

**TOWN OF ROWLEY, MASSACHUSETTS
MUNICIPAL WATER DEPARTMENT
WATER RULES AND REGULATIONS**

The following regulations, until further notice, shall be considered a part of the contract with every person who uses municipal water.

**ARTICLE I
GENERAL**

1. Purpose of Regulations

The Rowley Water Department was created by a special act of the State Legislature, adopted by the Town in 1946 for the purpose of securing a community supply of water and providing the Town with such water for the promotion of the general health and welfare. To carry out this purpose, the Board of Water Commissioners acquires controls and maintains property (lands, structures, wells, reservoirs, mains, hydrants, piping and other works and apparatus) employs personnel for the superintendence, maintenance, extensions of such works and structures, and the collection of revenues sufficient for its needs. Under the terms of Article 5 of the 12/2/52 Town Meeting, the Board of Water Commissioners assume all powers and duties under Chapter 11, Acts of 1946, and M.G.L. Chapter 41 Section 69B. The Board of Water Commissioners shall assume exclusive charge and control of the Water Department. Direct supervision of the Water Department shall be exercised by the Superintendent. The Water Department's operation and maintenance depends primarily upon revenues received from the sale of water.

2. Definitions

- (a) A "service" is the length between the water main system and the individual consumer/user of water. It includes all piping, fittings and connections to the curb stop.
- (b) A "main" is the length between the source of supply and a service or between the source of supply and a fire hydrant installed by and regularly maintained by the Town at Town expense.
- (c) An "extension" is an addition to the system of mains.
- (d) A "summer service" is a link between the main water system and an individual consumer/user that is supplied seasonal water.
- (e) An "individual consumer/user of water" is a customer provided water by purchase on a regular, intermittent or stand-by basis.
- (f) An "entrance" is the link between a main and the curb stop or curb shut off.
- (g) A "meter" is a mechanical device approved by the Water Department which is designed for and capable of measuring the flow and/or recording the quantity of water passing through a service to an individual consumer/user of water.
- (h) Dept. is the term representing the Rowley Water Department

3. Jurisdiction

The water supplied is the sole property of the Department and the installations to and including the meters are therefore assumed to be under jurisdiction of the Department. No person, except an employee or those authorized in writing by the Department, shall be allowed to install, repair, or remove any pipe, fixture or connection on the street side of the meter or equivalent dividing point.

The Water Department may at any reasonable time enter any premise supplied with water by the Town for the purpose of examining or removing a meter, pipes, fittings and works for supplying or regulating the supply of water and of ascertaining the quality of water consumed or supplied per Chapter 165 of the General Laws of Massachusetts.

4. Maintenance of Services

- (a) Each consumer of water shall properly maintain his service from the curb stop to the meter and shall be liable for any damages resulting from a failure to do so.
- (b) On existing services where the curb stop lies outside the street layout, the Department will maintain and repair the service from the main to the curb stop. The consumer will maintain and repair the service from the curb stop to the meter.

- (c) In the event there is a failure of the service between the main and the curb stop and the location of the curb stop is within the street layout, the Department shall bear the costs of materials, personnel and equipment time including reasonable overhead costs to renew the service from the main to and including a relocation of the curb stop beyond the property line and off the Town street layout. If the service needs replacement from the relocated curb stop to the foundation, the costs associated with that portion of the work shall be borne fully by the consumer.
- (d) In the event there is a failure of the service between the curb stop and the meter and the location of the curb stop is within the street layout, the consumer shall bear the costs of materials, personnel and equipment time including reasonable overhead costs to renew the service to the extent necessary from the main to the curb stop. If the service needs replacement from the curb stop to the foundation, the costs associated with that portion of the work shall be borne fully by the consumer.
- (e) Scheduled repairs to or replacement of a lead or galvanized service prompted by a customer's own initiative, shall be done only after a written permit is obtained from the Department in compliance with Article II. The expense for same shall be borne fully by the customer and the customer shall further be required to remove and cap off the old service being discontinued from use at the main. In case of emergency, repair work may be done without a written permit having been obtained prior to the commencement of work. However, notification shall be made to the Department within one (1) work day and the customer shall obtain a written permit prior to permanent backfilling of any such emergency work.
- (f) In no case will water be supplied through a single service to two (2) or more separate owners of a single property or to more than one dwelling. Services greater than one hundred feet (100') in length will require a meter pit off the edge of the street layout. Meter pit construction must be approved by the Water Department before construction commences. Service boxes off the Town street layout shall be constructed flush to finish grade.
- (g) The Water Department at their discretion may, after receipt of a signed release of liability for damages whatsoever by an individual customer or user of water, assist the individual consumer or user of water in effecting emergency repairs to his service pipe on private property. (See Appendix III)
- (h) If a service is frozen between the house and the curb box, the customer will be responsible for the cost of excavating or thawing the service.

