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Town of Plattsburgh

Local Law No. 2 of the year 19 87

"A local law GOVERNING ALL SERVICES RENDERED BY THE TOWN OF PLATTSBURGH.
(Insert Title)

FOR USERS IN TOWN OF PLATTSBURGH WATER DISTRICTS".

Be it enacted by the TOWN BOARD of the
(Name of Legislative Body)

Town of Plattsburgh as follows:

TOWN OF PLATTSBURGH
LOCAL LAW #2
OF THE YEAR 1987

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TOWN OF PLATTSBURGH
LOCAL LAW #2 OF THE YEAR 1987

87-01. Definitions.

For the purpose of this Local Law, the following definitions are applicable:

Acceptable Backflow Prevention Device is an acceptable air gap, reduced pressure zone device or double check valve assembly as used to contain potential contamination within a facility.

Acceptable Devices are those devices or assemblies found to be acceptable for containment control in New York State in accordance with the current Department of Health requirements or as amended.

Aesthetically Objectionable Facility is one in which substances are present which if introduced into the public water supply system could be a nuisance to other water customers, but would not adversely affect human health. Typical examples of such substances are: food-grade dyes, hot water, stagnant water from fire lines in which no chemical additives are used, etc.

Air-Conditioning and Refrigeration Equipment means any combination of equipment by which heat is removed from the air and from which the accumulated or affluent heat is wholly or partially removed by the use of water directly or indirectly from the public water supply system.

Air Gap Separation means the unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or faucet supplying water to a tank, plumbing fixture, or other device and the flood level rim of the receptacle. The differential distance shall be at least double the diameter of the supply pipe. In no case shall the air gap be less than one (1) inch.

Approved means written acceptance by the Department as meeting an applicable specification stated or cited in this Local Law or as suitable for the purposed use.

ASTM means America Society for Testing and Materials.

A.W.W.A means American Water Works Association.

Auxiliary Supply means any water source or system other than the potable water supply furnished by the district that may be available in the building or premises.

Backflow means the flow of water or other liquids, mixtures or substances into the distributing pipes of a potable water supply from any source or sources other than its intended source. Basksiphonage is one type of backflow.

Backflow Connection means any arrangement whereby backflow can occur.

Backpressure means the resulting backflow of contamination, polluted, or otherwise unacceptable quality water from a plumbing fixture or other customer source(s) into a public water supply system due to a greater pressure within the customer's water system.

Backsiphonage means the backflow of contaminated or polluted water, liquid, mixture, substance, or water of questionable quality from a plumbing fixture or other customer source(s), into a public water supply system due to a temporary negative or sub-atmospheric pressure within the public water supply system.

Barometric Loop is a loop of pipe rising at least thirty-five (35) feet, at its topmost point, above the highest fixture it supplies.

Certified Tester is an individual who has successfully completed a New York State Department of Health approved course in the testing of backflow prevention devices and has been issued a certification by the New York State Department of Health.

Check Valve is a self-closing device, which seats readily and completely, which is designed to permit the flow of fluids in one (1) direction and to close if there is a reverse flow.

Commercial Meter is any meter sized greater than one (1) inch.

Commercial Service means water service to high-consumption customers, business, factory, industrial and institutional properties.

Containment means cross-connection control which isolates the customer's entire facility from the public water system so as to provide the protection necessary to prevent contamination of the public water supply in the event of backflow from the customer's facility.

Contamination or Pollution means the presence of any substance (organic, inorganic, radiological or biological) in water that tends to degrade its quality so as to constitute a hazard or impair the usefulness of the water.

Corporation Stop is the valve immediately adjacent to the distribution main in which the service line is installed.

Cross-Connection means any physical connection through which a water supply could be contaminated.

Curb Box is the casing that houses the curb valve with provisions for the operating rod.

Curb Valve or Curb Stop is an approved valve in the service line located in or adjacent to the public right-of-way to control the water supply in the service line (water service valve).

Customer means a water consumer who has an established account with the Department of Water and Sewer of the Town of Plattsburgh.

Degree of Hazard means whether a facility is rated as hazardous, Aesthetically Objectionable or Non-hazardous.

Department means the Department of Water and Sewer of the Town of Plattsburgh.

Distribution Mains or Water mains means those water supply mains or pipes from which the water service lines (laterals) are connected.

District means a water district which is a specific geographical area wherein water is supplies and related costs are accounted duly established and administered by the Town Board.

Domestic Meter means any meter size of one (1) inch or less.

Domestic Service means water service to one (1) residence with service lines of one (1) inch or less and are normally residential.

Double Check Detector Check (DCDC) Valve Assembly Acceptable, shall mean a specially designed assembly composed of a line-sized approved double check valve assembly with a specific bypass 5/8" X 3/4", or 3/4" water meter and a 3/4" approved double check valve assembly.

Double Check Valve (DCV) Assembly, Acceptable means two single independently acting check valves, including tightly closing shutoff valves located at each end of the assembly and suitable connections for testing the water tightness of each check valve.

Drain means any pipe that carries wastewater or water borne wastes in a building drainage system, including roof drains.

Dwelling means any building used wholly for habitat.

Effective Opening means the minimum cross-sectional area at the point of water supply discharge, measured or expressed in terms of the diameter of a circle or, if the opening is not circular, the diameter of a circle of equivalent cross-sectional area.

Expansion Loop means excess pipe or tubing provided by curving a line to absorb expansion and contraction.

Firematic System means fire sprinklers, standpipes and other installed fire prevention or fire fighting systems that are connected to the District's water supply system.

Fixture, Plumbing means any installed receptacles, devices or appliances supplied with water or that receives or discharge liquids or liquid borne wastes.

Flood-level Rim means the edge of the receptacle from which water overflows.

Flushometer Valve means a device which discharges a predetermined quantity of water to fixtures for flushing purposes and is actuated by direct water pressure.

Free Water Surface means a water surface that is at atmospheric pressure.

Frostproof Closet means a water closet (toilet) with no water in the bowl and with the trap and water supply control valve located below frost line.

