

DENNIS WATER DISTRICT

RULES AND REGULATIONS

as Promulgated by the Board of Water Commissioners

Effective October 26, 2023

The following rules and regulations are a part of the contract with every person who takes receives water and govern the relations between the Dennis Water District and its consumers, contractors and developers and all other persons who install or tie-into the water distribution system.

100 WATER SERVICES

New Services, Renewals, re-locations and fire sprinkler lines: An application for the installation of a new water service must be completed, signed and filed with all required documentation (i.e. easements, plot plans etc) by the property owner before any work may proceed. All work shall be performed by authorized District personnel or an authorized representative. Payment for the water service line and setting of a new meter (if applicable) is due within thirty (30) days from billing.

All materials and labor for the installation and repair of water service lines are warrantied for ten years.

Termination of Water Service Line: Application must be made to the District for the permanent disconnection of water service from a water main. The cost of this work is the responsibility of the property owner. Once terminated, any account charge being billed will be discontinued and any amounts paid in advance will be credited or refunded.

Owner's Responsibility: The property owner is financially responsible for all repairs made to the water service line from the connection on the street water main up to the water meter.

Emergency Repairs: The District will make every effort to make repairs during regular business hours. Emergency repairs will be made whenever there is an excessive amount of water loss or the risk of damage to private or public property.

The District reserves the right to specify the size of water service lines and appurtenant items and the water meter dependent upon the requirements that may be made upon them by fixtures installed on the consumer's premises.

Use of curb stop by other than District personnel or their authorized representative is strictly prohibited.

200 WATER METERS

1 Access to Meters: Any person employed or contracted by the Dennis Water District, may at any time enter any premises supplied with municipal water for the purpose of examining or removing meters, pipes, fittings and works for supplying or regulating the supply of water and of ascertaining the quantity of water consumed or supplied in accordance with the Mass. General Laws chapter 165, Section 11D.

Water to Other Structures – Prohibited: No water consumer shall supply water to another structure without the written approval of the Board of Water Commissioners or their designee.

All repairs or injuries to meters from freezing, hot water, or external causes shall be charged to the customer.

The District reserves the right to remove, repair or replace any meter at any time it sees fit. Meters shall be repaired and replaced from time to time as deemed necessary in order to ensure their accuracy.

No one other than authorized district personnel is permitted to remove the water meter. No part of the meter shall be tampered with – no nuts loosened, etc. meter tampering is subject to fines, costs and penalties in accordance with the Massachusetts General Law Chapter 165, Section 11 as amended. (M.G.L.A.)

250 SEASONAL METERS – REMOVALS/INSTALLS

Requests for the seasonal removal/install of a water meter will include the draining of the water meter and turning on/off the water at the street. At time of installation the water is left off at the valve just before the meter. At the discretion of District personnel, a removed meter may be left at the property for storage, otherwise the meter will be stored at the District.

Property Owner's must notify the District at least thirty (30) days in advance of the date of removal or install. The District will not be responsible for the frozen damage to meters from the time requested until the meter is removed/installed. The property owner is responsible for ensuring that the water meter is safe from freezing while the service is active.

Access to the property for seasonal removals must be made available on the day scheduled. If a key is to be provided, it must be maintained at the District. The District will not receive keys and then return them after the work is completed. Keys will not be picked up at real estate offices, neighbors or other premises. The District maintains a key file that is locked. Keys are tagged with only the account number in case of loss. Lost keys will be replaced at the District's expense. If no key is to be provided, then the property must be open. Failure to provide access on the day of removal will result in a service call charge at the applicable rate. No orders for removal/installation will be taken via the District's night and weekend emergency telephone answering service. The District will attempt to accommodate requests for certain times be scheduling AM (between 8:00 AM and 12:00) and PM (between 12:30 PM and 4:00 PM) Monday through Fridays, excepting holidays.

