

**REGULATIONS AND WATER RENTS FOR
TOWN OF HOUNSFIELD WATER DISTRICT 1**

ARTICLE I. PREAMBLE

Section 1-1. The Town Board of the Town of Hounsfeld, acting for and on behalf of the Town of Hounsfeld Water District No. 1 (the “District”) pursuant to the provisions of Section 198 of the Town Law hereby adopts the following rules, regulations, and water rents for the District.

ARTICLE II. HOOK-UPS

Section 2-1. Connections required; owner’s expense.

The owner of real properties using or requiring a potable water supply, situated within the District and abutting on any road, alley or right-of-way in which there is then located a public water main of the District, is hereby required, at his expense (except for the water meter, which will be provided by the District), to connect all inside potable water plumbing systems with the proper public water main in accordance with the provisions of this Local Law within one hundred twenty (120) days after date of official notice to do so, provided that said public water main is within one hundred (100) feet of the property line of the property used for the above purposes.

Section 2-2. Permit required for water service.

No connection shall be made with any water main and no water shall be taken from any water main without permit therefore, in writing, from the District issued by the Town Clerk on a written application therefore, in writing.

Section 2-3. Application for service.

All applications for use of water through a service pipe and all applications for the introduction of a service pipe to premises and for connection of service pipes with water mains must be made in writing by the owner of the premises sought to be supplied or by an agent thereof duly authorized in writing. The authority of the agent must be filed with the Town Clerk, and all water used must be through a service pipe. All plans and construction for said connection shall be in conformance with all applicable laws and regulations and standards including but not limited to the applicable standards of the American Water Works Association and the New York State Sanitary Code. When required by the Town Highway Superintendent, said Plans shall be reviewed and approved by the New York State Department of Health and the Town’s Engineer. All applications for a service connection shall be accompanied by an application fee of \$500.

Section 2-4. Laying of service pipes: cost, supervision.

All private service pipes shall be connected with a water main and shall be laid, maintained and kept in repair at the expense of the owner or occupant of the premises served, and such connection, laying and maintenance shall be under the direction and supervision of a duly authorized agent of the District.

Section 2-5. Unauthorized use of water.

No person, copartnership or corporation shall be allowed to furnish water to others or suffer water to be taken by others for any purpose, except in an emergency, without receiving a special permit therefore in writing from the Town Board.

ARTICLE III. METERS

Section 3-1. Meters required.

No potable water shall be used on any premises within the District, except through meters provided by the District, and no connection with the District water system shall be made unless covered by such meter or meters.

Section 3-2. Furnishing, installation and repair of meters.

The District will furnish, install and keep in repair all water meters used with the District's water system, but only one (1) meter for each application fee, and if any additional meter is furnished to such service it shall be at the expense of the owner or occupant of the premises.

Section 3-3. Responsibility for damage to meters.

The cost of any damage which any meter may sustain by reason of the carelessness of the owner, his agent or tenant of the premises or from neglect of any kind of them to properly protect the same, including damage or injury that may result from freezing, shall be paid to the District by the owner of the property served by such meter.

Section 3-4. Opening, changing or interfering with meters.

No person, except a duly authorized agent of the District, shall open, change or interfere with, in any manner, any water meter connected with or for the use of the District water system.

ARTICLE IV. POLLUTION/CONTAMINATION/HYDRANTS

Section 4-1. Pollution and contamination prohibited; remedies.

It shall be unlawful for the owner or occupant of property or the user of District water, to introduce or permit the introduction into the District's water supply system pollution or contamination of any kind. Whenever the Highway Superintendent finds cross connection to another water supply into the District system or any other condition which presents the possibility of contamination or pollution, he shall disconnect and discontinue immediately the water supply to the premises where such condition is found or other premises from which cross connection is made and shall restore such water supply only when the cross connection is eliminated or the other condition remedied. The Highway Superintendent may permit or require a backflow preventer of pattern and design which the New York State Department of Health approves as reasonably adequate to prevent contamination, if the Highway Superintendent determines that a complete physical separation from the District water supply is not practicable or necessary or that adequate inspection for cross connection cannot readily be made or that such backflow preventer is necessary because of existing or possible backflow resulting from special condition, use or equipment.

Section 4-2. Liability for expenses.

Any corrective measure, disconnection or change on private property shall be at the sole expense of the owner of such property. Any expenses necessitated by changes required in the District system outside such private property or between the meter and supply line or distribution system and any charges for cutoff or disconnection shall be added to the charges for water rents against the premises necessitating such expenditure.

Section 4-3. Conformance of connections with standards.

All physical connections which constitute potential cross connections are prohibited unless constructed, maintained and operated in accordance with the provisions of the New York State Sanitary Code, Ten State Standards for Water Systems, and the American Water Works Association Standards.

Section 4-4. Use of fire hydrants.

- A. No person, other than an authorized employee of the town or a member of a Fire Department acting under orders of his proper superior in the performance of his duties, may operate a public fire hydrant unless in possession of a permit from the District to do so.
- B. Public or private fire hydrants may not be used for flushing or for any other purpose except by special written permission of the Town Supervisor, for the time and at the location specified. If such permission is granted, the water used shall be paid for by the user, who shall be charged for the water at the prevailing water rents.

