



DEDHAM-WESTWOOD WATER DISTRICT

RULES AND REGULATIONS

AS APPROVED BY THE DEDHAM-WESTWOOD WATER DISTRICT
BOARD OF WATER COMMISSIONERS
7/26/11

**50 ELM STREET
DEDHAM, MA 02027-9137**

TABLE OF CONTENTS

DESCRIPTION:	PAGE#:
Cover page	1
Table of Contents	2 - 3
Schedule A – Metered Rates	4
Schedule B – Water Rates	5 - 6
Schedule C / D – Domestic Service Connection Charges	7
Rule #1 – Rendering of Service	8
Rule #2 – Definitions	8
Rule #3 – Application for Service	9
Rule #4 – Special Application	9 - 10
Rule #5 – Customer Liability for Charges	10
Rule #6 – Street Service Connections	10 - 11
Rule #7 – Customer Service Pipes	11 - 13
Rule #8 – Repairs/Replacement	13
Rule #9 – Cross Connections Not Allowed	14
Rule #10 – Meters & Meter Installations	14 - 16
Rule #11 – Multiple Meters	17
Rule #12 - Meter Tests and Fees	17
Rule #13 – Public Fire Hydrants	18 – 19
Rule #14 – Private Fire Services	19 - 20
Rule #15 – Discontinuance of Water Services	20 - 21
Rule #16 – Renewal of Water Service After Discontinuance	21
Rule #17 – Turn-on charges/Service Fees	21 - 22

TABLE OF CONTENTS

DESCRIPTION:	PAGE#:
Rule #18 – Bills for Water Services	22 - 23
Rule #19 – Terms of Payment	23
Rule #20 – Bill Dispute	23 - 24
Rule #21 – Inspection Fees	24
Rule #22 – Abatements and Refunds	24
Rule #23 – Extension of Service	25
Rule #24 – Pressure and Continuity of Supply	26
Rule #25 – Interruptions in Water Supply	26
Rule #26 – Liability of District	26 -27
Rule #27 – General	27
Rule #28 – Water Conservation Policy	27 - 31
Rule #29 – Control of Backflow and Cross Connection	31
Rule #30 – Connection & Access Fees	31 - 35
Rule #31 – Mandatory: Rain Sensors for Automated Outdoor Sprinkler Systems	35

Effective 02/01/11

SCHEDULE OF WATER RATES

Applicable to All Classes of Metered Service
 Metered Rates

Schedule A

Approved 1/25/11

Availability

This rate is available to all customers located on the mains of the District in the corporate limits of the Towns of Dedham and Westwood, Massachusetts, for all purposes except fire protection, subject to Rules and Regulations of the District.

Minimum Charges

Minimum charges with quantities of water allowed, without additional charge, will be made to each customer for each meter. Such charges and such allowances of water for each size meter are as follows:

Meter Size Inches	<u>Per Month</u>		<u>Per Quarter</u>	
	Allowance	Minimum	Allowance	Minimum
	Cubic Feet	Charge	Cubic Feet	Charge
5/8" Residential		11.84	300	\$ 35.52
5/8" All Other	300	\$ 17.57	900	\$ 52.71
3/4"	500	\$ 28.44	1,500	\$ 85.32
1"	800	\$ 46.00	2,400	\$ 138.00
1 1/2"	1,600	\$ 92.00	4,800	\$ 276.00
2"	2,500	\$ 144.70	7,500	\$ 434.10
3"	5,000	\$ 284.37	15,000	\$ 853.11
4"	8,000	\$ 459.86	24,000	\$ 1,379.58
6"	16,000	\$ 920.09	48,000	\$ 2,760.27
8"	32,000	\$ 1,738.77	96,000	\$ 5,216.31

Rates for Water Consumed

For all consumption in excess of the minimum allowance per meter size:
 \$4.17 - Per Hundred Cubic Feet.

For all Residential consumption in excess of 42 hundred cubic feet and up to 75 hundred cubic feet per quarter will be billed at \$6.77.

Residential consumption over 75 hundred cubic feet will be billed at \$8.77.

Low Income Rate: Only residential customers with 5/8" meters only may qualify for this rate if they meet the income eligibility requirements in effect with their natural gas or electric service provider. Copies of those utility bills must be submitted each quarter to qualify. The low income rate is a \$10.00 quarterly service fee along with the regular charge of \$4.17 per Hundred Cubic Feet. [adopted 6/21/11]

SCHEDULE OF WATER RATES

Applicable to All Divisions

Schedule B

Approved 1/25/11
 Effective 2/1/11

Private Fire Service (01/01/95)

For each 1" connection, per annum	\$277.44
For each 1 1/2" connection, per annum	\$285.12
For each 2" connection, per annum	\$313.68
For each 4" connection, per annum	\$611.52
For each 6" connection, per annum	\$1,223.64
For each 8" connection, per annum	\$2,427.72
For each 10" connection, per annum	\$3,830.52
For each fire hydrant, per annum	\$1,097.16

Other Charges:

1. After Hours Service Call (or actual cost, whichever is greater)
 Effective [3/1/05] [adjusted 6/21/11]. \$80.00

2. Non-payment Turn-On Fee:

During working hours between 8:30 a.m. - 2:00 p.m.	\$35.00
After Hours Turn-On Fee: 2:00 p.m. - 8:30 a.m.	\$180.00
(Or actual cost, whichever is greater) Effective [2/28/98] adjusted [6/21/].	

3. New 1" Service - Other sizes at actual cost \$670.00
 (Schedule "C") – Effective [3/1/09] adjusted [6/21/11]

4. New Meters - 5/8" X 3/4" \$200.00
 (Other sizes, see schedule "D") – Effective [1/1/07]

5. Access Fees- [3/1/09] adjusted [2/8/11].

a.) 1" Residential Connection	\$3,746.00
b.) Other sizes & categories – (see Rule#30)	

6. Meter Test [3/1/09] adjusted [6/21/11].

a.) 5/8" x 3/4"	\$25.00
b.) 1"	\$50.00
c.) 1 1/2"	\$60.00
d.) 2"	\$100.00
e.) Other sizes at actual cost	\$100.00

7. Testing of Backflow Prevention Devices (each) \$65.00
Effective [3/1/05] [6/21/11].
8. Bank Returned Checks [06/12/89] \$25.00
(Cash or money order required on 2nd consecutive NSF check on checks under \$2,500 with a 1% of check as a maximum penalty).
9. Final Reading (must be paid at time final bill is rendered) [06/01/99]: \$30.00
Adjusted [6/21/11].
10. There will be an up front charge of \$300.00 for three days of required published notifications. The Water District must receive payment at least two weeks in advance of the date scheduled for the flow test. (Effective 8/29/06).
11. At the discretion of the Water District, in lieu of discontinuation of residential water service, a \$40.00 per quarter additional charge will be added to the bill for residential customers requiring a meter change due to age or other reason, where, in the opinion of the Water District the potential exists for the meter change to cause damage to the customer's plumbing or customer's water service pipe, and, where that customer is unwilling to either sign a waiver of liability for such possible damage or to engage a licensed plumber to be on premises during the meter change. Similarly, the \$40.00 per quarter additional charge will be imposed for customers that cannot reasonably provide access to the meter due to material storage or any other conditions around the meter which prevent safe access to the meter including the use of tools used in the removal of the meter. The \$40.00 per quarter additional charge will also be posted to the bill of any customer who does not respond to a request for an appointment to change the water meter within 30 days of the letter being sent by the Water District. The \$40.00 per quarter additional charge will be posted to the account on the same date as the bill is issued and will stop appearing as a charge in the first bill issued after the meter has been changed. The Water District may review the \$40.00 per quarter additional charge and the standing of the customer account may be changed at any time following written notification to the customer, requiring the customer to make all necessary changes to the water service piping to allow a meter change to continue receiving water service from the Water District. (Effective 4/1/09)

