

PUBLIC WATER SUPPLY RULES AND REGULATIONS

CHAPTER 44

TOWN OF GORHAM

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44.0010 Rules – Part of Contract

Every person who shall be supplied or whose property shall be supplied, with water by the Town of Gorham shall be deemed to have accepted and approved this ordinance and rules and regulations now or hereafter adopted by the Town Board governing and regulating the supplying of water and water service, and the same shall constitute a part of the contract between such person and the Town. Wherever the work “consumer” shall be used in the ordinance, or in the rules and regulations, it shall mean the owner or owners of the premises. The continuance of the consumer to take water after any amendment or change of these rules shall be deemed an acceptance of such amendment or change.

44.0020 Work to be Done by or Under the Supervision of the Water District

All service connections with the principal mains and service pipes from said principal mains to approximately two feet from lot line, including tapping of main, corporation cock, pipe, curb cock and box for same, shall be put in and installed only by properly authorized persons acting under the direction of the Town Board or its agent at the expense of the consumer.

44.0030 Work to be Done by Owner Under the Supervisions of Town from Curb Stop to Meter

All connections from curb stop to the meter location shall be done by the consumer at his own cost and expense, under the supervision of the Town Board or its agent, and all installations shall be subject to approval by the Town Board or its agent before water shall be turned on.

44.0040 Agent or Owner

The plumber, or any other person designated and employed by the owner of the premises, will be considered the agent of such owner while employed in the prosecution of the work of introducing water into such premises and in no sense as the agent of the Water District. The Town will not be responsible for the acts of such persons.

44.0050 Application for Service

Every person desiring a supply of water through the principal water mains must make application at the office of the Town Board, or at such other office as the Board may hereafter designate, for a service pipe and connection with the main. Such application shall be made in writing upon the blank form furnished by said Town Board and must be signed by the owner of the property or his duly authorized agent, and connection charge must be paid.

44.0060 Material or Service Pipe

The service pipe between the curb stop and meter, wherever located, shall be pipe approved by the Town Board and be not less than ¾ “
Class “K” copper or such other pipe as may be approved by the Town Board.

44.0070 Opening of Curb Stops

The curb stop controlling any service shall not be opened by any person after connecting said service at the curb, so that water may be supplied to such premises by said service, unless the service pipe installation has been approved by the Town Board or its agent and the meter installation completed. In case of building operations, special permission may be given by the Town Board or Superintendent of Water Department under such conditions as they may prescribe.

44.0080 Injury to Mains, Pipes, Etc.

Any person responsible for any injury to any main, pipe, hydrant, or other water facility, shall reimburse the Water District therefor, and for the loss of water caused thereby. He shall also be responsible for any damage caused by such escaping water.

44.0090 Responsibility for Trench

In the case of any excavation for the introduction of any water pipe or connection under authority of a permit from the Town Board, the owner will be held responsible for the trench opened. Public safety and convenience shall be duly regarded and conserved by the construction of such bridges across open trenches as may be required to insure safety to the public. Red lights, barricades and all such other means of protection against accident must be provided. Before trenches are backfilled, materials and workmanship shall be inspected by the Town Board or its agent and approved in writing. Nothing herein contained shall relieve the liability and responsibility for owner's or contractor's compliance with any and all federal, state or local statutes, rules or regulations concerning such work.

44.0100 Service Pipe Maintained

The owner of property into which water is introduced by a service pipe will be required to maintain to perfect order, at his own expense, the said service pipe from the curb stop to the meter on or for his premises, including all fixtures therein provided for delivering or supplying water for any purpose. In case such services and fixtures are not so kept in repair, the Town Board or its agent may cause to have made all necessary repairs and renewals or parts thereof. The expense of such work and all materials and labor required shall be paid by the property owner.

44.0110 Stop and Waste Cocks

Just inside the basement wall of the building into which the service pipe extends, an approved stop and waste cock shall be conveniently located in order to drain the meter, or in such other convenient place as the superintendent may approve.

