

UPPER MOHAWK VALLEY REGIONAL WATER BOARD

The following Rules and Regulations and the fees rates and charges incorporated herein are to be considered as a part of the contract between the Upper Mohawk Valley Regional Water Board, and every person, firm, association or corporation, including municipal corporations, who take water from the said Regional Water Board, in the territory supplied.

SERVICE AREA

City of Utica

Villages of: Holland Patent
New Hartford
New York Mills
Oriskany
Whitesboro
Yorkville

Towns of: Deerfield
Frankfort
Kirkland
Marcy
New Hartford
Schuyler
Trenton
Whitestown
Westmoreland

Water Systems
of: Clarks Mills
Washington Mills
Oneida County Airport

DEFINITIONS

- (a) The term “customer”, “consumer”, or “applicant”, shall mean the individual, firm, association, or corporation whose name the Board has on its books as the party who applied for water service, or any individual, firm, association or corporation who, in fact, uses the water service.
- (b) The main is the supply pipe laid in the streets and rights of way from which service connections are made for the supply of water to consumers.

- (c) The service pipe is the pipe leading from the main to the meter or to the internal piping system on the premises of the consumer.
- (d) The service valve shall be the first control valve on the customer's service.
- (e) For reasons of brevity and readability, Upper Mohawk Valley Regional Water Board will be referred to as "The Board."

APPLICATION FOR SERVICE

Applications for the supply of water to Private Premises, or for the continuation, change or renewal of an existing service, shall be made in person at the office of the Board or by telephone by the owner of the property or by his authorized agent. The occupant of premises, though not the owner, may make application if authorized by the owner. A new customer application fee shall be charged in accordance with the authorized fee schedule, whenever the Board is requested to provide on-site service at the customer's premises.

Application for supply of water to new or altered facilities may require the submission of plans showing all water lines, both internal and external. The applicant must comply with the Rules and Regulations of the Board.

No applicant for service having a delinquent account will be accepted as a customer until the delinquent account is settled.

RESPONSIBILITY FOR CHARGES

Customers will be held responsible for all charges levied against their services at scheduled rates for water used or service rendered until five (5) days' written notice has been delivered to the Board at its office, 1 Kennedy Plaza, that they no longer desire service. Such notice shall not relieve them of charges accrued prior to the discontinuance of service.

TRANSFER OF OWNERSHIP OR CHANGE IN TENANTS

Upon a transfer of ownership, if the owner is the customer, or a change in tenants if the tenant is the customer, neither the new owner nor the new tenant shall have any right to use the water until application has been completed.

SERVICE PIPES AND CONNECTIONS

On service installations of all sizes, the Board reserves the right to stipulate the size of service pipe, materials and size of meter to furnish adequate service for each individual installation. The Board will furnish and install all service connections to the water main in accordance with written requirements and fee schedules, except as may be permitted for new water main installation projects. See Appendix A for a copy of the Board's

specifications for materials. Water service lines no longer needed to serve a facility will be turned off by the Board, and capped at the water main as directed by the Board's representative at the Customer's expense. If termination is not accomplished by the customer, the Board may perform the work, and bill the customer for that work.

INSTALLATION OF SERVICE PIPES (2" DIAMETER OR SMALLER)

Customers shall furnish, install and maintain in good condition at their expense, the service pipe from the corporation stop at the main to the meter. The service pipe shall be Type K copper. The depth of cover shall not be less than five (5) feet and the pipe shall not be installed in the same trench with a sewer.

Service pipes of all sizes, together with all plumbing fixtures, shall be able to stand a pressure of 150 pounds per square inch. Each installation shall be equipped with an approved curb stop and curb box located at an approved location and must be within the public right-of-way and at least seven (7) feet from any structure.

For single family residential service, where pressures are greater than 50 psi, the minimum size of service shall be ¾" Copper from the corporation stop to the meter. In the areas where pressures are less than 50psi, the minimum size of service shall be 1" Copper from the corporation stop to the meter. The recommended minimum size of inside piping is ¾". The Board will advise the developer or the customer of the minimum required service line size for a service. Records of the pressures of the various areas are on file at the Board's Engineering Office.