Hazardous Facility is one in which substances may be present which if introduced into the public water system would or may endanger or have an adverse effect on the health of other water customers. Typical examples: laboratories, sewage treatment plants, chemical plants, hospitals, mortuaries.

Health Hazard means any conditions, devices, practices or operation which creates or, in the judgment of the Superintendent, may create a danger to the health and well-being of the water consumer. An example of a "health hazard" is a structural defect in the water supply system, whether of location, design of construction, that regularly or occasionally may prevent satisfactory purification of the water supply or cause it to be polluted from extraneous sources.

Hydropneumatic Tank is a pressure vessel in which air pressure acts upon the surface of the water contained within the vessel, pressurizing the water distribution mains connected to the vessel.

Indirect Waste Pipe is a drainpipe used to convey liquid wastes that does not directly connect with the drainage system but which discharges into the drainage system through an air-break into a vented trap or a properly vented and trapped fixtures, receptacle or interceptor.

Interconnection is a joining of two independently operated public water supply water supply distribution systems.

Local health Department Engineer is the county, or regional health department engineer having jurisdiction.

Non-Hazardous Facility is one which does not require the installation of an acceptable backflow prevention device.

Nonpotable Water means water that is not safe for human consumption or that is of questionable potabilty.

Owner means the person, persons or corporation holding title to the property, as reflected on the real property tax roll of the Town.

Plumbing Control is prevention and elimination of cross-connections within the customer's water system by enforcement of building or plumbing codes.

Plumbing Hazard means any arrangement of plumbing, including piping and fixtures, which, in the judgment of the Superintendent may create a danger to the health and well-being of the water consumer, whereby a cross connection is created.

Plumbing System means the water supply and distribution pipes, plumbing fixture and traps, soil, waste and vent pipes, building drains and building sewers, including their respective connections, devices, appurtenances, water treating or water-using equipment within the property lines of the premises.

Pollution or Contamination means the presence of any foreign substance (organic, inorganic, radiological or biological) in water that tends to degrade its quality so as to constitute a hazard or impair the usefulness of the water.

Potable Water means water that is free from impurities pollutants or contaminates present in amounts sufficient to cause disease or harmful physiological effects. Its bacteriological and chemical quality shall conform to the requirements of the public health service drinking water standards and/or the regulations of the public health authority having jurisdiction.

Public Water Supply means a water supply system including the source, treatments works, transmission mains, distribution system and storage facilities serving the public.

Receiver of Taxes and Assessment is a duly elected receiver of taxes and assessments for the Town.

Receptacle is a vessel or container which receives or into which any liquid substance is received and held (e.g. sink, water closet, bathtub, swimming pool, etc.)

Reduced Pressure Zone (RPZ) Device Acceptable means a device with a minimum of two independently acting check valves, together with an automatically operated pressure differential relief valve located between the two check valves. During the normal flow and at the cessation of normal flow the pressure between these two checks shall be less than the upstream (supply) pressure. In case of leakage of either check valve, the differential relief valve, by discharging to the atmosphere, shall operate to maintain the pressure between the checks at less than the supply pressure. The unit must include tightly closing shut off valves located at each end of the device, and each device shall be fitted with properly located test cocks. The manufacturer, size, and model must be on New York State acceptable listing.

Remote Reading Device is a weatherproof device mounted to the outside of the customer's premises with a cable connected to a special register head on the water meter in the customer's premises.

Service line means that waterline or pipe connected to the curb valve and through which water is available to a customer.

Shutoff Valves must be manufactured of suitable bronze, stainless steel, cast iron or polymer and be resilient seated as well as have a full flow characteristic.

Siamese Connection means a fire hose connection on the exterior of a building for either a standpipe or fire sprinkler system, or both.

Standpipe means an installed fire hose connection affixed to the inside of a building for the purpose of extinguishing fires.

Statement of Charges means a written statement, prepared by the Department, indicating current, arrears, and penalties charges against an account.

Sub Metering means supplying water to another facility from an established metered property.

Superintendent means the present Water and Sewer Superintendent for the Town of Plattsburgh.

Surge Tank is the receiving, nonpressure vessel forming part of the air-gap separation between a potable and an auxiliary supply.

Taps means the physical penetration of a distribution main for the purpose of installing a service line or extension of distribution service.

Town means the Town of Plattsburgh

Town Board means the Town Board of the Town of Plattsburgh

Valve for interior piping shall be either angle, gate or globe type.

Vacuum means any pressure less that the exerted by atmosphere.

Vacuum Breaker means a method of preventing reverse flow into the public water system.

Vacuum Breaker, Nonpressure-Type means a device such as a cooling tower, spray pond, evaporating condenser or other equipment which is cooled by recirculated water.

Wet Tap means a tap into the distribution main to install a service line or main extension by a method that will allow the continuance of water service in the existing main without interruption.

87-02. General Regulations.

A. All water service of whatsoever kind and nature, shall be rendered by the District, and customers shall be billed for such service by the Department.

B. The Town undertakes to use reasonable care and diligence to provide to users in the respective water districts a continuous supply of water at a reasonable pressure but reserves the right at any time and without notice to shut off the water in any water district main for any purpose. The Town shall not be liable for a deficient or failure in the supply of water or in the pressure for any case whatsoever. The Town will give notice of the shutting off of water when time and conditions permit.

C. Permission of the Town Water Superintendent must be secured before any water can be turned on, off or tampered with. No person (except for fire protection purposes) shall open or interfere or draw water from any hydrant without permission of the Water Superintendent or the Town Board. No person shall molest, tamper with or damage any Town and/or Town water district facility, including but not limited to hydrants, mains, valves, curb boxes, meters, meter seals, servicing pipes, etc. Any person violating this law shall be dealt with according to the Penal Law.

D. The Superintendent who, on behalf of the Town Board, shall have general supervision of the water systems and shall issue all permits required.

87-03. Customer classifications authorized.