44.0120 Inspectors May Enter Premises

The Superintendent, Town Officers, or employees of the Water Districts, upon presentation of proper credentials, may enter upon any premises where water is being supplied by Water Districts, or upon any premises when application is made for a permit to connect plumbing with the water pipes, for the purpose

of installing, reading, removing or repairing meters, or for inspecting the plumbing and fixtures of the water services.

44.0130 Shutting Off

In the case of making or constructing new work, in making repairs or leakage tests, the right is reserved to shut off the water to any consumer, without notice, for as long a period as may be necessary. No water district, its employees or the Town shall be liable for any damage which may result to any person's property or premises from shutting off the water from any main, or service, for any purpose whatever, even in cases where no notice is given.

44.0140 Change of Pressure

No water districts or the Town of Gorham shall be liable for any damage or loss of any kind to property or persons which may arise from or be caused by any change either increase or decrease, in pressure of water supplies from any cause whatever, including negligence of the part of the Water District, its agents, servants or employees.

44.0150 All Service to be Metered

All water furnished through service pipes, whether for residential, commercial or industrial use, shall be metered. No meters shall be set, removed or disturbed except by the Water Department or its agent. All meters shall be furnished and installed by the Water District, after payment of the connection charge. The Water Superintendent shall specify and approve the location of the meter. The meter is at all times the property of the Water District.

44.0160 Testing Meters

Any municipal water meter shall be taken out and tested upon the complaint of the consumer upon payment of a fee of twenty (\$20.00) dollars. If upon test the meter is not within three per cent of being accurate, it shall be repaired or replaced and the twenty dollar fee returned to the consumer.

44.0170 Damage to Meter

Any damage which the meter may sustain, resulting from the carelessness of the owner, his agent or tenant, or from neglect of any of them to properly secure and protect the same, including any damage that may result from allowing said meter to become frozen or to be injured by hot water or steam getting back from a boiler of hot water tank, shall be paid to the Water District by the owner of the premises.

44.0180 Access to Meter

Whenever a meter is set in any building, the space occupied by the meter box shall at all times be kept free from rubbish or obstructions of any kind. The owner or tenant shall provide ready and convenient access to the meter so that it may be frequently read and examined by agents of the Water District. Meters shall not be located in crawl spaces under buildings.

44.0190 Meters for Building Purposes

Water meters for building purposes shall be set by the Water District at the expense of the contractor or person making such application therefor. In case it is impracticable to place meters for such building purposes, water may be supplied to the contractor or owner at a flat rate.

44.0200 Water Rates

Generally, all water consumed shall be recorded and paid for by meter registration and at rates to be fixed by the Town Board. Such rates may from time to time be changed as the Town Board may determine. Water rates for turning on and off, installing meters, and taking meters in and out will be on file in the Town Clerk's Office.

44.0210 Meter Bills

Bills for metered water shall be payable quarterly. In each instance, meter bills, if not paid within thirty days, shall be increased ten per centum as a penalty for failure to pay promptly. Failure to receive a bill shall not act as a waiver of said penalty. In case of inability to read the meter, an estimate bill will be submitted to the consumer.

44.0220 Abatements

No abatement of the charges for water rents shall be allowed on account of the vacancy of any premises supplied with water, unless the water supply is turned off by the water district and the meter removed by its agent. For such suspension of service, there shall be a charge to be fixed by resolution of the Town Board.

44.0230 Unpaid Charges

All charges for water, service pipe installation, repairs, damages caused by carelessness or neglect, penalties, etc., shall be made against the premises supplied, and the owner of the premises shall be held responsible therefor such charges if not paid, shall be a lien on the property benefited. All such unpaid charges shall be added to the next general tax against property. Failure to pay within 90 days shall result in shutoff of service at the option of the Town Board without notice to consumer.

