



The following rules and regulations made by the New Shoreham Water District constitute a contract between the customer and the Water District upon acceptance by the District of an application for water service. The customer is considered to have expressed its consent to be bound thereby and to take water only for the purposes stated in the application, at the established rates.

## **1. DEFINITIONS**

1.1 "ANSI" American National Standards Institute.

1.2 "Approved" Accepted by District as meeting an applicable specification stated or cited in this regulation, or as suitable for the proposed use.

1.3 "ASTM" American Society for Testing Materials.

1.4 "Auxiliary Water Supply" - Any water supply, on or available, to the premises other than the purveyor's approved public potable water supply.

1.5 "AWWA" American Water Works Association.

1.6 "Backflow Drainage" A reversal of flow in the drainage system.

1.7 "Backflow" The flow of water or other fluids, mixtures or substances into the distributing pipes of a portable water supply system from any source other than intended approved source of supply.

1.8 "Backflow Preventer" A device or means designed to prevent backflow or back-siphonage.

1. Air Gap – A physical separation sufficient to prevent backflow between the free- flowing discharge end of the potable water system and any other system. Physically defined as a vertical distance equal to twice the diameter of the supply side pipe diameter; but no less than one (1) inch.
2. Atmospheric Vacuum Breaker – A device which prevents back-siphonage by creating an atmospheric vent when there is either a negative pressure or sub-atmospheric pressure in a water system.
3. Barometric Loop – A fabricated piping arrangement rising at least thirty-five (35) feet at its topmost point above the highest fixture it supplies. It is utilized in water supply systems to protect against back-siphonage.
4. Double Check Valve Assembly – An assembly of two (2) independently operating loaded check valves with tightly closing shut-off valves on each side of the check valves, plus properly located test cocks for the testing of each check valve.
5. Double Check Valve with Intermediate Atmospheric Vent – A device having two (2) independently operating loaded check valves separated by an atmospheric vent chamber.
6. Hose Bibb Vacuum Breaker – A device which is connected to a hose bibb and which acts as an atmospheric vacuum breaker. Not to be used under constant pressure.
7. Pressure Vacuum Breaker – A device containing one or two independently operated loaded check valves and an independently operated spring loaded air inlet valve located on the

discharge side of the check valve(s). The device includes tightly closing shut-off valves on each side of the check valve(s) and properly located test cocks for the testing of the check valve(s).

8. Reduced Pressure Principle Backflow Preventer – An assembly consisting of two (2) independently operating loaded check valves with an automatically operating differential relief valve located between the two (2) check valves, tightly closing shut-off valves on each side of the check valves plus properly located test cocks for the testing of the check valves and the relief valve.
9. Residential Dual Check – An assembly of two (2) loaded independently operating check valves without tightly closing shut-off valves and test cocks. Generally employed immediately downstream of the water meter to act as a containment device.

1.9 “Backpressure” A condition in which the owner’s system pressure is greater than the supplier’s system pressure.

1.10 “Back-Siphonage” The flow of water or other fluids, mixtures or substances into the distribution pipes of a potable water supply system from any source other than its intended source caused by the sudden reduction of pressure in the potable water supply system.

1.11 “District” The trade name of the New Shoreham Water District.

1.12 “Board” Shall mean New Shoreham Board of Water Commissioners.

1.13 “Cross-Connection” Any actual or potential connection between the public water supply and a source of contamination or pollution.

1.14 “Cross-Connection Permit” A document issued by the water supplier, which allows the use of a backflow preventer.

1.15 “Containment” A method of backflow prevention which requires a backflow prevention device at the water service entrance directly after the meter outlet valve and always before the first tap to any appliance, appurtenance, device, pump, pressure vessel, apparatus or outlet intended to serve or handle water.

1.16 “Contaminant” A substance that shall impair the quality of the water to a degree that it creates a serious health hazard to the public leading to poisoning or the spread of disease.

1.17 “Curb Stop” A valve and access box configuration installed at the property line in conjunction with the extension of a service line to a property or facility.

1.18 “Customer” Shall be taken to mean any person, firm, corporation, government, or governmental division supplied by the New Shoreham Water District. “Commercial customer” is any customer who is taxed as commercial by the Town of New Shoreham.

1.19 “Dig Safe” Dig Safe System, Inc., a not-for-profit corporation, promotes public safety, protects vital utility services and safeguards against property and environmental damage. It is a communication network assisting excavators, contractors and property owners in complying with state law by notifying the appropriate utilities before digging so that utilities can respond to the work area to identify the location of underground facilities. (888)-DIG-SAFE.

1.20 “District” Refers to the New Shoreham Water District.

1.21 “Excavation” Means an operation for the purpose of movement or removal of earth, rock, or other materials in or on the ground, or otherwise disturbing the subsurface of the earth, by the use of powered or mechanized equipment, including but not limited to digging, blasting, auguring, back filling, test boring, drilling, pile driving, grading, plowing in, hammering, pulling in, trenching, and tunneling; excluding the

movement of earth by tools manipulated only by human or animal power and the tilling of soil for agricultural purposes.

1.22 "Fire system" A separate system of water pipes or mains and their appurtenances installed solely to furnish water for extinguishing fire.

1.23 "Fixture Isolation" A method of backflow prevention in which a backflow preventer is located to correct a cross-connection at an in-plant location rather than at a water service entrance.

1.24 "Fire service connection" A pipe extending from a main to supply a sprinkler, standpipe yard hydrant or other fire protection systems.

1.25 "gpd" Stands for gallons per day.

1.26 "H.D.P.E." High density polyethylene service pipe material used in the water industry.

1.27 "Main" or "main pipe" Shall mean the distribution pipe from which service connections are made to supply water to customers.

