

Gilbertville Water District Rules & Regulations For Water Use

RECEIVED

RULES AND REGULATIONS GOVERNING THE USE OF PUBLIC WATER AND CONNECTIONS OF BUILDINGS TO PUBLIC WATER MAINS AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF IN THE GILBERTVILLE WATER DISTRICT IN THE TOWN OF HARDWICK, COMMONWEALTH OF MASSACHUSETTS.

2021 AUG 30 A 9:38

TOWN CLERK
HARDWICK, MA

Be it ordained and enacted by the Water Commissioners of the Gilbertville Water District in the Town of Hardwick, Massachusetts, that the following are the Rules and Regulations as adopted by the Water Commissioners on July 27, 2021:

ARTICLE 1

Section 1 The following Rules and Regulations shall be considered a part of the contract with every person who takes water within the Water District and every person by taking water and having his/her property connected to the water system shall be considered to express his/her consent to be bound thereby.

Section 2 The Water Commissioners reserve the right to alter these Rules and Regulations as provided for under State Law if future needs require such action.

ARTICLE 2

APPLICATIONS FOR WATER SERVICES

Section 1 All applications for the use of water must be made by the property owner on form(s) provided for that purpose by the Water Commissioners. Anticipated water use(s) shall be stated in the application for water service. The application shall not be used for any other purpose without notice being given and permission obtained.

Section 2 No water service installation work shall commence until the application has been submitted by the Owner, approved by the Water Commissioners, and all fees paid.

Section 3 No water service may be installed during the winter from November 30 to April 1 unless special permission is granted by the Water Commissioners.

ARTICLE 3

WATER BILLS

Section 1 All water bills, including minimum charges for water furnished by metered service shall be paid semi-annually. The Commission shall render bills to Customers twice per year after each January and July for previous six (6) months of water use.

Section 2 Payment of water bills shall be due on or before April 30 for the first semi-annual period and on or before October 30 for the second semi-annual period.

Section 3 Water bills not paid by April 30 for the first semi-annual period or October 30 for the second semi-annual period shall be deemed "late" and will be assessed an interest charge of 14 percent compounded semi-annually.

A True Copy. Attest.

1 Ryan J. Witkos, Hardwick Town Clerk

Posted Aug. 30, 2021 9:45 a.m.

Section 4 Billing of water for a new water service shall start when the water is turned on at the service curb stop.

ARTICLE 4

NON-PAYMENT OF BILLS

Section 1 In every case of non-payment of water bills after two (2) billing cycles, the Commissioners may prepare a written demand to be delivered at the premises where the water is taken and unless the bill is paid within thirty (30) days thereafter or arrangements for payment made, the water supply may be shut off and shall not be turned on until the amount due is paid whether other persons taking water through the same service pipe are delinquent or not.

Section 2 Under Chapter 487 of the Acts of 1954, water bills shall automatically become a lien on the property if they are unpaid after two (2) billing cycles or the unpaid balance exceeds \$250.00 which ever is the larger amount.

ARTICLE 5

RIGHT TO ENTER PREMISES

Section 1 The Superintendent, Water Commissioners, and other duly authorized individuals associated with the Water District bearing proper credentials and identification shall be permitted to enter all properties that are supplied with water. The Superintendent and/or his representatives shall have the authority to inquire into any processes including agricultural, metallurgical, chemical, oil refining, ceramic, paper or other industries beyond the point to ascertain the uses that the water is being consumed; to read, inspect and repair water meters; to examine pipe and fixtures which must be of approved quality and arrangement; and, also to shut off water for non-payment of bills, or for violation of these Rules and Regulations.

Section 2 While performing necessary work on private properties referred to in Article 5, Section 1 above, the Superintendent and/or duly authorized representatives of the Water District shall observe all safety rules applicable to entry to premises established by the District.

Section 3 The Superintendent and/or other duly authorized representatives of the Water District bearing proper credentials and identification shall be permitted to enter private properties through which the Water District holds duly negotiated easements for the purpose of, but not limited to, inspections, observations, repairs, and maintenance of any portion of the water system lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the negotiated easement pertaining to the private property involved.