The Town Board, from time to time, may fix, create, change, amend, or modify classifications of customers for all districts within the Town.

87-04. Water rates and charges.

A. Water rates are established by the Town Board under separate legislation for metered and un metered districts.

B. Metered District.

1. Each of the following water districts will be classified Metered Districts: Morrisonville #1 Water, Morrisonville #2 Water, Treadwells Mills Water, Wallace Hill #1 Water, Wallace Hill #2 Water, Cliff Haven Water, Bluff Point Water, Cadyville Water, Industrial Park Water, Cumberland Corners Water.

2. Any new districts formed shall be metered districts.

3. Each dwelling, building, or structure shall have a separate meter with water charges based upon metered consumption.

4. If water shall be supplies to any facility for temporary service before a meter has been installed therein, the owner thereof shall pay, for each month or part thereof during which the facility is supplied with water, the minimum charge established by the Town Board until a meter has been installed therein and is in operation. This type of temporary service shall not exceed ninety (90) days. At the expiration of ninety (90) days, the temporary service may be extended at the discretion of the Superintendent upon written request.

5. Where authorized personnel of the Department are unable to read a meter during the scheduled period, an estimated bill shall be rendered. The estimated bill shall be at the minimum charge or an average amount based on previously recorded consumed water in an equivalent period during previous years, whichever is higher.

6. The owner shall be responsible for making a special arrangement to have the meter read if two (2) consecutive readings are estimated. If special arrangements cannot be made for reading the meter on a weekday between 8:00 a.m. and 3:30 p.m. a remote reading device must be installed at the sole expense of the customer. Water service may be discontinued to the premises until such time as authorized personnel of the Department are able to read the meter. If a special meter reading on Saturday is necessary, there will be a charge of ten dollars ($10.00) for each meter reading.

C. Unmetered district.

1. Each of the following Water Districts will be classified unmetered water districts: Champlain Park Water, Salmon River Water.

D. Other users of water not within a district, governmental, municipal agencies, etc., which receive water service from a district or districts shall pay charges as established by the Town Board.

87-05. Payment of Bills.

A. All charges to an account shall be payable to the Receiver of Taxes and Assessments within thirty (30) days of the date of the bill. An additional charge of ten percent (10%) of the total amount of current charges shall be added to the bill, if payment has not been received within thirty (30) days of the date of the bill. Under certain extenuating circumstances, partial payments submitted by customers will be accepted at the discretion of the Receiver of Taxes and Assessments. If such bills remain unpaid for ninety (90) days or more after the date of the bill, the water service may be discontinued until such time as the bill is paid.

B. As required by Article 12, Section 198, Subdivision 3-d, of the Town law, if payment is not received by October 31st, all delinquent amounts will be added to the Clinton County Tax rolls. Payments for the delinquent amounts after October 31st will be returned to the customer.

C. Bills are due and payable in full as of the date of billing. Regardless of any understanding or agreement to the contrary between other parties, the owner of the property shall be responsible for payment of the bill. However, by special written arrangement, a bill may be sent to the owner in care of a tenant or lessee for payment, but the owner remains responsible for all unpaid bills. Charges for services to other than property owners are due in full as billed in accordance with Part A of this section.

87-06 Errors in bills.

Any customer finding an error in his bill shall report same to the Department as soon as possible after receipt of the bill so that any valid adjustments may be made.

87-07 Change in ownership.

A. If property is to be conveyed, the current owner or his authorized representative shall notify the Department in writing to have the meter read at least one (1) week prior to conveyance of the property, after which a statement of charges due on the account shall be rendered.

B. The new owner or his authorized representative shall make a notarized application for water services upon taking title to the property, although water service may not have been interrupted. The new owner or his authorized representative shall be responsible for all current water charges and any unpaid balances upon accepting title to the property.

87-08 Meters and remote reading devices – metered districts.

A. General provisions.

1. After January 1, 1987, all meters are to be of the remote reading type. If for any reason the owner and/ or tenant or lessee does not permit installation of a remote reading device, there will be an additional charge of ten dollars ($10.00) each billing period.

2. All water will be supplied by meter measurement. The meters, remote readers and connections will be furnished by the district or town and remain the property of the district or town. The consumer shall bear and pay all expenses for initial cost and repairs to meters occasioned by fire, frost, accident or misuse. The consumer shall be liable for the loss of a meter from any cause.

3. No person other than the Superintendent or employee of the Water and Sewer Department shall install, remove, repair, interfere or tamper with any meters, remote reading devices or dials thereof. If a meter gets out of order or fails to properly register the water consumption, it will be changed or repaired and the consumer will be charged according to the consumption during the previous corresponding period.

87-09. Installation of meters and remote reading devices.

A. Inside Building

1. Meters installed within building shall be installed as close as practicable to the point where the service pipe enters and where adequate protection from freezing and damage will be afforded. The meter shall be so located as to have it readily accessible at all times for service, inspection or repair by the Department. Provisions shall be made to prevent hot water from reaching the meter by the installation of a Swing-type check valve on the house side of the meter.

2. Valves must be installed on street side of meter.

2. All service lines must have a valve on both sides of meter.

3. It is advisable that when water pressure exceeds sixty (60) pounds pressure, a pressure reducer should be installed on the customer's side of meter at customer's expense. Hours of water meter installation or removal shall be 8:00 a.m to 3:30 p.m., Monday through Friday (except holidays). Emergency cases will be taken care of on a twenty-four (24) hour basis.

