

TOWNSEND WATER DEPARTMENT
RULES, REGULATIONS AND RATES

SECTION 1
APPLICATIONS

- 1.1 Applications for water service shall be made to the Water Commissioners by the owner of the property for which the same is desired at the scheduled Water Commissioners meeting. Applications will not be accepted between November 1st and April 1st or at the discretion of the Water Commissioners.

SECTION 2
SERVICE CONNECTIONS

- 2.1 A service connection betterment fee charge will be assessed for each new service.
- 2.2 The customer will be responsible for the cost of always maintaining said service.
- 2.3 No drain or sewer lines shall be laid nearer than ten (10) feet to the water service pipes.
- 2.4 Repairs between the curb stop and the main will be made by the Water Department.
- 2.5 Connection Charges made at the time of application are as shown on the Rate-Fee Schedule.
- 2.6 All services replaced, repaired, or changed in any way shall be brought up to current standards.
- 2.7 No new services or mains shall be allowed if any outstanding fees, fines, charges, or taxes are owed to the Water Department or the Town of Townsend.
- 2.8 No service installations allowed unless the property abuts an existing main.
- 2.9 No taps allowed off existing services.
- 2.10 Existing single-family deferral of the service connection fees. It is understood that at times connecting to the existing town water system can be a financial burden to the homeowner when their private wells suddenly become inoperable. The number one concern is that the homeowner has the ability, to receive clean safe drinking water. In this situation the homeowner can request the service connection fee to be deferred and put on a payment plan. The following two deferral options are available:
- 1) 50% of the Service Connection Fee paid at the time of the Service Application, and the other 50% of the Service Connection Fee paid within 1 year. All balances come due at the sale of the home. A signed agreement with the Townsend Water Department must be made.
 - 2) The Service Connection Fee paid in 12 equal payments (3 years) to be paid in the next 12 water bills. All balances come due at the sale of the home. A signed agreement with the Townsend Water Department must be made.

SECTION 3
METERS

- 3.1 All services shall be metered. Meters will be furnished, set, and renewed by the Water Department; provided, however, that any meter injured through the negligence of the water taker shall be repaired at the water taker's expense. The water taker is responsible for protecting the meter from frost damage.
- 3.2 Evidence of meter tampering is unlawful and will result in a fine (see Rate Fee Schedule). In addition, water usage will be estimated for that billing period and homeowner will be charged for labor and materials.

- 3.3 Special meters over and above the minimum requirement to measure the use of water will be furnished as needed and the additional cost of the meter will be charged to the water taker.
- 3.4 All meters installed become the property of the Water Department, and all repairs thereto will be made by the Water Department. If a meter installed on the customer's property is stolen damaged by freezing fire or otherwise cost of repairs or replacement will be charge to the customer.
- 3.5 All compound meters to be removed, tested, and rebuilt as recommend by the manufacturer.
- 3.6 Removal, tampering or malicious damage to the Water Department property will be prosecuted by law.
- 3.7 Customers shall allow access to the water meter at all reasonable times. Adequate space around the meter shall be always maintained to provide Water Department personnel the ability to use all tools necessary to install, repair, replace or upgrade the water meter without obstruction.
- 3.8 Failure by customers to arrange and provide access to the water meter after repeated attempts by the Water Department to schedule an appointment by phone, email or, mail to perform the work previously described shall constitute a violation of this section. A violation of this section may result in an additional fee to the customer's bill.

SECTION 4 ACCESS TO PREMISES

- 4.1 All apparatus, buildings and dwellings supplied with water must be made accessible at all reasonable times to the inspection of the Superintendent or other agents of the Water Department.

SECTION 5 SHUTTING OFF WATER

- 5.1 The Water Commissioners reserve the right to shut off water for:
 - 1.) The purpose of making repairs or alterations.
 - 2.) Disregard of rules and regulations.
 - 3.) Non-payment of bills
 - 4) Backflow Failure.
- 5.2 No connection will be made from an existing supply to another dwelling except by special permit from the Board of Water Commissioners and if found out doing so without a permit the service will be shut off.
- 5.3 The Town of Townsend acknowledges no liability for the explosion, collapse or injury to hot water boilers or other connections resulting from the loss of water pressure or the shutting off of water from the street mains.