ARTICLE 7

NEW WATER INSTALLATIONS

Section 1 In no case shall the main be tapped larger than 1" nor more than once for the same premises unless special permission has been granted by the Water Superintendent.

Section 2 The property owner shall pay for installing the water service from the existing water main to the inner face of the building foundation including corporation and box (if any), curb stop and box, where directed, and an approved valve at the inner face of the foundation (commonly called cellar valve).

- a) Single family houses including condominiums and multiple housing facilities connecting into an existing water line or connecting a new water service shall be subjected to a two thousand (\$2000.00) connection fee for each unit or apartment payable to the Gilbertville Water District upon application to the Water District for service.

- b) The connection fee for commercial and industrial installations, including but not limited to dormitories, schools facilities, churches, restaurants, breweries, marijuana growing facilities etc. shall be determined by the Water Commissioners based on the Title 5 requirements at a rate of eight dollars (\$8.00) per gallon and shall be payable to the Gilbertville Water District before connection is approved by the Water Commissioners.

Section 3 All underground piping must have a minimum cover of 4 ½ feet and be one of the following:

- a) Copper tubing, Type K.
- b) Ductile Iron Pipe Class 52 double cement lined pipe.

Section 4 All pipe and valves must be installed according to Water District/AWWA specifications. Reasonable time must be allowed for inspections by the Water Superintendent and no backfilling is to be done until an inspection is made by the Superintendent or his/her authorized representative. Any work pertaining to water services or water mains that has been backfilled before inspection by the Superintendent shall be uncovered for the purpose of inspection by the person responsible.

Section 5 All work on water lines shall be completed only by qualified persons or contractors experienced in this kind of work and licensed by the Water District to perform such work, and they shall carry Liability Insurance for Personal Injury and Property Damage with limits satisfactory to the Water District. Certificates of Insurance shall be in the hands of the Water District before work is started. Road permits shall be required of every installer of a water service before any work is begun in a public way. These permits are issued by the Town of Hardwick or the Commonwealth of Massachusetts, depending upon the location of the work.

Section 6 When water mains are exposed for connections, taps shall be made and the main shall be suitably backfilled in the same day unless special permission is given by the Water Superintendent. Roadways shall not be plated except with permission granted by the Water Superintendent.

Section 7 In all Subdivisions approved by the Town of Hardwick Planning Board, the Developer shall furnish and install, as specified by the Water Commissioners, all water pipes, gates, hydrants, service connections, and fittings to make a complete water system. All mains shall be Ductile Iron, double cement lined, Class 52 not less than six (6") in diameter. The developer shall furnish a bond for satisfactory completion of his project, or before work shall be started. Continuous inspection services may be required at the discretion of the Water Superintendent during the water main installation work at the expense of the developer.

Section 8 When water mains 6" or larger are installed at the expense of persons other than the Water District, said mains shall automatically become the property of the Water District three (3) years after the date of complete installation unless said person chooses to relinquish ownership sooner.

ARTICLE 7

REPLACEMENT OF WATER PIPES

Section 1 The Water District will pay for replacing defective service pipes and valves from the water main in a public street to and including the curb stop as required.

Section 2 The Customer of the premises shall pay for that portion of the service pipe as may be laid from the curb stop to the inside face of the building foundation wall and shall bear the cost of maintaining this pipe at all times.

ARTICLE 8

LIABILITY OF THE WATER DISTRICT

Section 1 No damage shall be allowed any taker for shutting off water for the purpose of doing ordinary repairs on pipes, gates, hydrants, and other fixtures or on the main piping system. The Water District, however, will make a reasonable effort to notify customers who will be affected by shut-offs for repairs, except emergencies, at the discretion of the Water Superintendent.

Section 2 Steam boilers and hot water tanks supplied directly with water from mains shall be protected with proper safeguards against danger from collapsing, water hammer, backflow or backpressure; however, the Water District shall not be held liable for any damage to the premises in any event.

Section 3 The Water District shall not be liable for any land or lawn damage caused by installation of service pipes; reasonable effort will be made to limit damage caused by installations.