DOMESTIC SERVICE CONNECTION CHARGES

Schedule C

Effective (3/1/09)

NEW SERVICES

1"

TAPPING FEE

See Schedule A

- (1) For all sizes above 1" the cost will be based on individual field estimates and adjusted after installation is completed to actual cost.
- (2) A check, payable to the District, in the amount of estimated cost of service connection, as determined by the District, shall be submitted with each application for service. When the actual cost of the service connection is computed, the District shall reimburse the applicant the amount of the deposit in excess of the actual cost within ninety (90) days of the completion of the work. The applicant shall pay the District the amount the actual cost exceeded the estimate, at the completion of the work.

Schedule D

Effective (3/1/09)

<u>SIZE</u>	<u>FEE</u>	<u>FEE WITH PIT</u>
5/8" With Radio	\$200.00	\$215.00
3/4" With Radio	\$250.00	\$265.00
1" With Radio	\$285.00	\$300.00
1 1/2" With Radio	\$450.00	\$465.00
2" With Radio	\$470.00	\$485.00

- (1) For all sizes above 2" the cost will be based on individual field estimates and adjusted after installation is completed to actual cost.
- (2) If an outside meter pit or vault is requested or required, it shall be furnished at the expense of the customer and installed as approved by the District.

Issued: 12/17/86 Revised 3/1/09 as approved by the Dedham-Westwood Water District Board of Water Commissioners

RULES AND REGULATIONS

1. **RULES AND REGULATIONS GOVERNING RENDERING OF SERVICES:**

- (a.) The rules and regulations in their entirety as herein set forth, or as they may hereafter be altered or amended in a regular and legal manner, shall govern the rendering of water service, and every customer, upon signing of an application for water service, or upon taking of water service, will be bound thereby.

2. **DEFINITIONS APPLICABLE TO THE FOLLOWING SECTIONS:**

The words "District" or "Water District" refer to the Dedham Westwood Water District.

The word "Customer" shall be taken to mean any person, firm, corporation, government or governmental division who has applied for and received water service supplied by the Dedham-Westwood Water District.

The words "main" or "main pipe" shall mean the supply pipe owned by the Water District from which service connections are made to supply water to customers.

Street Service Connection (See rule #6).

Customer Service Pipe (See rule #7).

The words "public water system" refers to the water system owned and operated by the Dedham Westwood Water District.

The word "premises" as used herein shall be restricted to the following:

- (a.) A building under one roof owned by one customer and occupied as one residence or one place of business.
- (b.) A combination of buildings owned by one customer in one common enclosure, or occupied by one family, or one corporation or firm, as a residence or place of business.
- (c.) Each unit of a multiple house or building or condominium or townhouse separated by a solid partition wall, occupied by one family, or one firm, as a residence or a place of business.
- (d.) A building owned by one customer having a number of apartments, offices, or lofts which are rented to tenants, using in common one hall and one or more means of entrance.

3. APPLICATION FOR WATER SERVICE:

- (a.) Application for a new street service connection or application for water service through an existing street service connection shall be made in writing by the owner or his authorized representative for the premises to be supplied.
- (b.) No agreement will be entered into by the District with an applicant until all arrears and charges due by the applicant at any premises now or heretofore occupied by him shall have been paid. A payment plan on overdue charges can be arranged if so desired.
- (c.) Any change in the identity of the contracting Customer at any premises will require a new application and the District may, after reasonable notice, discontinue the water service until such new application has been made and accepted.
- (d.) The District shall furnish and install the service tap, service pipe, corporation cock, curb cock, and curb box at the customer's expense and shall own and maintain all new service connections, meters and meter installations, provided the costs of excavation, backfill, removal, and replacement of paving, walks, curbs, etc., including the hiring of traffic control personnel, and obtaining the street opening permits, necessarily incurred in respect to new services, shall be borne and work performed by the customer (or his agent). For replacement of services, the District shall bear all costs, except where the type of service is altered at the customer's request.

4. SPECIAL APPLICATION FOR WATER SERVICE:

- (a.) Water for transient, temporary or special purposes must be specially applied for and at the sole discretion of the district, may be granted with written approval for 90 day periods, and discontinued at the sole discretion of the Water District.
- (b.) Whenever a street service connection is made to the mains for temporary service, for construction or any other specified purpose or purposes, the applicant will bear the entire cost and expense of installing and maintaining such service, and shall bear the entire cost and expense of eliminating same to the satisfaction of the Water District.
- (c.) If a customer requests or requires temporary water service by connection to a fire hydrant, the charges will be as follows:

1. \$200.00 Set up fee plus \$1,000 deposit. Only Water District may install or remove metering equipment. Removing or tampering with same or with any Water District supply control valves will be considered tampering and may result in termination of temporary service and the imposition of fines and potentially criminal prosecution.
2. The deposit on metering equipment and backflow prevention equipment will be refunded following deducting costs for any damaged equipment and payment of any outstanding water bills. It is understood that damage to equipment may exceed the deposit amount and the customer will be billed for the actual damage cost if the deposit amount is exhausted.
3. After 90 days the meter and backflow device will be removed for testing. If service is to be continued, an additional \$200 set up fee will be added to the bill.
4. Rates for temporary metered water services will be billed at the highest tier residential rate in effect.

The above charges will be collected in advance by the Water District and all requests must be approved in writing as determined by the Water District. If approved, a permit will be issued to the Customer stating in detail the conditions of use.

5. **CUSTOMER'S LIABILITY FOR CHARGES:**

- (a.) A customer who has made an application for water service to any premises shall be held liable for water service furnished to such premises until such time as the Customer properly notifies the District to discontinue the service for his account and a final meter reading is obtained. Premises with remote reading meters must have both inside meter and remote meter read.

6. **STREET SERVICE CONNECTIONS:**

- (a.) Street service connection means the service pipe from the main to the outlet side of the District's shut off stop or valve near the curb or property line of the premises to be serviced, including the corporation cock, Curb cock, and curb box, and shall be laid at a right angle to the main and shall not cross intervening properties, and will be furnished and installed by, and shall remain the property of the District and under its sole control and jurisdiction.
- (b.) The District will make all connections to its mains and will specify the size, kind and quality of all materials entering into the street service connection.

