

**Town of Clinton
Department of Public Works
242 Church Street
Clinton, MA 01510**

Water & Sewer Regulations

APPROVED BY BOARD OF SELECTMEN ON MARCH 29, 2006
AMENDED ON MARCH 26, 2008

Water and sewer usage rates

Water usage from 0-1,000 cubic feet is billed at \$5.66 per hundred cubic feet.
Water usage from 1,000 – 3,000 cubic feet is billed at \$1.30 per hundred cubic feet.
Water usage from 3,000-5,000 cubic feet is billed at \$2.90 per hundred cubic feet.
Water usage from 5,000-20,000 cubic feet is billed at \$3.12 per hundred cubic feet.
Water usage over 20,000 cubic feet is billed at \$3.35 per hundred cubic feet.

Minimum Water Only Bill \$56.60, Minimum Sewer Only Bill \$42.40
Water & Sewer usage from 0 – 1,000 cubic feet is billed at a minimum of \$99.00
Sewer rate is 75% of the water charge

**Section I
Definitions**

Consumers: The owner of record of property using water supplied by the Clinton Water Department.

Cross Connection: Any physical connection or arrangement of piping or fixtures between two otherwise separate piping system, one of which contains potable water and the other non-potable water or industrial fluids of questionable safety, through which, or because of which, backflow or back-siphonage may occur into the potable water system.

Department: The water department of the Town of Clinton

Main: The line of supply in the street to which the services are connected.

Service: The supply line from the main to the property line to which the building is connected.

Section II Rules and Regulations

- II.1 All applications for water service shall be made at the office of the Department of Public Works between 8 AM and 4 PM by the owner of the property or by his authorized agent, in writing, on the proper form furnished by the Department of Public Works.
- II.2 A schedule of charges for installation of new services and renewals by which a new location is desired are listed in Section IX of these regulations.
- II.3 No water will be turned on until a meter has been installed.
- II.4 Water bill will be sent to the address as entered on the application until the water department is notified in writing of a change of address.
- II.5 Consumers will be responsible for providing the correct and current address and ownership. Failure to receive a bill does not constitute a reason for an extension of time for payment.
- II.6 The water department reserves the right to amend incorrect bills
- II.7 The owner of the property shall be responsible at all times for any and all charges. Charges will continue to be made against the property until such time the owner shall notify the water department or public works office in writing that the service is no longer desired.
- II.8 In accordance with provisions of Chapter 40 of the General Laws of Massachusetts, unpaid bills and interest become a lien on the property to which water has been furnished.
- II.9 Water bills are rendered quarterly and are due and payable thirty (30) days from the date of issuance. Interest on the overdue portion of a bill will be computed at the highest interest rate permitted by law.
- II.10 Failure to receive the bill does not relieve the customer in any way from liability of payment, nor from the shutting off of the water under the conditions of non payment stipulated within these regulations.
- II.11 Abatements or rebates for non-use of water service will not be made unless a written notice is filed at the office of the water department at the time of the discontinuance of service and all rebates shall date from the filing of such notice. Requests for rebates and abatements must be submitted to the Board of Selectmen for approval. Residential customers that have received unusually high water bills shall be allowed a one-time abatement. This abatement applies to one, two and three family residential dwellings. Abatements will be given to customers whose usage during a billing cycle is at least double the average of the three previous billing cycles. The adjusted bill will be computed using the average usage of the three previous billing cycles. Upon change of ownership of a property, the new owner will be eligible for the one-time abatement.