Section 4 The Water District shall not be liable for any damage resulting from dirty water resulting from opening or closing of any gate for repairs, use of hydrants, breaking of any mains or supply lines, or any other reasons.

ARTICLE 9

LIABILITY OF PROPERTY OWNER

Section 1 All water takers must have their pipes so arranged that the water can be drawn from them to prevent freezing, and any portion of the water service pipe between the cellar valve and the curb stop which cannot be so emptied, must be properly protected against frost by insulation, or other effective means.

Section 2 Persons taking water must keep their water pipes and fixtures in good repair and protected from frost at their own expense, and they shall be held liable for all damage which may result from their neglect. WATER TAKERS SHALL PREVENT ALL UNNECESSARY WASTE OF WATER AND WATER SHALL NOT BE LEFT RUNNING TO PREVENT FREEZING.

Section 3 The property owner shall be liable for any damage caused to the water meter.

ARTICLE 10

WORK ON OR ALTERATION OF PIPES INSTALLED BY THE WATER DISTRICT

Section 1 No work or alterations shall be done on any water pipes or mains installed by the Water District, except by a person authorized by the Water Commissioners.

Section 2 No pumping apparatus shall be used on water mains or services other than the pumping equipment used by Water District unless special approval has been granted by the Water Superintendent.

ARTICLE 11

CROSS CONNECTIONS

Section 1 Service pipes or fixtures of any description, that are connected with the mains of the Water District, shall not, under any circumstances, be connected with any other source of water supply unless an approved MassDEP cross connection permit is issued and an approved cross connection device installed.

Section 2 All new service line installations shall be equipped with double check valve assemblies installed after the water meter.

Section 3 Whenever existing water services are replaced, double check valve assemblies shall be installed at the expense of the property owner after the water meter.

Section 4 A separate and complete State Approved Cross Connection Control Regulation is added as a supplement to these Rules and Regulations; 310 CMR 22.22 as amended.

ARTICLE 12

USE OF HAND HOSE OR LAWN SPRINKLER

Section 1 The use of one hand hose or One Lawn Sprinkler per house is restricted to two (2) hours in any day, between 6 p.m. and 8 p.m. The water can only be used on the premises of the taker.

ARTICLE 13

EMERGENCY SUPPLY OF WATER

Section 1 There will be no water supplied to any other water department or water district other than for a declared emergency.

ARTICLE 14

HYDRANTS

Section 1 No person shall shut off, take off caps, or in any way interfere with Gilbertville Water District, GWD, hydrants except for the legitimate purpose of flushing the water system by GWD personnel.

Section 2 The GWD Superintendent shall have full control of the GWD hydrants.

Section 3 No person or persons shall use the water from a hydrant without permission from the Water Superintendent and then only if no other suitable source is available.

Section 4 Any apparatus attached to a GWD flushing hydrant shall be first approved by the Superintendent. Any water used from a GWD hydrant shall be metered.

ARTICLE 15

ONE TAKER NOT PERMITTED TO SUPPLY ANOTHER

Section 1 No water taker shall supply water to any other persons, customers, families, or businesses without the consent of the Water Commissioners nor after such permission has been withdrawn.

ARTICLE 17

SEPARATE SERVICE FOR EACH PROPERTY

Section 1 Every District property shall be served with a separate service having a shutoff (curb stop) at the property line, except where special arrangements have been made with the Water Commissioners.

Section 2 Condominium units shall be considered as individual properties and each unit having a separate water service, corporation, water meter, curb stop and cellar valve.

ARTICLE 18

WATER METERS

Section 1 All water services shall be metered. 5/8" water meters will be supplied by the District. New water meters are installed by the Owner's authorized representative. If a meter larger than 5/8" is required, the Owner shall supply the meter and pay for the installation. Installation work shall be under the supervision of the Superintendent or an authorized representative of the Gilbertville Water District.

Section 2 The Water Commissioners shall approve the type of water meters which shall be used and reserve the right to have any meter inspected at any time, and to refuse to furnish water through any meter which, upon inspection, may appear to be out of order or inaccurate. All meters will be repaired/replaced by the Water District or its subcontractors at the owner's expense.