- (c.) All new street service connections will be installed in accordance with Rule #3 of these Regulations.
- (d.) Where a street service connection is already installed, the customer shall connect with the street service connection as laid. Connections must be made in accordance with all other District Rules & Regulations under "Meters and Meter Installations". The Customer must contact the District to inspect and approve said connection.
- (e.) The curb box shall be set at or near the curb or property line and shall be kept accessible at all times.
- (f.) New street service connections shall not be laid during the months of November, December, January, February and March except at the discretion of the District.
- (g.) The street service connection owned by the District will be maintained by the District at its expense.
- (h.) The District shall in no event be responsible for maintenance of or for damage done by water escaping from the service pipe or any other pipe and fixtures from the outlet side of the curb cock or valve to the premises being served.

7. **CUSTOMER'S SERVICE PIPES:**

- (a.) The Customer's service pipe means the service pipe beginning at the outlet side of the District's shut off stop or valve near the curb or the property line to the premises and shall be furnished and installed by the Customer at his expense and risk. Also, see paragraph (L) of this rule.
- (b.) The District will specify the size, kind and quality of the materials of the Customer's service pipe and shall be equal to or greater than the street service connection.
- (c.) The Customer's service pipe and all connections and fixtures attached thereto shall be subject to the inspection and approval of the District before the water will be turned on.
- (d.) The service pipe shall be laid at all points at least four and one-half feet below the surface of the ground and shall be placed on firm and continuous earth so as to give unyielding and permanent support, and shall be installed in a trench at least ten feet in a horizontal direction from any sewer line, septic

tank or leaching field and at least three feet from any other buried line or conduit. Any vertical crossings shall be at least two feet, and any sewer lines must be under the water line, unless otherwise approved by the District. Existing or future crossings, public or private, must be made known to the District. Exceptions may be granted in writing by the District after approval of other agencies.

- (e.) The customer shall make all changes in his portion of the service pipe required on account of changes of grade, relocation of mains or other causes at his expense and risk.
- (f.) No fixture shall be attached to or any branch made in the service pipe between the meter and the street main.
- (g.) Each premise shall be supplied through an independent service pipe from a separate curb cock and box, and all double houses, apartment houses, office buildings or business blocks shall have a separate service connection and curb box for each tenant unless otherwise specifically approved or ordered by the District in which event the owner is to be solely responsible for all water used on and in said buildings or premises.
- (h.) When more than one building, apartment or premises is supplied through a single service pipe, any violation of the rules and regulations of the District with reference to either or any of the said buildings or premises
- (i.) Shall be deemed a violation as to all and the water service shall be discontinued after the property has been posted for at least 30 days and reasonable opportunity allowed for each building or premises to attach their service pipes to separately controlled service connections which will be installed by the District at the expense of the Customer and shall be in accordance with the new service agreement.
- (j.) Any repairs, maintenance or replacement necessary on the Customer's service pipe or any pipe or fixture in or upon the Customer's premises shall be performed by the Customer at his expense and risk. If, in the opinion of the Water District, the service pipe is likely to break as a result of the meter change, the customer must either replace their water service, sign a waiver of liability for damages to the water service pipe or engage a licensed plumber to be on site during the meter change. Customers unwilling to follow either of the options may be subject to shutoff of their water service or, at the sole discretion of the Water District, implementation of the \$40.00 quarterly charge until the customer elects one of the options named which, the Water District, requires before we change the meter.

- (k.) The Customer shall promptly notify the District of any leak, defect or damage affecting the Customer's service pipe between the property line or curb shut-off and the point where metered.
- (l.) The Customer shall effect necessary repairs, maintenance or replacement of his service line, at his expense and risk, within five (5) working days after notification by the District, whether or not the leak, defect or damage is beyond the meter or not. In the case of waste, damage to property or hazard to any persons, as determined by the District, the leaking defected or damaged service will be shut off or discontinued immediately until repaired.
- (m.) The Customer is responsible for repairs, maintenance or replacement of exceptional or "long" service lines except that portion of the service line originally installed and owned by the District according to the District's records. Changed conditions or circumstances do not cause a change in ownership unless agreed to in writing by the District and the Customer.
- (n.) Existing Customer owned service lines that are non-conforming with these Rules and Regulations may be repaired but not replaced until brought up to current standards at the Customer's expense.
- (o.) In all cases of a change of use or expansion of an existing Customer's facilities or property, the Board of Water Commissioners shall review said new use or expansion to determine the nature and extent of the additional potential domestic water demand, interior fire protection requirements, or other water supply and distribution considerations, if any, and shall calculate an appropriate and reasonable additional access fee to reflect the potential demand on the system, if any. The calculation of the additional access fee shall be based upon a consideration of the new use or expansion as if it were an entirely new application for water supply. In case of demonstrated hardship, the Board may in its discretion allow the additional access fee to be paid in installments.

The Board may request information from the owner or the owner's professional consultant to ascertain the likely water consumption or fire protection requirements, for the change of use or expansion. **Any costs incurred by the District for its consulting engineers to review this submission shall be charged to the owner.**

8. **REPAIR OR REPLACEMENT MUST BE APPROVED BY THE DISTRICT:**

- (a.) All repair or replacement work in connection with the District's water mains or appurtenances shall be submitted for the inspection by the District, and no under-ground work shall be covered up until inspected and approved by the District. Whenever the District determines that a job is obviously defective, although not in direct violation of these rules and regulations, the District will insist upon its being corrected before the water will be turned on.

9. CROSS-CONNECTIONS NOT ALLOWED: (See Rule #29):

- (a.) No pipe or fixtures connected with the mains of the District shall be connected with pipes or fixtures supplied with water from any other source unless specifically approved by the Department of Environmental Protection (DEP) of the Commonwealth of Massachusetts.
- (b.) All piping systems in which water might become polluted shall be so arranged as to preclude water from re-entering the water distribution system by siphonage or other means. These installations shall in each case be approved by the District. The minimum requirements would consist of a back flow prevention device as approved by the Department of Environmental Protection (DEP) of the Commonwealth of Massachusetts.
- (c.) The plumbing on all premises supplied from the District's water system shall conform to the Commonwealth of Massachusetts Plumbing Codes, the Sanitary Code of the Town (s) where the building is located, regulations specified by the Department of Public Health and/or the Department of Environmental Protection. Drinking Water Regulations Section 22 – Cross Connections (310 CMR 22.22).

10. METERS AND METER INSTALLATIONS:

(Revised and approved 11/12/91)

- (a.) The District shall specify the kind and size of meter to be installed at the expense of the Customer and in accordance with the sizing schedule.
- (b.) Sizing Schedule:

SIZE	AVERAGE FLOW RATE (*GPM)	PEAK FLOW RATE (*GPM)
5/8" x 3/4"	15	20
3/4"	25	30
1"	35	50
1 1/2"	50	100
2"	100	160
4"	200	600

* GPM = Gallons Per Minute

Meter sizes for flow rates more than those shown on this chart will be reviewed on an individual basis and may result in a larger meter or any combination of the meter sizes and flows listed above.