44.0240 Hydrant Control

All street or road fire hydrants, or hydrants for private fire protection from unrestricted service lines, are under the control of the Water District. No person, except an authorized agent or employee of the Water District, or a person permitted by the Town Board is to take water therefrom, shall operate, use or disturb any hydrant, or any part thereof, or take any water therefrom, under any circumstance whatever, except fire companies for use to control, prevent or extinguish fires.

44.0250 Damage to Hydrant

In case any damage to a street or road hydrant is done by any person or his agent having a permit for taking water from said hydrant, the holder of the permit shall pay damages and all costs and expenses that may be incurred by reason thereof, on demand, to the Water District, including loss of water.

44.0260 Use of Hydrants

No person shall use any fire hydrant for construction or other purposes without first obtaining a permit from the Water District or Superintendent for such use and making any advance payment demanded by said district. The hydrant shall be operated only by a proper hydrant wrench, which shall be obtained from the Water District Superintendent. Water must not be allowed to run except when used. All persons using hydrants shall immediately obey any instructions or orders that may be issued by the Town Board to regulate the use of these hydrants. If required by the Town Board, a meter shall be applied to the connection made with the hydrant at the expense of the party using same, and said party shall pay for all water by meter measurement at the stipulated rates.

44.0270 Valve Control

No person except a duly authorized representative of the water district shall open, close, or in any way interfere with any valve or gate in any water main or pipe. Any person who has disturbed or displaced a valve box, or who has covered a valve box with dirt, paving, plank or other material shall immediately replace the valve box or remove the obstruction.

44.0280 The Laying of Service Pipe

Service pipe will be required to be laid not less than four feet six inches below the surface of the earth at any point to the inside of the foundation wall of the building into which the water service is introduced.

44.0290 Sale of Water

No consumer within the water district shall sell water to anyone for any purpose whatever, excepting only if a specific permit therefor is issued by and after consideration of the Town Board.

44.0300 Sale of Water Outside of District

No water through any connection, pipe or main shall be sold or furnished outside the water district, without authorization by a Town Board Resolution and approval by the New York State Department of Health.

Any authorized water service extension outside the Water District shall conform to the requirements of the Town Design and Construction Standards.

44.0310 Connections

No connection of whatsoever nature shall be made by any person between the facilities of the said Water District and any other water system, public or private, without the consent in writing of a duly authorized agent for the Town Board.

44.0320 Discontinuance of Service

It is understood and agreed that failure of the applicant to give written notice to have service discontinued will make the owner of property liable for all water charges against said premises, and such notices must be actually delivered to the office of the Town Clerk.

44.0330 Seasonal Customers

A seasonal customer is one who has his water turned on and off for one or more quarters in any one year. Seasonal customers must have water turned off and meter removed, and then water turned on and meter installed, by an authorized agent of the Town Board.

44.0340 Violations

A violation of any provision of this Local Law shall be an offense punishable by a fine not to exceed \$250.00 or imprisonment for not more than 15 days, or both such fine and imprisonment. Each week that such violation is carried on or continues shall constitute a separate violation.

44.200 Cross Connection Control

44.201 PURPOSE

The purpose of these regulations is to safeguard potable water supplies by preventing backflow into public water systems.

The regulations are to be reasonably interpreted. It is the intent of these regulations to recognize that there are varying degrees of hazard and to apply the principle that the degree of protection should be commensurate with the degree of hazard.

44.202 DEFINITIONS

1. **Cross-Connections** - The term “cross-connection” as used in these regulations means any unprotected connection between any part of a water system used or intended to supply water for drinking purposes and any source or system containing water or substance that is not or cannot be approved as equally safe, wholesome, and potable for human consumption.

2. **Approved Water Supply** – The term “approved water supply” means any water supply approved by the New York State Department of Health.

3. **Auxiliary Supply** - The term “auxiliary supply” means any water supply on or available to the premises other than the approved public water supply.

