2: Branch

"Branch" shall mean any water main to be connected to an existing water main where the existing main is greater than six (6) inches in diameter.

Section 3: Commissioners

"Commissioners" shall mean the duly elected members of the Board of Water Commissioners of the Cherry Valley and Rochdale Water District or their authorized employees, agents, or representatives.

Section 4: District

"District" shall mean the Cherry Valley and Rochdale Water District.

Section 5: District Engineer

"District Engineer" shall mean any engineer or engineering firm that the Commissioners select to perform or assist in an evaluation relating to the operation of the water system.

Section 6: Licensee

"Licensee" shall mean any contractor who has been deemed capable and has been granted permission by the Commissioners to perform work on the water system, once a permit has been issued.

Section 7: Main

"Main" shall mean any water line in use by the District to supply water to more than one person's property on more than one lot.

Section 8: Superintendent

"Superintendent" shall mean the Superintendent of the Cherry Valley and Rochdale Water District or the Superintendent's duly authorized deputy, agent, or representative, as appointed by the Commissioners.

Section 9: Multi-Family

"Multi-Family" residence shall mean a building that is designed for and occupied exclusively for residential purposes and containing two (2) or more living units, such as condominiums, duplexes, apartment houses, hotels, motels, trailer parks, dormitories, extended health care facilities, congregate houses, etc.

Section 10: Permit

"Permit" shall mean the written authorization, by the District, to a licensed contractor to perform a specific task on the water system that has been approved by the Commissioners.

Section 11: Person

"Person" shall mean any individual, firm, company, association, society, corporation, or group.

Section 12: Service

"Service" shall mean any water line, between the curb stop and the water meter, connecting a water main to a person's property.

Section 13: Shall; May

"Shall" is mandatory; "May" is permissive.

Section 14: Sub-Division

"Sub-division" shall mean the division of a tract of land into two (2) or more lots.

Section 15: MassDEP

"MassDEP" shall mean (generally) the Division of Water Supply within such department, unless another division has jurisdiction over the subject matter of a regulation herein, in which case, the reference is to the appropriate division.

ARTICLE II

GENERAL REGULATIONS

Section 1: Power to Establish Regulations

The Commissioners may establish, change, and amend the Rules and Regulations for the introduction and use of water at any duly noticed meeting of the Commissioners, by a majority vote.

Section 2: Prevention of Water Waste

All persons taking the water supplied by the District shall prevent all waste of water.

Section 3: Authorization for Entering of Premises

The Superintendent, or any agent or assistant, may at reasonable times enter the premises of any water taker to examine any water pipes and plumbing therein or thereon for the purpose of ascertaining whether there is any waste of water and for the purpose of determining the quantity of water used and the manner of use and for the further purpose of shutting off water for non-payment of rates or fine or for any alleged violation of the provisions of these Rules and Regulations. In the event of public emergency or service threat to the water supply needed for a fire safety or human consumption, entrance may be made at any time, after giving such notice as may be feasible in the circumstance.

Section 4: Decision on Waste of Water; Shut-off Supply

The Commissioners shall have the power to decide what is waste of water or improper use of water and to restrict its use. If the water taker refuses or neglects to comply with any order of the Commissioners after twenty-four (24) hour notice, the water shall be shut off and not let on except by payment of reasonable charges, including the cost to repair or replace defective equipment causing such waste.

Section 5: Determination of Water Rates

- A. The Commissioners shall determine and assess the water rates.
- B. Any person using water, in addition to such entrance fees as set forth in Article III, Section 2, shall pay for the water used at the established rates of the District and shall also pay for all service work and materials on that person's property.
- C. Water bills shall be issued monthly and are due fifteen (15) days thereafter. Delinquent bills or accounts in arrears will be assessed a penalty of five dollars (\$5.00) per month of the unpaid balance.
- D. The unpaid balance of any water bill due the District under this section shall constitute a municipal lien on the property of the person(s) served by the District pursuant to Massachusetts General Law, Chapter 20, Section 42 (a) through (f). The existence of such a lien does not foreclose the use of any other lawful means of collecting payment, including the termination of service to the premises.
- E. Should a person desire, due to a vacancy or prolonged non-use, to have a water service shut off, they shall notify the Superintendent in writing of the request, and the Superintendent will shut the service off at the curb stop and will have the meter removed for a fee of seventy four dollars (\$74.00). No bill will be issued while a service is shut off at the curb stop, however, a minimum bill, in accordance with the District's water rate schedule will be issued in all other cases. When it is desired to have water turned back on, the person shall notify the Superintendent, and service will be reactivated and a fee of seventy four dollars (\$74.00) assessed.
- F. In all cases, bills will be sent to and liability for payment will rest with the owner of the property.

Section 6: Water Bill Appeals

- A. The Superintendent may make adjustments in the water bills in all proper cases upon receipt, in writing, from the property owner of a request for adjustment stating reasons for such request, together with all information necessary to evaluate its merits. Excessive usage caused by pipe leaks or leaking fixtures on the owner's property, beyond the meter, shall not be considered cause for adjustment. Should the owner request the meter be removed and checked, this shall be done in accordance with Article III, Section 6, Meters.
- B. Any person aggrieved by the decision of the Superintendent under this section, may, if the bill in question is in the amount of twenty-five dollars (\$25.00) or more, appeal the decision to the Commissioners. A two-thirds (2/3) vote of the Board shall be necessary to overturn the decision. Should this occur, the claim would then be settled under conditions put forth by the Commissioners. Bills under twenty-five dollars (\$25.00) cannot be appealed.

Section 7: System Operation

- A. The Commissioners may make repairs, extensions or improvements on the water system, etc. to the extent that such actions do not impair the District's ability to deliver water, or serve existing customers, reduce the water reserves below safe limits, or place the District in debt not authorized by the District's voters.
- B. The District does not guarantee constant pressure nor uninterrupted service, nor does it assure either a full volume of water or the required pressure per square inch necessary to effectively operate appliances of any kind, the same being subject to all the variable conditions with may occur in the use of water from the main.
- C. The District will not be responsible for damages caused by shutting off water
- D. for the purpose of doing repairs on pipes, valves, hydrants, or any other fixtures, or by work on the system, or by breaks in the pipes, or by low pressure resulting from any cause. Reasonable notice shall be given, if possible, to all persons before the water is shut off, except in cases of emergency.
- E. Any work on the water system by a private contractor or agent shall only be performed after procurement from the Superintendent of all necessary permits and licenses as herein described.
- F. No plumber or other person not in the employ of the District shall shut water off or turn on the water at any service pipe, except at the cellar wall. Whenever, by request of the owner or representative, water is turned on or off at the curb stop for testing, plumbing, or other purposes, the charge for turning on or shutting off water shall be seventy-four dollars (\$74.00).
- G. No person, not in the employ of the District, or a member of the Fire Department in the performance of their duties shall turn on any hydrant, public or private, without first obtaining permission for the Superintendent.

Section 8: Appointment and Duties of the Superintendent

- A. The Superintendent shall exercise a constant supervision of the water system and shall be responsible for its general operations, including, but not limited to:
 - Hiring (The appointment of full-time employees shall be the authority of the Commissioners)
 - Selecting Vendors
 - Manage District Office
 - Meter Reading
 - Billing and Collection *Maintaining System Logs

- System Inspections
- Water Quality Testing *Enforcing Rules and Regulations
- System Maintenance
- Financial Reporting

- B. The Superintendent shall be the primary advisor to the Commissioners with regards to the overall operation of the system.
- C. The authority of the Superintendent is derived from the powers granted the Commissioners by the District. As such, all decisions of the Superintendent are subject to review by the Commissioners any person wishing to appeal a decision by the Superintendent shall submit a written request setting forth the factual details, to the Commissioners for review and action.
- D. The Superintendent shall report to the Commissioners on a monthly basis with respect to the general condition of the system, additions, special projects, etc.
- E. The Superintendent shall record all financial transactions from the collection of funds from water bills and make a report to the District Treasurer on a monthly basis.
- F. The Superintendent shall issue to the Commissioners an interim report on the status and condition of the system. This interim report shall cover the term from July 1 to one month prior to the annual District meeting for that fiscal year.
- G. The Superintendent shall issue to the Commissioners an annual report detailing all aspects of the operations of the system to the fiscal year just completed. The annual report shall be due no later than August 3, following the end of such fiscal year.
- H. The Superintendent shall prepare an estimated budget for the up-coming fiscal year by the end of January of the preceding year based on the present year's operation and present it to the Commissioners.

ARTICLE III

WATER MAINS

Section 1: General

Extension of water mains shall be subject to approval by the Commissioners and shall be constructed under the supervision of the Superintendent and/ or the District's Engineer. In addition, all work will be performed by a licensed contractor under the terms of Article IV.

Section 2: Entrance Fees

The entrance fee charged by the District is for the privilege of any person to be allowed to connect to the water system. This fee may be used to offset the future capital expenditures that may be required due to the additional water usage by a new connection. The entrance fee does not include any material, labor, or water.

- A. Entrance fees for any service pipe connection into the water system shall be due in accordance with the following schedule:
1. Residential
 - a. Single family residence: Eight thousand three hundred and twenty-five dollars (\$8,325.00)
 - b. Multiple Family residence: [including all structures containing more than one (1) unit, such as condominiums, duplexes, apartment houses, apartment complexes, hotels, motels, trailer parks, dormitories, extended health care facilities, congregate housing, etc.]: Eight thousand three hundred and twenty-five dollars (\$8,325.00) per living unit.
 2. Nonresidential/Secondary/Branch Mains
 - a. Entrance fee shall be based on size of service, size of branch main, and secondary main as follows:

1"	\$2,775.00
1 ½"	\$3,238.00
2"	\$3,700.00
6"	\$5,800.00
8"	\$6,013.00
10"	\$7,863.00
12"	\$9,713.00
 - b. Entrance fee for any service larger than twelve (12) inches shall be as determined by the Commissioners.
- B. Secondary or branch mains connected to mains and service pipes connected thereto:
1. Single family residential subdivision. The entrance fee shall be in accordance with the fee schedule as listed in Section 2.2 for each connection of a secondary or branch main, or mains, to the District's mains, plus eight thousand three hundred and twenty-five dollars (\$8,325.00) for each planned house lot served by the secondary or branch main.
 2. Multi-family residential subdivision. The entrance fee shall be eight thousand three hundred and twenty-five dollars (\$8,325.00) for each connection of a secondary or branch main, or mains to the District's mains, plus eight thousand three hundred and twenty-five dollars (\$8,325.00) for each living unit served by the secondary or branch main.
 3. Commercial or industrial subdivision. The entrance fee shall be eight thousand three hundred and twenty-five dollars (\$8,325.00) for each connection of a secondary or branch main, or mains, to the District's mains, plus the non-residential entrance fee listed in Section 2.2 for each service connected to the secondary or branch mains.
- C. Fire Protection
- Any service pipe to be used for fire protection purposes (i.e. feeding hydrants, sprinkler systems, etc.)

shall be separate service from the main and subject to an entrance fee of two thousand three hundred and thirteen dollars (\$2,313.00) for any size eight (8) inches or smaller and three thousand seven hundred and forty-six dollars (\$3,746.00) for any size greater than eight (8) inches.

Section 3: Payment of Entrance Fees

- A. Entrance fees for all connections shall be payable at the time of application for connection.
- B. The unpaid balance of any entrance fee due the District under this section shall constitute a municipal lien on the property of the application pursuant to Massachusetts General Law, Chapter 40, Section 42, (a) through (f). The existence of this lien does not foreclose the use of any other lawful means of collecting payment, including the termination of service to the premises.