- (c.) Meters relating to new construction will be furnished and installed at the Customer's expense by the District and shall remain its property.
- (d.) The Customer shall provide at their expense a readily accessible and protected location for the installation of a meter and a remote register at such a point as will control the entire supply to the premises, which location must be acceptable to the District as most convenient for its service, so that the meter may be easily examined, read or removed; and the Customer shall also provide at his expense suitable pipe connections and the necessary valves, before and after each meter, backflow device, and other fittings as may be designated by the District for the proper installation and protection of the meter. Failing to provide access to the meter upon the request of the Water District may result in a \$40.00 per quarter additional charge until access is provided.
- (e.) When the Customer's meter or remote register is not installed in a building, it shall be placed in a meter box or vault as approved by the District, furnished at the expense of the Customer, which box or vault shall be placed just inside the Customer's property line or at such other location as may be ordered by the District. When place of consumption is 100 feet or more beyond the shut-off or when conditions exist that in the opinion of the District require it, a meter box or vault is required.
- (f.) Each dwelling unit built or converted for separate ownership shall be serviced by a separate meter. Apartment houses, offices or business premises, held in single ownership, may be served through a single meter where the arrangement of the interior piping does not permit individual meters. In such cases, the owner of the property shall be responsible for the payment of the bills.

Any request for a different metering system must be approved by the District and may be approved only upon such terms and conditions as the District may require. In approving any non-standard metering installation, the District may require a compensatory system improvement contribution to defray the reasonably expected cost of future administrative and collection problems which may be caused by the non-standard metering system (approved 10/11/88).

- (g.) Meters will be maintained by the District at its expense insofar as ordinary wear is concerned, but damage due to hot water, freezing or other external causes shall be paid for by the Customer.
- (h.) The Customer shall promptly notify the District of any damage to the meter or its connections. The Customer shall permit no one who is not an agent of the District or otherwise lawfully authorized to do so to remove, inspect or tamper with the meter or other property of the District.
- (1.) If the meter seal is found broken, it will be replaced. The second time a seal is broken; the Customer must allow two inside meter readings a year or the installation of a pit meter at the Customer's expense.
 - (2.) If the meter itself is found damaged, a new meter shall be installed at the Customer's expense. The Customer must allow two inside meter readings a year or the installation of a pit meter at the Customer's expense. If the meter is found to be damaged a second time, the Customer must install a Pit meter at his own expense.
 - (3.) If a meter is found to be removed, the Customer shall be required to install a pit meter at his own expense.
 - (4.) If a customer is found to have taken water without authorization, the Customer shall be fined \$1,000 for the first occurrence. A second offense shall be fined \$2,500, a third offense shall be fined \$5,000 and the service shall be shut off. In addition to the fines, the Customer shall also incur the cost of the water as determined by the District.
- (i.) Prior to the sale of any premises, under the \$40 quarterly surcharge for failing to provide adequate plumbing or meter access referenced in preceding paragraph (d.), or those premises that are in need of a meter change at the time of sale, the customer shall meet the conditions required and the meter shall be changed before the District shall issue a final water bill to the customer. Upon written application to the District and at the sole discretion and approval of the District, forbearance may be granted on this requirement and a final bill will be issued providing that for a period of no more than 120 days following the issuance of a final water bill, the required measures will be taken to allow the meter to be changed. Such application must include a copy of the property purchase and sale agreement as well as a notarized acknowledgement from the buyer of the requirements to provide access to the meter and acknowledgement of the potential financial implications within the 120 day time period.

Violations will be prosecuted to the fullest extent of the law and the Customer will be responsible to reimburse the District for all costs for lost revenue, legal costs or any other expense involved in said prosecution.

11. MULTIPLE METERS:

(Revised & approved 9/24/92)

- (a.) The District may install a series of smaller meters (a battery setting) in lieu of a single large meter as it deems necessary for reasons of serviceability and continuance of service.
- (b.) If more than one meter is installed on a Customer's premises (prior to 12/17/86) due to conditions existing on the premises of the Customer, each meter shall be treated separately as if it belonged to a separate Customer and the registrations shall not be combined.
- (c.) The District may require a service line meter (master meter) to be installed at a point near its connections with the District's distribution main and bill the property owner for the appropriate minimum charges and all water used through the service lines.

12. METER TESTS AND TEST FEES:

- (a.) All meters are accurately tested before installation and are also subjected to periodical tests. The District may at any time remove any meter for routine tests, repairs or replacement and may, at its option and expense, test any meter when the District has reason to believe that it is registering inaccurately.
- (b.) The Customer may request the District to make a special test of accuracy of a meter. Such special tests shall be witnessed by the Customer or his authorized representative.
- (c.) For such special test, the fee as established herein shall be paid in advance by the complainant but should the said meter be found upon said test to be more than two percent incorrect to the prejudice of the Customer, the fee so paid shall be returned to the complainant by the District and the current bill corrected based on an agreement between the District and the Customer for an appropriate adjustment of the prior billing period(s). This correction shall apply to both over and under registration and another meter which has been properly adjusted shall be installed.

- (d.) For the test of meters made upon request of the Customer, the following fees shall be paid: **See Schedule of Water Rates and Other charges.**

13. PUBLIC FIRE HYDRANTS:

(Approved 11/28/89):

- (a.) A public fire hydrant shall be defined to be a fire hydrant located on municipal property, street or highway, right of way, maintained and accepted for public use as a public way and which is installed at the approval of the town, town fire chief and approved by the Dedham-Westwood Water District.
- (b.) If any Customer/Developer is required by the town fire chief to provide and install a new public fire hydrant on existing or new water mains and is approved by the District, the said installation (s) shall be at the expense and risk of the Customer/Developer.
- (c.) New fire hydrants requested by the town or town fire chief and approved by the majority of the District Water Commissioners, after review of sound engineering principals and as recommended by the District's engineering or management firm, will be installed by the District for an installation charge of \$2,500, paid to the District by the town for each new fire hydrant so requested.
- (d.) The District will replace damaged or worn fire hydrants at its expense, or at the expense of the party who damages said hydrant as required.
- (e.) All public fire hydrants shall be maintained by the District.
- (f.) Any expense for repairs caused by the negligence of employees of the Municipality or by members of the fire department will be paid for by the Municipality.
- (g.) The use of fire hydrants will be restricted to the taking of water for extinguishing of fires and water shall not be taken from any fire hydrant for construction purposes, sprinkling streets, flushing sewers or gutters or for any other use unless specially expressed in writing by the District for the particular time and occasion.

Any person or company who has been permitted by the District, in writing, to utilize a hydrant for removing water from the distribution system shall be required to utilize only the hydrant(s) authorized by the District. Any person or company removing water from any other hydrant other than the hydrant(s) authorized at the time of permitting shall be fined \$200.00 per occurrence.

- (h.) Inspections and tests of public hydrants will be made by the District at convenient times and reasonable intervals. The conductor of the test will be charged the amount to reimburse the Dedham-Westwood Water

District set forth in Schedule B, Paragraph 10 for public notification costs incurred. A written notice to the Water District is required two weeks prior to the flow test, including a payment in accordance with the fee schedule. The Water District, in its sole discretion, may defer all water flow tests depending on system conditions.