5. Access to Private Property

The Department shall have free access to all premises supplied with municipal water for the purpose of examination and repair of meters, pipes and fixtures and to determine any misuse of the water or any other acts contrary to the intent of these Regulations.

6. Use of Water Supply

No water user shall supply water to a party not entitled to its use except by written permit.

7. Use of Hydrants

The use of a hydrant, public or private, for other than fire purposes will not be allowed without a written permit from the Department. Maintenance and repairs of privately-owned hydrants shall be the responsibility of the owner.

8. Water Shut Off

The Department reserves the right, whenever it deems necessary for installation, maintenance, or to enforce compliance of these regulations, to shut off the water in whole in part without notice. The Department shall assume no responsibility for damages resulting from such action by the Department. The Department reserves the right to restrict or restrain water use consistent with any policy adopted by the Department pursuant to applicable Town By-Laws. (Note passage of Water Use Restriction By-Law by the November Special Town Meeting of 2002).

9. Safety Devices

All hot water boilers shall be equipped with suitable safety devices as required by State law to prevent injury when water is being shut off or drawn off. The Department shall not assume responsibility for any damages caused by failure to comply with the above requirements.

10. Water Pressure

The Board of Water Commissioners makes no guarantee on water pressure and assumes no responsibility for any fluctuation thereof. It shall be the owner's responsibility to install any boosters or pressure reducers as may be indicated by their requirement.

11. Water Use Restriction

Water Use Restriction By-Law

Section 1 Authority

This By-Law is adopted by the Town under its Police Powers pursuant to the Home Rule Amendment of the Massachusetts Constitution, Article LXXXIX, to protect public health and welfare and its powers pursuant to M.G.L. Chapter 40, Section 21 et seq. and implements the Town's authority under M.G.L. Chapter 40 Section 41A conditioned upon a declaration of a State of Water Supply Emergency issued by the Department of Environmental Protection.

Section 2 Purpose

The purpose of this By-Law is to protect, preserve and maintain the public health, safety and welfare wherever there is in force a State of Water Supply Emergency by providing for enforcement of any duly imposed restriction, provisions or conditions imposed by the Town or the Department of Environmental Protection.

Section 3 Definition

Agriculture shall mean farming in all its branches and agriculture as defined in M.G.L. Chapter 128, Section 1A.

Outdoor watering shall mean any residential, municipal, industrial or commercial watering of decorative lawns, trees or shrubbery.

Person shall mean any individual, corporation, trust, partnership, association, agency or authority or other entity and any officer, employee, group or agent of such persons.

State of Water Supply Emergency shall mean a State of Water Supply Emergency declared by the State of Environmental Protection under M.G.L. Chapter 21G, Chapters 15-17.

State of Water Supply Conservation shall mean a State of Water Supply Conservation declared by the Town pursuant to Section 4 of this By-Law.

Water Users or Water Consumers shall mean all persons using water from the Town's public water source irrespective of that person's responsibility for billing purposes of the water.

Section 4 Declaration of State of Water Supply Conservation

The Town, through its Board of Water Commissioners, may declare a State of Water Supply Conservation upon a determination by a majority vote of the Board that a shortage of water exists of such a degree that conservation measures are appropriate to ensure an adequate supply of water to all water consumers. Public notice of a State of Water Supply Conservation shall be given under Section 6 of this By-Law before it may be enforced.

Section 5 Restricted Water Uses

A declaration of a State of Water Supply Conservation shall include one or more of the following restrictions, conditions or requirements limiting the use of water as necessary to protect the water supply

except as provided in Section 11. The applicable restrictions, conditions or requirements shall be included in the Public Notice required under Section 6.

- (a) Odd/Even Outdoor Watering Outdoor watering on property having an odd numbered address is restricted to odd-numbered days. Outdoor watering on property having an even number address is restricted to even –numbered days.
Or
Off-Peak Outdoor Watering Outdoor watering is limited to such hours and such days as the Board of Water Commissioners shall determine by a majority vote of the Board.
- (b) Outdoor Watering Method Restriction Outdoor watering is restricted to bucket, can or hand-held hose watering with automatic shutoff nozzle.
- (c) Outdoor Watering Ban Outdoor watering is prohibited.
- (d) Outdoor Watering Hours Outdoor watering is permitted only during daily periods of low demand to be specified in the declaration of a State of Water Supply Conservation and Public Notice thereof.
- (e) Swimming Pools Filling and topping off of swimming pools is prohibited.
- (f) Automatic Sprinkler Use The use of automatic sprinkler system is prohibited.
- (g) Car Washing Car or vehicle washing is prohibited.