1.28 "OSHA" Abbreviation for the Occupational Safety and Health Administration, US Department of Labor. OSHA develops and enforces federal safety and health regulations for businesses and industries.

1.29 "Owner" Any person who has legal title to, or license to operate or inhabit in, a property upon which a cross-connection inspection is to be made or upon which a cross-connection is present.

1.30 "Pollutant" A foreign substance, that if permitted to get into the public water system, shall degrade its quality so as to constitute a moderate hazard, or impair the usefulness or quality of the water to a degree which does not create an actual hazard to the public health; but which does adversely and unreasonably effect such water for domestic use.

1.31 "Public water system" Refers to the water system operated by the New Shoreham Water District, who provides the public water for human consumption through pipes or other constructed conveyances, such system has at least fifteen (15) service connections or regularly serves at least twenty-five (25) individuals daily at least sixty (60) days out of the year. Such term includes:

(a) Any collection, treatment, storage and distribution facilities under control of the operator of such system and is used primarily in connection with such system, and

(b) Any collection or pretreatment storage facilities not under such control which are used primarily in connection with such system.

1.32 "Premises" As used herein shall be restricted to the following:

(a) A building under one roof owned or leased by one customer and occupied as one residence or one place of business

(b) A combination of buildings owned by one customer in one common enclosure, or occupied by one family, or one corporation or firm, as a residence or place of business.

(c) Each unit of a multiple house or building separated by a solid vertical partition wall, occupied by one family or one firm, as a residence or place of business.

(d) A building owned by one customer having a number of apartments, offices, or lofts which are rented to tenants, and using in common one hall and one or more means of entrance.

1.33 "Service pipe" or "service connection" Shall mean the pipe running from the main pipe to the premises of the customer.

1.34 "Seasonal use" Shall mean any intermittent use, season after season, at the same premises.

1.35 "Standby Customer" shall mean any premises where a connection is made from the District's curbstop onto private property as a secondary water supply, where a primary water supply exists for the

use of that premises.

1.36 "Water Service Entrance" That point in the owner's water system beyond the sanitary control of the water supplier; generally considered to be the outlet end of the water meter and always before any unprotected branch.

1.37 "Water Superintendent " The official, or delegated representative in charge of the District who is vested with the authority and responsibility for the implementation of an effective cross-connection control program and for the enforcement of the provisions of this ordinance.

## **2. APPLICATIONS FOR SERVICE**

2.1 No agreement or service shall be granted by the Water District to any applicant until all arrears and charges due by the applicant at any premises, now or heretofore occupied by it, shall have been paid in full and until all plumbing is to code.

2.2 Accepting service from the Water District shall constitute a contract between the Water District and the applicant, obligating the applicant to pay its rates as established from time to time, and to comply with these Regulations.

2.3 Applications for new service connections shall be made to the Water Superintendent and accepted subject to the availability of an existing main in a street or right-of-way abutting on the premises to be served. These Regulations in no way obligate the Water District to extend its mains in order to provide service to premises under consideration. An applicant cannot be considered until the property is added to the district.

a. Available water allocation for the next year's new or increased use is determined annually in October at the joint Annual Allocation, Priorities and Capital Budget meeting. No new or increased use may be made without application to the New Shoreham Water District. Applications shall be made to the Water District Office on a form approved by the District and shall include such plans, calculations and other information deemed necessary by the District. Each application, if received with supporting information and a processing fee (determined by the District) shall be accepted and marked with the date and time received. No application shall be accepted unless complete with all supporting information and proof of fee payment. Completed application shall be reviewed, and the requested allocation either granted or denied, based upon available capacity as determined and its priority.

An application that would be equal to or greater than the available capacity for that year shall be denied. Where an application for water allocation amounts to twenty-five (25%) of the total available allocation in a particular year or 20,000 gallons per quarter (217.4 gpd), which ever is less, the Water District and Town Council may require special conditions or cost sharing and Contributions In Aid of Construction from such applicant if it agrees to provide service. If the application involves a "public facility" under Section 19-154(1), such application shall be forwarded to the Town Council for review. Applications for allocation of 2,000 gpd or more shall be made by August 1 prior to the Annual Allocation meeting in order to be considered for the allocation for the next year.

No building permit shall be issued without payment of all water applications and permit fees.

b. Water allocation assigned to a specific Plat/Lot, shall remain with that Plat/Lot and cannot be transferred to another Plat/Lot.

c. All sprinkler applications for new service shall purchase an additional 15,000 gallons (163 gpd) of water allocation through the Water District office. The District shall determine the amount of water used by sprinkler activation and shall charge, at the prevailing rates, for excess use over the allocation purchased.

2.4 In lieu of a twenty year assessment charge for capital projects, the District shall assess to each new request for water application a fee entitled "Contribution in Aid of Construction (CAC)". The CAC shall be computed annually by the District to account for prior and current capital improvement projects which have been undertaken by the District. The per gallon charges shall be based on the current loan amount (principle) plus interest over the term of the loan. This cost shall then be divided by the capacity of the District plus any related cost associated with the wastewater treatment cost related with the production of water. All future debt service encumbered by the Water District shall be incorporated into the annual user charges.

2.5 When a prospective customer has made application for a new service or has applied for the reinstatement of an existing service, that service shall comply with the Plumbing Code requirements as set forth by the State of Rhode Island Providence and Plantations and the Town of New Shoreham Utilities Standards. The District shall not be liable, in any circumstances, for any accidental breaks, or leakage arising in any way in connection with the supply of water or failure to supply same, or the freezing of water pipes or fixtures of the customer.

