

**ORDINANCES, RULES AND REGULATIONS
GOVERNING THE OPERATION OF ALL
WATER DISTRICTS OF THE TOWN OF MONTEZUMA**

The following ordinances, rules and regulations shall be included in or by reference made a part of the contract with every person, corporation, partnership or other body supplied with water from the street mains of any Water District and/or every person, corporation, partnership or other body undertaking to do work in connection with the water system of ANY Water District in the Town of Montezuma. The Town Board shall enforce the ordinances rules and regulations now or hereafter made in every legal manner.

DEFINITION OF TERMS:

1. Where the term "Town" is used herein, it shall mean Town of Montezuma.
2. Where the Term "District" or "Water District" is used it shall mean any water district of the Town of Montezuma.
3. Where the term "District main", "water main" or "street main" is used herein, it shall mean the pipes of the Water District systems conveying water along the streets or rights of way.
4. Where the term "service pipe" or "service main" is used herein, it shall mean the pipe and attachments thereto, connecting the street main with the property of the water used. It shall include the corporation cock at the street main, the curb cock at or near the property line, the service boy and the copper tubing connecting the corporation and curb cocks.
5. Where the term "owner" is used herein, it shall mean the owner and/or owners of the premises served.
6. Where the term "consumer" is used herein, it shall mean the person, persons or body to whom water service is rendered, regardless of ownership.

APPLICATION AND CONTRACT

1. Every person who shall be supplied, or whose property shall be supplied with water by any Water District of the Town of Montezuma shall be deemed to have accepted, and approved, the rules of the Town Board governing and regulating the supplying of water, and the same shall constitute a part of the contract between such person and the Town Board. 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.
2. All service connections with the principal main, and service pipes from said principal mains, including tapping of main, corporation cock, copper pipe or curb cock and box for same shall be put in and installed only by properly authorized employees of the Water District, acting under the direction of a water official of the Water Department at the expense of the consumer. Any dwelling without a basement shall put their water meter only in a Water District-approved pit. *All water meters must be easily accessible to water district employees. Anyone in non-compliance shall have six months to comply to this and other regulations. If a residence does not comply, the Water Districts shall contract the work out and the cost of labor and materials will be the responsibility of the said owner of the property.* Non payment of said fees will be placed upon their tax bill.

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3. A service will be provided for every residence, trailer, commercial establishment, and upon request of the owner, to any other property in the said Water Districts. Where a service is furnished, the owner will be charged on a direct benefit, per unit basis to be determined by the Town Board in accordance with normal tax procedures and obligations. The number of units for which any property owner will be charged will be determined by the Town Board after giving the property owner notice of the proposed determination and giving said property owner the opportunity to be heard in opposition thereto if he/she so desires.
4. The service pipe between the curb cock and the meter, wherever located, shall be seamless copper tubing.
5. No person shall make any connection with the above mentioned curb cock or extend the same to the meter, located either at the curb or within the cellar, except an employee of the Water District, a plumber or a person having a special permit from a Water District official acting under the direction of the Superintendent. Total expense of connections shall be borne by consumer.
6. 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 action 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.
7. Every person desiring a supply of water through the principal water mains **must make application** at the office of the Town Clerk for a service pipe and connection with the main. Such application shall be made in writing upon blank forms furnished by said Town Clerk and must be signed by the owner of the property or his duly authorized agent. Upon submitting said application, the applicant must pay to the Town Clerk an amount as determined by the Town Board which shall serve as payment of rental of the water meter with remote reader and the installation charge of said meter and remote reader.
8. The curb cock 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 a water official and the meter installation completed. In case of building operations, special permission may be given by a water official under such conditions as he may prescribe.
9. Any person responsible for any injury to any main, pipe, hydrant or other water facility, shall reimburse the Water District therefore for such injury, and for the loss of water caused hereby. He/she shall also be responsible for any damage caused by such escaping water.
10. In the case of any excavation or the introduction of any water pipe or connection under authority of a permit from a water official, the owner will be held responsible for the trench opened. Public safety and conveniences 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. Warning lights, barricades and all such other means of protection against accident shall be inspected by a water official