Section 6 Public Notification of a State of Water Supply Conservation and State of Water Supply Emergency – Notification of DEP

Notification of any provision, including any restriction, requirement or condition imposed by the Department as part of a Water Supply Conservation shall be published in a newspaper of general circulation within the Town or by such other means reasonably calculated to reach and inform all users of water of the State of Water Supply Conservation. Notification of a State of Water Supply Emergency declared by the Department shall be provided by furnishing a copy of the notice to radio and television stations serving the area served by the public water system as soon as possible but no later than 48 hours after the public water system receives notice of the Department’s declaration. Any restriction imposed under Section 5 or in the Department Declaration of Emergency or order shall not be effective until such notification is provided. Notification of the State of Water Supply Conservation shall also be provided to the Massachusetts Department of Environmental Protection at the same time that notification is given.

Section 7 Termination of a State of Water Supply Conversation Notice

A State of Water Supply Conservation may be terminated by a majority vote of the Board of Water Commissioners upon a determination that the water supply no longer exists. Public notification of the termination of a State of Water Supply Conservation shall be given in the same manner as is required for notice of the Department’s declaration of its Sate of Water Supply Conservation.

Section 8 State of Water Supply Emergencies – Compliance with DEP Orders

Upon notification to the public that a declaration of a State of Water Supply Emergency has been issued by the Department of Environmental Protection, no person shall violate any provision, restriction, requirement, condition or any order approved or issued by the Department for the purpose of bringing about an end to the State of Water Supply Emergency. The notice prescribed by this Section shall be in writing and shall be published once in a newspaper of general circulation within the Town. Such notice shall summarize the provisions of the State of Water Supply Emergency and the requirements and conditions thereof. Notice as prescribed by this Section shall be sufficient for enforcement of the requirements of such declaration on and after the date following newspaper publication.

Section 9 Penalties

The Town, through its Board of Water Commissioners, Water Superintendent, Building Inspector or Police Department, may enforce this By-Law. Any person violating this By-Law shall be liable to the Town in the amount of \$50.00 for the first violation and \$100.00 for each subsequent violation during a State of Water Supply Conversation or a State of Water Supply Emergency. Fines shall be recovered by indictment or on complaint before the District Court or by non-criminal disposition in accordance with Section 21D of Chapter 40 of the General Laws.

Section 10 Severability

The invalidity of any portion or provision of this By-Law shall not invalidate any other portion or provision thereof.

Section 11 Exemptions

The Board of Water Commissioners may exempt from the water use restrictions adopted under this By-Law such uses as it determines would be placed under an undue hardship absent the exemption provided that water supplies subject to the restrictions are not likely to be significantly reduced as a result of the exemption and provided further that the Board may condition the exemption upon compliance with such restrictions or requirements that it deems necessary or advisable in the public interest. The Board by regulation may establish categories of uses eligible for exemption, further criteria for exemption not inconsistent with this Section, and the procedure to be followed by applicants for exemption.

This was adopted at Special Town Meeting of November 18, 2002 (Article 15). Approved by the Attorney General's office on February 20, 2003 and posted according to law.

ARTICLE II
CONSUMER/USER SERVICES

1. Application for Water

All applications for water must be made at the Department Office and be signed by the owner of the premises supplied. Such application shall constitute a contract between the Water Department and the applicant, his heirs and assigns. All applications for the use of water in new construction shall be made at the same time as the building permit is applied for. (See Appendix II).

a. Installation of New Service – Water Taps

The petitioner shall have the complete connection installed by an approved private contractor. The Water Department or approved contractor shall make service taps up to and including those 1” in diameter subject to the payment in advance of a fee as set forth in a schedule herein below. In the event the service tap is greater than 1” in diameter, it shall be installed by an approved private contractor under on-site direction by the Water Department. The contractor shall make application for a street opening permit at the office of the Board of Selectmen. The contractor shall perform all the work on both private and Town property, supply all materials and perform all excavation (including ledge), backfilling, patching (temporary and permanent) and any other work which the Water Department determines is necessary to complete the service installation.

b. New Service Applications Deadlines

No new service will be installed after November 15 or before the frost is out of the ground in the spring.