ARTICLE V. WATER SUPPLY EMERGENCIES

Section 5-1. Authority of Supervisor to restrict use.

During periods when the supply of water is inadequate or there is an imminent threat that it will become inadequate, the Supervisor of the Town is authorized temporarily and during the existence of such period of inadequate supply or threat thereof to issue an order prohibiting the use of water from the District supply for watering of lawns and gardens, washing of automobiles or other nonessential uses.

Section 5-2. Remedy for violation.

In case of violation of such order or orders, the Highway Superintendent is further authorized to cut off the supply of water to the person or firm so violating such order or orders.

ARTICLE VI. WATER RENTS

Section 6-1. Water Rents

The quarterly water rents to be charged to each property served in the District is to be set by Resolution of the Town Board, and shall not be less than Fifty Dollars (\$50.00). The amount of water used will be determined by the reading of the water meters on or about the fifteenth day of *February, May, August and November* of each year. In the event a meter is not functioning properly, and cannot reasonably measure the approximate amount of water used, the amount of water used shall be estimated by the Water Operator, based upon past consumption of water over the same quarter on the same premises during the quarter of the year to be billed for water usage.

Section 6-2. Payment of Water Rents.

Water rents shall be due and paid *within 30 days of each quarterly billing date* at the office of the Town Clerk.

Section 6-3. Late payment and nonpayment of charges.

- A. Ten percent (10%) penalty thereof is added and will be added to all water rents not paid within thirty (30) days after the date the same are or shall become due. In case any water rent or charge shall not be fully paid within sixty (60) days after the date the same shall become due, the water supply to the premises served, on which water rent or charge so remains unpaid, may thereupon be shut off for such nonpayment. A revitalization charge of seventy-five dollars (\$75.00) together with all water rents, charges, fines and penalties must be paid in full before the water supply is restored to said premises.

- B. In addition to the foregoing any water rents or other charges unpaid within 60 days after the date the same are or become due shall be subject to a 1% per month interest charge on the unpaid principal balance which shall accrue on a monthly basis.

Section 6-4. Turning off and turning on water.

The water supply to any premises shall not be turned off or be turned on at the curb except by a duly authorized agent of the District.

Section 6-5. Lien for unpaid bills.

All water rents and other charges shall be a lien on the premises upon which the water is used until paid

ARTICLE VII. ADMINISTRATION, ENFORCEMENT & OTHER PENALTIES

Section 7-1. Penalties for offenses.

Any person, persons, partnership, limited liability by company or partnership, limited liability company or partnership, corporation or other legal entity violating any provision of this Local Law (except nonpayment of water rents or other charges) shall be punished by a penalty not to exceed two hundred fifty dollars (\$250.00) or imprisoned for 15 days, or both, and each and every day the violation of this Local Law continues shall constitute a separate offense.

Section 7-2. Enforcement; appearance tickets.

- A. In addition to his other respective duties and powers, the Highway Superintendent of the Town of Hounsfield is hereby authorized and empowered to enforce this Local Law.
- B. In accordance with Municipal Home Rule Law S10 Subdivision 4, the Highway Superintendent of the Town of Hounsfield shall have the power to issue and serve appearance tickets in connection with the performance of his respective duties in enforcing this Local Law. The issuance and service of appearance tickets by the Highway Superintendent of the Town of Hounsfield shall have the same force and effect as if served by a peace officer.
- C. Appearance tickets shall be of a form and content acceptable under, and shall be issued in accordance with, Article 150 of the Criminal Procedure Law of the State of New York.

Section 7-3. In addition to the foregoing, the Town Board may also maintain an action on proceeding in the name of the District or Town in a court of competent jurisdiction to compel compliance with or restrain by injunction a violation of this Local Law.

Section 7-4. Right to shut off water for repairs or additions.

The District reserves the right at all times and without notice to shut off the water in case of a break in a water main or in a water pipe and also for repairs on a water main or on a water pipe or for extension of a water main, and such right reserved to shut off water as aforesaid shall be exercised without damages therefore against the District or Town.

Section 7-5. Right of entry.

The District through its duly authorized agent shall, at all times, have the right to enter upon any premises or into any building thereon served by the District Water System for the purpose of reading water meters, inspecting, repairing or replacing service connections, water meters and other property owned by the District; or inspecting for compliance with this Local Law.

ARTICLE VIII MISCELLANEOUS

Section 8-1. Severability

Should any section or provision of this Local Law be declared by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity of this Local Law as to the whole or any part thereof other than the part so declared unconstitutional or invalid.

**WATER RATES FOR THE TOWN OF HOUNSFIELD
WATER DISTRICT #1 (PADDY HILL)**

Effective January 1, 2006 the quarterly water rates for each property served in water District #1 is \$100 flat rate plus \$7.84 per 1000 gallons, or any portion thereof, of water used.