**MAINTENANCE, REMOVAL OR REPLACEMENT OF SERVICE LINES
(2" DIAMETER OR SMALLER)**

Service lines as defined by the Board are the lines commencing at, but not including, the corporation stop (shut-off valve at the main) and running to the inlet side of the meter. All service lines are furnished, installed, owned and shall be maintained, repaired, and/or replaced and disconnected from the main by the property owner at the owner's expense, except as provided below. It is the customers responsibility to maintain the curb box so that the curb stop can be operated.

The Board is authorized as a condition of service to operate the curb stop as required and shall have the right to test service pipes for leakage at any time. Should investigation disclose a leak on the service line to any property where the service has been activated for a period of less than three (3) years the owner will be notified in writing. Such notice will inform the owner that if the repairs are not made by the owner within ten (10) days from the date of the notice the Board will shut off the service as required to stop the leak. If the leak is between an existing useable curb-stop and the house, the curb-stop will be closed to control the leakage. If the leak exists between the corporation stop and existing useable curb-stop, the Board will make any necessary excavations to make repairs provided the service line has been in use for three or more years.

Service lines which have been in use for a period exceeding three (3) years shall be owned and maintained as above, except that the line between the main and curb-stop inclusive, shall be maintained, repaired or replaced by the Board. However, the Board shall not be responsible for replacing any driveways, trees, walks, or other surface property damaged as a result of such required work by the Board. The maintenance of the curb box shall always be the responsibility of the customer. Any cost incurred by the Board in repairing or controlling leaks which are determined to be the customers responsibility will be charged to the customer.

In case of removal or replacement of the service pipe, the old service must be removed or abandoned and the old corporation stop turned off at the main at the customer's expense before the new corporation stop will be turned on. Where a building is demolished, water service is to be shut off at the main at the customer's expense when the service line does not meet current standards or there are no immediate plans to erect a new structure. Where a replacement is required because the customer has changed his usage needs, such will be considered a new service and shall be installed from the main by the customer.

Where a customer has an inadequate domestic service line smaller than $\frac{3}{4}$ " , the Board may at its discretion, replace the service between the main and the curb stop, providing the customer previously replaces the service line between the building and curb stop with service pipe of such size as may be determined by the Board.

Whenever the service between the curb stop and premises is replaced because of a leak, or insufficient pressure or flow, the customer shall replace the service to a new curb stop and functional curb box at tan approved location. It shall be the customer's responsibility to furnish and install the stop and box.

Maintenance by the Board shall not include any responsibility for frozen services whatsoever, and such will always be the sole responsibility of the owner. Curb boxes will remain under the ownership of the property owner. It is the responsibility of the customer to maintain the curb box in a state of proper installation so as to permit control of the service in case of emergency or where water must be controlled for the performance of work on the service.

Any change in grade or any other action by the owner or others which may cause freezing or other failure of the service pipe shall relieve the Board of any responsibility for maintenance or replacement of any portion of the service line. Also, the Board shall not be responsible for the repair or replacement of any service line exceeding the least possible distance between the main at the customer's property line, or in the case of a service line in a location other than a public street, or not fronting the property served, the maximum length of maintenance or repair replacement responsibility shall be the distance between the main and the meter box or curb stop but not to exceed twenty-five (25) feet.

SERVICE PIPES LARGER THAN 2 INCHES IN DIAMETER

Customers shall furnish, install and maintain at their expense, all service pipes larger than two (2) inches in diameter, commencing at, but not including, the first control or tapping valve. The material shall be cement-lined ductile pipe, Class 52, of quality equal to American Water Works Association specifications and of weight suitable for service up to a pressure of 150 pounds per square inch. The depth of cover shall be five (5) feet and no service shall be covered until inspected by the Board. Should the cover over the distribution main be less than five (5) feet, the service pipe shall be constructed to provide five (5) feet of cover immediately beyond the tapping valve.

No water service shall be placed into operation until it has been disinfected in a manner approved by the New York State Department of Health. The service valve shall only be operated by the Board personnel.