B. Meter Pits

Any consumer not having a heated area for the installation of a water meter, such as a basement or utility room, shall install a meter pit to one of the following specifications:

1. Precast concrete with concrete cover shall be five and one-half feet (5 ½') deep, four feet (4') inside diameter, cover to have a manhole of a minimum diameter of twenty-four inches (24"); pit must have drain or sump pump to keep it free of water and bottom of pit to be of concrete. The meter pit shall be located at a point approved by the Superintendent, the lid of which shall be flush with the ground level or finished lawn grade. Meter setters approved by the Superintendent shall be installed with stop valve on the inlet side and the outlet side of the meter. Provisions shall be made to prevent hot water from reaching the meter by the installation of a Swing-type check valve on the house side of the meter. All new meters in pits shall be equipped with remote remote reading devices and, wherever possible, with the device placed at a convenient location for reading; or

2. for residential services, a cold water meter pit as manufactured by Mueller/ McCullough meter Set Boxes or equal may be used. The pit shall be fifteen (15) inches in diameter and of suitable depth to keep the meter five feet six inches (5'6") below the finished grade. The fittings shall be suitable for connection with the 5/8" X 3/4" size cold water meter described hereafter. The pit shall also include: 3/4" angle valve with lock wing; 3/4" meter coupling; 3/4", 250 psi polybutylene tubing of suitable length to allow the meter to be brought to the ground surface; 3/4" inlet and outlet service line connection couplings for connections to 3/4" copper tubing service lines; insulation pas and cast iron locking lid clearly marked "Water Meter". All new meter pits shall be equipped with remote reading devices and, wherever possible, with the device placed at a convenient location for reading.

C. All meters and remote reading devices shall be readily accessible for inspections, removal or reinstallation between the hours of 8:00 a.m. and 3:30 p.m., Monday through Friday (except holidays) by authorized personnel of the Department.

D. All meters and remote reading devices shall not be concealed unless an easily removable access door or opening is provided for the Department to service the meter and remote receptacle. All costs shall be borne by the customer to provide suitable access to the meter and/or remote reading device in an exterior area instead of a location within the building, the customer shall pay for the cost to install the meter pit, cover and post to mount the remote receptacle.

E. Water service may be discontinued to any customer or potential customer who denies ready access to the meter or who prohibits the installation of a remote reading device.

87-10 Improper functioning of water meters or remote reading devices.

A. When a meter or remote reading device is found to be no longer functional, a replacement thereof shall be made in accordance with 87-08 and 87-09 of this Local Law.

B. In the case of a malfunctioning water meter, which includes a stuck, noisy or leaking meter, the customer shall, with all diligence, give timely notice thereof to the Department.

C. If there is a malfunctioning remote reading device, which includes cut cable and a damaged or removed receptacle, the customer shall, with all diligence, give timely notice thereof to the Department.

D. If it is found necessary to remove the meter or remote reading device for repair, another meter or remote reading device shall be substituted and installed by the Department.

E. The costs for all repairs to meters and remote reading devices damaged due to negligence shall be borne by the customer.

87-11 Meter tests.

A. When a meter has been tested upon the written request of the customer and if so desired by the customer, in his presence found to be accurate within the American Waterworks Association limits for the particular meter, a charge of twenty-five dollars ($25.00) must be paid by the customer.

B. The Department reserves the right to remove and test any meter, at no cost to the customer, at any time it is deemed necessary by the Department.

C. If the rest results do not meet A.W.W.A. accuracy limits, the meter shall be replaced at no charge to the owner and there shall be no charge for the test and the most current water bill shall be adjusted as necessary either up or down to compensate for the meter error.

87-12 Meter tampering prohibited.

Meters, remote reading devices, and seals shall not be tampered with or disturbed by any unauthorized person. Tampering with meters, remote reading devices, or seals is a violation of 165.15 of the Penal law, entitled "Theft of services".

87-13. Vacant premises.

A. Customers whose premises are vacant or unoccupied, whether intended for occupancy by owner or tenant, shall pay a service charge of ten dollars ($10.00) for removing and ten dollars ($10.00) for resetting the meter when service discontinuance is requested by the owner.

B. If the meter is any vacant or unoccupied premises is damaged or missing the owner of the premises at the time of resetting or reported damage or loss to meter shall be responsible to pay for any repair cost or a replacement meter cost, whichever is necessary.

87-14. Sub metering prohibited.

Sub metering or resale of water by customers is prohibited unless specifically approved by the Superintendent or Town Board.

87-15. Metered water for construction purposes.

A. Temporary use of water for construction purposes requires a permit from the Department. The Contractor or person applying to use the water for building or other construction purposes must make formal application to the Department for such permit. This permit must be approved by the Superintendent and fees shall be paid by the applicant in accordance with the charges hereinafter set forth or established by the Town.

1. A meter shall be required for all construction operation, maintenance and control of the Department services and facilities unless waived by the Superintendent. When a meter is installed, it shall have a check valve for backflow prevention and be placed in an approved enclosure with a hinged cover fitted for a padlock and so placed that it will not be disturbed during construction. In the winter, the enclosure shall be insulated against frost and shall be made available for inspection or reading of the meter upon request of the Superintendent.

2. The meter will be installed, tagged and sealed by the Department

3. The contractor/ applicant shall pay a service charge of twenty-five dollars ($25.00) to install meter; give a deposit of one hundred sixty-five dollars ($165.00) for a meter one (1) inch or less in size, or six hundred fifty dollars ($650.00) for each two or three inch meter; and give a deposit of one hundred dollars ($100.00) in good faith to assure the removal of any temporary tap completed to the satisfaction of the Department upon completion of construction.

4. Upon the return of the meter, the contractor will be billed for water consumption as registered upon the meter and according to the schedule of prevailing rates established by the Town Board. The deposit for the meter and the deposit in good faith will be returned upon determination that the meter is in proper working order, the removal of any temporary tap has been accomplished and payment for water consumed has been received.

B. Temporary use of street hydrants for construction work in cases where water is not installed, will be permitted for limited periods upon application to the Department. The application must be approved by the Superintendent. The contractor shall pay a service charge of twenty-five dollars ($25.00) to install meter and deposit in good faith one hundred sixty-five dollars ($165.00) for a meter one (1) inch or less in size or six hundred fifty dollars ($650.00) for each two (2) inch or three (3) inch meter, This deposit will be held by the Department as security for any damage to the meter or hydrant. Upon completion of construction when the meter is returned to the Department, the contractor will be billed for the water consumption as registered on the meter and according to the schedule of prevailing rates established by the Town Board. The deposit given in good faith will be returned upon determination that the meter and the hydrant are in proper working order and the payment for water consumed has been made. Any costs for repairs ore replacement of any parts of said meter or hydrant or any replacement of said meter or hydrant shall also be paid prior to the return to the contractor of the deposit given in good faith.