Section 3 All meters and outside registers shall be sealed with copper wire and lead seals.

Section 4 In any case where the seal has been broken on either the water meter or the outside register, other than for repairs, the property owner where the meters are installed shall be subject to not less than \$100.00 and not more than \$500.00 fine. The Water Commissioners shall determine the amount of the fine.

Section 5 Any by-pass or attempt to by-pass the water meter or any attempt to tamper with either the meter, outside register or wire leading to the outside register shall be subject to not less than \$100.00 and not more than \$500.00 fine.

Section 6 A charge of \$10.00 shall be made to replace any seal to the meter or outside register.

ARTICLE 19

SHUTTING OFF AND TURNING ON WATER

Section 1 When application is made for shutting "off" and turning "on" water in cases of repairs or protection from frost by the Owner, a \$25.00 charge shall be made for either activity. No person other than an authorized agent of the Water District shall shut "off" or turn "on" any corporation cock, curb stop or main gate without permission from the Superintendent. Monies for shutting "off" or turning "on" the water shall be paid to the Gilbertville Water District.

ARTICLE 20

VACANCY OF PREMISES

Section 1 If a building is to be vacated for any length of time, especially in the winter, the Superintendent should be notified to shut "off" the water at the curb stop.

Section 2 No abatement shall be allowed unless the water is shut "off" for three (3) months or more.

ARTICLE 21

SERVICES OUTSIDE THE WATER DISTRICT

Section 1 The Water District may supply water, labor and materials to areas outside the geographical boundaries of the GWD, by new Massachusetts legislation. A written agreement shall be required before water can be furnished to such areas.

ARTICLE 22

MAINS INSTALLED BY OTHERS

Section 1 All water mains smaller than 6" installed by a person or persons shall not be accepted nor supplied with water by the Water District except where special arrangements in writing have been made with the Water Commissioners.

ARTICLE 23

RESTRICTION ON USE OF WATER

Section 1 The Water Commissioners reserve the right to restrict the use of water whenever a public emergency so requires.

ARTICLE 24

PROTECTION FROM DAMAGE

Section 1 No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, cover, uncover, deface or tamper with any structures, appurtenances, or equipment which is a part of the water works. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

ARTICLE 25

PENALTIES

Section 1 Any person found in violating of any provision of these rules and regulations except ARTICLE 24, Section 1 shall be served by the District with written notice stating the nature of the violation and providing a reasonable time limit for satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

Section 2 Any person who shall continue any violation beyond the time limit provided for in ARTICLE 25, Section 1, shall be fined in the amount not exceeding one hundred (\$100.00) dollars for each violation. Each day in which any violation shall continue shall be deemed a separate offence.

Section 3 Any person violating any provisions of these Rules and Regulations shall become liable to the Water District for any expense, loss or damage occasioned the Water District by reason of such violation.

Section 4 Whenever any of these Rules and Regulation is violated, the water may be shut off from the building or place where the violation occurs, even though two or more parties may be receiving water through the same service pipe, and shall not be turned on again, except by order of the Water Commissioners and on payment of the shut "off" and turn "on" fees plus any other charges, if any.

ARTICLE 26

WATER RATES

Section 1 Water District rates are as follows.

- a) The Base Water Rate is \$100.00 for the first 2000 cubic feet of water used in 6 months.
- b) Charges for water use over 2000 cubic feet in 6 months are \$4.75 per 100 cubic feet.

ARTICLE 27

WATER DISTRICT NOT RESPONSIBLE

Section 1 The Water District shall not be responsible for any inconvenience or damage due to equipment failures or water stoppages.

ARTICLE 28

VALIDITY

Section 1 All Rules and Regulations or parts of the Rules and Regulations in conflict herewith are hereby repealed.

Section 2 The invalidity of any section, clause, or provision of these Rules and Regulations, shall not affect the validity of any other part of these Rules and Regulations, which can be given effect without such invalid part or parts.