The District is not responsible for failure to receive a request for removal/install. Billing for the seasonal removal/install is done at the time of removal at the applicable rate. Payment is due in thirty (30) days. Confirmation of the work requested is suggested after the date originally scheduled.

260 FROZEN METERS

It shall be the responsibility of each property owner for ensuring that the water service and water meter is safe from freezing while the service and meter are active. In the event that the meter freezes, the owner of the property shall pay the cost of a new water meter including a service charge and any other materials needed in association with that repair. In the event of repeat frozen meters the owner shall pay the same costs as the first frozen meter plus an additional \$50.00 frozen meter surcharge. This surcharge shall increase by \$50.00 in each case where a frozen meter occurs repeatedly within a five-year span under the same ownership.

300 WATER SUPPLY INTERRUPTION

District personnel will endeavor to notify water consumer's whenever practicable, prior to the interruption of any water supply in order to perform repairs, modifications or maintenance to the

water distribution system. The District shall not be held liable or responsible for the loss or damage arising from the interruption of the water supply.

The District shall not be held liable or responsible to any water service consumers for loss or damage from any excess or deficiency in water pressure or volume. The District will exercise all reasonable care and diligence to avoid interruptions of water supply and fluctuations of water pressure within the distribution system but does not guarantee that such interruptions or fluctuations will not occur.

The District shall not be held liable or responsible to any water service consumers for loss or damage arising from any excess or deficiency in water pressure or volume. All water fixtures should be equipped with safety devices as provided in the State Plumbing Code and/or manufactures specifications. The Water District shall not be held liable or responsible for loss or damage to any water fixtures, e.g., hot water tank, boiler, sprinkler systems, plumbing, appliances, etc.

The District shall not be held liable or responsible for loss or damage from dirty (rusty) water resulting from repairs, modifications or maintenance to water distribution system or any other reason thereto.

400 WATER CONSUMPTION – WATER BILLS

ALL WATER CONSUMERS ARE RESPONSIBLE FOR THE PAYMENT OF WATER PASSING THROUGH THE METER, WHETHER LOST OR USED AT THE APPLICABLE RATE.

Meter readings are obtained directly from the water meter or from an electronic reading device. Consumers are billed semi-annually for water consumption. Water bills are due within thirty (30) days from date of issue.

The District will endeavor to install electronic reading devices wherever possible and practical in order to facilitate the reading process. Disconnecting, removing or unauthorized re-location of the electronic reading device will be considered **meter tampering and is subject to fines, costs and penalties in accordance with the Massachusetts General Law Chapter 165, Section 11 as amended. (M.G.L.A.)**

The District will not re-read water meters automatically. Property owners are encouraged to monitor their own meter readings, preferably on a monthly basis.

Owners who wish to contest their water bills should verify the reading, which is generally the first four (4) digits from the left on the face of the meter. This will generally be the reading in thousands of gallons. This number should be at least the same if not greater than the number, which appears on the most recent water bill.

If the reading is verified by District personnel as being incorrect, an immediate adjustment will be made.

District personnel will re-read a meter at no charge should a consumer be physically unable to read their own water meter.

Consumers may request a re-read in writing. If the meter reading is found to be correct, the consumer will be billed for a service call. If the meter is found to be incorrect an adjustment will be made and the charge for the service call waived.

Property owners are responsible for the payment of all water bills. According to the provisions of Chapter 40, Section 42A (M.G.L.) all unpaid water bills are a lien on real estate. The property owner shall be responsible for ensuring that the most current water billing address is on file with

the District. The District will not be bound by water bills rendered under mistake of fact. Failure of the property owner to receive a water bill or demand notice does not relieve the owner in any way from liability for payment.

Final bills may only be ordered by the property owner or their appointed representative (i.e. real estate broker, attorney). . See Service Rate Schedule for Final Bill Fee. This includes reading the water and preparing the bill. Payment for the final bill charge is due and payable within thirty (30) days from date of issue. Failure of new owners to notify the District of the change in name and/or address will not relieve them in any way from liability for payment of outstanding charges, interest or demands. All outstanding charges remain with the property and the District will not bill prior balances to previous owners even if that amount appeared on a final bill.