Section 4: Service Pipes and Connections

- A. Any person desiring to connect to the water supply system shall apply to the District's office and fill out the application form (Attachment I, "Request for Service"). The prescribed form must be accompanied in all cases by a plot plan showing the location of the proposed connection and appurtenances, unless this requirement is waived by the Commissioners.
- B. In the case of the construction of an individual single-family home, it will be the responsibility of the property owner to have the service pipe installed. Services must be installed by a contractor licensed by the Commissioners. All work performed will be in accordance with these Rules and Regulations and District Specifications.
- C. All services shall be installed by the developer or property owner, and they will furnish all material, labor, and whatever else is necessary to complete service. This includes the furnishing and installing of tapping sleeves and valves for larger services. The District will specify the kind and quality of the materials which shall be used for the service. This work shall be done in accordance with these Rules and Regulations and any District Specifications.
- D. The District reserves the right to accept or reject any application for service installation.
- E. No drain, sewer, gas, chemical, etc., lines shall be laid nearer than ten (10) horizontally feet to the water service pipes and at least three (3) feet from any buried electrical cable or conduit. Any vertical crossing shall be at least two (2) feet below the water line. Any sewer lines must be under the water line. Existing or future crossings, public or private, must be disclosed to the District and the person proposing the crossing shall provide to the District a plan certified by an engineer showing in detail the proposed crossing in relation to the District's mains and full compliance with the District's Rules and Regulations and Specifications. Exceptions may be granted in writing by the District after approval of other agencies.
- F. All service pipe trenches with pipe properly laid from the property line to the meter shall remain open until inspected and approved by an agent of the District.
- G. No fixture shall be attached to nor shall any branch be made in the service pipe between the meter and the street main.
- H. The service pipe shall be at least five (5) feet below the surface grade and shall be placed on firm and continuous earth to give unyielding and permanent support.
- I. Each premises shall be supplied through an independent service pipe from a separate curb stop, and all double houses, apartment houses, office buildings, or business blocks shall have a separate service connection and curb stop for each tenant unless otherwise specifically approved or ordered by the

District in which case the property owner is to be solely responsible for all water used on and in said building or premises.

Section 5: Maintenance and Repair of Service Pipes

- A. Maintenance and repair of all service pipes shall be the responsibility of the property owner. The "Service Pipe," (as defined in Article I, Section 12), shall mean any water line connecting water main to a person's property up to and including the water meter.
- B. Major repairs or relays of such pipes, whether deemed necessary by the Superintendent or requested by the property owner, shall be the responsibility of the property owner.
- C. The District will only make emergency repairs that the Superintendent deems to be necessary at the time and the property owner shall be billed accordingly.
- D. All expenses relative to this section shall be the responsibility of the property owner.

Section 6: Meters

- A. All individual services from the water supply, excepting those feeding sprinkler systems, shall be metered by the District.
- B. The District will furnish and install all meters for which a three hundred fifty-eight dollars and eighty cents (\$358.80) service charge will be paid by the person requesting the service. Notwithstanding the provisions of paragraph C of this section, all meters shall remain the property of the District.
- C. If larger than a one (1) inch meter is required, or requested, the person requesting the service shall pay the cost of the meter and for the installation by a licensed plumber in the presence of an authorized representative of the Superintendent. The person requesting such service shall also pay the District an inspection fee equal to the hourly wage and benefit cost of the District's inspector multiplied by the number of hours spent on the job. After installation the meter will remain the property of that person who will be responsible for the upkeep of that meter.
- D. All meters will be equipped with remote reader, except as determined by the Commissioners, mounted on the outside of the building.
- E. Meters of one (1) inch or less, will be maintained and replaced at the expense of the District, except in the case of injury for which the District is not responsible, and then such meter shall be repaired or replaced by the District at the expense of the Customer.
- F. No person, except an agent of the District, shall change, alter, disconnect, or in any manner disturb the meter.
- G. The meter and shutoff valves shall be installed in a place satisfactory to the District and readily available for access for the purpose of reading, making repairs, or replacement.
- H. The property owner shall provide access to the meter at all reasonable times.
- I. If the owner requests the Superintendent to remove the meter and check its accuracy, there shall be a charge assessed to the owner, shall be the current rate to test a water meter plus the current water district labor rate.
- J. Any meter over one (1) inch in diameter shall be tested by the District at a cost to the person requesting the test without regard to the accuracy of the meter.

- K. No meter shall be disconnected from the service pipe, moved, or disturbed without first obtaining permission of the Superintendent, who will send a properly authorized agent to attend to any change needed. The property owner will be charged for all the District's costs associated with the change.
- L. Meters must not be exposed to frost, contamination, or physical damage.
- M. Whenever a discrepancy occurs between the remote reader and the meter installed in the water line, the water line meter will determine water usage.

Section 7: Shutting Off Water

- A. The District shall have the right at the discretion of the Commissioners to shut off water for the following reasons:
 - 1. Making authorized alterations or repairs to meters, mains, or pipes.
 - 2. Disregard of the Rules and Regulations of the District or the requirements of the Commissioners.
 - 3. Neglecting to make payments of charges for water service or any other charges against the owner of the premises.
 - 4. Misrepresentation in application as to the premises or fixtures to be supplied, or the use of the water supply.
 - 5. Use of water for any premises or purpose not described in the application.
 - 6. Tampering with any service pipe, meter, curb stop, seal, or any appliance of the District.
 - 7. Failure to maintain, in good order, connections, service lines, or fixtures for which the customer or property owner is responsible.
 - 8. Waste of water through improper or imperfect pipes, fixtures, or otherwise.
 - 9. Vacancy of premises.
 - 10. Refusals of access to premises to inspect, read, maintain or remove meters.
 - 11. Refusal to conserve water during periods of restricted supply.
 - 12. Failure to pay water bills or charges at a prior location.
 - 13. Any cross connection which would introduce water or any liquid other than water supplied by the District into the service line of the District.

The District assumes no responsibility for damage resulting from shutting off water for such reasons.

- B. The District shall have the right at the discretion of the Commissioners to restrict the use of water whenever public emergency so requires.
- C. The District will undertake to use reasonable care to prevent and avoid interruptions and fluctuations in the service, but it cannot and doesn't guarantee that such will not occur. The District shall not be held liable for any damage to property or persons resulting from any delay or interruption in service unless

caused by the willful act of the District.

Section 8: Renewal of Service

When water service to any premises has been terminated for any reason other than temporary vacancy it will be renewed only after the acceptance of a new application and when the conditions, circumstances, or practices which caused the water service to be discontinued are corrected to the satisfaction of the District, and upon the payment of all charges due and payable by the customer in accordance with the rates, and Rules and Regulations. A payment plan on overdue charges may be arranged if so desired.

Section 9: Fire Services

Public Fire Hydrants

- A. The Fire Department shall have necessary use of hydrants at fires, but no other person shall be allowed to operate hydrants without permission of the Commissioners or their agents.
- B. The Fire Department shall obtain permission from the Superintendent at least two (2) days in advance of any proposed use of hydrants other than fires.
- C. A proper hydrant wrench must be used when removing the cap and opening the hydrant.
- D. No person shall obstruct the access to any hydrant, by placing or permitting any snow, debris, building materials or other obstruction to remain on or about the hydrant which will in any manner interfere with its use.
- E. All public fire hydrants shall be maintained by the District.
- F. Inspections and tests of public hydrants will be made by the District at convenient times and reasonable intervals.
- G. Whenever a change in location, size, or type, or permanent removal of a fire hydrant is requested by the Town and/or a customer, such change will be made by the District at the expense of the Town and/or Customer.

Private Fire Service

- H. Private fire service pipes may be installed at the owner's expense including the street connection. The layout of check valves, type and size of pipe, and control valves shall be subject to the approval of the District, Leicester Fire Department, the Fire Underwriters, and the MassDEP.
- I. Owners shall install backflow prevention devices of the type required by the MassDEP.
- J. No service line or tap is to be taken from any private fire service line. Failure to comply with this regulation will subject the customer to discontinuance of service, and/or liability for quantity of water used as estimated by the District.
- K. No consumption is permitted through fire connections except for the extinguishing of fires.
- L. Owners with private fire services may be subject to standby charges as determined by the District.
- M. The District is not responsible for the maintenance or pressures, volumes, or supply of water. The service may be subject to shutdowns or variations in pressure as system operations require or as a result of casualty.

Section 10: District Extensions

Any extension to be made by the District, for a group of people who desire to be served by the water system or any extensions to the water system to be made as capital improvements shall be made as follows:

- A. Any group of five or more people in the District who desire to be served by the water system shall submit a petition to the Commissioners.
- B. In the event that any person(s) wishes to be served by the water system immediately and without complying with the provisions of these Rules and Regulations, they shall be required to pay to the District in advance of construction the full cost of same and may thereafter petition the District for the privilege of being brought under the terms of these Rules and Regulations. The Superintendent is hereby authorized to expend money collected under this provision for such purposes with the Commissioners approval.

In the event that the District shall vote to approve the extension, the petitioners shall have an amount equal to the cost of said extension refunded to them, less entrance fees as described in Section two (2).

- C. Upon vote of the District to construct a water main the Superintendent shall proceed with the construction by seeking bids from licensed contractors.
- D. All mains installed shall conform to the Rules and Regulations under Article V on construction and any District Specifications that apply.
- E. Alternatively, a capital improvement or extension of service may be made in accordance with Massachusetts General Laws, Chapter 80, providing for the assessment of betterments by the District on the land particularly benefited by an improvement or extension.

Section 11: Subdivisions

- A. The Developer shall file with the District, concurrently with filing with the planning board, a plan showing in detail the proposed water system. With this plan a detailed water supply impact study shall also be filed covering:
 - 1. A study of the water system within the subdivision covering pipe size, location, elevations, valves, flows, pressures, etc., and other pertinent information.
 - 2. A study of the impact of the subdivision on the existing water system.
 - 3. These studies shall be prepared by an engineer registered in the Commonwealth of Massachusetts.
 - 4. The report shall be such that the Commissioners, together with such professional consultants as it elects to employ, can make a judgment and render a decision as to whether the Commissioners shall allow a connection to the water system. Following their review, the Commissioners will determine whether and under what conditions these connections shall be made.
- B. All costs of reviewing an impact study required by the District shall be paid by the applicant for service. In order to insure a complete understanding of this, the Superintendent will have the applicant sign a District form (Attachment II) ("Review of Subdivision Plans") in with the developer agrees to pay all costs associated with the impact study being submitted, including, but not limited to, an engineering review by the District Engineer selected by the Commissioners if felt necessary by the Commissioners

for adequate review of the impact study submitted.