METER INSTALLATIONS

All domestic, commercial and industrial meters will be furnished, by the Board without charge. The size of meter required for any service shall be determined by the Board from the information supplied by the customer in cooperation with the Board's representative.

All meters shall be set as nearly as possible at the place of entrance of the service pipe to the building. Special consideration shall be given as to the location of the building. The location of meter must be approved by the Board. The architect or engineer must submit his plan showing the location of the meter and the inside piping. Special consideration must be given in locating the meter to prevent freezing.

There will be a charge for lost meters or for repairing meters damaged by freezing or hot water payable at the time, monthly, quarterly, or irregular bills are rendered. The charge will be as provided in the schedule approved by the Board.

SPECIFICATION FOR METER INSTALLATIONS

The space to be provided between the end of the service and the end of the pipe supplying the premises for installation of water meter varies with the type and size of meter. The customer has the responsibility of meeting the proper meter spacing requirement for the meter to be supplied.

Gate or ball valves shall be installed on the inlet and outlet side of all meters except for single family residential where the outlet gate valve will not be required.

Meter flanges or couplings required for the installation of water meters on new accounts will be furnished by the Board and shall be in place before the meter will be set. All valves, connections and materials shall be furnished by and at the expense of the customer.

All meter installations shall be completed in accordance with the requirements of the Board.

CHANGING OR REPLACING METERS

The Board shall have the right to test, change, inspect, replace, repair or remove Board owned water meters.

ACCESS

The Board through its properly authorized agents, shall have free access to the premises supplied, for the purpose of ascertaining the quantity of water used, the manner of its use and also that the meter or other apparatus or appliance belonging to the Board are properly protected and in good condition. If such access is refused, the Board may immediately discontinue the service.

It shall be the duty of all customers to see that meters on service connections wherever located shall be readily accessible at all reasonable times to the agents or inspectors of the Board. Failure to remove any obstruction which prevents access to the meter within three (3) days after being notified by the Board will be just cause to have the water shut off from the premises and it shall not be turned on again until all obstructions are removed and all regulations complied with.

TESTING METERS UPON REQUEST

The Board will at any time test the accuracy of domestic meters upon request of the customer. However, a fee will be charged to cover the cost of making the test in accordance with the authorized fee schedule. Should the meter be excessively registering by two percent (2%) or more, the amount deposited will be refunded and the bill adjusted accordingly. The excess registration, not to exceed the two (2) previous readings, shall be credited to the account. Where no excess registering is found, the amount deposited shall be retained to cover part of the cost of testing and the billing remains as issued.

GIVING NOTICE

Whenever any notice is required to be given by the Board the notice shall be signed by the designated employee and mailed to the person, firm, association or corporation to be notified at the address which appears on the records of the Board. Notices may also be served by hand carrying the notice to the residence or business customer.

PLUMBING

Plumbing systems of Board customers shall be in compliance with applicable City, Town, Village, State, and the Board's regulations.

INTERRUPTION OF SERVICE

The Board does not guarantee constant pressure nor uninterrupted service, nor does it assure the customer full volume of water or the required pressure necessary effectually to operate appliances of any kind, the same being subject to all variable conditions that may occur in the use of water from the distribution mains. No customer shall be entitled to damage or to have any payment refunded for any interruption of service occasioned by accident to any portion of the works, or by shutting of water for the purpose of making additions or repairs, nor by the stoppage or shortage of supply due to causes beyond the control of the Board, such as excessive draft, excessive use or waste by other customers, or by leaks or defects in the pipes or appliance owned by the customer or other customers. The Board is not responsible for damages caused by roily waters.

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

The Board reserves the right at any time, without notice, to shut off the water in its distribution mains for the purpose of making repairs, extensions or for other necessary purposes, and all persons having boilers or other appliances on their premises, depending on the pressure in the pipes to keep them supplied with water, are hereby cautioned against danger from these sources and are required to provide at their own expense, low water cut-off's and pressure controls or other appropriate safeguards.

REASONS FOR DISCONTINUANCE OF SERVICE

The customer's service may be discontinued for any of the following reasons.