Any property owner may request an examination and test of the water meter to determine accuracy. The request for the test must be in writing. Such examination and test shall be made by District personnel. A written report of the result of the examination and test shall be furnished to the property owner. According to the provision of Chapter 40, Section 39I (M.G.L.) the following will apply to the results of such testing:

If it appears that the meter has registered in excess of 2% accuracy, then the amount of excess shall be credited to such person, and if the amount has been paid then it shall be refunded. The meter test fee and service call charge will be waived.

If it appears that the meter has registered less than what was used by more than 2%, the person shall be charged for the additional amount together with a service call and the meter test fee according to the Service Rate Schedule.

If it appears that the meter has registered within 2% + / - accuracy, then the person shall be charged for a service call and the meter test fee of in accordance with the Service Rate Schedule.

500 WATER MAINS AND HYDRANTS

The Board of Water Commissioners reserves the right to determine the location and size of all water mains to be connected to the water distribution system. Installation of mains on private ways and property must be laid within an easement satisfactory to the District. All water mains installed on private ways, once completed to the satisfaction of the District, will become the responsibility of the District and maintained in the best interest of its consumers.

Application for the installation of water mains by private contractors must be completed and approved before any work is done. The Board of Water Commissioners reserves the right to require an independent inspector to oversee the laying of water mains, the cost of such inspector to be paid by the contractor.

No Fire Hydrant shall be used for other than fire protection purposes unless authorized by the District. A request for use of a hydrant must be made at least twenty-four (24) hours in advance excluding Saturday, Sunday and holidays and is subject to the following conditions:

The use of a hydrant for non-emergency purposes will be subject to appropriate weather conditions.

Hydrant meters will be set and removed by District personnel only.

A hydrant meter rental fee and all water passing through a hydrant shall be billed at applicable rates to the individual requesting the use of the hydrant. Hydrant hoses will be made available for a set fee.

No hydrant meter hose will be laid across bituminous concrete surfaced roadways unless proper protection for the hose is provided. A police officer will be provided, at the meter renter's expense, if deemed necessary by the District.

A hydrant meter found to be damaged upon removal from the job site will be repaired or replaced, as required, at the renter's expense.

600 DENNIS WATER DISTRICT CROSS CONNECTION CONTROL PROGRAM

I. PURPOSE

- A. To protect the public water supply served by the Dennis Water District from the possibility of contamination or pollution by isolating such contaminants or pollutants which could backflow or back siphon into the public water system.
- B. To promote the elimination or control of existing cross connections, actual or potential, between its customers in-plant potable water system, and non-potable systems.
- C. To provide for the maintenance of a continuing program of cross connection control which will effectively prevent the contamination or pollution of all potable water systems by cross connection.

II. AUTHORITY

- A. As provided in the Federal Safe Drinking Water Act of 1974, (Public Law 93-523), and the Commonwealth of Massachusetts Drinking Water Regulations, 310 CMR 22.22, the water purveyor has the primary responsibility for preventing water from unapproved sources or any other substances from entering the public potable water system.
- B. The Dennis Water District, Rules and Regulations section 600, adopted and amended April 13, 2000.

III. RESPONSIBILITY

- A. The District shall be responsible for the protection of the public potable water distribution system from contamination or pollution due to the backflow or backsiphonage of contaminants or pollutants. If, as a result of a survey of the premises, the District determines that an approved backflow prevention device is required at the water service connection or as in-plant protection on any customer's premises, the District, or its delegated agent, shall issue a cross connection violation form to said customer to install approved backflow prevention devices. The customer shall, within a time frame determined by the District, install such approved device or devices at its own expense, and failure or refusal or inability on the part of the customer to install said device or devices within the specified time frame shall constitute a ground for discontinuing water service to the premises until such device or devices have been properly installed.