SECTION 6 FROZEN WATER SERVICE

- 6.1 A charge, to be determined by the Superintendent, will be made for thawing frozen water pipes and frozen meters.

SECTION 7 WATER RATES

- 7.1 Charges will be assessed as show on the Rate -Fee Schedule.
- 7.2 A Unit shall be defined as: a dwelling unit consisting of one or more rooms with cooking, living, sanitary and sleeping facilities arranged for the use of one or more persons living together as a single housekeeping unit.
- 1 Dwelling Unit - 1 Unit
 - 2 Dwelling Units —2 Units, etc.
 - Apartment House — each apartment is 1 Unit
 - Trailer Park - Each trailer is 1 Unit
 - Business Establishment — each business is 1 Unit
 - Accessory Apartment – Each accessory apartment is 1 Unit
- 7.3 If a meter fails to register correctly the customer will be charged an estimated bill determined by using three previous seasonal (winter/summer) readings and taking the average amount of usage.

SECTION 8 WATER BILLS

- 8.1 Water bills are mailed quarterly in January, April, July, and October of each year.
- 8.2 There shall be added to the amount due a one- and one-half percent (1½%) monthly interest rate, accruing daily, for all outstanding balances beyond the due date. If the bill remains unpaid for thirty (30) days the Superintendent may, at their discretion, shut off the water service. After shut off procedures have been followed under Sec I IA, Chapter 165 of the Massachusetts General Laws, until such time as the bill is paid in full and a Turn on Fee is paid.
- 8.2 All outstanding balances accumulated water charges plus demands and interest, with no payment received for more than three (3) billing periods constitute a lien on the property and may be turned over to the tax collector for collection.
- 8.3 All bills for the supply of water services shall be rendered to the recorded owner of the premises Failure of the owner to receive a water bill does not relieve him from the obligation of his payment, nor from the consequences of non-payment.
- 8.4 Any buildings with 10 or more dwelling units, on a single meter, may submit a report for vacant units each billing period and that unit charge for that unit/ billing period may be suspended from the total billing charge: with the following stipulations.
- a) Rental properties provide proof of vacancy.
 - b) Condo or Homeowner Association provide proof of abatement by the Condo or Homeowners Association to the affected unit owner.

SECTION 9 DISCONTINUANCE OF WATER

- 9.1 Customers desiring to discontinue water service shall notify the Superintendent of the Water Department in writing at least three (3) days before the water is to be turned off. A service charge shall be charged each time the water is turned on (see Rate Fee Schedule).

SECTION 10
TRANSFER OF OWNERSHIP

- 10.1 In the event of a transfer of ownership of the premises being supplied with water, the seller shall notify the Water Department in writing of such transfer. All bills issued to the seller and not paid at the time of transfer will become the responsibility of the new owner. Charges are shown on the Rate-Fee Schedule

SECTION 11
WATER USE RESTRICTIONS

- 11.1 In order to protect, preserve and maintain public health, safety and, welfare the Board of Water Commissioners under their authority and, the Massachusetts Department of Environmental Protection (MassDEP) shall annually implement seasonal outdoor water use restrictions in accordance with conditions within the Townsend Water Departments Water Withdrawal Permit issued by MassDEP under M.G.L. c. 21G the “Water Management Act”. Outdoor water use restrictions shall be in force from May 1st - September 30th. Outdoor water use is strictly prohibited during the daytime hours between 9:00 AM - 5:00 PM. Any person/s violating this section shall be fined as shown on the (Rate-Fee Schedule).

Other levels of restrictions or emergencies may be declared by the Board of Water Commissioners or the MassDEP such as a Declaration of a State of Water Supply Conservation or a Declaration of a State of Water Supply Emergency detailing but, not limited to authority, purpose, public notification, and termination as described in and in accordance with Chapter 87: Outdoor Water Use Bylaw of the Towns General Bylaws.

SECTION 12
VIOLATIONS

- 12.1 Any and all charges and fines levied by the Water Department in connection with these rules and regulations may be sued for and collected by the Board of Water Commissioners acting as agents for the Water Department.