1. For the use of water for any other property than that described in the application.
2. For failure to maintain, in good order, connections or service lines owned by the customer, after due notice has been given by the Board.
3. For molesting or tampering with any meter, seal or any other appliance owned by the Board.
4. In case of vacancy of premises.
5. For neglecting to make payments due or for non-payment for water services, or any other charge accruing under the application or the Rules and Regulations in effect.
6. For refusal of reasonable access to premises for purposes of inspection or for reading, caring for or removing meters

7. For refusal of customer after notice in writing to maintain and/or relocate his meter to an approved location.
8. For refusal to comply with the Board's policy regarding plumbing connections which may result in contamination of the Board's distribution system.

Water service will not be reinstated until the reconnection fee has been paid and all violations corrected.

DISCONTINUANCE AND RENEWAL OF SERVICE

Upon the Board's receipt of the written order of the customer, water will be turned off from any premises without in any way affecting the existing agreement for service.

BILLS & CHARGES

All bills shall be rendered to the applicant either monthly, quarterly, or for an irregular period, and shall show the readings of the meter at the beginning and end of the period for which the bill is rendered.

The quantity of water registered by the meter on the customer's premises whether used or wasted, shall be accepted by the customer as the amount to be paid for and bills shall be rendered on the basis of the reading of the meters and established rate schedules.

If a meter has ceased to register or is registering inaccurately, the quantity of water for which a customer shall be billed shall be based upon the average registration for a corresponding period or on the basis of an average for a test period at the Board's option.

PAYMENT OF BILLS

Bills are payable upon presentation and may be paid at the office of the Board, 1 Kennedy Plaza, Utica, New York, or at any designated collection agency.

If payment is not made within thirty (30) days of presentation of the bill, the applicant will be presented with a Notice of Discontinuance. If the bill remains unpaid, the Board may discontinue the supply and assess an additional charge for collection expenses.

When water is shut off for non-payment of bills or violation of rules, it shall not be turned on again until all charges have been paid and/or violations corrected.

Pursuant to Section 1226-i of the Public Authorities Law of the State of New York, the fees, rates, or other charges established by the Board shall constitute a lien upon the premises served and a charge against the owners thereof.

USE OF HYDRANTS

No use of fire hydrants will be permitted other than for fire protection unless a written permit has been issued by the Board.

Any requests for use of a fire hydrant for demolition, construction, or other appropriate use may be permitted only by written approval of the Board and pre-payment of the charge for such use. No hydrant shall be operated except as provided in the permit. A deposit will be required for the hydrant wrench and cap.

Such water as is used under special permit for flushing sewers, sprinkling streets, and other uses (exclusive of testing hydrants and extinguishing fires) shall be paid for at regular meter rates. The quantities used where metering is impracticable shall be determined by tests and an average charge for such water on an outlet capacity and time basis shall be made.

PUBLIC FIRE PROTECTION

Rates for public fire protection shall be an annual charge as established by the Board.

Under the above rates only such water as is required for testing hydrants and extinguishing fires shall be included. Water used for flushing sewers, sprinkling streets and other uses shall be paid for at the regular meter rates, but the taking of such water requires a prior written permit from the Board. Any costs associated with the relocation of a fire hydrant and hydrant branch will be at rates established by the Board.

PRIVATE FIRE PROTECTION SERVICE

Customers desiring a fire service connection shall contact the Board for specific details and specification. The tapping charge, payable at the time of making application, shall be the same as those for services larger than two inches in diameter. No water shall be used through sprinkler systems, private fire hydrants or fire lines except for the purposes of testing or in case of fire. Testing shall be done in the presence of a representative of the Board. Proper protective equipment as specified the by Board shall be purchased and installed by the customer for checking any unlawful use of water through the sprinkler system.

The maximum size of a fire service will be fixed and limited by the Board according to the size of the distribution main and availability of water. Control valves shall be installed in every fire service connection in the street or at the curb.