87-16. Unmeterd water for construction purposes.

A. Unmetered water for construction purposes in **unmetered** districts is generally not allowed and only shall be permitted upon the written approval of the Superintendent.

B. The contractor will deposit in good faith one thousand dollars ($1,000.00) with the Department to ensure payment for water consumed or for the payment for repairs to water district properties due to damage caused by said contractor.

C. The Department will formulate a schedule of charges for water consumed. After computation of charges, the contractor will be billed for the estimated water consumption.

D. After construction in an area is completed, or any water district invoices resulting from damages caused by the contractor to water mains or service line must be paid before the deposit given in good faith is returned to the contractor.

87-17. Excavation in streets.

A. No street, road, or public grounds shall be excavated by any person for the purpose of making a connection with the mains or for laying any water pipes or fixtures unless he shall have secured a permit to excavate from the Superintendent of the governing highway department or other public authority.

B. Any street or public grounds which shall be excavated for the purpose of making a connection with the mains or for laying any water pipes or fixtures, shall be restored by the applicant as soon as possible. All federal, state or local safety standards and regulations shall be strictly complied with.

C. Streets, sidewalks, parking areas and other public property disturbed in the course of the work shall be properly backfilled, tamped in layers and restored.

87-18. Service lines.

Not more than one (1) building or facility shall be supplied from the same service line. If the Superintendent and Town Board shall determine that strict compliance with this section will create practical or technical difficulties or unnecessary hardship, he may grant a special permit for more than one (1) building to use the same service line, provided that the operation, maintenance and control of the service furnished is substantially the same as in all single connections.

87-19. Standards required.

A. Except as hereinafter provided, service pipes and fittings shall conform to those standard and shall be of whatever size the Superintendent shall determine to be necessary to ensure proper operation, maintenance, safeguard and control of the service to the customer by the Department.

1. All residential service shall be copper tubing, ASTM B88-70, Type K, or as subsequently modified for seamless copper water tube, with an inside diameter of not less than three-fourths (3/4) inch nor more than one (1) inch.

2. All other service pipes shall be cement-lined ductile-iron A.W.W.A. cC-151, or copper tubing, Type K, as above, from the street main to the valve inside the building.

3. All service pipe connections shall be flared, flange, tyton joint, mechanical joint or compression type. No lead or solder joints are allowed.

4. All materials must be of an acceptable quality, free from defects and all work must be executed in a workmanlike manner.

5. All excavation required for the installation of a water service shall be open trench work unless otherwise approved by the Water Superintendent. Pipe laying and backfill shall be performed in accordance with the applicable provisions of AWWA C-600, except as modified by these regulations.

6. After the pipe is laid, it must be inspected by the Superintendent or his representative before filling in. As the trench is backfilled care must be taken not to deposit any stone or rock within twelve 12) inches of the pipe. Stone or rock exceeding twelve (12) inches in diameter shall not be deposited as trench fill. As the trench is filled, the earth must be tightly tamped on each side of the pipe and over the pipe so as to secure as near as possible to the original degree of soil compaction.

7. All piping shall have a minimum of five and one-half feet (5 ½') of cover below finish grade.

8. The owner or his representative shall notify the Department twenty-four (24) hours prior to being ready for an inspection.

87-20. Service line maintenance.

A. Service line from the curb stop to the meter shall be the responsibility of the owner.

B. When necessary and as determined by the Superintendent, an emergency exists or in instances where a customer neglects proper maintenance, the water service line on the customer's side of the curb box shall be repaired by the Department and the owner of the property billed for the cost thereof. An invoice of such repair cost will be prepared and the customer will be billed. The cost shall be subject to the same penalties as provided for in 87-5 of this Local Law.

87-21. Connecting service lines to mains.

A. No person, corporation , or business shall make or cause to be made a tap or connection to use water for any purpose without having first obtained permission from the Superintendent and/or Town Board. All applications for permission for the introduction of water to any premises or for the extension of any pipe for the conveyance of that water shall be made on forms furnished by the Department for the purpose along with a notarized signature of the owner of the property. The application shall include a statement of all uses for which the water is desired. Payment of the fees as applicable shall be made at the time of filing the application. If required by the Superintendent, the application for permit shall be supplemented by plans, specifications and such other information considered by him to be pertinent.

B. All work performed in making a water connection shall be in accordance with any Town Local law, ordinances or resolution establishing rules and regulations governing water services, copies of which are available at the Town Hall.

C. Tapping shall be done only on the days and at the times prescribed by the Superintendent and only by an employee of the Department, agent or authorized contractor.

D. All type K copper pipes shall be connected to the main by an expansion loop. All service pipe shall be at least five and one-half (5 ½) feet deep. The expansion loop shall lay laterally and not extend upward.

E. Service taps shall not be made after November 15th and until frost is out of the ground. Exceptions may be granted by the Superintendent or the Town Board.

87-22. Fees.

As established by the Town Board.

87-23. Additions or alterations in pipes.

A. With the exception of the pipes on the customer's side of the meter, no additions or alterations to any public or private water service line shall be made by any person until application therefore has been made to the Department and a permit signed by the Superintendent is issued.

B. Tapping shall be done by the department, as indicated in 87-21 of this Local Law.

87-24. New connection or extension.

A. A curb valve shall not be opened by any person other than a representative of the department. The Superintendent will have all new connections inspected after notification that the work has been completed. If found satisfactory, will have a meter installed and water service turned on at the curb valve. This shall not apply where the work is a simple extension of facilities or additional attachments on the customer's side of the meter are made and where water is currently in use.