(Approved 8/29/06)

- (j.) Whenever a change in location, size or type, or permanent removal of fire hydrant is requested by a Municipality and/or a Customer, such change will be made by the District at the expense of the Municipality and/or Customer.
- (k.) Any person removing water from a hydrant without the written permission of the District shall be fined \$1,000.00 per occurrence, plus the cost of the water as determined by the District.

14. **PRIVATE FIRE SERVICE:**

- (a.) The entire cost of installing a private fire service from the main to the property line will be paid for by the Customer. The District shall own and maintain all service connections. For replacement of services, the Customer shall bear all costs. All work performed on the Customer's premises shall be done by the Customer at his expense.
- (b.) A gate valve controlling the entire supply will be placed on the fire service at the main. Any valve pit or vault which may be required will be furnished at the expense of the Customer.
- (c.) The private fire service shall be subject to the inspection, test and approval of the District before the service is made effective.
- (d.) A private fire service connection is furnished for the purpose of supplying water for the extinguishment of fires only, and no use of water from such connection for any other purpose shall be made. Each connection shall be made separately to the distribution main of the District and shall not be combined with any domestic water service connection.
- (e.) The Customer shall notify the District within a period of seventy-two (72) hours after any usage of the sprinkler system.
- (f.) A detector check valve with a by-pass, along with an approved backflow prevention device shall be furnished and installed by the Customer in

accordance with District requirements, just inside the building wall or other convenient location on the Customer's premises as designated by the District. Any meter pit or vault required by the District shall be constructed and maintained at the expense of the Customer. The by-pass meter will be maintained by and at the expense of the District.

- (g.) Hydrants and other fixtures connected with a private fire service connection may be sealed by the District and such seals shall be broken only in case of fire or as specially permitted by the District, and the Customer must immediately notify the District of the breaking of any such seal.
- (h.) No pipe or fixture connected with a private fire service connection served by the District shall be connected with pipes or fixtures supplied with water from any other source.
- (i.) The District shall determine the size and location of any connection made to its mains for private fire service.
- (j.) Fire pumps and booster pumps of any nature may be connected only after notification to the District and shall be constructed in such a manner to prevent cross connections and vacuum. Owners and operators of such equipment are liable for any and all damages to the District or other customers' property during such operation. A low pressure cut-off device as approved by the District will be installed at the expense and risk of the customer.
- (k.) The entire private fire service connection and all parts of it which are located outside of the property line of the Customer are and forever remain the property of and under the complete jurisdiction of the District.
- (l.) No test of Fire Service shall be permitted without approval of the District (who may elect to have a representative present). They shall be scheduled to cause the least possible inconvenience to the District's other customers.

15. DISCONTINUANCE OF WATER SERVICE:

- (a.) Service may be discontinued for any of the following reasons:
 - 1. Violation of the Rules & Regulations of the District.
 - 2. Misrepresentation in application as to the premises or fixtures to be supplied, or the use of the water supply.
 - 3. Use of water for any premises or purpose not described in the application.
 - 4. Molesting any service pipe, meter, curbstop or seal, or any appliance of the District.

5. Failure to maintain, in good order, connections, service lines, or fixtures for which the Customer or owner is responsible.
6. Waste of water through improper or imperfect pipes, fixtures or otherwise.
7. Vacancy of the premises.
8. Neglecting to make payments of charges for water service or any other charges against the owner of the premises.
9. Refusal of access to premises to inspect, read, maintain or remove meters.
10. Refusal to conserve water during periods of restricted supply.
11. Failure to pay water bills or charges at a prior location.
12. Any cross connection which would introduce water or any liquid other than that supplied by the District into the service line of the District.
13. The District shall have the right to cut off the water without notice in case of breakdowns or for other avoidable causes, or for the purpose of making necessary repairs, connections, etc. When determined practicable by the District, reasonable notice will be given. In no case shall the District be liable for any damage, or for inconvenience suffered.

(b.) Whenever the Customer desires to have his service contract terminated or his water service discontinued, he shall so notify the District. Until such notice is received by the District and the District has access to remove the meter or obtain the final readings, the Customer shall be responsible for the payment for all service rendered by the District, including charges for meter repairs caused by damage by hot water or freezing or other external causes. A reasonable time after receipt of such notice shall be allowed the District to take a final reading of the meter or meters and to discontinue service.

(c.) Discontinuing the supply of water to any premise for any reason shall not prevent the District from pursuing any lawful remedies by action of law or otherwise for the collection of monies due from the Customer.

16. RENEWAL OF WATER SERVICE AFTER DISCONTINUANCE:

(a.) 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, rules and regulations. A payment plan on overdue charges can be arranged if so desired.

17. TURN-ON CHARGE/SERVICE FEES:

- (a.) After Normal Working Hours/Requests for Service:
Fee as shown in Schedule B. Customers who request a service call before 8:30 a.m. and after 4:00 p.m., Monday through Friday, or on Saturday, Sunday, or Holidays as celebrated by the District and Operating Staff, will pay a service call fee of (as shown in Schedule B) for such service {1/1/07}. Payment for this service must be received at the District's Office within 15 days after requesting said service or requesting Customer will be deemed in violation of the District's Rules and Regulations which will result in discontinuation of water service. Non-payment Shut Off's are addressed separately under Rule #17, Section B. (Approved 10/30/91 by Board of Water Commissioners).
- (b.) When it has been necessary to discontinue water service to any premises because of violation of the rules and regulations or on account of non-payment of any bill, a charge of (as shown in Schedule B) will be made to partly cover the expense of turning on the water and this charge together with any arrears that may be due the District for charges against the Customer must be paid before the water will again be turned on providing, however, if request is made to the District for restoring service after regularly scheduled working hours, then the charges for restoring such service shall be the District's actual costs of restoring said service. If payment is not received by noon of the following business day, water will immediately be discontinued and not restored until all fees are paid in full.
- (c.) If at the tie of such discontinuance of service, a non-residential Customer does not have a deposit with the District, the District may require a deposit as a guarantee of the payment of future bills before the water will be turned on.

18. BILLS FOR WATER SERVICE:

- (a.) In all cases, the property owner ("Customer") shall be responsible for payment of all water bills. Customers are responsible for furnishing the District with their correct billing address. Failure to receive bills will not be considered an excuse for non-payment nor permit an extension of the date when the account would be considered delinquent. Resolution of potential billing conflicts between the tenant and the customer (i.e. the property owner) is the sole responsibility of the customer.
(Approved 3/26/91 by Board of Water Commissioners).
- (b.) All bills will be sent to the address entered in the application unless the District is notified in writing by the Customer of any change of address.
- (c.) Payments shall be made at the office of the District or at such other places conveniently located as may be designated by the District.

- (d.) The District will not be bound by bills rendered under mistake of fact as to the quantity of service rendered, except if that mistake is due to District negligence or omission.
- (e.) The use of water by the same Customer in different premises or localities will not be combined, and each installation shall stand by itself.