IV. DEFINITIONS

- A. Air Gap Separation: The method of preventing backflow through the use of an 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 vertical distance must be at least 2 X the diameter of the pipe of faucet.
- B. Approved: Accepted by the reviewing authority as meeting an applicable specification stated or cited in this regulation or as suitable for the purposed use.
- C. Approved Backflow Prevention Device or Devices: A method to prevent backflow approved by the Department for use in Massachusetts.
- D. Atmospheric Vacuum Breaker: An approved backflow device used to prevent back siphonage which is not designed for use under static line pressure.

E. Auxiliary Water Supply: Any water supply of unknown or questionable quality on or available to the premises other than the supplier's approved public potable water supply.

F. Back Pressure: Pressure created by mechanical means or other means which causes water or other liquids or substances to flow or move in a direction opposite to that which is intended.

Back Siphonage: A form of backflow due to reduced or sub-atmospheric pressure within a water system.

Backflow: The flow of water or other liquids, mixtures or substances into the distribution pipes of a potable water supply from any source other than the intended source.

I Backflow Preventer with Intermediate Atmospheric Vent: A device having two independently operating check valves separated by an intermediate chamber with a means for automatically venting it to the atmosphere, in which the check valves are forced loaded to a normally closed position and the venting means is force loaded to a normally open position.

J. Contaminant: Any physical, chemical, biological or radiological substance or matter in water.

K. Cross Connection: Any actual or potential connection between a distribution pipe of potable water from a public water system and any waste pipe, soil pipe, sewer, drain, or other unapproved source.

L. Cross Connection Violation Form: A violation form designated by the District, which is sent to the owner by the water supplier with copies sent to the Department, plumbing inspectors and Board of Health delineating cross connection violations found on the owner's premises and a procedure for corrective action.

M. Department: The Massachusetts Department of Environmental Protection.

N. District: The Dennis Water District public water system.

O. Double Check Valve Assembly: A backflow prevention device which incorporate an assembly of check valves, with shut-off valves at each end and appurtenances for testing.

P. In-Plant Protection: The location of approved backflow prevention devices in a manner which provides simultaneous protection of the public water system and the potable water system within the premises.

Q. Owner: Any person maintaining a cross connection installation or owning or occupying premises on which cross connections can or do exist.

R. Permit: A document issued by the District or the Department which allows a cross connection to exist.

S. Person: Any individual, corporation, company, association, trust, partnership, the Commonwealth, a municipality, district, or other subdivision or instrumentality of the United States, except that nothing herein shall be constructed to refer to or to include any American Indian tribe or the United States Secretary of the Interior in his capacity as trustee of Indian lands.

T. Pressure Vacuum Breaker: An approved backflow prevention device designed to prevent only back siphonage and which is designed for use under static line pressure and which has necessary appurtenances for testing.

U. Reduced Pressure Backflow Preventer: An approved backflow prevention device incorporating (1) two more check valves, (2) an automatically operating differential relief valve located between the two checks, (3) two shut off valves, and (4) necessary appurtenances for testing.

V. Residential Dual Check: An assembly of two spring loaded, independently operating check valves without tightly closing shut-off valves and test cocks generally employed immediately down stream of the water meter to act as a containment device.

W. Reviewing Authority: The Department, its Designee, or the local plumbing inspector, authorized by M.G.L. c.142 and licensed by the Board of State Examiners of Plumbers and Gas Fitters, whichever is responsible for the review and approval of the installation of an approved backflow prevention device.

V. ADMINISTRATION

a. The District will operate an active cross connection control program, to include the keeping of necessary records, which fulfills the requirements of the State DEP's Cross Connection Regulations and is approved by the Department

b. The owner shall allow his property to be inspected for possible cross connections and shall follow the provisions of the District's program and the Department regulations.