The owner of the property protected shall furnish the Board with complete and accurate plans of all piping connected to fire services. Alternations must be approved by the Board. Should inspection reveal the existence of connection to the fire service lines not shown on the plans, the service may be discontinued until such connections are removed or are approved as part of the fire protection system and are shown on the revised plans. Any fire service line having private fire protection outlets connected thereto will be metered with a fire line detector check valve with a metered by-pass or appropriate

backflow protection with detection meter. The customer shall furnish and install at his expense the detector check valve and by-pass piping or detector backflow protector to meet the specifications of the Board.

Any water use shown on the by-pass meter and used for other than fire protection or other authorized use will be charged in accordance with the approved schedule.

Rates for private fire protection will be based on the size of the fire line supplying the building or hydrant. Bills are rendered monthly, quarterly or for an irregular period in accordance with the rates authorized by the Board. Any service providing both fire protection and domestic use shall be fully metered in accordance with Board specifications. Water used through a combination meter shall be charged on the basis of a special rate as shown on the appropriate schedule of water rates for this combined service.

RATES FOR PRIVATE FIRE HYDRANT

Fire hydrants on the public thoroughfare, owned, installed and maintained by the Board, whether within or without established municipalities or water districts, may be installed providing the applicant pays all hydrant installation costs and an annual fee as established by the Board.

FRONTAGE CHARGE

The Board will charge any customer a frontage charge based on the current rate for water main extensions equal to $\frac{1}{4}$ such extension rate per foot of frontage of property to be served. This charge will apply only where such mains have been laid by and at the expense of the Board.

PROTECTION FROM POLLUTION

Where standpipes, tanks, swimming pools, pumps, wells, cisterns and any other facilities are used for the water system, they shall be constructed in such a manner as to protect the water from all possible pollution, and shall conform with the Rules and Regulations of the New York State Department of Health as required by Chapter 1, Subpart 5.1 Public Water Systems of the New York State Sanitary Code. Copies are available at the local office of the New York State Department of Health and at the office of the Board.

Under no circumstances shall a physical connection, direct or indirect, exist or be made in any manner, even temporarily, between the Board's water supply system and that of a private water supply. Where such a connection is found to exist, or where provision is made to connect the two systems by means of a nipple or otherwise, the water service may be shut off from the premises without notice. Service will not be re-established until satisfactory proof is furnished that the cross connection has been permanently severed. All service pipe lines 2" and above are to be chlorinated by the contractor or plumber before being put into service. Details of proper procedure are available at the Board.

CROSS CONNECTIONS

Backflow Prevention Device

The Board, acting primarily through its Principal Engineer or his duly appointed representatives, may at any reasonable time inspect any building in order to determine if a significant hazard exists due to an actual or a potential cross-connection between the water system and any potential source of contamination. In any case, where the Principal Engineer or his representatives deem such hazard to exist, he shall require the property owner to install a backflow preventer. Such backflow preventer shall be designed and installed in accordance with the regulations of the New York State Department of Health, and must be approved the Board prior to installation. All costs of installation and maintenance shall be borne by the property owner.

Cross-Connection Hazard

The following types of facilities are deemed to be especially likely to have cross-connection hazards:

- Auxiliary water systems (well, etc.)
- Breweries
- Canneries
- Chemical plants and planting facilities
- Film laboratories
- Hospital, medical buildings, nursing homes, mortuaries and embalmers.
- Irrigation systems using weedicides, herbicides, etc.
- Laundries, dye works, dry cleaners, car washes, etc.
- Meat packing, poultry processing, rendering plants, etc.
- Metal manufacturing, cleaning and fabricating plants.
- Paper manufacturing or processing plants.
- Sewage and industrial waste water treatment plants and pumping stations.
- Restricted, classified or other facilities closed to inspection.
- Boiler systems, cooling towers or internal fire-fighting systems using conditioners, inhibitors, corrosion control chemicals, etc.
- Any other condition which may result in potentially unsafe water entering the public water supply system.

Water Shut-off

If a required backflow preventer is not installed within the period of time set by the Board, or is not satisfactorily maintained and tested, the supply of water to the premises may be shut off until the installation is completed. The property owner shall cause all backflow prevention devices to be inspected annually, and shall submit annual inspection reports to the Principal Engineer.