B. Extension of distribution mains to supply a new area or to increase the supply to a specific area shall be the responsibility of the customer, builder and/or developer. The customer, his representative or the builder/ developer shall present the Superintendent with an application for the extension of public facility or a copy of the building permit application for engineering review and subsequent transaction of a written agreement with the Town Board for the installation. All subdivisions must be approved by the Town Planning Board prior to any application submittal or extensions of distributions mains and lateral.

C. Any new connection or extension one inch (1") or less shall be tested for leakage with line pressure.

D. Any new connection or extension greater than one inch (1") shall be tested for its entire length up to the consumer's valve within the building according to A.W.W.A Standard C600-82, Section 4- Hydrostatic Testing, Both pressure and leakage tests will be required. The minimum test pressure will be two hundred (200) psi for a two (2) hour duration.

87-25. Service line construction and inspection.

A. Service lines shall run at right angles to, and in a straight line from, the corporation valve to the building wherever possible. Exceptions may be granted by permission of the Superintendent. All service lines shall have a minimum of five and one-half feet (5 ½) cover from final grade and shall be readily accessible for service, maintenance and repair at all points between the corporation valve and the water meter. The distance between taps shall not be less than eighteen inches (18").

B. Splicing of service pipes, use of couplings or other means of joining pieces of tubing between corporation valves and the main and water service valve or between curb valves and the meter, where less than sixty feet (60') of tubing is required, is prohibited.

C. No service line shall be installed in a driveway, utility or drain trench. No service line shall be installed less than ten feet (10") from a septic tank, sewer pipe, drainpipe, cesspool or other type of waste disposal system.

D. There shall be no cross-connections between public and private water supply systems, tanks, reservoirs, vats, air-conditioning equipment, underground lawn sprinkler systems, underground piping, swimming pools or similar structures used for purposes other than storage of potable water, as per 87-33 of this Local Law.

E. Customers shall maintain their own building water pipes, service line, and fixtures connected therewith, in good repair, protected from frost and freezing (5'6" minimum cover for service lines), at their own expense.

F. When cross-connections exist or are deemed necessary, they must be constructed or reconstructed as approved by the Superintendent, to prevent reverse flow from entering the potable water supply, as per 87-33 of this Local Law. Periodic inspections of all cross-connection devices shall be made as required by the Department.

G. The Department shall maintain the service line from the main up to and including the curb box and curb valve for service up to and including one (1) inch size. Service lines over one (1) inch from the main to the property line shall be the responsibility of the property owner. In case of emergency, the Superintendent may repair or maintain the service on the customer's side of the curb valve at the customer's expense in accordance with 87-20 of this Local Law.

87-26. Water service valves.

A. Every service line shall have a water service valve located between the property line and curb line of the street. The curb valve shall be set and maintained so that the grade of the cover conforms to these regulations. In cases where the water main is located in the sidewalk area, the valve and curb box shall be located between the sidewalk and the property line.

B. The Department shall maintain the service line from the main up to and including the curb box and curb valve, where the curb box and/or curb valve are in the right-of way. In case of emergency, the Superintendent may extend this service beyond the right-of way at the customer's expense.

C. All curb valves two (2) inches or less shall be without drains as produced by Mueller Cat. #H15209 (3/4", 1") H15214 (1 1/4", 1 1/2" , 2") pr like product of the Ford meter Box Co., Inc., or equal.

D. All service valves greater than two (2) inches shall conform to A.W.W.A. C509-80, iron body, resilient, bronze mounted, non-rising stem, open left (counter clockwise).

87-27. Joints.

No tee or other fitting shall be permitted on the service pipe between the main and the meter.

87-28. Winter discontinuance; burst pipes.

A. Customers whose building are to be unattended continuously for thirty (30) days or more between October 15 and April 15 in any year shall notify the Department, in writing, to shut off the water for the house service and/or the lawn sprinkler service at the curb valve. A minimum charge will be made for both domestic and sprinkler services for each quarter period. These charges shall be subject to the same penalties as provided for 87-05.

B. The Department will not assume any responsibility for any damages due to freezing of pipes on the customer's side of any curb valve.

C. Winterizing and protection of the meter, the plumbing system, fixtures and piping are the responsibility of the customer. In cases of frozen or burst pipes or meters, due to neglect, the customer shall pay for meter and pipe repairs and all resulting water discharged.

D. The quantity of water discharged, from a broken or leaky service line, if from the customer side of the curb valve or from a broken meter, shall be estimated by the Superintendent, and added to the next water bill and shall be subject to the same penalties as provided for in 87-05 of the Local Law.

E. Where services are frozen the applicant or consumer will at his own expense thaw out the pipe between the curb valve and the water meter or house valve. If examination of the service pipe indicates that the depth of cover is less than five and one-half feet
(5 ½'), the Superintendent reserves the right to require the service pipe to be lowered to a minimum of five and one-half feet (5 ½').

F. If freezing and bursting occurs at locations where meter pits have been installed by the Department, no charge shall be made to the customer.

87-29 Lawn sprinkler systems.

A customer shall not use water for any lawn sprinkler system which requires underground installation with nozzles either below the surface, flush with the surface or above grade without first having obtained a permit therefore from the Department and approval by the Superintendent.

87-30 Lawn sprinkler permits.

A. No permit shall be issued for the installation of a lawn sprinkler system unless:

1. the service line supplying the proposed lawn sprinkler system is metered and accompanied with an approved backflow prevention device; and

2. the installation has been inspected and approved by the Superintendent, or his authorized representative, and it has been found that the installation will prevent a return flow or water into the public water supply.

B. Where separate lawn sprinkler metered service is installed, all water available as a result thereof shall be used for lawn sprinkling purposes only, in accordance with Subsection A(2) hereof.

87-31 Water conservation measures.

During the period between May 1 and October 1, at the discretion of the Superintendent, customers shall be requested to curtail lawn sprinkling and watering of gardens. Customers having even numbered house addresses shall us the water on even-numbered days and customers having odd –numbered house addresses shall use the water on odd numbered days for sprinkling lawns or gardens.

87-32 Existing lawn sprinkler systems.