2.6 As security for payment of bills, the District may require any applicant or any customer, whose credit has not been established or is not in good standing with the District, to make a deposit equal to one and one-half times the estimated average bill for the third quarter of the year. In case the billing period is changed and/or the estimate of the size of the bill is found to be incorrect, an adjustment shall be made in this deposit to suit the conditions. In the case of a customer who has outstanding past due bills, and is a more than twenty-five percent owner or in control of a legal entity making application for new or increased use utility service, all past due bills, under whatever name incurred, shall be paid prior to approval being granted for considerations of additional services. Deposits of applicants shall be payable at the time the application is made and shall be paid by the prospective customer upon demand.

2.7 Deposits shall be applied against future billings.

### **3. SERVICE CONNECTIONS**

3.1 The owner, customer, or other applicant for new domestic and/or fire service, shall be responsible for all costs associated with the installation of said services. These costs shall include, but not be limited to, excavation, backfill, removal and replacement of paving walks, curbs, traffic control personnel, obtaining road opening permit from the main to the facility. Once the new service has been tested and accepted by the Water District, the Water District shall own and maintain the new service connections within the public right-of-way (from the main to the curb stop). The owner shall own and maintain the new service connections from the curb stop to the facility.

3.2 For existing services, the Water District shall bear all costs to maintain and/or replace the premises in the public right-of-way (from the main to the curb stop). From the curb stop to the facility, it is the owner's responsibility to bear all costs associated with the maintenance and/or replacement of the service. All repairs made by the customer(s) must be made under the supervision of the Water Superintendent .

3.3 The control of the water supply to the customer shall be by means of a separate curb stop. Meter installations are for the exclusive use of the Water and Sewer Districts.

3.4 The District shall furnish and install in a public right-of-way, when funded as a water improvements project or considered a repair to an existing water service connection, the following equipment: Corporation stop, service pipe to the property line, curb stop and curb box. All service pipes shall have a minimum cover of at least four (4) feet. All service pipes shall not be less in size than one (1) inch inside diameter. The Superintendent shall determine and approve where the meter shall be set.

3.5 The service pipe from the property line to the premises shall be installed at the expense of the customer. For this installation, the customer shall employ a competent plumber or contractor, satisfactory to the Water District to do the work; the plumber or approved installer, shall be responsible to supply records and an "as built" drawing of what was installed to the Water Superintendent .

a. The minimum size and cover shall be the same as that used from main to property line. All new services shall be H.D.P.E. and conform to ASTM D1248 Type III, Grade P34, Class A, Category 5, color blue with virgin clear natural center, AWWA C901, 200 psi (CTS). Nylon fittings are prohibited for underground use. The Water Superintendent shall approve materials and methods of

construction and if the service has not been installed in accordance with the Water District's requirements, water service shall not be turned on until defects have been remedied. The customer shall maintain the service pipes between the property line to the premises and all piping and fixtures on or in the premises of the customer; a legally authorized individual shall perform any work in a manner satisfactory to the District.

b. Every service must be provided with a workable curb stop located outside the building near the service main, easily accessible and protected from freezing. All piping shall be so arranged as to permit draining whenever necessary. The customer shall make all necessary repairs as may be necessary, from time to time, to prevent leaks and damages. The contractor or customer shall give a record of all changes to the Water Superintendent .

c. All customers having direct pressure hot water tanks must place proper vacuum and relief valves in the pipe system to prevent any damage to such tanks in the event of lack of pressure in the street mains due to shutdowns or other reasons. The Water District shall not supply water to premises where hot water tanks or other appliances are subjected to direct pressure except at the risk of the owner and occupants. Any such damage resulting from failure to comply with this rule must be borne exclusively by the customer.

### 3.6 Ownership:

a. Service pipe between the curb stop or valve and main is owned and maintained by the Water District. Service pipe between the curb stop or curb valve and building or complex serviced is owned and maintained by the property owner.

b. Property owners must keep their own pipes and all fixtures connected thereto in good repair and protected from frost at their own expense. In case of a break in that section of the property owners' service pipe between the curb stop and the meter, the property owner shall immediately obtain the services of a licensed plumber to make the necessary repairs. Failure to make repairs at once or to obtain the necessary permits covering these repairs shall be sufficient cause to shut off the supply of water to the subject premises.

c. Property owner shall be responsible to ensure that the potable water system inside the premises is protected from contamination and properly maintained in compliance with the current plumbing code. Any additions, alterations or repairs shall be in full compliance with the code and shall not cause the existing system to become unsafe, unsanitary, or a threat to the public water system.

d. The property owner shall be charged at the posted service charge rate for each trip made by the Water Company to the owner's property to shut off water at the owner's or his agent's request. Shutting off and returning to turn on water shall constitute one trip unless the water is being shut off for the winter season.

e. Meters are purchased and maintained by the Water Company. The Water Company shall install all meters.

f. Curb stop and curb valves shall be owned and maintained by the Water District.

g. Private hydrants installed on private property are owned and maintained by the property owner. Public hydrants installed on public rights-of-way are owned and maintained by the Water District.

### 3.7 All service pipes shall be laid as required by law and code.

3.8 On future installations or reinstallations of service lines, only one premise shall be supplied through one service pipe. Where more than one premise is now supplied through one service pipe, and under the control of one curb stop, any violation of the rules of the District by either or any of the customers so supplied, shall be deemed a violation by all. The District may take such action as could be taken against a single customer, who is not in violation of the District's rules, and has been given a reasonable opportunity to attach his pipe to a separately controlled service connection.

3.9 Use of water is confined to the premises named in the contract. No customer shall supply any person not entitled to the use of water, nor shall the customer use it for any purpose not mentioned in his

application. No person not entitled to the use of water shall obtain it from any hydrant, fountain, or other fixture of the District without previous consent of the District.

a. In the event that a well is permanently abandoned in the Water District, the property owner shall be responsible for disconnecting the well as set forth in Rhode Island Department of Environmental Management's Regulations, Section 9.02. The well shall be inspected and documented by the Town Building Official when the appropriate disconnection is completed.