4. **Vacuum Breaker – Nonpressure Type** - The term “vacuum breaker – nonpressure type” means a vacuum breaker which is designed so as not to be subjected to static line pressure.

5. **Vacuum Breaker – Pressure Type** - The term “vacuum breaker – pressure type” means a vacuum breaker designed to operate under conditions of state line pressure.

6. **Barometric Loop** - The term “barometric loop” means a loop of pipe rising approximately 35 feet, at its topmost point, above the highest fixture it supplies.

7. **Approved Check Valve** - The term “approved check valve” means a check valve that seats readily and completely. It must be carefully machined to have free moving parts and assured watertightness. The face of the closure element and valve seat must be bronze, composition, or other non-corrodable material which will seat tightly under all prevailing conditions of field use. Pins and bushings shall be of bronze or other no-corrodible, non-sticking materials, machined for easy, dependable operation. The closure element, e.g., clapper shall be internally weighted or otherwise internally equipped to promote rapid and positive closure in all sizes where this feature is obtainable.

8. **Approved Double Check Valve Assembly** - The term “approved double check valve assembly” means an assembly of at least two independently acting check valves, including tightly closing shutoff valves on each side of the check valve assembly and suitable lead detector drains plus connection available for testing the watertightness of each check valve.

9. **Approved Reduced Pressure Principle Backflow Prevention Device** - The term “approved reduced pressure principle backflow prevention device” means a device incorporating two or more check valves and an automatically operating differential relief valve located between the two checks, two shutoff valves, and equipped with necessary appurtenances for testing. The device shall operate to maintain the pressure in the zone between the two check valves, less than the pressure on the public water supply side of the device.

At cessation of normal flow, the pressure between check valves shall be less than the supply pressure. In case of leakage of either check valve, the differential relief valve shall operate to maintain this reduced pressure by discharging to the atmosphere. When the inlet pressure is two pounds per square inch or less, the relief valve shall open to the atmosphere, thereby providing an air gap in the device. To be approved, these devices must be readily accessible for maintenance and testing and installed in a location where no part of the valve will be submerged. The enclosure must be self-draining, so that the large amount of water which the relief valve may vent will be disposed of reliably without submergence of the relief valve.

This device must also be approved as a complete assembly.

10. **Air-Gap Separation** - The term “air gap separation” means physical break between supply pipe and a receiving vessel. The air gap shall be at least double the diameter of the supply pipe, measured vertically above the top rim of the vessel, in no case less than one inch.

11. **Water Supervisor** - The tem “Water supervisor” means the consumer or a person on the premises charged with the responsibility of complete knowledge land understanding of the water supply piping within the premises and for maintaining the consumer’s water system free from cross-connection and other sanitary defects, as required by regulations and laws.

12. **Certified Backflow Prevention Device Tester** – The term “certified backflow prevention device tester” means a person who is examined annually by the water purveyor and found competent for the testing of backflow prevention devices. He shall be provided with an appropriate identification card which must be renewed annually. Failure to perform his duties competently and conscientiously will result in prompt withdrawal of his certification.

44.300 Protection of Public Water System at Service Connection

44.300.1 WHERE PROTECTION IS REQUIRED

A. Each service connection from a public water system for supplying water to premises having an auxiliary water supply shall be protected against backflow of water from the premises into the public water system, unless the auxiliary water supply is approved as an additional source by the water purveyor and is satisfactory to the public health agency having jurisdiction with regard to quality and safety.

B. Each service connection from a public water system for supplying water to premises, on which any substance is handled under pressure in such fashion as to permit entry into the water system, shall be protected against backflow of the water from the premises into the public system. This shall include the handling of process waters and waters originating from the public water supply system which may have been subject to deterioration in sanitary or chemical quality.