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11. Service pipe will be required to be laid not less than four feet 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.
12. The owner of property into which water is introduced by a service pipe will be required to maintain in perfect order, at his own expense, the said service pipe from the principal main to the meter on or for his premises, including all fixtures therein provided for delivering or supplying water for any purpose. In case such service and fixtures are not kept in repair, a water official 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.**
13. Just inside of the basement wall of the building into which the service pipe extends a stop and waste cock shall be conveniently located in order to drain all pipes throughout the building. Said stop and waste cock shall be located between the building plumbing and the meter.
14. A water official, Town Officers, or employees of the Water Districts, upon presentation of proper credentials may enter upon any premises where water is being supplied by Montezuma Water District, or upon any premises when application is made for a permit to connect plumbing with the water pipes, for the purposes of installing, reading, removing or repairing meters, or for inspecting the plumbing and fixtures of the water service.
15. 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 of Montezuma shall be liable for any damage which may result to any person, property or premises from shutting off the water from any main or service, for any purpose whatsoever, even in cases where no notice is given. When practical, suitable notice to shut off water shall be given to owner or occupant.
16. No Water District or the Town of Montezuma 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 supplied, from any cause whatsoever.
17. All water furnished through service pipes, whether for residential, commercial or industrial use, shall be metered. All meters shall be owned, furnished and installed by the Water District. No meter shall be set or removed or disturbed except by a water official or employees of the Water Districts.
18. Any damage which the meter may sustain, resulting from the carelessness of the owner, his agent or tenant, or from neglect of either of them to 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 or hot water tank, shall be paid to the Water District by the **owner of the premises.**
19. Whenever a meter is set, whether in a meter pit or any part of the basement or any building, the space occupied by the meter and the meter box shall at all times be kept free from rubbish and/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 Districts. **A reading shall be taken from the main meter (not remote) at least once per year, or more if deemed appropriate by a water official.**

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20. Water meters for building purposes shall be set by the Water Districts at the expense of the contractor or person making such application. In case it is impracticable to place meters for such building purposes, water may be supplied to the contractor or owner using a temporary meter hookup.

21. 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.

22. Bills for metered water shall be payable quarterly. In each instance, water bills, if in arrears for **thirty (30) days from billing date**, shall be subject to a penalty of **10%** of the amount due as penalty for failure to pay promptly. **If said meter bills are not paid within ninety (90) days from the billing date, the supply of water may be cut off.** Failure to receive a bill shall not act as a waiver of said penalty. Pending Town Board approval, exceptions may be granted for any unforeseen circumstances.

23. In the event that more than one meter is used upon the same premises, separate bills shall be rendered for each meter reading. In case of inability to read the meter, an estimated bill will be rendered.

24. 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 and the meter of service are turned off by employees of the Water Districts. There shall be a charge for removing the meter of said premises.

25. All charges for water, service pipe installation, repairs, and/or damages caused by carelessness or neglect, shall be made against the premises supplied, and the owner of the premises shall be held responsible therefore. 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 levy against property. **The rate for new service installations shall be @ \$50.00 per hour with a minimum of 2 hours plus the cost of materials and is subject to change without notice as approved by the Town Board.**

26. All streets or road fire hydrants, or hydrants for private fire protection from unrestricted service lines are under the control of the Water Districts. No person, except an authorized agent or employee of the Water Districts, member of a Fire Department or a person permitted by the Town Board to take water from said hydrants, shall operate, take any water from, use or disturb any hydrant, or any part thereof, under any circumstances whatsoever. Penalties will be imposed as determined by the Town Board.

27. 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 such damages and all costs and expenses that may be incurred by reason thereof, on demand, to the Water District.

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28. No person shall use any fire hydrant for construction without first obtaining a permit for such use from a Water District Official 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 a Water District Official. Water must not be allowed to run except when in use. All persons using hydrants shall immediately obey any instructions or orders that may be issued by the Town Board, or duly authorized officials or employees of the water district. To regulate the use of these hydrants, as 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.

29. No persons except a duly authorized employee 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. **Violations will be handled as follows: 1st - Written Warning, 2nd - \$100 fine, 3rd - \$250 fine. Any violations thereafter may face more serious fines and/or actions as the Town Board deems necessary.**

30. Any person violating any provisions of these rules and regulations hereby enacted as ordinances, or any other rule, regulation or ordinance pertaining to the said water system hereafter adopted, shall upon conviction be fined up to two hundred fifty dollars (\$250.00) or be imprisoned in the Cayuga County Jail, or shall be so fined and imprisoned and shall suffer and permit any and all supply of water thereto furnished to him or to his property to be cut off and discontinued until the rule, regulation and/or ordinance is obeyed.

31. Any private line with multiple users shall have a main meter installed and consequently read by a water official. Any meters beyond the main meter shall be the responsibility of the owner of the private lines. Plans shall be submitted to the Town Board for approval of said lines, **before** installation of said lines is initiated. Any proposed additions thereafter shall also need approval by the Town Board.

32. This ordinance shall take effect immediately after the same shall have been published in accordance with Article 9 of the Town Law.

33. Revisions will be made to the above mentioned regulations without notice when deemed necessary by the Town Board.