3.10 The District shall in no event be responsible for maintenance of, or for damage done by water escaping from, the service pipe or any other pipe and fixtures on the outlet side of curb stop; and the customer shall at all times comply with state and municipal regulations in reference thereto and shall make any change thereon required on account of change of grade, relocation of mains or otherwise.

#### **4. METERED SERVICE**

4.1 All customers shall be metered and an individual meter shall be required for each service connection. Any sub-metering shall be the responsibility of the owner.

4.2 All meters shall be furnished by and remain the property of the District, which shall authorize the size, type and make of meter to be used, as well as the location and orientation of the setting.

4.3 The officers or agents of the District shall have reasonable access with notification, unless an emergency, to properties supplied with water, at all reasonable hours, to permit the inspection of plumbing and fixtures, to set, remove or read meters, to ascertain the amount of water used and manner of use, and to enforce these Regulations.

4.4 All meters shall be maintained by and at the expense of the District insofar as ordinary wear and tear are concerned, but the customer shall be held responsible for damages as a result of freezing, hot water, or other external causes. When such damage occurs, the District shall furnish and set another meter to replace the one frozen or otherwise damaged, and the customer shall pay for the cost of such repairs.

4.5 The quantity recorded by the meter shall be taken to be the amount of water passing through the meter, which amount shall be accepted as conclusive by both the customer and the District, except when the meter is found to be registering inaccurately or has ceased to register. In such cases, the quantity is determined by the average registration of the meter in a corresponding past period when in order, or by the average registration of the new meter, whichever method is representative in the opinion of the District of the conditions existing during the period in question.

4.6 The District reserves the right to remove, to test any meter at any time and to substitute another meter in its place. In the case of a disputed account involving the question as to the accuracy of the meter, the District upon request of the applicant shall test such meter. The customer shall pay for all fees and cost for testing such meter in advance of any test. In the event that the meter so tested is found to have an error in registration in excess of 2% at any rate of flow within normal test flow limits and to the detriment of the customer, the fee advanced for testing shall be refunded and the current bill rendered, based on the last reading of such meter, shall be corrected accordingly. This correction shall apply to both over and under registration.

4.7 The customer shall permit no one, other than an agent of the District or other person lawfully authorized to do so, to remove, inspect, or tamper with the meter or other property of the District on his premises. The customer shall notify the District as soon as it comes to his knowledge of any injury to or cessation in registration of the meter.

#### **5. PAYMENT FOR SERVICE**

5.1 Metered Service.

a. Bills for water consumed shall be rendered in arrears monthly, quarterly, or annually, at the option of the District.

b. Bills for private fire service shall be rendered, in advance, on July 1 of each year. All bills for metered service and fire service are due and payable upon presentation.

5.2 All bills shall be payable upon receipt. Bills are rendered "due" before the closing of the last business day of the billing month. No disputed portion of a bill that relates to the proper application of approved rates and charges, or the District's compliance with these Regulations, shall be considered "due" during the pendency of any complaint, investigation, hearing or appeal under these Regulations.

- a. A customer has thirty-(30)-days from receipt of a bill to make an inquiry as to the billing.
- b. The billing inquiry should first be addressed to the Finance Office. Upon receipt of a timely request, the Finance Department shall verify that the correct billing was sent, that the information on the bill is accurate and report that information to the customer. If the inquiry is based on the inability to pay, a referral shall be made to the Mary D Fund and the New Shoreham Welfare Director. If the inquiry is about a payment plan, the Finance Director is authorized to approve any payment plan that, in her judgment, is acceptable.
- c. The customer may request the Superintendent of the utility to manually verify the actual meter reading by a written request to the Superintendent. After being provided the information, the customer may request to have the matter placed on the agenda of the Water Board. In no event shall such request be considered if it is made more than thirty (30) days after the requested information has been supplied.
- d. Any timely request for a hearing shall be placed on the Commission agenda within the next thirty (30) days. The Commissioners may continue the hearing if further information is being sought, or may be continued by the customer one time for good cause shown.
- e. Service may not be terminated before a hearing decision, but interest and penalties shall continue to run. Unless abated at hearing, the full amount, including interest and penalties, is due and payable within fifteen (15) days of the Commission decision. The date of the Commission decision shall be the date of the Commissioner vote unless another date is specified.
- f. When an account is sixty-(60)-days or more overdue, the Commission may order that a municipal lien certificate be filed on any past due amount.
- g. If payment is not received after these time limits, termination of service may occur on notice to the customer.

5.3 Whenever the customer desires to have the service contract terminated or the water service discontinued, the customer shall notify the District in writing. Until the District receives such notice, the customer shall be responsible for the payment for all service rendered by the District, including charges for meter repairs caused by damages by hot water or freezing or other external causes. A reasonable time after the receipt of such notice shall be allowed for the District to take a final reading of the meter or meters and to discontinue service.

5.4 The presentation or non-presentation of a bill is not a waiver of any of the above rules.

5.5. Conditions for Mandatory Connection.

- a. Properties with wells within the water district, which wells are otherwise lawful, shall not be required to connect to the District system,.For new connections, if the property connects to the public water system for a sprinkler system, the owner must connect the domestic water system as well. The owner must remove all piping and appurtenances to and from any well supply within that structure.
- b. If a property is required to connect to the District system by Federal, State, or Local authorities, it may not again have a private drinking water well, unless the appropriate authorities approve of such well in writing.
- c. All new construction or renovation (as defined by the State Building Code at the time of application) of commercial, residential, public, or private premises within the Water District must connect to the municipal water supply if the property abuts on any street, alley or right-of-way in which there is now located, or in the future may be located a municipal supply line. The owner is required, at their expense, to connect to the municipal water supply in accordance with the provisions



of this article provided that said municipal water is determined to be accessible and available by the Water Superintendent .