- C. The design of any proposed water system addition must be approved by the Commissioners prior to issuance of permits for construction. Water system construction must be inspected and approved by the Superintendent and/or the District's Engineer and the cost for engineering services (inspections) shall be paid by the developer or other sponsoring parties or agent.
1. The applicant and owner of the property shall pay all costs relating to the laying of water mains and appliances.
 2. The applicant shall perform all work in accordance with these Rules and Regulations and with current Specifications of the District.
 3. Water mains shall be constructed by a competent licensed contractor and shall be cleaned, disinfected, flushed and tested before connection of the water system addition to the District's water system.
 4. The applicant shall hold the District harmless and indemnify the District and The Town of Leicester against any liability resulting from any defective materials, workmanship, or operation in connection with said installation. When working in public ways, the applicant and/or his contractors shall maintain Public Liability Insurance not less than one hundred thousand dollars, (\$100,000.00) for injuries, including wrongful death to anyone person, subject to the same limit for each person in an amount not less than three hundred thousand dollars (\$300,000.00) on account of an accident.
 5. The applicant shall agree to pay for the privilege of connecting a water system addition to the District's water system in accordance with the provisions of Section 2.
- D. In the case of all other users, whether commercial, residential, or industrial, the details as spelled out above shall be used, except that for small commercial or industrial users the detailed study may be modified after individual review by the Commissioners. In all cases, the approval must be in writing prior to any connections.
- E. When any subdivision as determined by the Commissioners requires wells, pump standpipes, booster stations, etc., the cost of each such installation shall be borne by the applicant.
- F. All system additions, i.e. mains, branches, hydrants, valves, wells, pumps, standpipes, etc., shall become the property of and be deeded to the District. When accepted by the Commissioners, in writing to the applicant, they shall from that time on be maintained and serviced by the District.
- G. All work performed, material, and equipment will be warranted to the District for one (1) year, from the date of acceptance by the Commissioners, by the Contractor who installed said equipment. This will include the cost to replace the defective work, material, or equipment.
- H. Whenever possible, any sub-division will have the mains looped to prevent dead ends in the water system. This should also include the possibility of providing two (2) flow paths for supplying water to a sub-division.

Section 12: Miscellaneous

- A. All future applicants for connections to the water system will be notified that no connection will be made to any service, any part of which is connected to a system designed to use the supplied water for purposes such as landscape watering, fountains, or any other uses not essential to securing necessary occupancy permits and human habitation, the Commissioners shall further take any steps available to control such uses on existing services, and to control the use of all uses not essential to proper human

occupancy.

- B. All persons seeking service from the District shall be governed by these Rules and Regulations and the obligations and responsibilities assigned herein to applicants and customers.
- C. The District reserves the right to place a lien on the real estate of any person who fails to pay bills for water or services supplied to or for the benefit of the owner's land (Massachusetts General Laws, Chapter 40, Section 42A (a) through (f))

ARTICLE IV

LICENSE AND PERMIT REQUIREMENTS

Licenses

Section 1: General

- A. Contractors or individuals of established qualifications, reputation, and experience may be licensed by the District to make connections to the water system.
- B. No connection shall be made, or service pipes installed by any contractor or individual not so licensed.
- C. No licenses shall be transferable.
- D. A list of all licenses shall be kept by the Superintendent.

Section 2: License Fee

All licenses shall be subject to compliance with the following requirements:

- A. Filing with the Superintendent an application form (Attachment III, "Application for License").
- B. Applicants for licenses are required to pay a filing fee of sixty-two dollars (\$62.00), payable to the District, which amount will be refunded in full to the applicant if the application is rejected.
- C. All licenses issued will expire on June 30 of each year after which they will be renewed upon payment of a renewal fee of sixty-two dollars (\$62.00).

Section 3: Approval

- A. Applicants for licenses will be approved or disapproved within a period of thirty (30) days after filing the application. If the District has not acted on an application within thirty (30) days after filing, and payment of fees, a license shall automatically be approved.
- B. The Commissioners reserve the right to revoke or suspend any license if any provision of said license is violated.

Section 4: Insurance

Applicants for licenses, after approval by the Commissioners, shall file with the Superintendent a certificate of insurance in the sum of one hundred thousand/three thousand dollars (\$100,000.00/\$300,000.00) to cover public liability and a certificate of insurance covering workmen's compensation shall be filed, all of which shall remain in full force and effect for a period of at least one (1) year from the date of original approval and each calendar year thereafter upon renewal. Said insurance shall indemnify the District and the Town of Leicester against any and all claims, liability or action for damages incurred in any way connected with the performance of the work of the licensee and for or by reason of any acts or omissions of said licensee in the performance of work.

Section 5: Performance of Work

- A. Licensees shall abide by all conditions of these Rules and Regulations, and District Specifications with particular reference to Article V, Construction.
- B. Licensees shall comply with all District, town, state, and federal codes, rules and regulations.
- C. Licensees are required, if, during the course of their work, they should encounter any previous violations of these Rules and Regulations, to give a full written report to the Superintendent within twenty-four (24) hours of such discovery.
- D. Licensees are required to give personal attention to all installations and shall employ only competent and courteous workers.
- E. Licensees shall have all necessary equipment, tools, and material to perform this work.
- F. Licensees shall make repairs without cost to the District for any defect in the work or parts of the work furnished or built by the licensee. Any damage due to faulty workmanship or equipment furnished by the licensee in which defects or damage may appear within one (1) year from the date of final inspection shall also be repaired by the licensee.

Permits

Section 6: Purpose

The purpose of the permit is to inform the Superintendent of the water system, where the work is to be performed, who is performing the work, and what is being done to the system. This permit will also allow the Superintendent a chance to make sure all the proper permits for the various state and town requirements are met.

Section 7: Where to Obtain a Permit?

Permits for installing water services and for connections to water mains may be obtained weekdays at the office of the Water District, between the hours of 7:30 A.M. and 3:30 P.M.

Section 8: Who Can Obtain a Permit?

Permits will only be issued to competent contractors licensed in the District. Permits are not transferrable between locations for water service connections nor are they transferrable between contractors.

Section 9: Revocation

Permits shall be subject to revocation when any of the Rules and Regulations and any District Specifications are not being followed.

Section 10: Time Limit

If the work under the permit is not completed within ninety (90) days, a new permit must be obtained.

Section 11: Approval

Permits will not be issued until the applicant has filed a layout plan accurately showing the location of existing utility connections, house locations and route of water service, and said layout has been approved by the Commissioners.

Section 12: Existing Services

Permits must be obtained for renewal of existing water service connections. Responsibility and liability for all repair work shall be the same as are imposed for the original connections.

Section 13: Other Permits

The issuance of a permit by the District in no way relieves the applicant, contractor, or the property owner of the responsibility to comply with the Rules and Regulations set forth by the Town of Leicester, the State of Massachusetts, or any governmental authority.

Section 14: Other Requirements

No permit shall be issued, except in cases of emergency, to dig up or make an excavation in a public way until the applicant files with the Department of Public Works copies of the notices to public utility companies as required by General Laws, Chapter 82, Section 40.

ARTICLE V
CONSTRUCTION

Section 1: General

- A. The Rules and Regulations in this Article shall be considered the minimum requirements for any service, branch, or main added to the system by a licensed contractor. Additional requirements may be imposed by the Commissioners in particular instances on proposed construction work for sound engineering reasons, such as, to meet the long range system plan, prevent a sub-division from having a negative impact on system operations, and to prevent the expenditure of funds by the District to support the addition of a sub-division to the system, etc.
- B. The Commissioners may from time to time develop standard specifications for equipment installation which will be used in addition to the Rules and Regulations and will be filed with the District's Superintendent's office.

Section 2: Permits

Before any permit is issued for the installation of a service, branch, or main, the following must be presented to the Superintendent:

- A. A copy of the plot or sub-division plans approved by the Planning Board and the Commissioners to be kept on file.
- B. A copy of a road opening permit issued by the Highway Department/Town of Leicester.
- C. A Dig Safe Permit
- D. In the case of a permit being required by the State Department of Public Works, the contractor will fill out all required applications and the Superintendent will submit it on the behalf of the District. All bonds required will be posted by the contractor on behalf of the District in addition to those required by the District.

Section 3: Mains

- A. All pipe used for mains shall be a minimum of eight (8) inches in diameter.
- B. All pipe shall be of a type specified by the District Engineer.
- C. Mains installed as part of a sub-division shall include a corporation stop for each lot shown on the approved plan.
- D. All mains installed shall be inspected by the Superintendent/District Engineer prior to backfilling.
- E. All water mains over six (6) inches in diameter shall be Ductile Iron, Class 52 in accordance with A.W.W.A. standards.
- F. Excavations will be to a depth that provides a minimum of five (5) feet of cover over the pipe.
- G. If excavation is in ledge, a minimum of eight (8) inch spacing around the pipe will be required to allow for selected backfill material. It will be at the discretion of the Superintendent/District Engineer as to the type of bedding used and will depend on field conditions. In any event, it will be either crushed bank gravel or three-fourths inch (3/4") stone. No stones larger than three (3) inches in diameter may be

used within the first foot of backfill over the pipe. Once the pipe has sufficient cover with select material, normal backfilling may proceed with care.

- H. Jointing of push-on or Tyton joint D. I. will be with the use of a come-along or bar. If a bar is used, a block of wood will be used between it and the pipe. The same applies for having a backhoe set larger diameter pipe, a block of wood will be inserted between the bucket and the pipe; in no event will there be a metal to metal driving force to set the pipe. If this is not strictly complied with, the length of pipe will be removed and a new one used in its place.
- I. All mains shall be installed per the District's specifications or as directed by the District's Engineer. In all cases this will include the installations of thrust blocks at all plugs, caps, tees, bends, and hydrants to prevent movement.
- J. Main line taps will always be done with the use of a tapping sleeve and gate valve. The tapping sleeve to be Mueller or approved equal. If the Contractor is to make the tap, evidence of competence through previous work must be furnished and the contractor must have the necessary tools to perform the work satisfactorily.

Section 4: Valves and Boxes

- A. No main shall extend over one thousand (1000) feet in length without the use of a gate valve.
- B. Main valves shall be either:
 - 1. Gate valves that are open right, iron body, bronze mounted, double disc, non-rising stem as specified by the District.
 - 2. Resilient Wedge valves that are open right and approved by the District Engineer.
 - 3. Butterfly valves may be used on pipe size twelve (12) inches and up.
- C. Main gate boxes shall be cast iron, slide-type with at least six (6) inches of adjustment and at least five (5) feet long. The covers shall be flush, close fitting with the word "WATER" cast into the cover.
- D. All intersections of mains shall be gated in their respective direction.
- E. All valves shall be installed per the District's specifications or as directed by the District's Engineer. This includes the installation of thrust blocks at all valves.
- F. Service box and valve covers must be plumb and set at finish grade.

Section 5: Hydrants

- A. All hydrants shall be within five hundred (500) feet of each other or so spaced at the discretion of the Commissioners and after review by the Fire Chief.
- B. All hydrants shall be located before and as close as possible to the gate valve specified in Section 4 to allow for flushing.
- C. All hydrants shall be equipped with mechanical joint hubs.
- D. All hydrant branches shall be of a type and style consistent with District specifications.
- E. Hydrants shall have six (6) inch mechanical joint shoe, (5) inch valve opening, and five (5) foot six (6)

inch bury, open right with two (2) one and a half (1) inch hose nozzles and one (1) four and one-half (4) inch pumper connection, National Standard Threads and operating nut.

- F. No hydrants shall be placed within fifteen (15) feet of a driveway or access road.
- G. Hydrants shall meet or exceed AWWA specifications C-502.
- H. Hydrants shall be able to be rotated 360 degrees. Nozzles shall be threaded in and pinned. They shall have a positive closing; self-cleaning drain valve and drainage area shall be completely bronze or brass lined.

