

**COGSWELL SPRING WATER WORKS
RULES AND REGULATIONS**

Town of Henniker Water Department

HENNIKER, NEW HAMPSHIRE

PUBLIC HEARING DRAFT

November 16, 2016

GENERAL INFORMATION

I. Statement of Objectives

- A. To secure water which is unpolluted and meets the State and Federal standards for potable water, and in all respects suitable for drinking and other domestic purposes.
- B. To secure an ample supply for all reasonable requirements for a considerable time in the future, with an opportunity for additional development at a small expense.
- C. To furnish a large volume of water under a high pressure for fighting fires.

II. Purpose of Rules and Regulations

- A. To establish water usage rates by which the cost of the construction and continued operation of the water system may be equitably borne.
- B. To regulate the construction, use, repair, alteration and discontinuance of the water system.
- C. To protect and control the existing sources of water and any future sources of water as they may become available.
- D. To protect the health and welfare of the people who may be users of the water supply.

III. Definitions

- A. *Person*: shall mean any individual, firm, company, association, society, corporation or group.
- B. *Owner*: shall mean any person in title or having any interest in real property served directly or indirectly by the water system.
- C. *Board of Water Commissioners*: shall mean all duly elected or appointed commissioners of the Cogswell Spring Water Works.
- D. *Representative*: shall mean the person or persons duly authorized by the Board to perform any duties, such as but not limited to, inspections and approval of service connections, repair and maintenance of pumps, wells or other appurtenances of the water system, bill collecting, water disconnects and reconnects.
- E. *Main Pipe*: shall mean the supply pipe from which service connections are made to supply water to customers.
- F. *Service Pipe*: shall mean the pipe running from the main pipe to the premises of the owner.

- G. *Shall:* is mandatory.
- H. *May:* is permissive.
- I. *Internal Plumbing:* any pipe or fixture that may be installed or connected to the service pipe of the owner's premises.
- J. *Water Works:* the water supply system and appurtenances.

CSWW: Cogswell Spring Water Works of the Town of Henniker
- K. *Backflow Prevention Device:* means a device or means to prevent backflow from the end-user back to the public water system.
- L. *Backflow:* means the flow of water other liquids, mixtures or substances into the distribution pipes of a potable supply of water from any source or sources other than the intended source.
- M. *Water Meter:* a device that records the amount of water that passes through a pipe, usually for billing purposes for CSWW reading.
- N. *Meter Horn:* A device used when installing meters in existing service lines.
- O. *Expansion Tank:* An expansion tank or expansion vessel is a small tank used to protect closed (not open to atmospheric pressure) water systems and domestic hot water systems.
- P. *Approved Bypass:* shall mean a pipe inserted where the meter sits in the meter horn through which CSWW may provide service to the customer while the meter is out of service.
- Q. *Non-Approved Bypass:* shall mean gaining or obtaining water before the meter to avoid charges
- R. *Ultrasonic Flow Meter:* An ultrasonic flow meter is a type of flow meter that measures the velocity of a fluid with ultrasound to calculate volume of flow.
- S. *Private Water Meters:* shall mean additional non-CSWW owned, maintained or read monitoring device which services a portion of the Customers Premises.
- T. *Lawn Irrigation Systems:* A system of devices, usually installed below ground level, to scatter or spray water droplets over a lawn. Zones shall mean groupings of multiple lawn irrigation sprinkler heads which provide water to one area of a Customers lawn at a time
- U. *Abutter:* shall mean one whose property abuts, is contiguous to or joins at the border or boundary of a public right of way in which a Main Pipe is to be or has been installed.

V. *Regular Working Hours*: shall mean the hours, Monday through Friday seven am to three thirty pm, excluding holidays, during which time CSWW is open for normal business.

W. *Premises*: shall mean the Customers property or building(s) thereon to which service is provided.

X. *Curb Stop*: shall mean a device owned by the water works placed in the service pipe, usually between the water main and the edge of the right of way; used by the water department personal to shut off the water supply to the customer in case of emergency.

Y. *Shut Off*: shall mean a valve owned and maintained by the Customer, located within the Customers Premises or on the Customers Property, which may be used to turn on or off water service to the Premises.

Z. *Special Meter Reading Cost*: shall mean a cost not associated with the charge for metered water, including disconnection or reconnection or a final read at the request of the owner of the property.

AA. *Unit*: A unit shall be determined by the size of the water meter installed in the service line.

AB. *Storage Tank*: shall mean a structure constructed of concrete or steel with a cover designed to contain water.

AC. *Reservoir*: shall have the same definition as a storage tank.

AD. *Submeters*: are defined as meters installed after the water meter used by the customer to monitor other water use on the premises. See also Private Water Meter.