#### 5.6 Standby and Minimum Charges.

- a. The standby charge shall be annually determined as part of the District's budget process. The District shall adopt standards for when a standby charge shall be incurred.
- b. The full standby annual minimum charge shall be assessed to customers reconnecting to the system.
- c. All customers may be subject to a minimum charge.
- d. Minimum charges shall be based on the annual fixed costs of District divided by the gallons sold in the third quarter of the previous year. The minimum charge shall be determined as part of the annual budget process.
- e. The minimum charge for "public facilities", as defined in the sewer allocation regulations, shall be one quarter of the otherwise applicable minimum charge.
- f. The minimum charge shall be credited against the usage charges otherwise applicable, but shall not be credited against allocation charges or penalties.

#### 5.7 Private Water Mains and Lines.

- a. Any customer agrees to allow any other customer, within the Water District, to use a private water main line, which the customer may own, or which goes over or on its property, for connection to the water distribution system.
- b. The Water District shall determine whether a private line is adequate to serve any additional customers. If it is adequate, then the new user of the line shall pay its proportionate share of the documented cost of the line to the owner of the line. The proportionate cost shall be mutually agreed to among the owner(s) and new customer(s); the Board shall act as final mediator as to the proportionate cost if needed.
- c. In the event a private water main is inadequate or the condition of the line cannot be established, the Water District shall require improvement or replacement of the line, at the expense of the new user, with appropriate assessments to the abutters.
- d. In the event of any dispute as to a private line, by the owner or proposed user, the Water District shall hold a hearing and make a determination on the amounts owed. Such determination shall be final and shall be treated as an assessment for purposes of appeal.
- e. Extension of water lines in the public right-of-way: The Water District shall not allow private water lines to be installed under a public right-of-way. When new water service includes an extension of a water main, it shall be the responsibility of the person applying for water service to design and install the main in accordance with the Town of New Shoreham Utilities Standards, the Water District's Rules and Regulations and with the approval of the Water Superintendent . After testing, and with approval of the Water Superintendent, private water lines shall become property of the District.
- f. Existing private water lines in public right-of-ways: The Water Superintendent shall determine whether the condition of private lines meet the prevailing standards of construction in order to preserve the quality of the municipal water supply in accordance with the RI Department of Health's principles. All costs for improvements to private lines shall be borne by those who are serviced by the line. All upgrades must provide lateral connections for future customers. The Water District reserves oversight approvals to designs, installations and contractors and may initiate improvements to water line at any time for the health and safety of its customers. Private water lines, tested and approved by the Water Superintendent , shall be turned over to the District. Future customers connecting to this line shall follow the provisions regarding proportionate cost stated in section 5.7(b).
- g. All customers on private water lines on private rights-of-way are responsible for the maintenance of that water line from the valve on the public water main to the termination point within the private right-

of-way. Each location where multiple customers are attached to a private water line, an elected body, board, or association must assume liability for that private line. The Water District shall require a signed document stating the aforementioned stipulations prior to water service becoming available. The District shall have a standard form of agreement for service that shall be used. The Water Superintendent may allow variances in the agreement language, consistent with these regulations.

h. The Water District reserves the right to shut off any private water main connected to the public water supply found to be deficient and/or until corrective action is taken.

## **6. TERMINATION OF SERVICE**

6.1 Service may be discontinued, or suspended, for any one of the following reasons:

a. Use of water for purposes other than described in the application.

b. Misrepresentation in application.

c. Shallful wastes of water.

d. Molesting District property or seals on appliances.

e. For vacancy.

f. Water service turned off to any property for non-payment of a bill shall not be reinstated until all financial obligations to the Water District for water service, meter charges, and other water service debts in connection with water service to the property have been paid in full.

g. In the case of a customer who has outstanding past due bills, and is a more than twenty-five percent owner or in control of a legal entity making application for utility service, all past due bills, under whatever name incurred, shall be paid prior to connecting service.

h. For unauthorized cross connecting the District service pipe with any other supply source.

i. Refusal of reasonable access to property.

j. Request for Turn-On: After a service has been shut off for any reason except repairs, the service shall not be re-established to the property unless the owner, or owner's authorized agent, submits a written or oral request for restoration of service to the Water District. The owner, or owner's authorized agent, must be present at said property at time of physical service reactivation.

6.2 The District may terminate service to a household in which all residents are sixty-five (65) years of age or older only after such District first notifies any appropriate agencies. At this time, only the Town Welfare Officer and the Mary D. Fund are known to be appropriate agencies.

6.3 When water has been turned off from any premises for any of the above reasons, or for any other violation of the District's rules, charges shall be made for disconnecting and the restoration of service, to be paid in advance by the party requesting restoration of service. When water has been turned off at the customer's request for seasonal purposes, charges shall be made for disconnecting and restoring service. These charges shall be set annually.

6.4 In case of vacancy of a customer's premise, the customer must notify the District in writing of such vacancy and upon his failure to do so, he shall become responsible for any damage to the property of the Districts and/or the property of the customer arising from such failure.

6.5 In the event the District intends to suspend or terminate service, it shall give thirty days prior written notice and an opportunity to be heard before the Commissioners before suspension or termination. The appropriate staff persons shall review the situation to determine whether any error has been made or whether a reasonable time for payment should be granted.