Section 6: Construction Requirements

A. Work performed by the District

In the event that the District is involved either in the installation of a new service or relay to a single-family residence or repairs to an existing service, the work shall be performed in accordance with the following:

1. Trenches or areas of excavation, after completion of installation or repairs, shall be rough graded and hand raked. Permanent repairs on the landowner's property (i.e. loaming, seeding, cold patching and hot topping of drives and walk, cement sidewalks, steps, etc.) shall be their responsibility.
2. Fences or walls of any kind, if not removed by the landowner, will, if within the District's means and capabilities, be removed and staked on the landowner's property. Upon completion of the work, re-erection or rebuilding shall be the responsibility of the landowner.
3. Trees, bushes, shrubs, hedges, flowers; lawn ornaments, etc., if not removed by the landowner, will, if within the District's means and capabilities, be removed and staked on the landowner's property. Upon completion of the work, replanting, or replacement of these items shall be the responsibility of the landowner.
4. In the event that the work necessitates the cutting of roots of trees, bushes, shrubs, hedges, etc., the District will not be responsible for their continued life.
5. The landowner shall be responsible for notifying the District of any underground wiring, wells, septic system pipes, drainage pipes, etc., that may be in the line of construction. Unless the District is notified in advance, it will assume no liability for resulting damage.
6. All decisions made by the Superintendent pertaining to Sub-sections (A1) through (A5) above will be subject to appeal to the Commissioners.

B. Work performed by developers and/or private contractors

In the case of a water extension on or to a sub-division or other property, the owner of the property or developer thereof shall construct and install the mains and house connections in accordance with the following Rules and Regulations and District Specifications.

1. There shall be submitted to the Commissioners, in the case of a new sub-division which has the approval of the Planning Board, a plot plan which has been recorded in the Worcester District Registry of Deeds. Other private projects approved by the Planning Board shall also submit plan of proposed water system prepared by a registered engineer.

2. Any and all plans for a water system in the District will show and/or specify the following:
 - a. Main locations
 - b. Valve locations
 - c. Service tap locations
 - d. Hydrant locations
3. All taps to the existing system will specify a tapping sleeve and gate valve.
4. Any contractor involved in construction work in the District will strictly adhere to the provisions of these Rules and Regulations.
5. No equipment, tools, or material will be rented or loaned by the District to a contractor.
6. All material used must be of the same make and quality as specified by the District.
7. All labor and material cost to install a water system as specified herein will be borne by the owner, developer, or contractor, whatever the case may be. Costs for taps into the system and the restoration of any public way will be borne by the owner, developer or contractor.
8. Excavation in any public way will require a road opening permit from the Highway Department. Necessary forms may be obtained from and filed with the Highway Department. It will be the contractor's responsibility to notify Dig Safe utility companies, such as gas, telephone, electric, etc., if there is any possibility of their equipment or property being jeopardized by excavation. After receiving all other permits, the contractor will then file with the District Superintendent per section 2 for a District permit.
9. It shall be the contractor's responsibility to notify the Fire and Police Departments of said work to be performed and, if necessary, to hire uniformed police for traffic control. In the event that the roadway cannot be restored to its normal surface immediately following the work, sufficient care will be taken to make the roadway smooth for traffic and, if necessary, to light with flashers as a warning to motor vehicles.
10. Before any water mains, services, or hydrants are installed in a sub-division, the contractor will bring the entire site where these utilities are to be located to subgrade, such grade will be verified by grade stakes provided and set by a registered land surveyor or engineer employed by the owner or contractor so that the District Engineer may expedite the checking of such grades.

Section 7: Connections

- A. Service connections shall have as their minimum size one (1) inch diameter. All service pipe two (2) inches or under will be Type K copper tubing, or polyethylene pipe tubing with a minimum rating of 250 PSI; as directed by the Superintendent. Any service pipes larger than two (2) inches and less than eight (8) inches in diameter will be of material approved by the District.
- B. All connections to the main will be preapproved by the Superintendent/District Engineer. A curb stop and box shall be installed at the property line on the owner's side of each service. The curb stop shall be brass T. head, open right, without a drain. Any service one (1) inch or greater shall employ an oriseal curb. Under no circumstances will any inverted key curbs be installed in any water system.

The curb box or service box will be four and one-half (4) to five and one-half (5) feet, extension-type three fourths (3/4) inch rod and cover to be counter sunk one (1) inch brass plug tapped for one (1) inch iron pipe. Minimum cover for services shall be five (5) feet zero (0) inches. A sand backfill material will be carefully placed around the service pipe to protect it from normal backfill and compaction.

- C. On the inside of the building there shall be a meter installed by the District as set forth under Article III.
- D. Each meter will have a ball valve, before and after, and each valve will be within one (1) foot zero (0) inches of the meter. Where pressures are in excess of eighty (80) pounds per square inch, a pressure reducing valve will be employed in the line. This equipment is to be supplied by the contractor or property owner.
- E. Backflow prevention devices shall be installed when applicable.

Section 8: Inspections

- A. Inspection will be provided by the District only on a limited or part time basis.

Before any backfilling is done, the Superintendent/District Engineer will be notified twenty-four (24) hours in advance and a man will inspect the completed work. This method of operation will be used for hydrant installations, main taps, service taps, etc. If the Superintendent/District Engineer feels that insufficient workmanship and care is being taken in the installation, a man will be assigned from the District on a full-time basis. The contractor or owner will bear the cost of this man at the hourly wage and benefit rate, Monday through Friday, from 7:00 A.M. to 3:00 P.M. Any time spent on the site, not within these limits or Saturday, Sunday, Holidays, etc., will be at twice the man's rate.

- B. In cases where inspections of work performed by the applicant is required hereunder, or under any agreement between the applicant and the District, the applicant shall pay to the District the following fees:

District Engineer Inspection - the current hourly billing rate multiplied by the number of hours on the job.

Section 9: Testing

The contractor shall test all piping installed. Testing shall be performed concurrent with installation and no more than one thousand (1000) feet of pipe shall be installed without being tested.

- A. The pump, pipe connections and all necessary apparatus for the pressure and leakage tests, including gauges, and metering devices, shall be furnished by the contractor.
- B. After the pipe has been laid, thrust backing cured and the trench backfilled, the entire pipeline, or any section thereof, shall be subjected to hydrostatic pressure and leak tests shall be performed in accordance with ANSI/AWWA C600, Section 4 - Hydrostatic Testing as and when directed by the District.
- C. Should any test disclose leakage greater than that permitted, the contractor shall, at their expense, locate and repair the defective joints and/or pipe until the leakage is within the permitted allowance of the District.

D. Allowable leakage in gallons per hour per thousand (1000) feet of pipeline shall be as follows as taken from AWWA C600:

<u>Test</u>	<u>Pipe Size (In.)</u>						
	PSI	2	4	6	8	12	16
100		0.15	0.30	0.45	0.60	0.90	1.20
125		0.17	0.34	0.50	0.67	1.01	1.34
150		0.19	0.37	0.55	0.74	1.10	1.47
175		0.20	0.40	0.59	0.80	1.19	1.59
200		0.21	0.43	0.64	0.85	1.28	1.70
225		0.23	0.45	0.68	0.90	1.35	1.80
250		0.24	0.47	0.71	0.95	1.42	1.90

Section 10: Disinfection

The completed pipeline is to be disinfected with a chlorine concentration of approximately fifty (50) parts per million prior to being placed in service. The introduction of this chlorine shall be accomplished by pumping or siphoning a calcium hypochlorite solution into the main. The chlorinated water is to remain in the new pipeline for a period of twenty-four (24) hours. During this period, proper precautions are to be taken to prevent this chlorinated water from flowing back into the existing system. Other methods of Disinfection may be used after approval in writing is given by the Commissioners.

Section 11: As-builts

As-builts will be furnished to the District in duplicate by the contractor or owner at the completion of the project and before supplying water to the system. The plans in-particular will depict exact distances between gate valves, ties to gate valves, both in the main and hydrant branches. Curb box location referenced to the house or building that it serves by at least two (2) ties from permanent points.

ARTICLE VI

WATER USE RESTRICTIONS IN RESPONSE TO DECLINE IN RESERVOIR ELEVATIONS

Section 1: Definitions

- A. "High Water Mark" refers to the level of water in the Henshaw Pond which is contained during the periods set forth below:
- B. "Summer High Water Mark" is the high-water mark during the period from April 1 to November 30 of each year.
- C. "Winter High Water Mark" is the high-water mark during the period from December 1, to March 30, of each year.

Section 2: Voluntary Use Restrictions

If the level of Henshaw Pond drops eight percent (8%) or six inches (6") below the Summer High Water Mark the Commissioners shall impose the following voluntary water use restrictions:

- A. Residences and Businesses

All outdoor uses prohibited between 9:00 A.M. and 5:00 P.M.

Examples:

- No lawn watering
- No car washing
- No home garden watering
- No filling of pools

- B. Commercial Nurseries, Golf Courses, Municipal Recreation Fields, Commercial Agriculture Production (farms)

All outdoor uses prohibited between 9:00 A.M. and 5:00 P.M. except watering of newly planted trees, shrubs, crops, and lawns, which shall be permitted at any time on the day of planting.

- C. Municipal and other Commercial and Charitable Uses.

Municipal street sweeping, charitable carwashes, and driveway washing will not be allowed during periods of voluntary use restrictions. Hydrant flushing will not be permitted during such periods only when the Commissioners determine that flushing is necessary to maintain water quality.

Section 3: Involuntary Use Restrictions

- A. Summer

If the level of Henshaw Pond drops sixteen percent (16%) or twelve inches (12") below the high water mark the Commissioners shall impose the following involuntary water use restrictions.

Residences, Businesses, Commercial, Municipal, etc.

No outside water usage permitted (including all uses listed in Section 2A, 2B, and 2C above.)

- B. Winter

If the level of Henshaw Pond drops six percent (6%) or four inches (4") below the winter high water mark, the Commissioners shall impose the involuntary use restrictions set forth in Section 3A above.

Section 4: Interconnections

If the level of Henshaw Pond drops twenty-one percent (21%) or sixteen inches (16") below the summer high water mark, or nine percent (9%) or six inches (6") below the winter high water mark, the Commissioners shall request permission from neighboring water suppliers to activate interconnections.

Section 5: Notification to the Public

The Commissioners shall notify water users of voluntary and involuntary restrictions through notices published in the Worcester Telegram & Gazette and through direct mailing.

Section 6: Enforcement

The Commissioners shall enforce the voluntary and involuntary water use restrictions set forth in Sections 2, 3, and 4 above, as follows:

A. First Offense

Any person who violates the terms of either a voluntary or involuntary restriction shall be issued a written warning by an agent of the District.

B. Second Offense

Any person who violates the terms of either a voluntary or involuntary restriction a second time, having received a warning as provided in A above, during any period in which water use restrictions (voluntary or involuntary) have been implemented, shall be fined two hundred dollars (\$200.00).

C. Third Offense

The Commissioners shall terminate the water service of any person who violates the terms of either a voluntary or involuntary restriction for a third time during any period in which water use restrictions (voluntary or involuntary) have been implemented.

Section 7: Hardship Exemptions or Special Use Allowance

The Commissioners may exempt any person from the restrictions set forth above, or may impose a special use allowance, upon a finding that the person would otherwise suffer undue hardship. A person seeking such an exemption or special use allowance must petition the Commissioners in writing, stating the grounds on which said relief is sought.

In cases of emergency the Commissioners empower the Superintendent to grant temporary relief pending final decision of the Commissioners on the issue of hardship.

ARTICLE VII

DEMAND MANAGEMENT REGULATIONS

Section 1: General

The regulations contained in this Article are promulgated pursuant to a "Declaration of State of Water Emergency and Order" issued by the Department of Environmental Protection (DEP) on September 26, 1989, and shall remain in effect as long as said declaration and order remain in effect, including any extensions, amendments, or superseding declarations and orders.