Any existing lawn sprinkler system which does not conform to the requirements of 87-30 of this Local Law shall be removed or discontinued until such time as the system is corrected and approved by the Superintendent.

87-33. Cross Connection and Backflow Prevention.

A. Purpose: To protect the public water supply from the possibility of contamination by isolating within its customer's internal distribution system or its customer's private water supply system such contaminations and, to comply with the New York State Sanitary Code 5.1.31. The current New York State Department of Health Cross Connection Control manual or its latest edition will serve as a guide.

The customer has the primary responsibility of preventing contaminants from entering the potable water piping system and subsequently, the public water supply.

He shall, as required by the supplier of water, install, test, operate. Maintain and keep adequate maintenance and repair records for every backflow prevention device installed to proved containment.

Additionally, the customer shall prevent cross-connection between the potable water piping system and any other system within its facility.

B. Authority: The Superintendent or his designated agent, acting for and on behalf of each water district, shall inspect the plumbing in every building or premises within any water district as frequently as in his judgment may be necessary to assure that such plumbing has been installed public water supply of the District by the plumbing. The Superintendent shall notify or cause to be notified in writing the owner of authorized agent of the owner of any such building or premises **to correct within a reasonable time, set by the Superintendent**, any plumbing installed or existing contrary to or in violation of this Local Law, which, in his judgment, may therefore permit the contamination of the public water supply or otherwise adversely affect the public health.

C. Inspection: The Superintendent or his designated agent shall have the right of entry into any building during 8:00 a.m. to 3:30 p.m., Monday through Friday for the purpose of making an inspection of the plumbing systems installed, with the proper notification to the owner or his agent prior to. Any customer denying entry for the purpose of inspection shall automatically be rated as a hazardous facility.

D. Rating; Each customer rated will receive one of three ratings by determination, not only of existing hazards, but also, of potential hazards. The three listings would be:

1. Hazardous Facility
2. Aesthetically Objectionable Facility
3. Non-Hazardous Facility

The degree of hazard will determine what back flow prevention device if any will be required of each individual facility.

Three categories should be considered when determining the degree of hazard posed by a facility and making the subsequent determination of the type of protective device required. They are:

1. Use, Toxicity, and Availability of Contaminants
2. Availability of a Supplementary Supply of Water
3. Fire Fighting System Evaluation

Based on these considerations, it will be possible to rate a facility as hazardous, aesthetically objectionable or non-hazardous.

A hazardous facility must be contained through the use of a RPZ or an air gap.

An aesthetically objectionable facility must be contained through the use of a DCV.

Non-hazardous facilities should be protected through an internal plumbing control program to ensure that plumbing cross-connections are adequately protected or eliminated.

The New York State Education Law requires that the design of backflow prevention device installation be accomplished by a licensed professional engineer or a licensed architect in the State of New York. This requirement can be fulfilled in several ways. For installation the customer may choose:

a. A design by the Town's Engineering staff and built accordingly; or,

b. several customers may select one engineer and design each customer's backflow prevention device installation and submit for approval; or,

c. each customer may select and pay an individual engineer and/or customers may utilize engineers on their own staff.

The following forms and procedures should be followed:

Forms:

GEN 236 – New York State Department of Health Application for Approval of Backflow Prevention Device(s)

GEN 237 – New York State Department of Health Certificate of Approval for Backflow Prevention Device(s)

GEN 215 – Report of Testing and maintenance of Backflow Prevention Device.

Procedures:

a. The District will notify the customer for an on site inspection of facilities or a review of submittal plans for new facilities and determine the degree of hazard of each facility as set forth in other sections of the Local Law.

b. The District will require the customer to submit plans, specifications, and applications for the proposed connection in quadruplicate.

c. The submitted plans, specifications, and applications in quadruplicate will be forwarded to the Bureau of Public Water Supply Protection for their review and approval or disapproval after the Superintendent has reviewed and approved such plans. The Bureau of Public Water Supply and Protection will evaluate the application, plans, specifications, and recommendations and will approve or deny the application. If it is disapproved, it will be returned for modification and resubmittal. The approved application will be returned with a letter of approval and certificate of approval and a copy of the approved plans in quadruplicate to the Superintendent.

d. The Superintendent will then add his approval and forward copies of each document to the Bureau of Public Water Supply and the water customer will have forty-five (45) days to install protector devices in accordance with the approved plans.

e. Testing of the device will be according to the other sections of this Local Law

F. Testing: The Department shall test each new backflow prevention device installed at or near the time of installation and duly record the results thereof, An annual testing procedure will be required of all back flow prevention devices to see that they are functioning properly. These annual tests shall be made by a certified back flow prevention device tester in the presence of a department employee, or the owner or owner's agent may so contract with the Town of Plattsburgh's Water and Sewer Department to test these devices on an annual basis for the fees set in Section 87-22

When the device is tested, the owner or owner's agent will receive a copy of the testing done by the department. A cross connection control device shall, either pass or fail. There is no in between. If the device is failed, the owner or owner's agent will receive written notice of this fact. If the facility is deemed a hazardous facility, the owner or owner's agent will have seven days within to correct the device and have it retested. Failure to do so may result in termination of the water supply by the district. If the facility is aesthertically objectionable and the device fails, the owner or owner's agent after written notification, will have thiry days within which to correct the device and have it retested by the department. Retesting of these facilities will be as the fees set forth in Section 87-22.

G. Acceptable Devices: Three devices are currently applicable to the containment concept of cross connection control. These are the DCV or double chack vavle assembly, the RPZ, or reduced pressure zone device, and the air gap. A listing of the current acceptable device by the New York State Dept. of Health is on hand at the Town of Plattsburgh's Water and Sewer Department. Future devices acceptable by the New York State Department of Health will be acceptable by the Town.

H. Installation:

1. Principles: In general, backflow prevention devices must be protected against freezing and must be accessible for testing and maintenance. Installation shall be in accordance with plans approved by the New York State Department of Health.