VI. REQUIREMENTS

A. DISTRICT

1. On new installations, the District will provide on-site evaluation and/or inspection of plans in order to determine the type of backflow preventer, if any, that will be required, and notify the owner of plan approval requirements by the appropriate reviewing authority.

2. For premises existing prior to the start of this program, the District will perform surveys of the premises and reviews of as-built plans and issue a cross connection violation form to the owner detailing any corrective action required, the method of achieving the correction, and the time allowed for the correction to be made. The time period allowed shall depend upon the degree of hazard involved.

3. The District will not allow any cross connection to remain unless it is protected by an approved backflow preventer for which a permit has been issued and which will be regularly tested to insure satisfactory operation.

4. If the District determines at any time that a serious threat to the public health exists, the water service will be terminated immediately.

5. The District shall have on its staff, or shall have a delegated representative, who is a backflow prevention device tester certified by the Commonwealth of Massachusetts.

B. OWNER

1. The Owner shall be responsible for the elimination or proper protection of all cross connections on his premises.

2. The Owner shall be responsible for applying for and obtaining all necessary approvals and permits for the maintenance of cross connections and installation of backflow prevention devices.

3. The Owner shall have any device that fails an inspection or test repaired by a licensed plumber.
4. The Owner shall inform the District of any proposed or modified cross connection and also any existing cross connections of which the owner is aware but has not been found by the District.
5. The Owner shall not install any by-pass around any backflow device preventer unless there is a backflow preventer of the same type on the by-pass. Owners who can not shut down operation for testing of the device(s) must supply additional devices necessary to allow testing to take place.
6. The Owner shall install backflow preventers in a manner approved by the Department and by the District.
7. The Owner shall install only reduced pressure backflow preventers and double check valve assemblies approved by the Department.
8. Any Owner of industrial, commercial, institutional, or residential premises having a private well or other private water source must disconnect the unapproved source from the public water supply. This cross connection is strictly prohibited by the District.
9. The Owner shall be responsible for the payment of all device testings, retesting in the case that a device fails to operate correctly, and second re-inspections for non-compliance with District and Department requirements.

VII. DEGREE OF HAZARD

The District recognizes the threat to the public water system arising from cross connections. As such, the District, whereas it is responsible for the quality of the public water supply, may require a containment device on the water service entrance to any customer who, as a result of unprotected cross connections, could contaminate the public water supply.

VIII. ENFORCEMENT

The District shall not allow a cross connection to exist with the public water system unless it is considered necessary, and all appropriate approvals and permits have been issued.

IX. EXISTING IN-USE BACKFLOW PREVENTION DEVICES

Any existing backflow preventer shall be allowed by the District to continue in service unless the degree of hazard is such as to supersede the effectiveness of the present backflow preventer or result in unreasonable risk to the public health. Where the degree of hazard has increased, as in the case of a residential installation converting to a business establishment, any existing backflow preventer must be upgraded to a reduced pressure backflow preventer, or a reduced pressure backflow preventer must be installed in the event that no backflow device was present.

X. ROUTINE TESTING

- A. The District shall determine the responsibility of the testing program, if the owner or the District should be responsible for the testing of the device. Reduced pressure backflow preventers shall be tested and inspected at least semi-annually and a double check valve assemblies shall be tested and inspected annually.
- B. Backflow testing shall be done by a Massachusetts DEP certified backflow device tester.

C. The testing shall be done during the Districts normal business hours. Exceptions to this, when at the request of the owner, may require additional charges to cover the increased costs to the District.

D. Any backflow preventer which fails during a periodic test must be repaired and or replaced by a licensed plumber. When repairs are necessary, upon completion of the repair, the device will be retested at the owner's expense to insure proper operation. High hazard situations will not be allowed to continue unprotected if the backflow preventer fails the test and cannot be repaired immediately. In other situations, a compliance date of not more than fourteen days after the test date will be established. The owner is responsible of spare parts, repair tools, or a replacement device. Parallel installation of two devices is an effective means or repair of devices and is strongly recommended when the owner desires such continuity.