Section 2: Limited Service Connection Moratorium

The Commissioners hereby establish a limited service connection moratorium for all areas served by the district in order to limit the yearly increase in water demand attributable to new service connections to 4,400 gallons of water per day. The limited moratorium will allow the approval of approximately 20 new service connections per year beginning September 18, 1989, until such time as a new source of water has been developed. Applications shall be acted upon in the chronological order in which requests for service connections are received by the Commissioners.

Section 3: Service Connection Formulas

A. Definition

For purposes of this Article only, "one service connection equivalent" is defined as a single unit which utilizes approximately 220 gallons of water per day.

B. Residential

In the case of residential development, the formula of 110 gallons per bedroom per day shall be used to calculate estimated usage for determining the appropriate number of service connection equivalents.

C. Business, Commercial and Industrial

In the case of business, commercial or industrial development, usage for determining service connection equivalents shall be calculated using the formulas set forth in Title 5 Code of Massachusetts Regulations for estimating sewage flow.

D. Conversions or Change in Water Usage

Any use conversion or change in water usage which will result in a 10% increase in consumption over historical metered consumption, shall require a new application for a service connection.

E. Limit Per Applicant

No applicant for a new service connection will be allowed to demand more than 10% (initially 440 gallons per day) of the available annual allocation.

Any use conversion or change in water usage which will result in a ten percent (10%) increase in consumption over historical metered consumption, shall require a new application for a service connection.

Section 4: Extension of Applications Issued Prior to September 13, 1989

An applicant who was granted permission for a service connection prior to September 13, 1989, is excluded from the limited service connection moratorium set forth in Section 2 above, provided that said applicant has tied into system within the time permitted in the original application or has applied for an extension of the original application. No extension shall be for a period longer than two years from the date of the original application. If an applicant applied prior to September 13, 1989, and fails to either complete tie-in within original time allotted, or to apply for an extension and complete tie-in within the extended period; then the applicant must apply for a new service connection (and the new application will be subject to the limited service connection moratorium).

Section 5: Water Bank

Each year beginning September 13, 1990, the Commissioners shall re-evaluate the water supply available for new service connections, and if the re-evaluation results in a finding of additional water supply said additional supply shall be credited to a water bank.

Excess supply credited to the water bank shall be allocated at the ratio of for every two gallons saved, one gallon may be used for additional service connections in the following year.

Section 6: Adjustment in the Event of Decrease in Water Supply

In the event that the Commissioner's annual re-evaluation of the water supply results in a finding of a decrease in available water supply, the Commissioners may reduce the number of service connection equivalents available in the following year.

Section 7: Applications Received After September 13, 1989

A. Time to Complete Tie-in If Application Granted

Applications granted after September 13, 1989, shall allow the applicant one year to complete tie-in. Extensions shall not be allowed and applicants who do not complete tie-ins within the year must reapply.

B. Priority Following Year If Application Denied

An applicant who is not granted permission to tie-in in the year of his or her original application, due to the limited service connection moratorium, shall be notified by the Commissioners the following year and, if said applicant is interested in pursuing the application, the Commissioners shall give the applicant priority in the following year according to the date of original application.

Section 8: Entrance Fees and Refund Policy

An applicant for a service connection shall pay an entrance fee (established by the Commissioners) at the time the Commissioners grant the applicant permission to tie-in to the District's system.

If an applicant withdraws the application, or allows the application to expire by failing to tie-in within the allotted time, the applicant shall be entitled to a refund of seventy-five percent (75%) of the entrance fee and the District shall be entitled to retain the remaining twenty-five percent (25%) of said fee.

ARTICLE VIII

OUTDOOR WATER USE REGULATION

Section 1: Authority

This Regulation is adopted by the Cherry Valley and Rochdale Water District under its police powers pursuant to the Home Rule Amendment of the Massachusetts Constitution, Article LXXXIX, to protect public health and welfare and pursuant to its powers under M.G.L. c.40, §§21 et seq. and implements the District's authority to regulate water use pursuant to M.G.L. c. 41, §69B. This Regulation also implements the Cherry Valley and Rochdale Water District's authority under M.G.L. c. 40, §41A, conditioned upon a declaration of water supply emergency issued by the Department of Environmental Protection under G.L. c. 21G, §15-17. This Regulation is also intended to implement other water conservation requirements of M.G.L. c. 21G, the "Massachusetts Water Management Act" and its regulations promulgated at 310 CMR 36.00.

Section 2: Purpose

The purpose of this Regulation is to protect, preserve and maintain the public health, safety, welfare and the environment whenever there is in force a "State of Water Supply Conservation" or a "State of Water Supply Emergency" by ensuring an adequate supply of water for drinking and fire protection and to protect the quality and quantity of water in local aquatic habitats such as ponds, rivers and wetlands. This purpose will be accomplished by providing for the imposition and enforcement of any duly implemented restrictions, requirements, provisions or conditions on water use imposed by the Cherry Valley and Rochdale Water District in accordance with this Regulation and/or by the Department of Environmental Protection under its state law authorities.

Section 3: Applicability

All Cherry Valley and Rochdale Water District residents that are customers of the public water supply system [and private well users (see footnote 3)] shall be subject to this by-law. This by-law shall be in effect year-round.

Section 4: Definitions

- A. Agriculture shall mean farming in all its branches as defined at M.G.L. c. 128, § 1A.¹
- B. Automatic sprinkler system shall mean any system for watering vegetation other than a hand-held hose or a bucket.
- C. Nonessential outdoor water use shall mean those uses that are not required:
 - 1. for health or safety reasons;
 - 2. by regulation;
 - 3. for the production of food and fiber;
 - 4. for the maintenance of livestock; or
 - 5. to meet the core functions of a business (for example, irrigation by golf courses as necessary to maintain tees and greens, and limited fairway watering, or irrigation by plant nurseries or agricultural operations as necessary to maintain stock or establish new plantings, wash equipment to prevent damage and/or maintain performance, pest management and plant cooling).

¹ This statutory definition includes cultivation of the soil, dairying and the production, cultivation, growing and harvesting of agricultural, aqua cultural, floricultural or horticultural commodities as well as forest harvesting, raising livestock inclusive of bees and fur-bearing animals and forestry, lumbering, preparation for market, delivery to storage or market or to carriers to market incidental to an agricultural operation.

- A. Nonessential outdoor water uses that are subject to mandatory restrictions include:
 - 1. Irrigation of lawns via sprinklers or automatic irrigation systems
 - 2. Washing of vehicles, except in a commercial car wash or as necessary for operator safety or to prevent damage and/or maintain performance of agricultural or construction vehicles or equipment; and washing of exterior building surfaces, parking lots, driveways or sidewalks, except as necessary to apply paint, preservatives, stucco, pavement or cement.
- B. Exceptions to nonessential outdoor water uses are:
 - 1. Irrigation of public parks and recreation fields outside the hours of 9 AM to 5 PM
 - 2. Irrigation of lawns, gardens, flowers and ornamental plants by means of a hand-held hose outside the hours of 9 AM to 5 PM
 - 3. Irrigation outside the hours of 9 AM to 5 PM with harvested and stored storm water runoff.
- C. The following outdoor water uses are subject to review and approval by Cherry Valley and Rochdale Water District, through its Board of Water Commissioners or their designee:
 - 1. Irrigation to establish replanted or re sodded lawn or plantings during the months of May and September.
 - 2. Irrigation of newly planted lawns (seeded or sodded) in the current calendar year for homes or businesses newly constructed in the previous twelve months;
 - 3. Filling of privately-owned outdoor pools
- D. Person shall mean any individual, corporation, trust, partnership, association, agency or authority, or other entity and any officer, employee, group or agent of such persons.
- E. State of Water Supply Emergency shall mean a State of Water Supply Emergency declared by the Department of Environmental Protection under M.G.L. c.21G, §15-17.
- F. State of Water Supply Conservation shall mean a State of Water Supply Conservation declared by the Cherry Valley and Rochdale Water District pursuant to Section 5 of this Regulation.
- G. Water Customers shall mean all persons using the public water supply irrespective of that person's responsibility for billing purposes for use of the water.
- H. Water Users shall mean all persons using water within the Cherry Valley and Rochdale Water District.

Section 5: Declaration of a State of Water Supply Conservation

The District, through its Board of Water Commissioners or their designee authorized to act as such, may declare a State of Water Supply Conservation upon a determination that conservation measures are appropriate to ensure an adequate supply of water for drinking and fire protection, to protect the quality and quantity of water in local aquatic habitats such as ponds, rivers and wetlands and to ensure compliance with the Water Management Act. Upon notification to the public that a declaration of a State of Water Supply Conservation has been declared, no person shall violate any provision, restriction, requirement or condition of the declaration. The Water Commissioners may designate the Water Department Superintendent to declare a State of Water Supply Conservation at any time that conditions warrant. Public notice of a State of Water Conservation shall be given under Section 8 of this by-law before it may be enforced.

Section 6: Declaration of a State of Water Supply Emergency

Upon notification to the public that a declaration of a State of Water Supply Emergency has been issued by the Department of Environmental Protection, no person shall violate any provision, restriction, requirement, condition of any order approved or issued by the Department for the purpose of bringing about an end to the State of Water Supply Emergency.

Section 7: Restricted Water Uses

A declaration of a State of Water Supply Conservation and/or a State of Water Supply Emergency shall include one or more of the following restrictions, conditions, or requirements limiting nonessential outdoor water use by water customers (and water users²) as necessary to control the volume of water pumped each day, except as provided as acceptable in Section 4. The applicable restrictions, conditions or requirements shall be included in the public notice required under Section 8.

- A. Nonessential outdoor water use days: Nonessential outdoor water use is permitted only on the days per week specified in the State of Water Supply Emergency or State of Water Supply Conservation and public notice thereof. During a State of Water Supply Emergency or State of Water Supply Conservation, nonessential outdoor water use is restricted to two days or fewer per week.
- B. Nonessential outdoor water use hours: nonessential outdoor water use is permitted only during the hourly periods specified in the declaration of a State of Water Supply Emergency or State of Water Supply Conservation and public notice thereof. At a minimum, nonessential outdoor water use is prohibited during the hours from 9AM to 5PM.
- C. Nonessential outdoor water use method restriction: nonessential outdoor water use is restricted to a bucket or hand-held hose controlled by a nozzle.
- D. Nonessential outdoor water use ban: Nonessential outdoor water use is prohibited at all times.
- E. Automatic sprinkler system ban: The use of automatic sprinkler systems is prohibited.

Section 8: Public Notification of a State of Water Supply Conservation or State of Water Supply Emergency; Notification of DEP

- A. Public Notification of a State of Water Supply Conservation – Notice to the public of all provisions, including all restrictions, requirements and conditions imposed by the Water District as part of a State of Water Supply Conservation shall be made as soon as possible, but no later than 48 hours following the declaration of a State Water Supply Conservation by publication in a newspaper of general circulation within the Town and by signage on major roadways or intersections. The Water District may also notify the public using other means determined to be appropriate (cable TV, reverse 911, email, etc.). Notification may also include email, Web sites, public service announcements on local media or other such means reasonably calculated to reach and inform all Water Users.
- B. Public Notification of a State of Water Supply Emergency – Notice to the public of all provisions, including all restrictions, requirements and conditions imposed by a State of Water Supply Emergency declared by the Department shall be made by publication in a newspaper of general circulation with the Town and by signage on major roadways or intersections. The Water District may also notify the public using other means determined to be appropriate (cable TV, reverse 911, email, etc.). This notice shall be provided as soon as possible, but no later than 48 hours after the public water system receives notice of the Department's declaration of a State of Water Supply Emergency. Notification may also include email, Web sites, public service announcements on local media or other such means reasonably calculated to reach and inform all Water Users of the State of Water Supply Emergency.