ARTICLE 29

RULES AND REGULATIONS IN FORCE

Section 1 These Rules and Regulations supersede any previous Gilbertville Water District Rules and Regulations as approved by vote of the Gilbertville Water District Commissioners.

Signed:

Date: 8-17-21

Neil A. Noble Andrew Tombor Carmel Robichaud
Neil Noble Andrew Tombor Carmel Robichaud

WATER COMMISSIONERS

Attest: Cheryl Nicholson District Treasurer
Cheryl Nicholson

As advertised: _____

310 CMR: DEPARTMENT OF ENVIRONMENTAL PROTECTION

15.203: continued

| TYPE OF ESTABLISHMENT | UNIT | GALLONS PER DAY | MINIMUM ALLOWABLE GPD FOR SYSTEM DESIGN |
|---|-------------------------|--------------------|---|
| (2) RESIDENTIAL | | | |
| Bed & Breakfast | per bedroom | 110 | 440 |
| Bed & Breakfast | per bedroom | 110 | |
| with restaurant open to public add | per seat | 35 | 1000 |
| Camp, resident, mess hall, washroom and toilets | per person* | 35 | |
| Camp, day, washroom and toilets | per person | 10 | |
| Camp, day, mess hall, washroom and toilets | per person | 13 | |
| Campground, showers and toilets | per site | 90 | |
| Family Dwelling, Single | per bedroom | 110 | 330** |
| including, but not limited to, single family condominiums & cooperatives | | | |
| Family Dwelling, Multiple | per bedroom | 110 | *** |
| Family Mobile Home Park | per mobile home | 300 | |
| Motel, Hotel, Boarding House | per bedroom | 110 | |
| Retirement Mobile Home Park | per site | 150 | |
| Housing for the Elderly | per two bedroom unit | 150**** | |
| Work or Construction Camp | per person | 50 | |
| * Person in the context of 310 CMR 15.203 means an individual. | | | |
| ** A system may be designed for flows of not less than 220 gpd, if a deed restriction essentially identical to the model Grant of Title 5 Bedroom Count Deed Restriction developed by the Department, is provided that limits the dwelling to two bed rooms as the term "bedroom" is defined in 310 CMR 15.002. A home office or home retail business whose only employees reside in the home, where no additional wastewater is generated other than toilet and hand washing waste, is not considered a change in the type of establishment and does not require the addition of flow for the purpose of designing the system. | | | |
| *** The number of bedrooms in a condominium shall be as specified in the Master Deed. Establishment of bedrooms in excess of the specified number shall be considered an increase in design flow. A home office or home retail business whose only employees reside in the home, where no additional wastewater is generated other than toilet and hand washing waste, is not considered a change in the type of establishment and does not require the addition of flow for the purpose of designing the system. | | | |
| **** One bedroom unit Housing for the Elderly, and units with more than two bedrooms shall be designed based on 110 gallons per day per bedroom. | | | |
| (3) COMMERCIAL | | | |
| Airport | per passenger | 5 | 150 |
| Barber Shop/Beauty Salon | per chair | 100 | |
| Bowling Alley | per alley | 100 | |
| Country Club, dining room | per seat | 10 | |
| Country Club, snack bar or lunch room | per seat | 10 | |
| Country Club, lockers and showers | per locker | 20 | |
| Doctor Office | per doctor | 250 | |
| Dentist Office | per dentist | 200 | |