Section III Liability and Responsibility

- III.1 **Free access to property**
Agents of the water department shall have free access to the property served, to ascertain the number and type of fixtures, the amount of water passing through the service, the manner of its use, the possibility of waste and, if necessary, to shut off water service.
- III.2 **Alterations**
No alterations shall be made to the service installed by the water department except by authorized agents of the water department.
- III.3 **Department shall not be liable for interruptions**
The department shall not in any way, not under any circumstances be held responsible or liable to any person or persons, for any loss or damage for any excess or deficiency in the pressure, volume or supply of water due to any cause whatsoever. The department will undertake to use all reasonable care and diligence to avoid interruptions and fluctuations in the service, but cannot and does not guarantee that such will not occur.
- III.4 **Not liable for dirty water**
The department will not be responsible for damage caused by dirty water resulting from opening or closing of any gate for repairs, the use of hydrants, the breaking of any supply line or any other reason.
- III.5 **Not liable for shutting off supply**
The department will endeavor to give notice to as many of the consumers affected as character of work permits, whenever it becomes necessary to shut off supply from any section of the Town to make repairs or changes or because of a broken main and will as far as practicable, use every effort to prevent damage or inconvenience, but failure to give such notice will not involve the department in any responsibility or liability for damage arising from shutting off the supply or any subsequent conditions arising there from.
- III.6 **Not liable for collapsed Boilers**
The department reserves the right at any time, without notice, to shut off the water supply for the purpose of making repairs, extensions or other reasons and all consumers having boilers or other appliances on their premises, are hereby warned against danger of collapse from these sources and are urged to provide check valves and safety devices as required by law. In any event, the department expressly stipulates that there shall be no liability for damage resulting there from.
- III.7 **Not liable for consumers plumbing**
The department will not assume any liability for conditions in the consumers plumbing or appliances which may be the cause of trouble, coincident with, or following repairs made to any part of the supply system by the department.

III.8 **Responsibility for service line**

The responsibility for maintaining the service line from the property line to the serviced building is that of the customer as defined in section IV.1. This includes installation and maintenance to keep it free from leaks and blockages. Failure by the customer to repair installation within a reasonable time of notification by the water department may result in shut off of service due to potential health hazard.

**Section IV
Service Connection**

IV.1 All services including single family residences, shall be installed by the developer or property owner who shall furnish all materials and labor to complete the service. The service from the main up to and including the curb stop will become the property of the department once it has been accepted. The curb box shall be accessible at all times. The size and quality of material used in the service between the property line and the services shall be specified by the water department. The service from the property line to the structure shall be furnished, installed and maintained by the consumer at his own expense. The service must be inspected and approved by the water department before service to the consumer is initiated. The service must be maintained in the same condition, free from leaks or blockage in accordance with department standards.

IV.2 The department requires the owner to install a minimum of 1” type k copper service line from the structure to the property line. When installing service lines the following schedule will apply. (Also see IV.3)

Required size of water service pipes.

Less than 50 Feet	1”
50 feet to 200 feet	1”
Longer than 200 feet	1 _”

IV.3 Every building will be served by a separate service unless approved by the water department. Plastic pipe is not to be used for a service connection.

IV.4 All brass fittings used on underground lines must be of top quality manufacture. (Mueller or equal).

IV.5 A full way ball valve shall be installed in the service line on the intake side of each water meter. The valve shall not be less in size than the building water service

IV.6 Applicants for water service in locations where no mains exist must run a main of the same size as the existing main to a point beyond the new service. An end of the line hydrant may be required at the discretion of the Department of Public Works

- IV.7 The service pipe shall be laid not less than five feet below the ground surface and in a trench not less than ten feet in a horizontal direction from any other trench in which may be laid gas pipe, sewer pipe or any other public or private utility and must conform to the regulations, title 5 of the state sanitary code.
- IV.8 The consumer shall install adequate fittings to insure proper and complete drainage of the service pipe when not in use.
- IV.9 The consumer shall make all changes in his portion of the service required by grade changes, relocation or other causes.
- IV.10 Swimming pools will never be filled by the use of a fire hydrant.
- IV.11 Any violation of these regulations will subject the consumer to a discontinuance of service or fine of not less than \$ 50.00
- IV.12 **Damage to consumer's service**
Damage to consumer's service caused by work or equipment owned by contractors will not be repaired by the water department. The water department will shut off the water until repairs have been made and turn it on again at no charge.
- IV.13 **Illegal to use water department curb stop**
A curb stop will be installed by the water department at or near the curb line for the convenience and use of the water department solely. It is contrary to the law for anyone not so authorized by the water department to operate this curb stop. Any person found using the water department curb stop without authority may be subject to a fine of not less than \$ 50.00 and prosecuted according to the law.
- IV.14 **Private curb stops**
The water department will require the installation of a private curb stop on any service that is not laid at a sufficient depth to be entirely protected from the action of frost, at the point where the service ceases to be protected and shall be kept in good working order at all times by the property owner.
- IV.15 **Shutting off and turning on water service**
The owner or agent may have the water service shut off during a period of non-occupancy by making a request to the water department in writing. Having the water shut off does not exclude the owner from payment of the bill in full, except when the water is shut off for a period of one year beginning January 1st. If the water has been shut off by the water department for non-payment of bill, all payments due must be paid before the water is turned on.
- IV.16 **Water waste and freezing**
Consumers must keep their water pipes and fixtures in good repair and protected from frost at their own expense.
- IV.17 **Separate service for each customer**
Every property shall be served with a separate and distinct service having a shut off at the street line, except by special arrangements with the water commissioners.