C. Each service connection from a public water system for supplying water to premises on which a substance of unusually toxic concentration or danger to health is handled in liquid form, even though it is not under pressure, shall be protected against backflow of the water from premises into the public system. Examples are plating factories, using cyanide and hospitals. This is not intended to apply to normal household installations.

D. Backflow prevention devices shall be installed on the service connection to any premises that have internal cross-connections, unless such cross connection are abated to the satisfaction of the water purveyor.

It shall be the responsibility of the water user to provide and maintain these protective devices, and each one must be of a type acceptable to the State Health Department.

44.300.2 TYPE OF PROTECTION

The protective device required shall depend on the degree of hazard as tabulated below:

A. At the service connection to any premises where there is an auxiliary water supply handled in a separate piping system with no known cross-connection, the public water supply shall be protected by an approved double check valve assembly.

B. At the service connection on any premises on which there is an auxiliary water supply where cross connections are known to exist which cannot be presently eliminated, the public water supply system shall be protected by an air gap separation or an approved reduced pressure principle backflow prevention device.

C. At the service connection to any premises on which a substance that would be objectionable (but not necessarily hazardous to health if introduced into the public water supply) is handled so as to constitute a cross-connection, the public water supply shall be protected by an approved double check valve assembly.

D. At the service connection to any premises on which a substance of unusual toxic concentration or danger to health is or may be handled but not under pressure, the public water supply shall be protected by an air gap separation or an approved reduced pressure principle backflow prevention device. This device shall be located as close as practicable to the water meter; and all piping between the water meter and receiving tanks shall be entirely visible.

E. At the service connection to any premises on which any material dangerous to health, or toxic substance in toxic concentration, is or may be handled under pressure, the public water supply shall be protected by an air gap separation. The air gap shall be located as close as practicable to the water meter, and all piping between the water meter and receiving tanks shall be entirely visible. If these conditions cannot reasonably be met, the public water supply shall be protected with an approved reduced pressure principle backflow prevention device, providing the alternative is acceptable to the water purveyor.

F. At the service connection to any sewage treatment plant or sewage pumping station, the public water supply shall be protected by an air gap separation. The air gap shall be located as close as practicable to the water meter and all piping between the water meter and receiving tanks shall be entirely visible. If these conditions cannot be reasonably met, the public water supply shall be protected with an approved reduced pressure principle backflow prevention device.

44.300.3 FREQUENCY OF INSPECTION OF PROTECTIVE DEVICES

It shall be the duty of the water user on any premise on account of which backflow protective devices are installed, to have competent inspections made at least once a year, or more often in those instances where successive inspections indicate repeated failure. These devices shall be repaired, overhauled or replaced at the expense of the water user whenever they are found to be defective. These tests shall be performed by a qualified backflow prevention device tester, and all test results will be provided to the water purveyor within 72 hours after the test is made.

Records of such tests, repairs, and overhaul shall also be kept and made available upon request to the water purveyor, local health officer and the New York State Department of Health.

44.400 Protection of Potable Water System Within Premises

44.400.1 SEPARATE DRINKING WATER SYSTEMS

Whenever the plumbing inspector determines that it is not practical to protect drinking water systems on premises against entry of water from a source or piping system or equipment that cannot be approved as safe or potable for human use, an entirely separate drinking water system shall be installed to supply water at points convenient for consumers.

44.400.2 FIRE SYSTEMS

Water systems for fighting fire, derived from a supply that cannot be approved as safe or potable for human use shall, wherever practicable, be kept wholly separate from drinking water pipelines and equipment. In cases where the domestic water system is used for both drinking and fire-fighting purposes, approved backflow prevention devices shall be installed to protect such individual drinking water lines as are not used for fire-fighting purposes. Any auxiliary fire-fighting water supply which is not approved for potable purposes, but which is to be connected that it may be introduced into potable water piping during an emergency, shall be equipped with an approved automatic chlorination machine. It is hereby declared that it is the responsibility of the person or persons causing the introduction of said unapproved or unsafe water into the pipelines to see; (1) that a procedure be developed and carried out to notify and protect users of this piping during the emergency (2) that special precautions be taken to disinfect thoroughly and flush out all pipelines which may become contaminated before they are again used to furnish drinking water. In the event the means of protection of water consumers is by disinfection of the auxiliary fire-fighting supply, the installation and its use shall be thoroughly reliable.