c. Application Charges – Meter Installation and Inspection Charges

In order to reimburse the Water Department for the capital costs of development of the public water supply system, each applicant must pay a \$3,000.00 application charge payable to the **Town of Rowley Water Department**. Said application charge shall be assessed to an applicant seeking to connect to the water system but shall not be assessed for the installation of a second water service to a structure designed solely for standby fire suppression. The applicant must also pay to the **Town of Rowley Water Department** for the incremental charges as may apply for the cost of a larger diameter meter. The Water Department shall determine the size, type and make of meter to be installed. All meters 1” and under shall be the property of the Town of Rowley Water Department. The Department shall supply and seal all meters. The applicant shall be responsible for all costs necessary to effect installation of the meter. An applicant for a new service serving a new building or an addition, which service shall remain unmetred during construction, shall get written permission from the Water Department and use the proper apparatus approved by the Department.

1. Installation of a Larger Service or Entrance

Requests for the installation of a larger service and/or entrance because of increased consumption will be treated as a new application for water at the owner’s expense.

2. Public Ways

Shall include only roads which have been accepted by Town Meeting, are currently being maintained by the Town and which are suitable for the free and unobstructed passage of wheeled motor vehicles and pedestrians. Public Ways shall not be deemed to include any body of water, rivers and/or streams.

ARTICLE III
EXTENSIONS

1. Applications

Applications for extensions to the existing system shall be filed in writing with the Water Department by the person or persons requesting such extension. No supply main of less than 12" diameter shall be installed without approval of the Board of Water Commissioners. In the event the application calls for an extension within an unaccepted way, the application must be accompanied by a Conveyance of Title to the Work in a form as contained in Appendix V to these Regulations and incorporated herein.

2. Approval

Such application shall be submitted to the Department Superintendent with a cost estimate. The Superintendent shall then forward the application with his recommendation to the Board of Water Commissioners for approval or disapproval

3. Charges

- a. Main installation in accepted Town streets shall hereinafter be installed entirely at the applicant's expense absent at Town Meeting appropriation therefore. In the former instance, the applicant shall deposit his money with the Town Treasurer/Collector before materials shall be ordered or work commenced. Alternatively, the abutters shall be assessed betterments in accordance with MGL Chapter 40, Section 42G-I, inclusive as amended and MGL Chapter 80 as amended. Said betterment shall be recorded before materials shall be ordered or work commenced. In the latter instance work shall be undertaken only in accordance with the procedures set forth in Subsection (b) below. All ledge excavation cost shall be borne entirely by the petitioner in either instance and in the former instance shall be considered as a separate additional expense.
- b. New main installation on streets which have not been accepted shall be the responsibility of the applicant or the abutters who shall bear 100% of the installation cost. All materials used and all labor performed on such installations shall conform to Rowley Water Department specifications. The tapping sleeve and gate valves shall be installed in existing mains by the contractor under the supervision of the Water Department. The installer shall be billed for labor and any materials used including pressure testing repairs, etc. that may be required for a period of 60 days.
- c. Replacement main installations for inadequate existing mains on streets which have not been accepted shall hereinafter be installed entirely at the applicant's (s') or abutter's (s') expense absent at a specific Town Meeting appropriation therefore. In the latter instance work shall be undertaken only in accordance with the provisions of Section (b) above.

4. Installation for the Good of the System

The Department, for the good of the system, may install mains in ways where there is not water or inadequate water and nothing in these Regulations shall be construed as preventing the Department from doing so. Application for water from such an extension must comply with the extension policy and shall before the entire street frontage of the applicant's property. (The Department reserves the right to specify which of the policies as outlined in Section 3(a) or 3(b) of this Article shall apply to any particular installations.)

ARTICLE IV
SUBDIVISION EXTENSIONS

1. Application

The application for the installation of water service in a subdivision shall be filed in writing with the Water Department by the subdivide or his authorized agent consistent with the Rules and Regulations of the Town Planning Board. No supply mains of less than 12” diameter shall be installed without approval from the Board of Water Commissioners.