- C. Any restriction imposed under Section 5 or Section 6 or in the Department's State of Water Supply Emergency or Order shall not be effective until notification to the public is provided. Submittal of MassDEP's form "Notification of Water Use Restriction" shall be provided to the Massachusetts Department of Environmental Protection within 14 days of the effective date of the restrictions, per MassDEP regulations (310 CMR 22.15(8)).

Section 9: Termination of a State of Water Supply Conservation; Notice

A State of Water Supply Conservation may be terminated by a majority vote of the Board of Water Commissioners or by decision of their designee upon a determination by either or both of them that the conditions requiring the State of Water Supply Conservation no longer exist. Public notification of the termination of a State of Water Supply Conservation shall be given in the same manner as is required in Section 8a) for notice of its imposition.

Section 10: Termination of a State of Water Supply Emergency; Notice

Upon notification to the Water District that the declaration of a State of Water Supply Emergency has been terminated by the Department of Environmental Protection, the public will be notified of the termination in the same manner as is required in Section 8b) for notice of its imposition.

Section 11: Penalties

The Water District through its Water Commissioners or their designee including the water superintendent, building inspector and/or local police may enforce this by-law. Any person violating this by-law shall be liable to the District in the amounts listed below:

1. First violation: Written Warning
2. Second violation: \$ 200.00
3. Third violation: \$ 300.00
4. Fourth and subsequent violations: \$ 500.00

Each day of violation shall constitute a separate offense. Fines shall be recovered by complaint before the District Court, or by non-criminal disposition in accordance with section 21D of chapter 40 of the general laws. For purposes of non-criminal disposition, the enforcing person shall be any police officer of the town or the water superintendent or the superintendent's designee. If a State of Water Supply Emergency has been declared the Water Commissioners may, in accordance with G.L. c. 40, s. 41A, shut off the water at the meter or the curb stop.

Section 12: Severability

The invalidity of any portion or provision of this by-law shall not invalidate any other portion or provision thereof.

Section 13: Controls on In-Ground Irrigation Systems²

A. Registration and Installation

1. All new and existing in-ground irrigation systems shall be registered with the District's Board of Water Commissioners in such form and manner as they shall determine. A fee may be charged for this registration. Registration fees shall be set by the Board of Water Commissioners.³ The Board may require inspection of the irrigation system.

² This section is intended to govern automatic irrigation systems and may be passed as part of a water use restriction bylaw or separately. It is included here for convenience.

³ Be sure that fees charged avoid characterization as a tax under the principles of Emerson College vs. City of Boston, 391 Mass. 415, 424-426 (1984) by ensuring services provided (inspection, etc.) support the fee and that fees paid are used to pay for those services.

2. All in-ground irrigation systems shall be equipped with a timing device that can be set to make the system conform to the District's nonessential outdoor water use restrictions. During a State of Water Supply Emergency or State of Water Supply Conservation the timing device must be set to conform to the daily and hourly nonessential outdoor water use restrictions.
3. All in-ground irrigation systems shall be plumbed so that a shutoff valve is located outside the building and situated so that it may be shut off if found to be in violation of this by-law. For the purposes of this section only, Police Officers of the Town and/or Agents of the Board of Water Commissioners may enter upon any property to enforce this section.

B. Soil Moisture-Sensor Devices

1. All in-ground irrigation systems installed in the District after the date of effect of this bylaw shall be equipped with a soil moisture-sensor device, approved by the Board of Water Commissioners, to prevent the system from starting automatically when not needed. Proof of this installation shall be provided to the Board of Water Commissioners at the time of registration.
2. Any service or repair to an existing in-ground irrigation system shall include the installation of an approved moisture-sensor device, if the same is not already installed and in good working condition. Proof of this installation shall be provided to the Board of Water Commissioners at the time of installation.
3. The Board of Water Commissioners shall maintain a list, available to the public, of approved soil moisture-sensor devices.

C. Backflow Prevention

1. All in-ground irrigation systems connected to the municipal water system in the District shall be protected from backflow events by the installation of a backflow prevention device approved by the Board of Water Commissioners. Each backflow prevention device shall be registered with the Board of Water Commissioners. A fee may be charged for this registration. Registration fees shall be set by the Board of Water Commissioners.
2. The Board of Water Commissioners shall maintain a list, available to the Public, of approved backflow prevention devices. Refer to Table 22-1 in 310 CMR 22.22 for the recommended backflow protection for irrigation systems.
3. Each backflow prevention device shall be installed in accordance with 310 CMR 22.22 and the manufacturer's instructions. Each device shall be tested upon its installation and annually thereafter. A Massachusetts Certified Backflow Device Tester shall perform all testing. Copies of results of all testing shall be filed with the Board of Water Commissioners or Water Department.

ARTICLE IX
LEAK DETECTION

Section 1: General

Through the regulations contained in this article, the Commissioners acknowledge that substantial water savings could be realized by minimizing loss through leakage and by maintaining the system in good working condition.

Section 2: Leak Detection Surveys

The Commissioners shall conduct a leak detection survey of the entire water distribution system beginning July 1, 1990, (provided that the District members appropriate the necessary funds for said survey). Upon completion of the survey they shall prepare a list of every detectable leak, establish a priority for repairs (based on severity of leak and cost repair), and develop a schedule for completing repairs. Repairs shall be accomplished as rapidly as manpower and budgetary constraints permit. The entire distribution system shall be surveyed for leaks no less often than one every five years thereafter.

Section 3: On-Going Rehabilitation and Maintenance

The Commissioners shall maintain an on-going system rehabilitation program with adequate financial resources for maintenance and unexpected problems.

Section 4: High Leakage Areas

The Commissioners shall identify, repair and continue to monitor high leakage areas.

ARTICLE X

CROSS CONNECTION CONTROL ORDINANCE (Accepted May 9, 1994)

Section 1: Purpose

- A. To protect the public water supply served by Cherry Valley and Rochdale Water District from the possibility of contamination or pollution by isolating such contaminants or pollutants which could backflow or backspin into the public water system.
- B. To promote the elimination or control of existing cross connections, actual or potential, between its customers in-plant potable water system, and non-potable systems.
- C. To provide for the maintenance of a continuing program of cross connection control which will effectively prevent the contamination or pollution of all potable water systems by cross connection.

Section 2: Authority

- A. As provided in the Federal Safe Drinking Water Act of 1974, (Public Law 93-523), and the Commonwealth of Massachusetts Drinking Water Regulations, 310 CMR 22.22, the water purveyor has the primary responsibility for preventing water from unapproved sources or any other substances from entering the public potable water system.
- B. Cherry Valley and Rochdale Water District, Rules and Regulations, adopted May 9, 1994.

Section 3: Responsibility

- A. The Water Commission shall be responsible for the protection of the public potable water distribution system from contamination or pollution due to the backflow or back siphonage of contaminants or pollutants. If, as a result of the survey of the premises, the Commission determines that an approved backflow prevention device is required at the district's water service connection or as in-plant protection on any customer's premises, the commission, or its delegated agent, shall issue a cross connection violation form to said customer to install approved backflow prevention devices. The customer shall, within a time frame determined by the Commission, install such approved device or devices at his own expense, and failure or refusal or inability on the part of the customer to install said device or devices within the specified time frame shall constitute a ground for discontinuing water service to the premises until such device or devices have been properly installed.

Section 4: Definitions

- A. Air Gap Separation: the method of preventing backflow through the use of an unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or faucet supplying water to a tank, plumbing fixture, or other device and the flood level rim of the receptacle.
- B. Approved: Accepted by the Reviewing Authority as meeting an applicable specification stated or cited in this regulation or as suitable for the proposed use.
- C. Approved Backflow Prevention Device or Devices: A method to prevent backflow approved by the Department for use in Massachusetts.
- D. Atmospheric Vacuum Breaker: An approved backflow device used to prevent back siphonage which is not designed for use under the static line pressure.

- E. Auxiliary Water Supply: Any water supply of unknown or questionable quality on or available to the premises other than the supplier's approved public potable water supply.
- F. Back Pressure: Pressure created by mechanical means or other means which causes water or other liquids or substances to flow or move in a direction opposite to that which is intended.
- G. Back Siphonage: A form of backflow due to reduced or sub-atmospheric pressure within a water system.
- H. Backflow: The flow of water or other liquids, mixtures or substances into the distribution pipes of a potable water supply from any source other than the intended source.
- I. Backflow Preventer with Intermediate Atmospheric Vent: A device having two independently operating check valves separated by an intermediate chamber with a means for automatically venting it to the atmosphere, in which the check valves are force loaded to a normally closed position and the venting means is force loaded to a normally open position.
- J. Barometric Loop: A loop of pipe rising at least thirty-five (35) feet, at its topmost point, above the highest fixture it supplies.
- K. Commission: The Cherry Valley and Rochdale Water District or owner or operator of a public water supply.
- L. Contaminant: Any physical, chemical, biological or radiological substance or matter in water.
- M. Cross Connection: Any actual or potential connection between a distribution pipe of potable water from a public water system and any waste pipe, soil pipe, sewer, drain, or other unapproved source.
- N. Cross Connection Violation Form: A violation form designated by the Department, which is sent to the owner by the water supplier with copies sent to the Department, plumbing inspectors, and Board of Health delineating cross connection violations found on the owner's premises and a procedure for corrective action.
- O. Department: The Massachusetts Department of Environmental Quality Engineering.
- P. Double Check Valve Assembly: A backflow prevention device which incorporates an assembly
- Q. In-Plant Protection: The location of approved backflow prevention devices in a manner which provides simultaneous protection of the public water system and the potable water system within the premises.
- R. Owner: Any person maintaining a cross connection installation or owning or occupying premises on which cross connections can or do exist.
- S. Permit: A document issued by the Department which allows a cross connection installation.
- T. Person: Any individual, corporation, company, association, trust, partnership, the Commonwealth, a municipality, district, or other subdivision or instrumentality of the United states, except that nothing herein shall be constructed to refer to or to include any American Indian tribe or the United states Secretary of the Interior in his capacity as trustee of Indian lands.
- U. Pressure Vacuum Breaker: An approved backflow prevention device designed to prevent only back siphonage and which is designed for use under static line pressure and which has necessary appurtenances for testing.

- V. Reduced Pressure Backflow Preventer: An approved backflow prevention device incorporating (1) two more check valves, (2) an automatically operating differential relief valve located between the two checks, (3) two shut-off valves, and (4) necessary appurtenances for testing.
- W. Residential Dual Check: An assembly of two spring loaded, independently operating check valves without tightly closing shutoff valves and test cocks. Generally employed immediately downstream of the water meter to act as a containment device.
- X. Reviewing Authority: The Department, its Designee, or the local plumbing inspector, authorized by M.G.L. c. 142 and licensed by the Board of State Examiners of Plumbers and Gas Fitters, whichever is responsible for the review and approval of the installation of an approved backflow prevention device.

Section 5: Administration

- A. The Commission will operate an active cross connection control program, to include the keeping of necessary records, which fulfills the requirements of the state MASSDEP's Cross Connection Regulations and is approved by the Department.
- B. The owner shall allow his property to be inspected for possible cross connections and shall follow the provisions of the Commission's program and the Department regulations.