SECTION 13
CONTROL OF HYDRANTS

- 13.1 The Fire Department shall have control of the hydrants in case of fire. In no case will any other person(s) be permitted to operate or handle hydrants or other Water Department appurtenances without prior authorization by the Superintendent of the Water Department. All authorized use of fire hydrants other than to extinguish a fire by the Fire Department shall be metered. A hydrant meter shall be installed on the hydrant prior to use, by the Water Department personnel. Only The Fire Department shall obtain authorization from the Water Department at least two (2) days prior of any proposed use of hydrants for training or purposes other than to extinguish fires.
- 13.2 All Hydrant use after November 1st shall be for emergencies or firefighting only. Any exceptions will be at the discretion of the Board of Water Commissioners.

SECTION 14
DEVIATION FROM RULES AND REGULATIONS

- 14.1 The Board of Water Commissioners reserves the right to amend, suspend or deviate from any or all of the above rules and regulations acting in the best interest of the Town by; 1.) a majority vote to do so at a regular monthly meeting provided that the proposed intent to deviate, suspend or amend a rule or regulation has been discussed at the previous monthly meeting, or 2) by the unanimous consent of all Board members at any regular or special meeting of the Board.

SECTION 15
WATER INSTALLATIONS IN DEVELOPMENTS SUBJECT TO PLANNING BOARD
RULES AND REGULATIONS

- 15.1 A copy of the plotted plan approved by the Planning Board and recorded with the Middlesex County Registry of Deeds showing the proposed water mains, hydrants and other appurtenances shall be submitted for the approval of the Board of Water Commissioners before work is to commence.
- 15.2 The Connection Charges shall be payable to the Townsend Water Department upon approval of water service applications (see rate fee schedule).
- 15.3 All projects to be installed must be done by a qualified contractor approved by the Water Department. All materials to be used must be of the same make, or equal, now used by the Water Department Hydrants, valves, fittings, etc. must be installed with the approval of the Water Department.
- 15.4 All work and materials, including water services, will be furnished, and paid for by the developer.
- 15.5 The Water Department must be notified at least Thirty (30) days before construction is to begin.
- 15.6 The developer will complete the installed water mains and services along with the required testing and submit as-builts as well as tie cards for all fixtures before the applicant applies in writing to the Townsend Water Department for the acceptance of the water mains. Upon acceptance of the entire water installation, the system will become the property of the Town of Townsend Water Department after one (1) year, who will thereafter be responsible for its maintenance.
- 15.7 All work will be done under the supervision of the Water Department Superintendent or any person he may designate as inspector, the cost to be borne by the developer see Rate-Fee Schedule).
- 15.8 Any and all expenses incurred by the Water Department in connection with the project may be billed to the developer.
- 15.9 For all large projects, a full-time inspector is required to ensure the quality of the work being performed.
- 15.10 When services are installed, the line must be flushed prior to attaching the service to prevent any debris entering the property through the line.

SECTION 16
BUILDING OVER WATER LINES

- 16.1 The erection of any structure(s) over water lines attached to the Townsend Water Department system is not allowed. Any such line will have to be removed and relocated at the owner's expense.

SECTION 17
CROSS CONNECTION CONTROL PROGRAM RULES & REGULATIONS

Purpose

- 17.1 To protect the public potable water supply of the Town of Townsend from the possibility of contamination or pollution by isolating such contaminants or pollutants this could backflow or back siphon into the public water supply system.
- 17.2 To promote the elimination or control of cross connections, actual or potential, between customer's in-plant potable water system and non-potable water systems, plumbing fixtures, and industrial piping systems.
- 17.3 To provide for the maintenance of a continuing Program of Cross Connection Control which will systematically and effectively prevent the contamination or pollution of all potable water systems from cross connections

Authority

- 17.4 As provided in The Federal Safe Drinking Water Act of 1974, (Public Law 93-523), and the Commonwealth of Massachusetts Drinking Water Regulations 310 CMR 22.22, the water purveyor has the primary responsibility for preventing water from unapproved sources or any other substances from entering the public water system.
- 17.5 The Townsend Board of Water Commissioners, Rules and Regulations, as most recently amended.