6.6 Accounts sixty-days (60) past due shall be sent a notice that "shut off" of service may be initiated and that a Municipal Lien Certificate has been filed and they are notified that they must respond to the

Finance Office within ten-days (10) in order to prevent service being terminated. A customer, who does not respond, shall be sent a letter with a specific date to terminate service, ten-days (10). One day prior to termination, a shut-off notice, signed by the superintendent, shall be physically placed at the delinquent property.

6.7 The Water District shall have the right to cut off the water supply to make repairs, changes or connections to its mains and other equipment. It shall use reasonable effort to notify the customer in advance of such discontinuance of service, but it shall not be liable for any damage or inconvenience suffered by the customer because of such discontinuance of service, or because of failure to notify the customer in advance of its intention to discontinue service.

6.8 The Water District shall not be liable for any damage or inconvenience suffered by the customer as a result of interruption of service, quantity of supply, inadequate or changing pressure, quality of water, or any cause beyond its control.

6.9 The District shall have the right to reserve a sufficient supply of water at all times, in its storage resources, to provide for fire or any other emergencies, and may restrict or regulate the quantity of water used by its customers in case of scarcity, or whenever the public welfare may require it.

## **7. FIRE SERVICE**

### Section 7. FIRE SERVICE

7.1 Any property owner installing a fire suppression system within the NS Water District is required to connect to the public water supply for that service.

7.2 Applicants desiring private fire service should consult with the Water District as to the availability of such service.

a. The Water District has the right to determine the necessity for and the advisability of granting any application for this special service and has the right to determine the size of the service pipe which shall be utilized. This shall depend upon the size of the street main available, the available pressure and volume on the main, the impact on the existing customers, and capacity of the fire protection equipment within the building.

b. Connection between a fire protection water supply system shall be separate from the water supply for human consumption to any premises. Any fire protection water system shall be isolated from the domestic water supply system, in all premises, to prevent any possibility of contamination of the domestic water supply.

7.3 Inspection of Fire Service:

a. All fire services shall be subjected to periodic inspection by an authorized representative of the Water District. The property owner shall give the District representative assistance and use of the facilities for making this survey, and provide any information that the District representative may need to complete his/her inspection requirements.

b. Violation of any of the rules governing fire supplies may result in immediate termination of service.

7.4 Water from fire hydrants or other fire systems shall be used only for fire protection purposes, except that water from public fire hydrants may be used in a reasonable amount and at such times as the Superintendent may permit, for testing the hydrants and fire fighting apparatus. Such test to be conducted only by the properly authorized agents of the Block Island Volunteer Fire Department after the consent of the Superintendent has been obtained and back flow prevention is in place. No pumps are permitted to be connected with the water pipes to draw water directly from any main or service pipe, except for fire purposes, without specific permission from the Superintendent.

7.5 The Block Island Volunteer Fire Department shall use the fire hydrants with reasonable care and shall compensate the Water District for any injury which may result from any carelessness or negligence on the part of any officer, servant or agent of the Town, or any member of the Fire Department using the same.

## 8. Cross-Connection Control Program

### 8.1. Policy

Cross-Connections between public water supplies and non-potable sources of contamination or private wells can represent one of the most significant threats to health in the water supply industry. This program is designed to maintain the safety and potability of the water in the District's distribution system by establishing rules and procedures to control cross-connection situations using a containment strategy to prevent the contamination of public drinking water by the backflow of water or other fluids from a source or sources other than its intended or approved source(s) of supply.

### 8.2. Purpose

- a. To protect the public water supply served by the District from the possibility of contamination or pollution through backflow or back-siphonage into the public water system from the customer's internal distribution 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 shall effectively prevent the contamination or pollution of all potable water systems by cross-connection.

### 8.3 Authority

The Federal Safe Drinking Water Act requires that the water purveyor has the primary responsibility for preventing water from unapproved sources, or any other substances, from entering the public potable water system. This intent is further clarified in the Rhode Island General Law Section 46-13-22 (Cross-Connection Control) and The Rhode Island Rules and Regulations Pertaining to Drinking Water, Section 9.4 (Cross-Connection Control), which are hereby incorporated by reference. In addition, authority arises from the Rules and Regulations published by the District, and the RI Plumbing Code.

### 8.4. Administration

- a. District shall operate a cross-connection control program, to include the keeping of necessary records, which fulfills the requirements of the Rhode Island Department of Health, Rules and Regulations Pertaining to Drinking Water, Section 9.4 (Cross-Connection Control).
- b. Every owner shall allow their property to be inspected for possible cross-connections and shall follow the provisions of the District program if a cross-connection is present.
- a. District requires that the public supply be protected by containment at all water service connections. The owner shall be responsible for water quality beyond the outlet end of the containment device and should utilize fixture outlet protection for that purpose, as prescribed in the plumbing code. The owner shall utilize a qualified independent cross-connection control specialist to assist in the survey of the owner's facilities and to assist in the selection of proper fixture outlet devices, and the proper installation of said devices. All costs shall be borne by the owner.
- b. Both the District and owner shall attempt to eliminate all cross-connections.

### 8.5. Responsibilities

#### a. New Shoreham Water District

1. The Water Superintendent, or designated agent, shall give written notice to each customer to install an approved backflow prevention device at each service connection to all premises connected to District water supply.