1. SERVICE PIPES

- 1.1. Service pipes shall be introduced into the premises of all persons who have, in the judgment of the Board, completed all necessary applications, received all necessary approvals, and paid all fees or monies that the Board may deem appropriate.
- 1.2. The service pipe from the main to and including the curb stop located at the edge of the right of way or property line of the premises shall be owned and maintained by the CSWW.
- 1.3. The service pipe from the curb stop to the building shall be installed, owned and maintained by the owner according to the rules and regulations as set by the Board.

- 1.4. No new service pipes shall be installed between November first (1st) and April first (1st) without the written approval of the Board.
- 1.5. All material used for the installation of any service pipe shall be only that which has been approved by the Board.
- 1.6. All trenches shall be back-filled only with the type of material approved by the Board.
- 1.7. No unauthorized person shall uncover, make any connection with or opening into, use, alter or disturb any service pipe or appurtenances thereof. Such person may be liable for prosecution to the full extent of the law and for any damages that may result.
- 1.8. All service pipes shall be buried a minimum of five (5) feet deep.
- 1.9. All new and existing service pipes shall have a properly installed, approved and inspected backflow prevention device, the cost of which shall be borne by the owner.
- 1.10. All new and existing service lines require the installation of an approved water meter, meter horn, ball valve, and expansion tank. The water meter and all will be purchased from the CSWW. The cost of the meter and its installation shall be borne by the owner. Upon installation, inspection and approval of the meter or meters, they shall become the property of the CSWW.
- 1.11. All gates, valves, shut-offs, standpipes, meters and appurtenances are the property of the CSWW and shall not be tampered with by any person other than an authorized representative of the CSWW. Violators may be prosecuted to the full extent of the law.
- 1.12. The CSWW may be indemnified for any loss or damage to the CSWW water system or appurtenances thereof, by the person or owner who in the judgment of the Board, are responsible for such loss or damage.
- 1.13. A specification sheet for the installation of water service pipes (that will include as a minimum, the type of pipe and its corresponding specifications, the type of fittings and their corresponding specifications, and any detail drawings that may be useful in explaining the proper installation of service pipes) and any other information that the Board may deem appropriate, shall be available to contractors, developers and/or any other interested parties.

2. LIABILITY FOR INTERRUPTED OR UNSATISFACTORY SERVICE

- 2.1. If, by reason of shortage of supply or for the purpose of making repairs, extensions or connections, or for any other reason beyond the control of the CSWW, it becomes necessary to shut off water, the CSWW shall not be responsible for any damage that may be caused by such shut-off. Notice of shut-off will be given when practical, but nothing in this rule shall be construed as requiring the giving of such notice. The CSWW shall not be responsible for damage caused by dirty water which may be occasioned by the cleaning of pipes, storage tanks, or the opening and closing of any gates or hydrants.

3. POWERS AND AUTHORITY OF INSPECTORS AND EMPLOYEES

- 3.1 Duly authorized inspectors and employees of the CSWW bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, testing, and any other necessary purposes that are appropriate. The inspectors and employees shall be permitted to enter all properties through which the CSWW holds a duly negotiated easement. All entry and subsequent work if any on said easement shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

4. WATER USAGE FEES

- 4.1. The water usage fees shall be billed a minimum of bi-annually, and a maximum of monthly, as deemed appropriate by the Board. All water usage fees shall be due within thirty (30) days and finance charges and late fees shall be set annually by the Board
- 4.2. The CSWW reserves the right to disconnect the water service within fifteen (15) days after mailing, or physically posting on the premises. Reconnection shall not be made until all previous charges plus interest fees for water, plus any reconnection fee that the water commissioners deem appropriate, are paid.
- 4.3 The owner may be liable for the entire amount of the water usage fees of each billing period if the water service has been on for any day or days of that billing period.
- 4.4. Connect and disconnect fees shall be set annually by the Board.
- 4.5. Water usage fees shall be established with two elements. One element shall be a unit charge and the second element shall be on the amount of water metered.. The unit charge shall allow a predetermined amount of gallons of water per billing cycle. Any water use that exceeds that predetermined amount will be assessed an additional cost per gallon.

5. USE OF WATER

- 5.1. Owners shall promptly notify the Board whenever there is a change in the use to which the water is to be applied.
- 5.2. The watering of lawns, shrubs and gardens may be between the hours of 4 PM and 10 PM.
The Board reserve the right to place any and all restrictions that they may deem appropriate or necessary.
- 5.3. Owners shall keep their water pipes and fixtures in good repair and protect them from frost to the curb stop. They shall be held liable for all damage resulting from their failure to do so.
- 5.4. Owners shall prevent all unnecessary waste, and water shall not be left running to prevent freezing without the approval of the Board.