   Pit installations are acceptable. However, in the case of RPZ, a pit installation is usually not feasible since a gravity drain must be provided which cannot be connected directly to a sewer.

   An acceptable alternate is the use of a funnel raised to just below the discharge port of the device ensuring, of course, that an air gap be maintained. No direct connection to the device for the purpose of drainage is permitted which negates the inherent protection afforded by an air gap at the relief valve discharge port. It is good practice to have the discharge end of the gravity drain visible so that it can be checked as a matter of daily routine by a facilities maintenance staff.

It must be kept in mind that a large RPZ can discharge at a rate of several hundred gallons per minute when subjected to high differential pressures. The gravity drain must be designed for the greatest discharge possible.

All devices must be installed so that they are not subject to flooding.

In certain instances, backflow prevention devices installed in parallel on a service line may be needed to meet the needs of a facility. Such instances are:

a. Where the water service line to be protected is greater than ten inch (10") branching the line and installing parallel devices may be utilized.

b. Where the facility requires continuous water service, a parallel installation will allow for removing one device at a time from service for testing and maintenance.

c. Where dual service for fire flow requirements are necessary.

In no case may the installation of a backflow prevention device include unprotected bypass piping. Closed gate valves on the bypass do not constitute protection.

2. Timetable for Installation of Devices: The customer shall comply with Section 87-33-E Submission of Plans within thirty (30) days after official written notice to do so. The customer will then have forty-five (45) days after the date of approval of such plans by both the District and the New York State Department of Health to implement the installation of the proper device.

3. DCV: This device does not require any special installation precautions except to protect the unit from freezing and insure that the test cocks are accessible. Adequate access to the test cocks is necessary to facilitate required testing. Normal maintenance considerations should be satisfied.

4. RPZ: These devices must also be protected against freezing and the test cocks should be positioned to facilitate testing.

   Normal maintenance considerations must also be satisfied. Experience to date shows that an above grade installation is usually required in order to satisfy adequate drainage and access.

   The improper installation of these devices can negate the desired protection. Most critical is the need to provide a gravity drain large enough to receive the maximum potential discharge of the relief valve. This drain cannot be subject to flooding and must be screened.

5. Air Gap: This method of cross connection prevention is profusely illustrated in plumbing control publications. The same basic requirements is also appropriate for containment control; namely, that the opening of the inlet pipe be at least two (2) diameters (of the inlet pipe) above the flood or overflow level of the tank or vessel. In no case shall the gap be less than one inch (1").

87-34. Refusal or discontinuance of service:

A. No water service connection to any customer shall be allowed by the Water District, unless the water supply is protected as required by state regulations and this Local Law.

B. Service of water to any customer shall be discontinued by the Superintendent if an acceptable backflow prevention device required by this Local Law is not installed, tested, and maintained; if any defect is found in an installed device, and not corrected within the time as set forth in Section 87-33; if it is found that backflow prevention device has been removed or bypassed, if unprotected cross connections exist on the premises; then service will not be restored until such conditions or defects are corrected.

C. Water service may be discontinued or restricted by the Superintendent in any water district for any of the following reasons:

1. for use of water other than as represented in application;

2. for willful waste of water through improper and imperfect pipes;

3. for molesting any service line, seal, meter, remote reading device, curb box, curb valve or any other water appliance of the District;

4. for nonpayment within sixty (60) days from the date due of bills for water or services rendered by the District

5. for cross-connection the public water supply with any other source of supply or with any apparatus which may endanger the quality of the water district supply (discontinued service required for this condition);

6. for refusal of reasonable access to the property for the purpose of inspecting fixtures or piping.

87-35. Partial Invalidity.

If any section, or article of this Local Law shall be held unconstitutional, invalid or ineffective, in whole or in part, such determination shall not be deemed to affect, impair or invalidate the remained thereof.

87-36. Conflict.

All other Local Laws and parts of other Local Laws inconsistent or conflicting with any part of this Local Law are hereby repealed to the extent of such inconsistency or conflict.

87-37. Effective Date.

This Local Law shall take effect upon its being duly filed in the office of the Secretary of State or in the office of the State Comptroller.

(Complete the certification in the paragraph which applies to the filing of this local law and strike out the matter therein which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 2 of 1987

Of the Town of Plattsburgh was duly passed by the Town Board
(Name of Legislative Body)

on May 18, 1987 in accordance with the applicable provisions of law.

~~2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer`.)~~

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19 _ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19 ___, and was (approved) (not disapproved)
(Name of Legislative Body)
(repassed after disapproval) by the _____ and was deemed duly adopted on _____19 ___.
(Executive Chief Executive Officer*)
In accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 1 9 _ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____on _____ 19 _. Such local law was submitted to the people by reason of a (mandatory) (permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general) (special) (annual) election held on _____ 19____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____of 19__ of the (County)(City)(Town)(Village) of_____ was duly passed by, the _____on _____ 19_____, and vas (approved)(not disapproved) (repassed
((Name of Legislative Body)
after disapproval) by the _____ on _____ 19 ___. Such local law was subject to
(Elective Chief Executive Officer*)
permissive referendum and no valid petition requesting such referendum was filed as of _____ 19 ___., in accordance with the applicable provisions of law.

'Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairman of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances. -

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No._____of 19____
of the City of _____ having been submitted to referendum pursuant to
the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on
_____ 19____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No._____ of 19 _____
of the County of _____ State of New York: having been sul
the electors at the General Election of November _____ 19____ ,
pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the
qualified electors of the cities of said county as a unit and of a majority of the qualified electors of the towns
of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1, above.

Mary C. Bullis

Clerk of the County legislative body, ~~City~~ Town ~~or Village~~ Clerk ~~or~~ ~~official designated to receive said local law~~

Mary C. Bullis

Date: May 18, 1987

(Seal)

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized Attorney of locality.)

STATE OF NEW YORK

COUNTY OF. Clinton

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Signature

Town Attorney

Title

Date: May 19, 1987

~~County~~ ~~City~~ Town ~~Village~~ of Plattsburgh