Section 6: Requirements

- A. Commission
 - 1. On new installations, the Commission will provide on-site evaluation and/or inspection of plans in order to determine the type of backflow preventer, if any, that will be required, and notify the owner of plan approval requirements by the appropriate reviewing authority.
 - 2. For premises existing prior to the start of this program, the Commission will perform surveys of the premises and reviews of as-built plans and issue a cross connection violation form to the owner detailing any corrective action required, the method of achieving the correction, and the time allowed for the correction to be made. The time period allowed shall depend upon the degree of hazard involved.
 - 3. The Commission will not allow any connection to remain unless it is protected by an approved backflow preventer for which a permit has been tested to insure satisfactory operation.
 - 4. If the Commission determines at any time that a serious threat to the public health exists, the water service will be terminated immediately.
 - 5. The Commission shall have on its staff, or shall have a delegated representative, who is a backflow prevention device tester certified by the Commonwealth of Massachusetts.
 - 6. The Commission will begin initial premise inspections to determine the nature of existing or potential hazards, following the approval of this program by the Department, during calendar year 1994. Initial focus will be on high hazard industries and commercial premises.
- B. Owner
 - 1. The Owner shall be responsible for the elimination or protection of all cross connection on his premises.
 - 2. The Owner shall be responsible for applying for and obtaining all necessary approvals and permits for the maintenance of cross connections and installation of backflow prevention devices, and

applying annually for the renewal of each permit.

3. The Owner shall have any device that fails an inspection or test repaired by a licensed plumber.
4. The Owner shall inform the Commission of any proposed or modified cross connection and also any existing cross connections of which the owner is aware but has not been found by the Commission.
5. The Owner shall not install a by-pass around any backflow preventer unless there is a backflow preventer of the same type on the bypass. Owners who cannot shut down operation for testing of the device (s) must supply additional devices necessary to allow testing to take place.
6. The Owner shall install backflow preventers in a manner approved by the Department and by the Commission.
7. The Owner shall install only reduced pressure backflow preventers and double check valve assemblies approved by the state MassDEP.
8. Any Owner of industrial, commercial, or institutional premises having a private well or other private water source must have a permit if the well or source is cross connected to the Commission's system. Permission to cross connect may be denied by the Commission. The Owner may be required to install a backflow preventer at the service entrance if a private water source is maintained even if it is not cross connected to the Commission's system.
9. The Owner of any residential premises having a private well or other private water source will not be allowed a physical connection with the public water supply system.
10. The owner shall be responsible for the payment of all fees for permits, device testing, retesting in the case that the device fails to operate correctly and second re-inspections for non-compliance with commission or Department requirements.

Section 7: Degree of Hazard

The Commission recognizes the threat to the public water system arising from cross connections. As such, the Commission, whereas it is responsible for the quality of the public water supply, may require a containment device on the water service entrance to any customer who, as a result of unprotected cross connections, could contaminate the public water supply system.

Section 8: Enforcement

The Commission shall not allow a cross connection to exist with the public water supply system unless it is considered necessary and all appropriate approvals and permits have been issued.

Section 9: Existing in-use Backflow Prevention Devices

Any existing backflow preventer shall be allowed by the Commission to continue in service unless the degree of hazard is such as to supersede the effectiveness of the present backflow preventer or result in an unreasonable risk to the public health. Where the degree of hazard has increased, as in the case of a residential installation converting to a business establishment, any existing backflow preventer, or a reduced pressure backflow preventer must be installed in the event that no backflow device was present.

Section 10: Periodic Testing

- A. Reduced pressure backflow preventers and double check valve assemblies shall be tested and inspected at least semiannually by the Commission.
- B. Periodic testing shall be performed by the Commission's certified tester or his delegated representative, who shall be a certified tester.
- C. The testing shall be conducted during the Commission's regular business hours. Exceptions to this, when at the request of the Owner, may require additional charges to cover the increased costs to the Commission.
- D. Reduced pressure backflow preventers and double check valve assemblies must be tested annually by the Owner, independent of the semi-annual test by the water supplier, and said test must be conducted by a certified tester.
- E. Any backflow preventer which fails during periodic testing must be repaired or replaced by a licensed plumber. When repairs are necessary, upon completion of the repair, the device will be retested at the Owner's expense to insure proper operation. High hazard situations will not be allowed to continue unprotected if the backflow preventer fails the test and cannot be repaired immediately. In other situations, a compliance date of not more than fourteen days after the test date will be established. The Owner is responsible for spare parts, repair tools, or a replacement device. Parallel installation of two devices is an effective means of the Owner insuring that uninterrupted water service remains during testing or repair of devices and is strongly recommended when the Owner desires such continuity.
- F. Backflow prevention devices will be tested more frequently than specified above in "A" in cases where there is a history of test failures and the Commission feels that due to the degree of hazard involved, additional testing is warranted. Cost of the additional tests will be borne by the Owner.
- G. Tests must be ninety (90) days apart.

Section 11: Records and Reports

A. Records

The Commission will initiate and maintain the following:

1. Master files on customer cross connection tests and/or inspection.
2. Master files on approved cross connection installations.
3. Copies of lists and summaries supplied to the MassDEP

B. Reports

The Commission will submit the following to the MassDEP:

1. Initial listing of high hazard cross connections.
2. Initial listing of low hazard cross connections.
3. Annual update lists of Items 1 and 2 above.
4. Annual summary of cross connection inspections and surveys.

ADDENDUM

1. Residential Dual Check

Effective the date of the acceptance of the Cross-Connection Control Program for the Cherry Valley and Rochdale Water District, all new residential buildings will be required to install a residential dual check device immediately downstream of the water meter. This device will be provided by the Water Commission at a scheduled cost to the homeowner. Installation of this residential dual check device on a retrofit basis on existing service lines will be instituted at a time and at a potential cost to the homeowner as deemed necessary by the Commission.

The Owner must be aware that installation of a residential dual check valve results in a potential closed plumbing system within his residence. As such, provisions may have to be made by the Owner to provide for thermal expansion within his closed loop system, i.e., the installation of thermal expansion devices and/or pressure relief valves.

2. Strainers

The Commission strongly recommends that all new and retrofit installations of reduced pressure backflow preventers and double check valve assemblies include the installation of strainers located immediately upstream of the backflow device. The installation of strainers will preclude the fouling of backflow devices due to both foreseen and unforeseen circumstances occurring to the water supply system such as water main repairs, water main breaks, fires, periodic cleaning and flushing of mains, etc. These occurrences may "stir up" debris within the water main that will cause fouling of backflow devices installed without the benefit of strainers.

CHERRY VALLEY & ROCHDALE WATER DISTRICT
148 HENSHAW STREET, LEICESTER, MA 01524
MAILING: PO BOX 138
ROCHDALE, MA 01542-0138
T: (508) 892-9616 F: (508) 892-4371

ATTACHMENT I

CHERRY VALLEY AND ROCHDALE WATER DISTRICT
REQUEST FOR SERVICE

Account # _____

Subject to all terms, conditions, and restrictions printed or written below, permission is hereby granted to:

_____ of _____
(Name) (Company Name)
to renew repair or install a water service line at the location of _____
(Service Address)
for _____
(Property Owner)

REQUIREMENTS

1. For any new water service, a tie-in fee of \$8,325.00 is due and payable on or before a service permit is issued. The water service tie-in fee is calculated by the number of living units multiplied by \$8,325.00. (_____ # of living units x \$8,325.00 = _____.) Also due is an Application fee of \$463.00, an Inspection fee of \$93.00 and a meter fee of \$358.80 (Total of \$9,239.80 per living unit). Please make check payable to: Cherry Valley Rochdale Water District.
2. All services will be type K seamless coil copper. They will be a minimum of one inch (1") in diameter or polyethylene pipe tubing with a minimum rating of 250 PSI; as directed by the Superintendent. Any service pipes larger than two (2) inches and less than eight (8) inches in diameter will be of material approved by the District.
3. There will be a minimum of five feet (5') of cover over the water line. A two-foot (2') minimum of sand backfill material will be carefully placed around the service pipe to protect it from normal backfill and compaction. The remainder of the trench will be backfilled with a material free of pieces of bituminous pavement and containing no stone larger than six inches (6"). Compaction of the rest of the trench above the zone around the pipe shall be done in layers not exceeding twelve inches (12") in depth and by use of power-driven tampers.
4. All new services will be tapped/installed by an approved contractor under the supervision of the Water Department.
5. The gate box will be placed on all existing water services over the corporations. On new services, a gate box will be installed on the corporation stops. All boxes shall be set one inch (1/4") below the existing road surface.
6. All service lines will have a ball type curb stop set no more than five feet (5') from the edge of the paved surface of the roadway. An Erie type curb box with a rod will be used on all curb stops under one inch (1") in size. For curb stops over one inch (1") in size, a buffalo type curb box must be used. These boxes will be set flush with the ground.
7. All water service lines will be run in as straight line as possible from the corporation to wherever they enter the building. They will enter the foundation wall at a point no less than twelve inches (12") above the finished floor surface. The service will protrude through the wall a minimum of six inches (6") and a flared fitting will be used to connect a quarter turn ball valve of the appropriate size.
8. No service line may be run in the same trench as a sewer service or any other utility line.
9. All service lines must be inspected by Cherry Valley and Rochdale Water District personnel before being backfilled. If not inspected, the District will require that the line be uncovered for this purpose. The District requires twenty-four hours (24 hrs.) notice before all services are installed.

Note: All services shall be done to the satisfaction of the Cherry Valley and Rochdale Water District's personnel.

Note: No permits/construction will be approved after the first Monday in November or before the first Monday in April.

Note: For slab on grade applications the interior water service shall be installed in a continuous non-metallic sleeve beginning three feet outside the foundation, backfilled with clean sand prior to the installation of the finished concrete floor via a long radius sweep,

Note: Any and all labor and parts requiring Cherry Valley and Rochdale Water District personnel will be charged at prevailing rates.

ATTACHMENT I

CHERRY VALLEY AND ROCHDALE WATER DISTRICT

REQUEST FOR SERVICE (PAGE 2)

In consideration of the granting of this permit, I _____, hereby agree to all terms described herein. (Signature)

Date: _____ Applicant's Mailing Address: _____

Applicant's Telephone #: _____

Approved Disapproved Date: _____

Signature of Water Commissioner

Signature of Water Commissioner

Signature of Water Commissioner

"In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discrimination on the basis of race, color, national origin, sex, age, or disability. (Not all prohibited bases apply to all programs.)

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, DC 20250-9410, or call (800) 795-3272 (voice), or (202) 720-6382 (TDD)."

ATTACHMENT I

CHERRY VALLEY AND ROCHDALE WATER DISTRICT

REQUEST FOR SERVICE (PAGE 3)

PLEASE DIAGRAM PLOT PLAN BELOW:

THE FOLLOWING DISCLOSURE NOTICE CAN BE USED WHEN COLLECTING RACIAL/SEX DATA FOR CIVIL RIGHTS MONITORING PURPOSES

In order to comply with Title VI of the Civil Rights Act of 1964, certain data must be gathered by all recipients of federal financial assistance. The following disclosure should appear in the monitoring section of the application form, which usually is placed after the applicant's signature. If a separate document is used for monitoring information, the disclosure should appear immediately above the request for monitoring information.

"The following is requested by the US Government in order to monitor Cherry Valley Sewer District's compliance with the Title VI of the Civil Rights Act of 1964 and other federal laws that prohibit discrimination against applicants on the basis of race, national origin, and sex. You are not required to furnish this information but are encouraged to do so. This information will not be used in evaluating your application or to discriminate against you in any way. Should you not provide the requested information, an employee or representative of the program for which you are applying is required to complete the information based upon "visual observation."