Responsibility

- 17.6 The Townsend Water Department shall be responsible for the protection of the public potable water distribution system from contamination or pollution due to the backflow or back-siphonage of contaminants or pollutants through a potable water service connection. If, as a result of a survey of the premises, the Water Department determines that an approved backflow device is required at the town's water service connection or as in-plant protection on any customer's premises, for the safety of a potable water system, the Water Department shall give notice in writing to said customer to install approved backflow prevention devices as required. The customer shall within the time frame determined by the Water Department, install such approved backflow prevention device or devices at his or her own expense. Failure, refusal, or inability on the part of the customer to install said device or devices within the established time frame shall constitute grounds for discontinuing water service to the premises until such device or devices have been properly installed.

Policy

- 17.7 No water service connection to any premises shall be installed or maintained by the Water Department unless the water distribution system is protected as required by Massachusetts State Law 310 CMR 2222 and this Regulation. Service of water to any premises shall be discontinued by the Water Department if a backflow prevention device required by this Regulation is not installed and properly maintained, or if it is found that a backflow prevention device has been removed, by-passed, or if an unprotected cross connection exists on the premises. Service will not be restored until such conditions or defects are corrected.
- 17.8 In the case of a premises on which any industrial fluids or any other objectionable substance is handled, in the opinion of the Water Department, in such a fashion as to create an actual or potential hazard to the public water system, the public water system shall be protected against backflow from the premises by requiring the owner or occupant to install an approved backflow prevention device on the service line as to provide "Contaminant Protection".
- 17.9 Backflow prevention devices required by the Massachusetts Drinking Water Regulation, 310 CMR 22.22 shall be tested and maintained as required in Section (9) and must obtain an annual DEP permit as required in Section (10) (c)
- 17.10 Backflow prevention devices required, by the Water Department, to be installed under Sections 4.2 and 4.3 of this Regulation, shall be tested by the Water Department, or its delegated agent, as required by state and federal regulations and are not required to obtain DEP permits.
- 17.11 All decisions relating to the determination of backflow devices with regards to said Cross Connection Control Program, will be made by the Townsend Water Department. Failure to comply with any directive from this office will result in termination of water service.
- 17.12 All costs, resulting from the implementation and operation of said Cross Connection Control Program, shall be the responsibility of the customer.
- 17.13 All fees for tests performed on backflow devices by the Townsend Water Department or its delegated agent will be assessed to the owner of the device.

Definitions

- 17.14 Definition as used in this section, unless the context indicates otherwise, the following words shall have the following meanings.

Approved Backflow Prevention Device: method to prevent backflow approved by the Massachusetts Department of Environmental Protection and/or the Townsend Water Department.

Backflow: the flow of water or other liquids, mixtures or substances into the distribution pipes of a potable water supply from a source other than the intended source.

Back-Siphonage: a form of backflow due to reduced or sub-atmospheric pressure within a water system.

Contamination or contaminant shall mean any physical chemical, biological or radiological substance or matter in water.

Cross connection: any actual or potential connection between a distribution pipe of potable water from a public water system, and any waste pipe, soil pipe, sewer drain, or other unapproved source. Without limiting the generality of the foregoing, the term ‘cross connection’ shall also include any bypass arrangements, jumper connections, removal section, or changeover connection and other temporary or permanent connection through which backflow can occur.

Department: or Water Department, shall mean the Superintendent or governing body of the municipal water system who has been invested with the authority and responsibility for the implementation of the Cross Connection Control Program and for the enforcement of the provisions of this Regulation.

Health Hazard: an actual or potential threat of contamination to the potable water system which, in the opinion of the Massachusetts Department of Environmental Protection or The Townsend Water Department could endanger health.

In-plant Protection: the location of an approved backflow prevention device in a manner that provides the protection of the potable water system within the premises.

Owner or Occupant: any person maintaining a cross connection installation or owning or occupying premises on which cross connections can or do exist.

Pollution: the presence of any foreign substance (organic, inorganic, or biological) in water which tends to degrade its quality to constitute a hazard or impair the usefulness or quality of water to a degree which does not create an actual hazard to the public health, but which does adversely and unreasonably affect such waters for domestic use.

Potable Water: water from a source which has been approved by the Massachusetts Water Supply and Pollution Control Commission for human consumption.

Public Water Supply: a system for the provision to provide the public with water for human consumption.

Unapproved Source: the source or distribution system for any water or other liquid or substances which has not been approved by the Massachusetts Water Supply and Pollution Control Commission as being of safe and sanitary quality for human consumption.

BOARD OF WATER COMMISSIONERS

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