IV.18 **Cross Connections**
Service pipes or fixtures of any descriptions that are connected with the mains of the water department shall not, under any circumstances, be connected with any other source of water supply. (See Town of Clinton Regulations for Backflow and Cross-Connection Control) Failure to pay cross connection/backflow prevention inspection fee within 60 days of receipt of invoice will be cause for shutting off water supply.

IV.19 **Temporary or Seasonal Services**
Any service installed as a temporary or seasonal service, regardless of type of material, buried to a depth within the frost zone, must have adequate provision for complete drainage and shall be shut off by November 1st.

Section V

Fire Hydrants/Fire Protection Services

V.1 **Fire Hydrants and Lines**
Fire hydrants will not be opened for any reason except by the fire department or authorized public works personnel.

V.2 Fire lines that feed sprinkler systems will not be tapped for any other purpose.

V.3 Violators of the regulations pertinent to section V shall be subject to a fine of \$100.00 for each violation.

V.4 **Maintenance and Repair of Fire Protection Services.**
The Town will be responsible for maintaining and repairing fire protection services from the water main to the shut of valve. The property owner will responsible for maintaining and repairing fire protection services from the shut off valve to the building.

Section VI

Meters

VI.1 **General**
Meters are to be installed on all customer services by the water department or a licensed plumber. The water department will determine the size of the meter. All consumers must be metered and all water passing through a meter will be charged in accordance with the rate schedule. The consumer is responsible for that charge regardless of whether the water was used or wasted (also see Section II.11).

VI.2 **No water to Other Premises.**
No consumer shall supply water to other premises except with the approval of the water department, and every other consumer permitting such, shall be charged for all the water so taken.

- VI.3 **Repairs Chargeable**
Repairs or replacements of meters due to freezing, hot water or external causes shall be charged to the consumer.
- VI.4 **Meters must not be removed**
All meters must be set by an employee of the water department and shall not be removed or disturbed except by an employee of the water department, or approved licensed plumber, given prior notification to this department. A fine of \$100.00 will be assessed for removing, disturbing or tampering with meters or remote readers.
- VI.5 **Location of meters**
Whenever feasible, the meter will be set at the point where the service enters the building. Where it is not practical to set the meter in the building, the meter will be set in a pit at the most convenient spot. If, in the opinion of the water department, the meter installation should be changed, the department reserves the right to require the consumer to do so.
- VI.6 **Access to meters**
The consumers shall be responsible for the free access to the meter, wherever located, at all times. Failure to remove any obstruction, preventing free access to the meter within three days after being notified shall constitute cause for shutting off the water.
- VI.7 **Residential Meters**
For residential services up to and including three family homes, the initial cost of the 5/8" meter and valve may be supplied by the water department for a fee of \$500.00. Once the 5/8" meter is installed and all water related permits have final approval, the meter becomes the property of the water department. It is the water department's responsibility to maintain the meter, including replacement, repair, and scheduled testing. It is the responsibility of the property owner to maintain reasonable access to the cellar valve and meter and to protect the meter from any type of damage, including freezing. The replacement cost for meters damaged due to negligence of the owner will be charged to the property owner. Meter accuracy will be within AWWA standards. If a high usage complaint is filed, an independent certified meter tester will test the meter. If the results of the test are within AWWA standards, the owner will be responsible for the costs associated with the testing of the meter. Meters larger than 5/8" will be supplied and remain the property of the property owner. Maintenance, repair, testing and replacement of the larger meter will be the responsibility of the property owner.
- VI.8 **Commercial, industrial, institutional, and other meters**
The owner of properties other than those described in Section VI.7 will be responsible for the purchase, installation, testing, repair and or replacement of the water meter and valve. The property owner will retain ownership of the meter, which will be regulated by AWWA water meter standards and this water meter policy. If the property owner does not maintain the meter in accordance with AWWA standards and this policy, the water department will contract out an independent certified meter tester to test, repair and or replace said meter. The property owner will be responsible for all associated costs.