19. TERMS OF PAYMENT:

- (a.) All bills shall be payable upon receipt. However, no residential bill shall be considered "due" under applicable law or these Regulations in less than forty-five (45) days from receipt. No disputed portion of a bill which related to the proper application of approved rates and charges, of the District's compliance with these Regulations, shall be considered "due" during the pendency of any hearing or appeal under these Regulations. Any non-disputed bills or any other bills must be paid.
- (b.) All other District bills, fees, or charges shall be payable on demand.
- (c.) Bills for the minimum charges for metered service shall be due and payable in arrears. Bills for water used above the allowance included in the minimum charge shall be due and payable in arrears. The District may render bills on either a quarterly or monthly basis, depending upon the class and quantity of service rendered.
- (d.) Bills for public fire service shall be rendered quarterly in arrears and shall be due and payable as rendered.
- (e.) Bills for private fire service shall be rendered quarterly in arrears and shall be due and payable as rendered.
- (f.) With respect to the termination of service to Customers with infants, customers claiming serious illness, and elderly customers, the District shall follow the general scheme of 220 CMR 25.03 and 25.05, respectively, but, as a municipal entity, it is not bound to observe all of the substantive and procedural requirements therein.
- (g.) Failure to make a timely payment results in the imposition of a lien on the serviced premises in the amount of the overdue bill, pursuant to M.G.L. c 40, 42A-F. The existence of such a lien does not foreclose the use of any other lawful means of collecting payment, including termination of service to the premises.

20. BILL DISPUTE:

- (a.) All questions regarding Customer's bills will first be referred to the Service Company personnel in this order:
1. Customer Service Representative.
 2. Customer Service Superintendent.
 3. Business Manager.
 4. General Manager.
- (b.) To help determine the reason for a disputed bill amount, the Customer may request:
1. A new actual meter reading to confirm usage billed.
 2. A meter test at the District's office at the Customer's expense, unless the meter proves to be malfunctioning, in which case the testing fee will be refunded.
- (c.) If the Customer still disputes the bill amount, he/she may fill out an abatement form to be presented the Bill Dispute Subcommittee of the Board of Water Commissioners. The subcommittee will review the abatement request and notify the Customer of its decision.
- (d.) Only after all previous steps and/or above are followed: The Customer may request a hearing before the full Board of Water Commissioners in public session for a final review and decision by calling the Executive Director and requesting to be put on the agenda of a subsequent Commission meeting.
- (e.) Appeals from the decisions of the Board of Commissioners may be taken as provided in Massachusetts General Laws Chapter 59 Sections 64-65, inclusive.

21. INSPECTION FEES:

- (a.) In cases where inspection 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:

The actual cost to the District, including overheads, plus 15% administrative overhead fee.

22. ABATEMENTS AND REFUNDS:

- (a.) No abatement shall be made for leaks or for water wasted by improper or damaged service pipes or fixtures belonging to the Customer, or for water services left on due to vacancy.

However, should a leak clearly be the cause of consumption charges billed in an upper rate block, the Abatement Subcommittee of the Board of Water Commissioners may consider, at its sole discretion on a case by case basis, abating the amount of the difference between the lower and higher rate blocks caused by said leak. Effective {3/14/06}

23. EXTENSION OF SERVICE:

Main extension requirements:

- (a.) Where a request for water service requires the extension of a main, mains, or other facilities from the existing water system, the applicant shall submit a main extension application and shall enter into a main extension agreement with the District on its approved forms, and in accordance with the District's procedures. The proposed location, size, and distance of any proposed main extension must be approved by the District and must:
 - 1. Conform to the District's hydraulic system requirements;
 - 2. Be sufficiently sized and located so as to meet the District's requirements, hydrant requirements and any specific requests from the Fire Chiefs of Westwood and Dedham as applicable (approved 10/11/88).
- (b.) All costs associated with a main extension project, including legal, engineering, construction, inspection and administrative costs, shall be borne by the applicant. The District shall not be obligated to grant refunds, other than unexpended deposits.
- (c.) All main extension plans shall be reviewed by the District at the Applicant's expense.
- (d.) All main extensions shall be constructed in accordance with the specifications of the District and under District's inspection.
- (e.) All water mains, appurtenances, and other facilities comprising the main extension shall become the property of the District after all District requirements are completed to the satisfaction of the District.
- (f.) Mains shall be sized to meet the Applicant's needs except that all main extensions shall be a minimum main size of 8 inches in residential areas, and a minimum main size of 12 inches in commercial or industrial areas. Main extensions at less than the minimum size must be approved individually in writing by the District.

- (g.) All pipelines will have a minimum cover of five feet and a maximum cover of seven feet. (Approved 7/29/03).

24. PRESSURE AND CONTINUITY OF SUPPLY:

- (a.) The District does not guarantee a sufficient or uniform pressure, or an uninterrupted supply of water and Customers are cautioned to provide sufficient storage or water where an absolutely uninterrupted supply must be assured, such as for steam boilers, domestic hot water systems, gas engines, medical equipment, etc.
- (b.) In high level sections where pressure is low, the Customer shall, if he desires a higher pressure than that furnished at the mains of the District, install at his own expense, a tank and or booster pump, of a type and installation approved by the District.
- (c.) Where the pressure to a Customer's premises is greater than he wishes, it shall be his responsibility to install the proper regulating device to reduce the pressure to the extent desired.
- (d.) All domestic service connections, installed after December 17, 1986, where the pressure exceeds 80 pounds, the Customer/Developer is required to install proper pressure regulating devices at his expense.

The District shall have the right to reserve sufficient supply of water at all times in its reservoirs to provide for fire or any other emergencies, and may restrict or regulate the quantity of water used by its Customers in case of scarcity, or whenever the public welfare may require it.

25. INTERRUPTIONS IN WATER SUPPLY:

- (a.) The District may at any time shut off the water in the mains in case of accident, or for the purpose of making connections, alterations, repairs, changes or for other reasons, and may restrict the use of water to reserve a sufficient supply for public fire service or other emergencies whenever the public welfare may require it.

26. LIABILITY OF DISTRICT:

- (a.) The District will undertake to use reasonable care and diligence in order to prevent and avoid interruptions and fluctuations in the service, but it cannot and does not 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 caused by circumstances beyond its control.

- (b.) The District shall in no event be liable for any damage or inconvenience caused by reason of any break, leak or defect in the Customer's service pipe or fixtures.

27. GENERAL:

- (a.) The service pipes, meters and fixtures on the Customer's premises shall at all reasonable hours be accessible to the District for observation or inspection.
- (b.) No person shall turn the water on or off at any street valve, corporation cock, curb cock or other street connection, or disconnect or remove any meter without the consent of the District. Penalties provided by law for such action will be rigidly enforced.
- (c.) Employees or agents of the District are expressly forbidden to demand or accept any compensation for any service rendered to its Customers except as covered in these rates, rules and regulations.
- (d.) No employee or agent of the District shall have the right or authority to bind it by any promise, agreement or representation contrary to the letter of these rules and regulations.
- (e.) Any complaint against the service or employees of the District should be made at the office of the District and preferably in writing.
- (f.) The District shall have the right to cut off the water supply to make repairs, changes or connections to its mains and other equipment. It will use reasonable effort to notify the Customer in advance of such discontinuance of service, but it will not be liable for any damage or inconvenience suffered by the Customer because of such discontinuance of service, or because of failure to notify the Customer in advance of its intention to discontinue service.