The public water supply must be protected against backflow from such dual domestic fire systems, as detailed in Section 44.300.

44.400.3 PROCESS WATERS

Potable water pipelines connected to equipment for industrial processes or operations shall be protected by a suitable backflow prevention device located beyond the last point from which drinking water may be taken, which device shall be provided on the fee line to process piping or equipment. In the event the particular process liquid is especially corrosive or apt to prevent reliable action of the backflow prevention device, air gap separation shall be provided. These devices shall be tested by the water user at least once a year; or more often in those instances where successive inspections indicate repeated failure. The devices shall be repaired, overhauled or replaced whenever they are found to be defective. These tests must be performed by a qualified backflow prevention device tester and records of tests, repairs, and replacement shall be kept and made available to the water purveyor and the State Health Department upon request.

44.400.4 SEWAGE TREATMENT PLANTS AND PUMPING STATIONS

Sewage pumps shall not have priming connections directly off any drinking water systems. No connections shall exist between the drinking water system and any other piping, equipment, or tank in any sewage treatment plant or sewage pumping station.

44.400.5 PLUMBING CONNECTIONS

Where the circumstances are such that there is special danger to health by the backflow of sewage, as from sewers, toilets, hospital bedpans and the like, into a drinking water system, a dependable device or devices shall be installed to prevent such backflow.

The purpose of these regulations is not to transcend local plumbing regulations, but only to deal with those extraordinary situations where sewage may be forced or drawn into the drinking water piping. These regulations do not attempt to eliminate at this time the hazards of back-siphonage through flushometer

valves on all toilets, but deal with those situations where the likelihood of vacuum conditions in the drinking water system is definite and there is special danger to health. Devices suited to the purpose of avoiding back-siphonage from plumbing fixtures are roof tanks, barometric loops or separate pressure systems separately piped to supply such fixtures, recognized approved vacuum or siphon breaker and other backflow protective devices which have been proved by appropriate tests to be dependable for destroying the vacuum.

Inasmuch as many serious hazards of this kind are due to water supply piping which is too small, thereby causing vacuum conditions when fixtures are flushed or water is drawn from the system in other ways, it is recommended that water supply piping that is too small be enlarged whenever possible.

44.400.6 MARKING SAFE AND UNSAFE WATER LINES

Where the premises contain dual or multiple water systems and piping, the exposed portions of pipelines shall be painted, banded or marked at sufficient intervals to distinguish clearly which water is safe and which is not safe. All outlets from secondary or other potentially contaminate systems shall be posted as being contaminated and unsafe for drinking purposes. All outlets intended for drinking purposes shall be plainly marked to indicate that fact.

In the event of contamination or pollution of the drinking water system due to a cross-connection on the premises, the local health officer and water purveyor shall be promptly advised by the person responsible for the water system so that appropriate measures May be taken to overcome the contamination.

44.500 Recourse for Non – Compliance

44.500 NON COMPLYING INSTALLATION PROHIBITED

No water service connection to any premises shall be installed or maintained by the water purveyor, unless the water supply is protected as required by State Health Department regulations and this rule.

44.500.2 DISCONTINUANCE OF SERVICE

Service of water to any premises may be discontinued by the water purveyor, if a backflow preventive device required by this rule and regulation is not installed, tested, and maintained; if any defect is found in an installed backflow preventive device; if it is found that a backflow preventive device has been removed or bypassed or if unprotected cross-connections exist on the premises. Service shall not be restored until such conditions or defects are corrected.