I do not wish to furnish this information

Race/National Origin

- American Indian or Alaskan Native
- Black, not of Hispanic Origin
- Asian or Pacific Islander
- Hispanic
- White, not of Hispanic Origin

Sex

Male Female

NONDISCRIMINATION STATEMENT

"In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discrimination on the basis of race, color, national origin, sex, age, or disability. (Not all prohibited bases apply to all programs.)

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, DC 20250-9410, or call (800) 795-3272 (voice), or (202) 720-6382 (TDD)."

Rural Development is an Equal Opportunity Lender.
Complaints of Discrimination should be sent to: Secretary of Agriculture, Washington, DC, 20250

CHERRY VALLEY & ROCHDALE WATER DISTRICT
148 HENSHAW STREET, LEICESTER, MA 01524
MAILING: PO BOX 138
ROCHDALE, MA 01542-0138
T: (508) 892-9616 F: (508) 892-4371

ATTACHMENT IA

CHERRY VALLEY AND ROCHDALE WATER DISTRICT

REQUEST FOR SERVICE RENEWAL

Account # _____

Subject to all terms, conditions, and restrictions printed or written below, permission is hereby granted to:

_____ of _____
(Name) (Company Name)

to renew repair or install a water service line at the location of _____
(Service Address)

for _____
(Property Owner)

REQUIREMENTS

1. For any renewal of a water service, the following fees apply:

Service Renewal Application fee: \$463.00 Inspection fee: \$93.00

Please make check payable to: Cherry Valley and Rochdale Water District.

2. All services will be type K seamless coil copper. They will be a minimum of one inch (1") in or polyethylene pipe tubing with a minimum rating of 250 PSI; as directed by the Superintendent. Any service pipes larger than two (2) inches and less than eight (8) inches in diameter will be of material approved by the District.

3. There will be a minimum of five feet (5') of cover over the water line. A two-foot (2') minimum of sand backfill material will be carefully placed around the service pipe to protect it from normal backfill and compaction. The remainder of the trench will be backfilled with a material free of pieces of bituminous pavement and containing no stone larger than six inches (6"). Compaction of the rest of the trench above the zone around the pipe shall be done in layers not exceeding twelve inches (12") in depth and by use of power-driven tampers.

4. All renewal services will be tapped/installed by an approved contractor under the supervision of the Water Department.

5. The gate box will be placed on all existing water services over the corporations. On renewal services, a gate box will be installed on the corporation stops. All boxes shall be set one inch (1/4") below the existing road surface.

6. All service lines will have a ball type curb stop set no more than five feet (5') from the edge of the paved surface of the roadway. An Erie type curb box with a rod will be used on all curb stops under one inch (1") in size. For curb stops over one inch (1") in size, a buffalo type curb box must be used. These boxes will be set flush with the ground.

7. All water service lines will be run in as straight line as possible from the corporation to wherever they enter the building. They will enter the foundation wall at a point no less than twelve inches (12") above the finished floor surface. The service will protrude through the wall a minimum of six inches (6") and a flared fitting will be used to connect a quarter turn ball valve of the appropriate size.

8. No service line may be run in the same trench as a sewer service or any other utility line.

9. All service lines must be inspected by Cherry Valley and Rochdale Water District personnel before being backfilled. If not inspected, the District will require that the line be uncovered for this purpose. **The District requires twenty-four hours (24 hrs.) notice before all services are installed.**

Note: All services shall be done to the satisfaction of the Cherry Valley and Rochdale Water District's personnel.

Note: No permits/construction will be approved after the first Monday in November or before the first Monday in April.

Note: For slab on grade applications the interior water service shall be installed in a continuous non-metallic sleeve beginning three feet outside the foundation, backfilled with clean sand prior to the installation of the finished concrete floor via a long radius sweep,

Note: Any and all labor and parts requiring Cherry Valley and Rochdale Water District personnel will be charged at prevailing rates.

ATTACHMENT IA

CHERRY VALLEY AND ROCHDALE WATER DISTRICT

REQUEST FOR SERVICE RENEWAL (PAGE 2)

In consideration of the granting of this permit, I _____, hereby agree to all terms described herein. (Signature)

Date: _____ Applicant's Mailing Address: _____

Applicant's Telephone #: _____

Approved Disapproved Date: _____

Signature of Water Commissioner

Signature of Water Commissioner

Signature of Water Commissioner

"In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discrimination on the basis of race, color, national origin, sex, age, or disability. (Not all prohibited bases apply to all programs.)

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, DC 20250-9410, or call (800) 795-3272 (voice), or (202) 720-6382 (TDD)."

ATTACHMENT IA

CHERRY VALLEY AND ROCHDALE WATER DISTRICT

REQUEST FOR SERVICE RENEWAL (PAGE 3)

PLEASE DIAGRAM PLOT PLAN BELOW:

THE FOLLOWING DISCLOSURE NOTICE CAN BE USED WHEN COLLECTING RACIAL/SEX DATA FOR CIVIL RIGHTS MONITORING PURPOSES

In order to comply with Title VI of the Civil Rights Act of 1964, certain data must be gathered by all recipients of federal financial assistance. The following disclosure should appear in the monitoring section of the application form, which usually is placed after the applicant's signature. If a separate document is used for monitoring information, the disclosure should appear immediately above the request for monitoring information.

"The following is requested by the US Government in order to monitor Cherry Valley Sewer District's compliance with the Title VI of the Civil Rights Act of 1964 and other federal laws that prohibit discrimination against applicants on the basis of race, national origin, and sex. You are not required to furnish this information but are encouraged to do so. This information will not be used in evaluating your application or to discriminate against you in any way. Should you not provide the requested information, an employee or representative of the program for which you are applying is required to complete the information based upon "visual observation."

I do not wish to furnish this information

Race/National Origin

- American Indian or Alaskan Native
- Black, not of Hispanic Origin
- Asian or Pacific Islander
- Hispanic
- White, not of Hispanic Origin

Sex

Male Female

NONDISCRIMINATION STATEMENT

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Rural Development is an Equal Opportunity Lender.
Complaints of Discrimination should be sent to: Secretary of Agriculture, Washington, DC, 20250

CHERRY VALLEY ROCHDALE WATER DISTRICT
148 HENSHAW STREET, LEICESTER, MA 01524
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ATTACHMENT II

CHERRY VALLEY AND ROCHDALE WATER DISTRICT

REVIEW OF SUB-DIVISION PLANS

Request for Service No.: _____

Date: _____

If in the opinion of the Commissioners of the Cherry Valley and Rochdale Water District, the sub-division plans and impact study submitted, entitled _____
(Name of Project)

require review and comment by the District's Engineer selected for that purpose,

I _____ hereby agree to pay for all costs associated with the
(Applicant)
review of the plans and impact study submitted.

(Signature of Applicant)

Date: _____ Applicant's Address: _____

Applicant's Telephone #: _____

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ATTACHMENT III

CHERRY VALLEY AND ROCHDALE WATER DISTRICT

APPLICATION FOR LICENSE

License No.: _____

Date: _____

I _____ hereby apply for a license to make connections to the
(Individual/Firm Name)
Cherry Valley and Rochdale Water District distribution system during the calendar year _____.

I understand that I am required to pay a sixty-two dollars (\$62.00) filing fee which will be refunded in full if the license is rejected. (Please make check payable to: Cherry Valley Rochdale Water District.) I further understand that said license gives me the general right to work on the distribution system provided that I have delivered the necessary insurance certificates. Once the license is issued to _____

(Individual/Firm Name)

the licensee will be required to obtain the particular permits needed for each individual job and to comply with all the District's Rules and Regulations.

(Signature of Applicant)

Applicant's Mailing Address: _____

Applicant's Telephone #: _____

Approved

Disapproved

Date: _____

Commissioner

Commissioner

Commissioner

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ATTACHMENT IV

CHERRY VALLEY AND ROCHDALE WATER DISTRICT

APPLICATION FOR INSTALLATION OF WATER LINES – COMMERCIAL/INDUSTRIAL

I, hereby apply for, Commercial Water Service
 Industrial Water Service

To the Cherry Valley and Rochdale Water District, the undersigning being, _____,
(Owner/Applicant)

Of the property located at _____,
(Street Address) (City) (State) (Zip Code)

Does hereby request a permit to install and connect a new water service to supply, _____
_____ at said location.
(Name of Business)

REQUIRED INFORMATION

The following must be completed in full:

1. 1. Size of structure _____.
(Square Footage)
2. 2. Size of service pipe requested _____.
(Inches)
3. 3. Number of employees _____.
4. Briefly describe the nature of your business as it relates to water demand (i.e. type of fixtures demanding water supply)

APPLICATION FOR INSTALLATION OF WATER LINES – COMMERCIAL/INDUSTRIAL

In consideration of granting this permit, the undersigned agrees:

1. To furnish any additional information relating to the installation of the fire service which this permit is sought as may be requested by the Cherry Valley and Rochdale Water District.
2. To accept and abide by all provisions of the Rules and Regulations of the Cherry Valley Sewer District, and of all other pertinent Rules and Regulations that may be adopted in the future.
3. To cooperate at all times with the Cherry Valley and Rochdale Water District and its' representatives in their inspecting and supervision of fire service planning and construction.
4. To accept and abide by all provisions of the Rules and Regulations of the Town of Leicester.

NOTE: No permits will be approved after the first Monday in November or before the first Monday in April.

Signature of Owner: _____

Date: _____

Mailing Address: _____

For Office Use Only:

Approved

Disapproved

Date: _____

(Signature of Commissioner)

(Signature of Commissioner)

(Signature of Commissioner)

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To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, DC 20250-9410, or call (800) 795-3272 (voice), or (202) 720-6382 (TDD)."

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ATTACHMENT V

CHERRY VALLEY AND ROCHDALE WATER DISTRICT
APPLICATION FOR FIRE PROTECTION

To the Cherry Valley and Rochdale Water District, the undersigned being, _____
(Owner/Applicant)
of the property located at, _____ does hereby request a permit to install and
(Number and Street)
connect a fire service to supply _____ at said location.
(Name of Business)

REQUIRED INFORMATION

The following information must be completed:

1. Size of structure _____
(Square footage)
2. Construction of structure _____
3. Size of service pipe requested _____
(Inches)
4. Number of hydrants requested _____

5. Briefly describe the nature of your business as it relates to demand (i.e. types of storage, materials stored, type of manufacturing process).

Any service pipe to be used for fire protection purposes (i.e. feeding hydrants, sprinkler systems, etc.) Shall be a separate from the main and subject to an entrance fee of Two Thousand Three Hundred and Thirteen Dollars (\$2,313.00) for any eight (8) inch or smaller and Three Thousand Seven Hundred and Forty Dollars (\$3,746.00) for any size greater than eight (8) inches. Article III, C.

APPLICATION FOR FIRE PROTECTION (Page: 2)

In consideration of the granting of this permit, the undersigned agrees to:

1. Furnish any additional information relating to the installation of the water service which this permit is sought as may be requested by the Cherry Valley and Rochdale Water District.
2. Accept and abide all provisions of the Rules and Regulations of the Cherry Valley and Rochdale Water District, and of all other pertinent Rules and Regulations that may be adopted in the future.
3. Cooperate with the Cherry Valley and Rochdale Water District and its representatives at all times in their inspecting and supervision of water service planning and construction.
4. Accept and abide by all provisions of the Rules and Regulations of the Town of Leicester.

Note: No permits will be approved after the first Monday in November or before the first Monday in April.

Signature of Owner: _____ Date: _____

Mailing Address: _____

Approved

Disapproved

Date: _____

Commissioner

Commissioner

Commissioner

DIAGRAM PLOT PLAN BELOW OR ON OPPOSITE SIDE

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