E. Backflow device testing will be conducted more frequently than specified in "A" above where the history of the device has a high rate of failures and the District feels that due to the degree of hazard involved, additional testing is warranted. Cost of the additional tests will be born by the owner.

XI. RECORDS AND REPORTS

A. RECORDS:

The District will initiate and maintain the following records for a period of seven (7) years:

Master files on customer cross connection tests and/or inspections.

Master files on approved cross connection installations

Master files on facilities surveyed and violations found.

Master files on correspondences, violation notices and enforcement actions.

B. REPORTS:

The District will submit reports, such as: listing of cross connection and respective devices, summary of cross connection inspections and surveys, to the DEP upon request.

700 BILLING, DEMANDS, SHUT-OFFS

All bills for water consumption, account charges and invoices for work performed are due and payable within thirty (30) days from date of issue.

Outstanding balances of \$10.00 or more and in excess of thirty (30) days due will be assessed interest at the rate of 7% annually (.58%) per month.

Past Due Notices will be issued on all account with outstanding balances of \$10.00 or more and in excess of thirty (30) days due.

Accounts with outstanding balances of \$150 or more and in excess of ninety (90) days past due may be issued a Demand Notice. The notice will be sent via Certified Mail. The charge for such Demand will be in accordance with the Service Rate Schedule. Payment upon Demand must be made within 15 days of date of issue (excluding Sundays and holidays) or the water to the property may be shut off.

Partial payments of outstanding bills may be made by agreement with the District Treasurer, or their designee. The payment must be reasonable and made on a monthly basis. . Interest at the applicable rate for past due balances will apply to any account making partial payments. . Failure to pay the agreed monthly payment by the last business day of the month in which it is

due will result in immediate termination of water service without additional notice. Doubling of the monthly payment will not relieve the property owner from making the next monthly payment in a timely fashion.

Accounts that remain unpaid after the expiration of the Demand Notice will be shut off at the street. A charge for this action will be billed in accordance with the Service Rate Schedule which must be paid before the re-activation of the water service. The shut-off fee will be assessed at the expiration of the time provided in the Demand Notice regardless of:

- the meter is not connected
- the water is already off at the curb stop
- the service man performing the shut off goes to the property but is paid before he actually puts the wrench on the curb stop
- the service man performing the shut off is in transit to or from the property

The service man is not permitted to negotiate a payment schedule or accept a cash payment.

If a property has been shut off for non-payment, an overtime service charge will be assessed the property owner in order to reactivate the water service during non-business hours in accordance with the rate schedule.

800 PAYMENTS

Payments may be made at the District Office during regular business hours. Payments received after 12:00 noon whether by mail or hand delivered will be credited the next business day.

Checks made payable other than to the Dennis Water District or incorrectly issued may be returned to the issuer at the discretion of the District Treasurer. The District will not be held responsible for checks returned by the bank because they were unsigned, post dated or any other reason.

Checks returned unpaid by the bank for insufficient funds or any other reason will result in an immediate letter of demand for payment of the amount of the check plus any additional fees and charges assessed.

900 WATER LIENS

In the case of failure to pay as the result of a Demand Notice or a partial payment agreement, , the Board of Water Commissioners will commit the outstanding balance, together with any additional fees, penalties, demands and interest to the Town of Dennis Board of Assessors by December 31st of the year following the year in which the charges were originally due in accordance with Chapter 40, Section 40A (M.G.L.).

1000 GENERAL

Rates are on file at the District office, 80 Old Bass River Road, South Dennis, MA 02660.

The foregoing rules and regulations are subject to additions, deletions and amendments as may be made from time to time by the Board of Water Commissioners in accordance with the provisions of Chapter 277 of the Acts of 1945, as amended.