2. On new installations, the District shall provide an on-site evaluation and/or inspection of plans in order to determine the type of backflow preventer that shall be required by District for containment. A minimum of a dual check valve shall be required in any new construction.
3. For premises existing prior to the start of this program, the District shall perform surveys and follow-up inspections of plans and/or the premises, and inform the owners by letter, of any corrective action deemed necessary, the method of achieving the correction, and the time allowed for the correction to be made. District will grant time extensions, upon written request by the owner, describing the reason for the extension.
4. District shall 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 shall be regularly tested to assure satisfactory operation.
5. District shall inform the owner by letter, of any failure to comply, by the time of the first re-inspection. District shall allow an additional thirty (30) days for the correction.
6. If the District determines at any time that a serious threat to the public health exists, the water service shall be terminated immediately.
7. District shall conduct initial premise surveys to determine if a containment backflow prevention device already exists, the nature of existing hazards and corrections to be made. Initial focus shall be on high hazard industries and commercial premises, with concurrent emphasis on residential properties.

b. Owner

1. The owner shall be responsible for the elimination, or protection, of all cross-connections on their premises. The owner shall be responsible for the water quality beyond the outlet end of the containment device, and should utilize fixture outlet protection for that purpose.
2. The owner shall absorb all costs to install, perpetually maintain, and inspect, or have inspected, all backflow preventers on his premises.
3. The owner shall correct any malfunction of the backflow preventer, which is revealed by periodic inspection. This shall include the replacement of parts or the replacement of the backflow preventer, if deemed necessary by the District.
4. The owner shall inform the District of any proposed or modified cross-connections and also existing cross-connections of which the owner is aware, but has not been found by the District.
5. The owner shall not install a by-pass around any backflow preventer unless there is a backflow preventer of the same type on the by-pass. Owners, who cannot shut down operations for testing of the device(s), must supply additional devices necessary to allow inspection to take place.
6. The owner shall install backflow preventers in a manner and location approved by District. At a minimum, the owner shall install, at his/her own expense, an approved device at the water service entrance.
7. The owner shall only install backflow preventers approved by the District.
8. Any owner having an auxiliary water supply, private well, or other private water source, must assure that it is never cross connected to the District system. An air gap between the systems shall be maintained at all times. The owner shall be required to install a high hazard backflow preventer at the service entrance, if a private water source is maintained, even though it is not cross-connected to the District water system.
9. In the event the owner installs plumbing to provide potable water for domestic purposes, which is on the District side of the backflow preventer, such plumbing must have its own backflow preventer installed.

10. The owner shall be responsible for the payment of all fees for permits, annual or semi-annual device inspections, re-testing in the case that the device fails to operate correctly, and second re-inspections for non-compliance with District requirements.

11. All residential buildings shall be required to install a residential dual check valve device immediately downstream of the water meter. If the District determines that the degree of hazard warrants a different device, the owner shall comply with this decision.

12. Commercial customers shall install a backflow prevention device commensurate with the degree of hazard, as determined by District immediately downstream of the water meter. The commercial customer shall also maintain and inspect the device, as required by the District, and submit records of said inspections/test results as required.

13. The owner should be aware that installation of a backflow device results in a potential closed plumbing system with the residence. The owner shall provide for thermal expansion within the closed loop system, i.e., the installation of thermal expansion devices and/or pressure relief valves.

14. If the District water supply is delivered to a tank that is also supplied with water from any other source, the tank shall be open to atmospheric pressure and the District water supplied above the maximum level in the tank. The tank shall be equipped with an overflow pipe of ample size to ensure a fixed maximum water level. There shall be at least a 6-inch air gap between the invert of the pipe supplying the District water, and the maximum level of water in the tank.

15. The installer and/or owner of the facility must employ the OSHA confined Space Entry Requirements and shall have OSHA Safety Rules and required safety equipment available whenever anyone must enter the pit. In all cases, the backflow prevention device assembly site shall be easily accessible for testing and/or repair. Federal Occupational Safety and Health Administration rules, regulations and statutes are incorporated by reference and made a part herein.

16. The District strongly recommends that all new retrofit installations of reduced pressure principle devices and double check valve backflow preventers include the installation of strainers located immediately upstream of the device to prevent fouling of backflow devices due to unforeseen circumstances occurring to the water supply system such as water main repairs, water main breaks, fires, periodic cleaning and flushing of mains, etc. These occurrences may 'stir up' debris within the water main that shall cause fouling of backflow devices installed without the benefit of strainers.

17. Reduced pressure principle backflow preventers (RPZ) shall never be installed in a pit or any location where the device could be potentially submerged. Proper drainage shall be installed where a RPZ is present.

#### 8.6. Records and Templates

a. District shall initiate and maintain the following records:

1. Master list of all service connections relying upon backflow preventers protect the public water system.
2. Inventory information on approved air gaps or backflow preventers to include description, installation date, history of inspections, tests, repairs, test results, and the name of the inspector/tester.
3. Master files on cross-connection permits.
4. Copies of permits and permit applications.
5. Copies of inspection results and summaries.
6. Program summary reports and backflow incident reports.

b. District shall prepare standardized survey forms, reports, and notifications to be used during implementation of this program.

#### 8.7. Enforcement Policy

The Water Superintendent shall be responsible for the protection of the District distribution system from contamination or pollution due to the backflow or back-siphonage of contaminants or pollution through the water service connection. The Water Superintendent, or designated agent, shall inform the owner by letter, of any failure to comply with the cross-connection control program. The Water Superintendent, or designated agent, shall allow thirty (30) days for the correction. In the event the Owner fails to comply with the necessary correction, the Water Superintendent, or designated agent, shall inform the Owner by letter, that the water service to the Owner's premises shall be terminated and the Owner shall be issued a fine of fifty (50) dollars per day until the correction is made.

#### 8.8. Quality Assurance and Control

All persons testing backflow devices in the District system shall possess a current certification from a recognized certification program acceptable to District. This certification must be available to the District, if requested. The Water Superintendent shall approve all persons testing backflow devices in the District system.

All backflow preventers shall be approved by the Foundation for Cross-Connection Control and Hydraulic Research of the University of Southern California (FCCCHR-USC) and/or the American Society of Sanitary Engineers (ASSE).