28. WATER CONSERVATION PLAN

Rules and Regulations

Revised & Voted 06/27/00

The Commission will invoke Water Use Restrictions in accordance with Rule 28 – Water Conservation Plan in the District's Rules & Regulations when total safe yield of all well fields are depleted to a point that the ratio between Estimated Safe Yield and the Weekly Average of System Delivery is below 125%, The Board of Water Commissioners, by

majority vote, may change any of the following restrictions as circumstances require. The following stages will be enforced.

<u>Ratio</u>	<u>Stage</u>
125%-110%	I-A (Voluntary)
109%	I-B (Mandatory)
	I-C (Mandatory)
	I-D (Mandatory)
108%	II-A
107%	II-B
106%	II-C
105%	II-D
104% and less	III

Ratio* = Includes new well #5 (AN-1). If it appears that well #5 must be shut off due to low Neponset River levels, the remaining wells estimated safe yield shall be used.

Lifting of Regulations = To relax restrictions, the Ratio (estimated safe yield of the wells and/or purchases divided by the weekly average) must return to 110% for a seven day period and the future outlook, as determined by the District, is positive and shows continued improvement.

In addition to the aforementioned conditions where water use restrictions will be implemented and to comply with the Massachusetts DEP Drought Triggered Seasonal Demand Management Plan, effective on May 1, 2009, the following is required:

If and when, the Massachusetts Drought Task Force issues a Drought Advisory, Drought Watch, Drought Warning, or Drought Emergency between May 1 through September 30th, no non-essential watering will be permitted between 9:00 a.m. to 5:00 p.m.

STAGE I-A Voluntary Odd / Even Outside Water Use Policy:

The public is requested to refrain voluntarily from watering lawns or other vegetation, washing vehicles, unnecessary washing down driveways and sidewalks, and other uses of water hoses, and to conserve water from effected public water supplies in all other practicable ways. Due publicity will be given to the need for water conservation and suggested methods of conservation will be published. Voluntary odd/ even outside water use policy.

STAGE I-B Mandatory Odd / Even Outside Water Use Policy:

Mandatory Odd / Even Outside Water Use Restrictions. To include watering lawns or other vegetation, washing vehicles, washing driveways or sidewalks, or any outside use. The District Water Commissioners may invoke monetary or other penalties for customers

who violate any mandatory restriction order. The penalties for violating mandatory restrictions are as follows:

- **First Violation:** Warning
- **Second Violation:** \$100.00 fine
- **Third & Additional Violations:** \$250.00 and discontinuance of water service. A reactivation fee of \$250.00 will be charged before water service is restored.

STAGE 1-C Mandatory

Mandatory Restrictions Limiting Lawn Watering by Town to Two Days Per Week between 6-9 a.m. and 6-9 p.m.

Mondays, Thursdays	Dedham
Tuesdays, Fridays	Westwood

No lawn watering is allowed on Wednesdays, Saturdays, and Sundays. Hand held hoses may be used for flower and vegetable gardens without hour or day restrictions.

STAGE 1-D Mandatory

Mandatory Restrictions Limiting Lawn Watering to One Day Per Week between 6-9 a.m. and 6-9 p.m. based on Town and Address

<u>Allowed Day</u>	<u>Town</u>	<u>Address</u>
Monday	Dedham	Odd
Tuesday	Westwood	Odd
Thursday	Dedham	Even
Friday	Westwood	Even

No lawn watering is allowed on Wednesdays, Saturdays, and Sundays. Hand held hoses may be used for flower and vegetable gardens without hour or day restrictions.
Effective 2002.

STAGE II-A:

The purpose of Stage II-A is to reduce water consumption with minimum hardship or economic loss to individuals and business concerns. Use of the affected public water supply for any of the following purposes is prohibited:

1. Watering of shrubbery, trees, lawns, grass, plants or other vegetation except from a watering can or other container not exceeding three gallon capacity,

excluding plant nurseries, golf course greens and commercial agricultural activities.

2. Washing of vehicles or other mobile equipment, except in vehicle wash facilities operating with water re-cycling system approved by the District with a prominently displayed sign in public view so stating, or except from a bucket or other container not exceeding three gallon capacity.
3. The washing of streets, driveways, parking lots, service station aprons, the exterior of commercial or residential buildings, or any other outdoor surface, except from a bucket or other container not exceeding three gallon capacity, unless such washing is required to eliminate a hazard.
4. Operation of any ornamental fountain or other structure making similar use of water.
5. Filling (from an empty or less than three quarters full condition) of swimming and/or wading pools, except for home wading pools requiring not more than five gallons of water.
6. Service of drinking water in restaurants, except on request.

STAGE II-B:

In addition to those measures included in Stage II-A, use of affected public water supply for any of the following purposes is prohibited:

1. Adding water to any kind of outdoor swimming and/or wading pools, or to fountains, reflecting ponds or other ornamental structures.
2. Any other use of water supply for outdoor recreation.
3. Air conditioning, where interior temperature is less than 78 degrees Fahrenheit.

STAGE II-C:

In addition to those measures included in Stages II-A and B, the use of affected public water supply for any of the following purposes is prohibited:

1. Adding water to indoor swimming pools.
2. School athletic programs and other indoor athletic/recreation activities, including health spas.

3. Use of water from fire hydrants other than for health and safety purposes.
4. Use of water for construction purposes, including hydro-seeding, dust control and filling or flushing water mains for new development.
5. Commercial vehicle and automotive equipment washing.
6. Watering of golf course greens.

STAGE II-D:

In addition to those measures included in Stages II-A, B and C, use of affected public water supply for any of the following purposes is prohibited:

1. Make-up water for air conditioners.
2. Watering of plants by commercial nurseries and agricultural water users.
3. Use of automatic ice making machines in hotels and motels.
4. Production of bottling of beverages.
5. Operation of any commercial or industrial facility which is ordered closed by the local jurisdiction.