310 CMR: DEPARTMENT OF ENVIRONMENTAL PROTECTION

15.203: continued

| TYPE OF ESTABLISHMENT | UNIT | GALLONS PER DAY | MINIMUM ALLOWABLE GPD FOR SYSTEM DESIGN |
|---|----------------------------|--------------------|---|
| (3) COMMERCIAL (continued) | | | |
| Factory, Industrial Plant, Warehouse or Dry Storage Space without cafeteria | per person | 15 | |
| Factory, Industrial Plant, Warehouse or Dry Storage Space with cafeteria | per person | 20 | |
| Gasoline Station with service bays | per island***** per bay | 75 125 | 300 |
| ***** Plus flows for bays, if any | | | |
| Kennel/Veterinary Office | per kennel | 50 | |
| Lounge, Tavern | per seat | 20 | |
| Marina | per slip | 10 | 500 |
| Movie Theater | per seat | 5 | |
| Non-single family/ automatic clothes washer | per washing machine | 400 | |
| Office building | per 1000 sq.ft. | 75 | 200 |
| Retail Store (except supermarkets) | per 1000 sq.ft. | 50 | 200 |
| Restaurant | per seat | 35 | 1000 |
| Restaurant, thruway service area | per seat | 150 | 1000 |
| Restaurant, Fast Food | per seat | 20 | 1000 |
| Restaurant, kitchen flow [for sizing of grease trap only] | per seat | 15 | |
| Service Station [no gas] | per bay | 150 | 450 |
| Skating Rink | per seat | 5 | 3000 |
| Supermarkets | per 1000 sq.ft. | 97 | |
| Swimming Pool | per person | 10 | |
| Tennis Club | per court | 250 | |
| Theater, Auditorium | per seat | 3 | |
| Trailer, dump station | per trailer | 75 | |
| (4) INSTITUTIONAL | | | |
| Place of worship without kitchen | per seat | 3 | |
| with kitchen | per seat | 6 | |
| Correctional Facility | per bed | 200 | |
| Function Hall | per seat | 15 | |
| Gymnasium | per participant | 25 | |
| Gymnasium | per spectator | 3 | |
| Hospital | per bed | 200 | |
| Nursing Home/Rest Home | per bed | 150 | |
| Assisted Living Facilities | per bed | 150 | |
| Public Park, toilet waste only | per person | 5 | |

310 CMR: DEPARTMENT OF ENVIRONMENTAL PROTECTION

15.203: continued

| TYPE OF ESTABLISHMENT | GALLONS UNIT | MINIMUM ALLOWABLE GPD FOR SYSTEM PER DAY | DESIGN |
|--|-----------------|--|--------|
| (4) INSTITUTIONAL (continued) | | | |
| Public Park, bathhouse, showers and flush toilets | per person | 10 | |
| Day Care Facility | per person | 10 | |
| (5) SCHOOLS***** | | | |
| Elementary School, without cafeteria, gymnasium or showers | per person | 5 | |
| Elementary School, with cafeteria but no gymnasium with showers | per person | 8 | |
| Elementary School, with cafeteria, gymnasium and showers | per person | 10 | |
| Secondary/Middle School, without cafeteria, gymnasium or showers | per person | 10 | |
| Secondary/Middle School, with cafeteria but no gymnasium or showers | per person | 15 | |
| Secondary/Middle School, with cafeteria, gymnasium and showers | per person | 20 | |
| Boarding Schools, Colleges | per person | 65 | |

***** All schools to be served by an alternative technology approved pursuant to 310 CMR 15.280 through 15.288 shall have an equalization basin as part of the system design and have it installed prior to the treatment device.

(6) Facilities other than those listed in 310 CMR 15.203(2) through (5), and nonresidential facilities with unique design features that result in significantly different design flows than those listed above may apply to the Department for a determination of design flow using actual meter readings of established flows from existing or similar installations without the need for a variance pursuant to 310 CMR 15.410 or 15.416. Prior to making a determination the Department will consult with the local Approving Authority. For state and federal facilities, the Department may also establish system design flows other than those listed above using actual meter readings of established flows from existing or similar installations. Any design flow established by the Department pursuant to 310 CMR 15.203(6), shall be based on 200% of average water meter readings in order to assimilate maximum daily flows or on other methods determined to be appropriate by the Department.

(7) In schools, flows generated from sinks or other drains receiving wastes from science laboratories, graphics arts classrooms, or vocational school activities, including, but not limited to, automotive repair painting, or metal fabrication are classified industrial wastes and shall be directed pursuant to an appropriate permit, to a sewer, if a sewer connection is feasible and, if not, then to an industrial waste holding tank in accordance with 314 CMR 18.000: *Industrial Wastewater Holding Tank and Container Construction, Operation, and Record Keeping Requirements* or an approved hazardous waste collection receptacle.