- 5.5. No person shall, in any case, be allowed to open a fire hydrant except for the authorized representatives of the CSWW or the representative of the fire department in cases of fire.
- 5.6. The use of fire hydrants to fill swimming pools, or similar activities, may be allowed by the Board, provided there is an adequate supply and compensation is provided for the use of the hydrant. This rule is subject to any other rules and regulations, written or verbal, that the Board may impose.
- 5.7. Any person and/or persons causing damage to a fire hydrant shall be held liable for any and all costs incurred for the repair or replacement of said hydrant. If damage is malicious the person and/or persons responsible may be prosecuted to the full extent of the law.
- 5.8. No person shall place, or cause to be placed, any building, landscape material, shrubs, flowers, earth, snow, or other obstruction in the way of the free access of the hydrant by the fire department or CSWW.
- 5.9. No person shall allow another person who is not a patron of the CSWW, to obtain a supply of water without a written permit from the Board; the person so permitted shall be charged double the full rate, or at a rate set by the Board, for a full term and longer if said person continues to furnish water contrary to this rule.
- 5.10. It is the responsibility of the owner to make sure that the Backflow prevention device or devices shall be kept properly installed, tested and repaired, the cost of which shall be borne by the owner. A copy of the test results must be supplied to the CSWW.

6. INTERNAL PLUMBING

- 6.1. Owners shall use, or caused to be used, only materials and fixtures that are approved by the Board, the State of New Hampshire and any applicable state or national plumbing code.
- 6.2. Upon notice by the Board, whether written or verbal, the owner shall promptly repair, replace, remove, or add any materials and fixtures to the satisfaction of the Board. Failure to do so may be cause for disconnection and/or any other penalties or action the Board may deem appropriate.
- 6.3. Owners shall install materials and fixtures according to the rules and regulations as set by the Board and any applicable state or national plumbing code.
- 6.4. The water meter, ultrasonic reader, transmitter, meter horn, ball valve and residential backflow device shall be the property of the CSWW and shall not to be tampered with or illegally bypassed by the owner/customer.
- 6.5. CSWW shall have the right of reasonable access to the Owners/ Customers premises to set, read or replace meters, meter horns and to enforce these Rules and Regulations.

6.6 CSWW shall not install, maintain or read submeters for any premises.

7. MAIN PIPES

- 7.1. Main pipes shall be laid or extended only in highways, streets, roads, and right of ways which are laid out and in which grades have been established, and which are dedicated to the public use.
- 7.2. The size and type of main pipe extensions shall be determined by the Board in accordance with conditions surrounding the extension, including but not limited to, the possibility of future expansion for fire protection service.
- 7.3. Main pipe extensions shall be made only upon the condition that in the judgment of the Board, all necessary applications and approvals have been completed, and any fees or monies have been paid, and any other requirements that the Board may deem appropriate have been completed.
- 7.4. The cost of any and all main pipe extensions, including but not limited to, engineering costs and bonds, shall be borne by the owner who has properly applied for and received approval for such extension.
- 7.5. The Board may make such changes and extensions, as they deem necessary for the best interest of the public, for fire protection, health, or improvement of the distribution system.
- 7.6. No unauthorized person shall uncover, make any connection with or opening into, use alter, or disturb any main pipe or appurtenances thereof.
- 7.7. The CSWW shall be indemnified for any loss or damage to the water works or appurtenances thereof by the responsible person or persons who, in the judgment of the Board, are responsible for such loss or damage.
- 7.8. A specification sheet for the installation of main pipes (that will include as a minimum, the type of pipe and its corresponding specifications, the type of fittings and their corresponding specifications, any detail drawings that may be useful in explaining the proper installation of main pipes) and any other information that the Board may deem appropriate, shall be available to contractors, developers, and/or any other interested parties.

8. APPLICATION FOR WATER

- 8.1 The owner and/or his/her agent shall make application on a special form furnished by the CSWW. The application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Board. An application fee shall be set by the Board.
- 8.2 Any plans, specifications, or other information that is submitted by the owner and/or his agent with the application, may be submitted to an engineering firm, or engineer of the Board' choosing, to be reviewed and commented upon, the cost of which shall be borne by the owner.
- 8.3 Upon initial approval by the Board, the plans, specifications, and other information submitted by the owner and/or his agent shall be submitted to the State of New Hampshire, Department of Environmental Services for review and approval.
- 8.4 Construction shall not begin until receipt of the State of New Hampshire, Department of Environmental Services and then final approval of the Board as well as receipt of any fees or monies owed and any other requirements that the Board may deem appropriate. Approval by the Board shall not relieve the applicant for proper operation and performance of the connection.
- 8.5 Any final approval is subject to changes in the rules and regulations as set by the Board, or any other pertinent information that becomes known that would, in the opinion of the Board may cause any adverse effect on the water system, or that may be in violation of any law or regulation. Any added expense that may occur from these changes shall be borne by the owner.

9. INTERPRETATION OF RULES AND REGULATIONS

- 9.1 In case of differing opinions concerning these rules and regulations the final interpretation shall be at the discretion of the Board , who shall consider all aspects of the issue, but who will at all times render decisions that shall be in the best interest of the CSWW and/or the Town of Henniker.
- 9.2 A verbal rule or regulation may be construed as having the same validity as a written rule or regulation provided it is consistent with the purpose of these regulations.