STAGE III:

In addition to those measures included in Stage II, the use of water for any purpose not essential to life, health and safety is prohibited. Specific guidelines for water use will be promulgated before invoking Stage III restriction

Issued 12/17/86

29. CONTROL OF BACKFLOW AND CROSS-CONNECTION:

See MA Department of Environmental Protection Regulation **310 CMR 22.22**

30. CONNECTION & ACCESS FEES

(Effective 3/1/89) Revised 7/02, 10/12/04, 10/06, 1/08, 2/1/09, 2/23/10, 2/8/11

WHEREAS, the Dedham-Westwood Water District (the "District") has now completed and approved a capital facilities plan for the District's water supply system for the next 15 years; and,

WHEREAS, large capital expenditures will be necessary:

- (a.) to add new capital facilities to the water system to accommodate anticipated growth with the District; and
- (b.) to upgrade existing capital facilities to accommodate both anticipated growth and current demand; and;

WHEREAS, the Board of Water Commissioners has directed its Consulting Engineers to prepare an analysis of the relationship between the demand on the water supply system created by anticipated growth and the new facilities needed to supply that demand; and;

WHEREAS, the District has received a completed analysis indicating the approximate relationship between the expected cost of the new capital facilities needed to accommodate anticipated growth and the amount of anticipated growth;

NOW, THEREFORE, it is hereby moved to amend the District's Regulations to adopt a Connection & Access Fee Regulation as follows:

- (1.) All applicants for water service filing such applications after the date of the adoption of this Regulation shall pay, in addition to all other fees due under these Regulations, a connection/access fee according to the following schedule in order to contribute an appropriate amount toward the cost of new capital facilities and the upgrading of existing capital facilities to accommodate the additional demand arising from this new service:
 - (a.) \$3,746.00 per Single Family dwelling unit.
 - (b.) \$730.00 per thousand square feet of office space.
 - (c.) \$1,071.00 per hotel room.
 - (d.) \$341.00 per restaurant seat.
 - (e.) \$1,071.00 per bedroom in Multi-Family dwelling or in an additional living unit added to existing residence (accessory apartment). (Effective 1/29/08)

Minimum fee per connection \$3,746.00 regardless of size or expected use with the exception of an accessory apartment. (Any additional or different categories which the District deems appropriate.)

In the case of a dwelling unit, the connection/access fee shall be due and payable at the time of filing of the application for water service; provided however, if the applicant shall execute and deliver a NOTICE OF UNPAID CONNECTION/ACCESS FEE, in a form suitable for recording, the Water District at its election may defer payment of the fee until the time of issuance of a building permit by the town in which the property is

located. This fee shall be in the amount of the access fee in effect at the time of payment.

The owner/applicant shall reimburse the District at the time of application for the expense incurred in recording the Notice with the Registry of Deeds and its removal costs.

When a Connection/Access Fee is calculated on the basis of square footage, the outside measurements of the building involved, by floor, will be the basis of the per square foot calculation.

Access fees for other types of establishments shall be calculated on the basis of sewage flow estimates as presented in 310 CMR 15.00, Minimum Requirements for the Subsurface Disposal of Sanitary Sewage State Environmental Code, Title #5, Section 15.02 (13). For the establishment in question, sewage flow estimates shall be calculated using the Title 5 data for the use or uses that will occur.

The maximum daily water use in gallons per day shall be multiplied by \$9.73 to obtain the access fee of the establishment. If the only information available is average day usage by estimate or actual metered usage, then the average daily water use shall be doubled to obtain the maximum daily water usage and multiplied by \$9.73 to obtain the access fee for the establishment.

In all cases of a change of use or expansion of an existing customer's facilities or property, the Board of Water Commissioners shall review said new use or expansion to determine the nature and extent of the additional potential domestic water demand, interior fire protection requirements, or other water supply and distribution considerations, if any; and shall calculate an appropriate and reasonable additional access fee to reflect the potential demand on the system, if any. The calculation of the additional access fee shall be based upon a consideration of the new use or expansion as if it were an entirely new application for water supply. In case of demonstrated hardship, the Board may in its discretion allow the additional access fee to be paid in installments.

The Board may request information from the owner or the owner's professional consultant to ascertain the likely water consumption or fire protection requirements, for the change of use or expansion. Any costs incurred by the District for its consulting engineers to review this submission shall be charged to the owner.

- (2.) In the event an applicant believes that the Connection/Access Fee Regulations are premised upon erroneous assumptions as to the expected water consumption of the project for which water service has been sought, such Applicant may submit to the District a detailed explanation and

calculation of the expected water consumption of the project for which an Applicant seeks service, certified by a professional engineer and accompanied by detailed plans of the project. The District's staff will review and Applicant's submission against the demand assumptions upon which these Connection/Access Fee Regulations are premised and may adjust the connection/access fee charge in accordance with that review.

In the event an Applicant is dissatisfied with administrative review conducted by the District's staff, he may, within 20 days of being notified as to the District's disposition of his request for review, file a written request to the full Board of Water Commissioners requesting an opportunity to be heard and to present evidence and argument as to why the demand projected by the interim connection fees for a particular project is not a reasonable projection as to an Applicant's particular project. An Applicant's request for a hearing in front of the full Board of Water Commissioners shall be accompanied by a written analysis by a professional engineer specifying in detail why the District's initial response to the Applicant's complaint is not reasonable. The full Board of Commissioners may make any adjustments to the connection/access fees which may be necessary in light of the reasonable projected water demand of an Applicant's project.

If requested in writing **within 18 months of a receipt of a certificate of occupancy**, a full review of actual water consumption may be done after a facility has been in full operation for one year to determine if the access fee was based on reasonable assumptions. At the conclusion of this review, if the actual consumption varies by more than 5% from the original assumption, an adjustment may be made either to raise or lower the access fee from the initial determination. (06/29/10)

- (3.) Connection fees collected hereunder shall be placed in a segregated capital account to be utilized solely for the construction and improvements of capital facilities.
- (4.) Any Applicant for water service, who by agreement with the District, shall construct directly, or pay for the construction by others of new capital facilities or the upgrade of existing capital facilities or both, in accordance with the District's approved capital facilities plan, may apply to the District for an offset against the Connection/Access Fee, which would otherwise be due on his application under Section 1 hereof. Such offset shall reflect the costs avoided by the District for the construction work approved by the District as complying with the capital facilities plan.

The District shall review such an application for an offset and allow it in the amount which the District determines reasonably reflects the cost of the work which the District otherwise have to fund itself to implement the capital facilities plan.

The initial determination of the offset will be made by the District's staff upon review of the applicant's application, which shall contain the detailed plans of the work for which the applicant seeks the offset and the expected cost of such work, both certified by a professional engineer.

In the event of an applicant is dissatisfied with the determination of the amount of the offset by the District's staff, he may review by the full Board of Water Commissioners in accordance with the procedure in Subsection 2 above. An applicant's request for a hearing by the Board shall be accompanied by a written analysis by a professional engineer specifying in detail why the District's initial determination of the offset is not reasonable. The full Board may make any adjustment to the offset amount which it believes reasonably reflect an applicant's contribution to the avoided cost of the build-out of the capital facilities plan.

RULE #31: MANDATORY: RAIN SENSORS FOR AUTOMATED OUTDOOR SPRINKLER SYSTEMS

All customers of the DWWD that have an automated outdoor sprinkler system connected to the DWWD water supply are required to install and maintain an operational automatic rain shutoff device or devices (rain sensor) for the system(s). The following penalties will be levied for any customer with an automated outdoor sprinkler system found watering during a rain event:

- First Violation – Warning.
- Second Violation - \$100.00 fine
- Third Violation - \$250.00 fine and discontinuance of water service. A \$250.00 reactivation fee will be charged before water service is restored. Included with this fee will be a verification of rain sensor operation at the customer's home. (Approved 2/27/07)

END OF DOCUMENT