#### 8.9. Public Education

District shall promote the elimination of existing cross-connections, actual or potential, between its customers' in-plant potable water system(s) and any non-potable source through public education.

All new and existing customers shall be informed of the dangers of cross connections to the safety of the public water supply system. This information shall include an explanation of backflow, typical residential (or commercial) cross-connections and the threats that may be introduced should a backflow condition occur. The importance of removal or protection of cross connections within the private water system shall be stressed.

The owner shall be informed that installation of a backflow device results in a potential closed plumbing system with the residence or commercial building. As such, provisions may have to be made by the owner to provide for thermal expansion within the closed loop system, i.e., the installation of thermal expansion devices and/or pressure relief valves.

#### 8.10. Response

District shall respond to all suspected cross-connection contamination issues in accordance with District Emergency Response Plan, dated July 2004.

#### 8.11. Existing in-use Backflow Devices

Any existing backflow preventer shall be allowed by the District to continue in service unless the degree of hazard reduces the effectiveness of the present backflow preventer, or results in an unreasonable risk to the public health.

#### 8.12. Degree of Hazard

District recognizes the threat to the public water system arising from cross-connections. All threats shall be classified by degree of hazard, and shall require the installation of approved backflow prevention devices for high and low hazards.

##### a. Low Degree of Hazard

If backflow were to occur, the resulting effect on the water supply would be a change in its aesthetic qualities. The foreign substance must be non-toxic to humans. The following types of backflow prevention devices may be used for the containment of on-site contaminants for low hazard situations:

- Air gap (AG)
- Atmospheric vacuum breaker (AVB)
- Pressure vacuum breaker (PVB)
- Double check valve assembly (DCVA)
- Reduced pressure principle backflow preventer (RPZ)
- Combination of the above

#### b. High Degree of Hazard

If backflow were to occur, the resulting effect on the water supply could cause illness or death if humans consume water. The foreign substance may be toxic to humans rather from a chemical, bacteriological or radiological standpoint. The effects of the contaminants may result from short or long-term exposure. Anywhere there are two sources of water entering one premise shall be deemed a high degree of hazard. High hazard uses include, but are not limited to the following: nursing home, medical clinic, laboratory, film processing, sewage treatment, and fire suppressions systems with chemicals.

Only the following types of backflow prevention devices may be used for the containment of on-site contaminants for high hazard situations:

- Air gap (AG)
- Reduced pressure principle backflow preventer (RPZ)
- Combination of the above

### 8.13.Periodic Testing

a. All backflow prevention devices shall be inspected. All testable Backflow Prevention Devices shall be tested at least annually.

b. Periodic inspections shall be performed by Districtcertified inspector or his/her delegated representative.

c. The inspections shall be conducted during District's regular business hours.

d. Any backflow preventer, which fails during a periodic test, shall be repaired or replaced. When repairs are necessary, upon completion of the repair the device shall be tested a second time at the owner's expense to insure correct operation. High hazard situations shall not be allowed to continue unprotected. If the backflow preventer fails the test and cannot be repaired immediately, the service must be terminated. The owner is responsible for spare parts, repair tools, or a replacement device. Parallel installation of two (2) devices is an effective means of the owner insuring uninterrupted water service, and is strongly recommended when the owner desires such continuity.

e. These devices shall be repaired or replaced at the expense of the owner whenever said devices are found to be defective. Results shall be recorded on standard forms; and copies distributed to the owner and Water Superintendent within Thirty (30) days of the actual test.

f. Backflow prevention devices shall be inspected more frequently if the District finds that due to the degree of hazard involved, additional inspections are warranted. Cost of the additional inspections shall be borne by the owner.

### 8.14.Permits

a. Cross-connection permits that are required for each backflow prevention device are obtained from the District.



b. Permits shall be renewed every year and are non-transferable. Permits are subject to revocation and become immediately revoked if the owner changes the type of cross-connection, or degree of hazard, associated with the service.

c. A permit is not required when fixture isolation is achieved with the utilization of a non-testable backflow preventer.

#### 8.15. Fees and Charges

District shall publish a list of fees or charges for the following :

a. Fees

1. Cross-connection Inspection fees
2. Fees for cross-connection re-inspections
3. Backflow preventer testing fees

### 9. GENERAL

9.1 No customer, unless specially authorized to do so, shall open or close any of the District's stopcocks or valves in any public or private line.

a. No person shall break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment. Any persons violating this provision shall be subject to immediate arrest under the appropriate criminal charge and is liable for all damages caused through his actions as aforesaid.

9.2 No agent or employee of the District shall have the right or authority to bind it by any promise, agreement or representation, contrary to the letter or intent of these Regulations.

9.3 In the event that any section or subsection of these regulations is held unlawful, then all other provisions shall remain in full force and effect unless it shall be inconsistent with the overall purpose of a section.

9.4 All regular locate requests to locate Water Company infrastructures shall be performed by any operator are to be conducted under the in compliance with DIGSAFE system standards and regulations.

a. Excavations within the boundaries of the New Shoreham Water District are to be conducted only during normal working hours unless otherwise approved by the Water Superintendent at least 72 hours ahead of the scheduled excavation, unless it is an emergency. Normal workings hours are Monday through Friday, 7:00 AM to 3:00 PM - excluding Town of New Shoreham holidays. No work can continue beyond this time without the approval of the Water Company.

Advisory: NS Town Council, September 12, 2001 with changes.

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Public Hearing: September 25, 2001

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*Amended: January 9, 2007*

*Amended: May 22, 2007*

*Amended: April 20, 2009*

Attest: Janet Ziegler, NS Water District Clerk