- VI.9 If for any reason the meter breaks or fails to register the amount of water used for any period, the usage will be computed by taking the average of the three previous accurate reads.
- VI.10 The owner of properties other than those described in section VI.7 will be responsible for performing certified meter tests in accordance with the following time intervals.
- | | |
|-----------------------------|----------|
| 4" meters and larger | Yearly |
| 3" to less than 4" meters | 2 Years |
| 1 _" to less than 3" meters | 4 years |
| 1" and smaller | 10 years |

Property owners who fail to supply test results within 60 days of notification from the water department will be subject to a \$ 100.00 fine. The water department will contract to test, repair or replace untested meters. All costs associated with the test, repair or replacement of the meter will be invoiced to the property owner. Failure to make payment within 60 days of receipt of invoice will be cause for shutting off water supply.

- VI.11 **Replacement of Broken Meters**
 Notification will be sent to residential customers with broken water meters. Upon receipt of the first notice, the property owner will have 30 days to call and make an appointment for replacement of broken meter. Appointments will only be made during regular working hours. If after 30 days the property owner fails to respond, a second notification will be sent via registered mail. Failure of the property owner to respond within 30 days of the second notice, a \$100.00 fine will result. Failure to pay the fine and schedule for a meter replacement appointment within 30 days of issuance of the fine will result in discontinuance of water service.

Section VII Subdivisions and Developers

- VII.1 Plans for any proposed subdivision or development of land in Clinton must be submitted to the Department of Public Works for approval at the time plans are submitted to the planning board for their consideration.
- VII.2 The developer or contractor will supply and install all mains, pipes, valves and hydrants, of the type, size and in a location to be determined by the Department of Public Works.
- VII.3 All material shall in general conform to AWWA specifications and installation procedure will be in accordance with manufacturer's specifications.
- VII.4 Services will be installed in accordance with Section IV of the rules herein, to each proposed lot, complete and connected to the main with corporation cock, curb stop, curb box and rod.

- VII.5 Location and manufacture of fire hydrants shall be as directed by the Water Department and the Fire Chief. Gate valves shall be installed per direction from the Department of Public Works.
- VII.6 The developer will be required to pay a consulting engineer chosen by the water department to be present while water mains, services and appurtenances are being installed. The Water Department will require 48 hours notice from the developer in order to arrange the inspectional services. Work completed without proper inspection will be exposed by the developer so that the Town's consulting engineer can inspect the work.
- VII.7 Connections to existing mains
The developer or contractor shall be responsible for the installation of all mains within the subdivision and connection to the existing main designated by the Department of Public Works. Connection to the existing main shall be done in the presence of the Water Department.
- VII.8 The developer shall furnish and install all pipes and fittings to the existing main, including specified tapping sleeve and gate valve whether on public or private property. If the main is to be installed on an existing public way, a street opening permit shall be issued by the Department of Public Works before installation shall commence. Upon installation, title to all water mains, fire hydrants and all future fixtures related to the water distribution system shall rest in the town.
- VII.9 Application for connection to an existing main must be made by the developer or his agent on forms provided by and available at the Department of Public Works. Charges for the tapping of the main will be paid to the Department of Public Works by the developer at the time that the application is filed.
- VII.10 The developer shall grant to the Water Department an easement sufficient in width and scope to allow the department to operate water lines and access to repair and maintain same which are installed in private ways.
- VII.11 On completion of the work, the developer or contractor of any new development installations shall furnish the Water Department with a complete and accurate "as built plan" on Mylar paper. The plans will show location, measurements and type of water mains, hydrants with gates, gate valves, corporations, curb stops and service pipes to structures. All locations will be triangulated from known reference points. Water will be turned on for the development upon compliance with this regulation.
- VII.12 The developer and contractor of a subdivision or owner of any individual lot in same shall have no right to have any connections made to water lines without the written consent of the Water Department.
- VII.13 The developer or contractor will be responsible for protecting gate valve boxes and curb boxes from damage by construction required after installation. The developer or contractor will be responsible for renewing or replacing any damage or inoperable equipment before water is turned on or restored to any portion of the development of individual lots; thereafter owners of individual lots shall be responsible.

Section VIII
Work performed by the Water Department

VIII.1 General

In the event that the curb stop is located on private property, the Water Department is hereby authorized to access said property to shut off service for repairs or for nonpayment of water bills. It may become necessary for the Water Department to disturb private property if the curb stop is located on or near the private property. Work shall be performed in accordance with the following rules and regulation:

VIII.2 Trenches, or area of excavation, after completion of the installation or repairs, shall be rough graded and hand raked. Loaming and seeding will be completed by the DPW. The DPW does not guarantee that the grass color will match the existing lawn. The property owner may supply the seed if a particular blend is preferred. The property owner will be responsible for watering, reseeding and maintaining lawn areas once seed is placed.

VIII.3 Driveways and walkways will be saw cut and patched to match existing conditions as closely as possible. Replacement of surfaces other than asphalt and plain concrete will be the responsibility of the property owner.

VIII.4 Fences or walls of any kind, if not removed by the property owner, will, if within the departments means and capabilities, be removed and stacked on the land owner's property. Upon completion of the work, replacing these items will be the responsibility of the property owner.

VIII.5 Tree, bushes, shrubs, hedges, flowers, lawn ornaments, etc., if not removed by the property owner, will, if within the department's means and capabilities, be removed and stacked on the landowner's property. Upon completion of the work, replacing these items will be the responsibility of the property owner.

VIII.6 In the event that the water department's work necessitates the cutting of roots of trees, bushes, shrubs, hedges, etc. the Town of Clinton will not be responsible for their continued life.

VIII.7 The property owner shall be responsible for notifying the Water Department of any underground wiring, wells, septic systems and piping, drain pipes, etc., that may be in the line of construction. Unless the department is notified in advance, the Town of Clinton will assume no liability of resulting damages.

Section IX
Fees

IX.1 All individual residential construction units and single condominium units will be charged \$1000.00 per connection.

IX.2 Multiple family dwellings including all structures containing more than one dwelling unit, such as duplexes, condominium complexes, apartment houses, apartment complexes, hotels, motels, etc. will be charged a \$1500.00 flat fee plus \$300.00 per unit.

IX.3 Non-residential services will be charged in accordance with the following schedule.

<u>Service Size</u>	<u>Fee</u>
1"	\$ 1,000.00
1 1/2"	\$ 1,500.00
2"	\$ 2,000.00
4"	\$ 3,000.00
6"	\$ 5,000.00

IX.4 Service fees will be charged in accordance with the following schedule.

<u>Service</u>	<u>Fee</u>
Special Meter Read	\$ 20.00
Meter Valve Replacement (5/8" meter)	\$ 75.00
Hydrant Flow Test	\$ 100.00
Construction Meter	\$ 100.00 plus usage

Section X

Billing and Payment

X.1 Billing and Frequency

Water/Sewer bills will be mailed out on a quarterly basis. Preliminary bills will be issued on or about August 1st and February 1st of each year. Preliminary bills will be billed at \$56.60 for water and \$42.40 for sewer. The first preliminary payment will be due on or about September 1st and the second preliminary payment will be due on or about March 1st. The Department will conduct meter readings in the spring and fall of each year. Bills based upon actual meter readings will be mailed on or about November 20th and May 15th of each year. The spring and fall billings will be calculated upon actual meter reads and adjusted based upon payments received from the prior preliminary billing. All bills will be based upon the water usage rate schedule approved by the Water Commissioners (Board of Selectmen).

X.2 Payment Due Date

Payment will be due thirty (30) days after the billing date. Properties with charges that remain unpaid after the applicable due date will receive a demand notice by registered or certified mail, requiring that the unpaid balance be paid within 15 days from the date of mailing of the demand notice and provide notice that service may be terminated after said date. The applicable fee for a demand for payment will be assessed for each demand notice.

X.3 Water Shut-Off

Failure to make payment within fifteen (15) days of the date of the mailing of the demand notice will result in termination of water service. The Department will issue notice at least thirty-six hours prior to the scheduled date of termination by sending notice by registered or certified mail to the last known address of the property owner. If such address is different from the address of the premises affected, a copy of such notice shall also be so mailed to the address thereof. Water service will then be terminated upon any business day between the hours of 8:00 a.m. and 4:00 p.m., provided proper payment has not been received. The Department may also pursue an action in contract or any other legal means to collect for unpaid charges.