2. Minimum Pressure and Fire Flow – Single Unit Residential

A proposed extension to serve single unit residential structures shall have as a minimum design goal sixty-five pounds per square inch of static pressure and a fire flow of 1,500 gallons per minute for a period of at least two hours with a minimum residual pressure of twenty pounds per square inch. Each hydrant on the extension shall not cover in excess of 150,000 square feet. Pro forma hydrostatic pressure and flow calculations based on the flow and pressure characteristics of the water system at the proposed tie-in point shall be performed by a registered professional engineer. Should these calculations indicate that the design goals will not be met, a second set of pro forma calculations must be made based on a statement of the future condition of the water system at the tie-in point as provided by the Water Superintendent. This set(s) of calculations will be made available to the Board of Water Commissioners. If the present conditions do not allow achievement of the stated design goals but the future conditions do, then the extension appropriate to the future condition will be required as a condition for approval. Should approval be granted for an extension in which the present condition of the system does not permit the achievement of the above-stated design goal, then the party requesting the extension will be required to have on file at the Registry of Deeds, as attachments to the deeds for each of the individual parcels of land to be served by the extension, a statement that reads: “Minimum static pressure and fire flow as recommended by the Board of Water Commissioners and Fire Chief are not met by the water distribution system serving this parcel.” As a further condition on this approval, the Water Commissioners may require additional unspecified measurements to be taken by the developer to assure improved and/or adequate fire protection. All costs associated with the determinations and/or registration filings shall be borne by the applicant.

ARTICLE V
WATER MAIN AND SERVICE SPECIFICATIONS

1. General

Water pipe shall be of the type, kind, size and class as directed by the Rowley Water Department and shown on the plans or as directed. The pipe shall be laid on a firm foundation with tight joints and properly protected in a trench excavated and backfilled in accordance with these specifications and accompanying plans and as directed by the Water Department.

2. Kinds of Pipe

Pipe for the construction of water mains shall be ductile iron.

3. Materials

a. Iron Fittings

Iron fittings shall conform to AWWA/USA Standard for Iron fittings 2 inches through 48 inches and shall be of a pressure rating of 250 psi.

b. Ductile Iron Pipe

Ductile iron pipe shall be centrifugally cast in either metal or sand-lined molds and shall conform in all ways to USA Standard A21.51 (AQQA C151-65) for ductile pipe centrifugally cast in metal molds or sand-lined molds. Ductile iron pipe shall have a thickness of Class 52 unless specified otherwise.

c. Cement Mortar Lining for Water Pipe and Fittings

All metal water pipe and fittings shall be cement-lined in accordance with requirements of USA Standard A21.51 (AQQA C151-65) or latest revision thereof for cement mortar lining for iron pipe and fittings for water.

d. Ductile Iron Pipe Joints

1. Push On Joints

Push on joints shall be of the type equal to "Tyton Joint" as manufactured by the United States Pipe and Foundry Company or "Super Bell Tite Joint" as manufactured by James B. Clow and Sons, Inc., or equivalent. Pipe shall be jointed in accordance with the manufacturer's instructions and any appurtenant materials used in completing the connection such as lubricants and rubber gaskets shall be obtained from the same manufacturer as the pipe. In any case, rubber gaskets incorporated into the joint shall conform to USA Standard A21.11 (AQQA C111-64, ASTM C443-60T) or latest revision thereof. Lubricants used shall be manufactured for the express purpose of lubricating the parts of the joint in assembly. The lubricant shall be nontoxic, shall not support the growth of bacteria and shall have no deteriorating effects on the gasket or the pipe. It shall not impart any taste or odor in a pipe that has been flushed and disinfected in accordance with these specifications.

2. Mechanical Joints

Mechanical joints shall conform to the requirements of USA Standard A21.11 (AWWA C111-64). Each joint shall consist of an integrally cast bell and exterior flange having cored or drilled bolt holes, a rubber ring gasket, follower gland and nuts and bolts. Rubber gasket and lubricant shall conform to the requirements established in Sub-section 3 (d) (1) of this Article. The follower gland shall be from the same manufacturer as the pipe or fitting and shall be brought up to the flange evenly by first partially tightening the bolts and then firmly tightening opposite bolts with a torque wrench in accordance with the manufacturer's specifications. Only bolts furnished with the mechanical joint pipe or fitting shall be used and shall be high strength corrosion resistant alloy with tee head and hexagon nut. All mechanical joints shall be retained.

e. Valves

1. Gate Valves

Gate valves shall be iron body bronze mounted, resilient seat mechanical joint for underground use, wrench operated, nonrising stem, and "O-ring" seal to the requirements of AWWA specifications. Valves shall be equal to type used presently by the Rowley Water Department. Valve shall be designed for a working water pressure of 200 pounds per square inch and a water test pressure of 400 pounds per square inch. Gate valves shall have a 2" nut for wrench operation and the operating nut shall have an arrow cast in

the metal indicating the direction of opening. Valves shall “**OPEN LEFT**”. Valves shall have maker’s initial pressure rating and a year of manufacture cast on the body.

2. Butterfly Valves

Use of butterfly valves on larger than 12-inch pipe by Water Department approval only.

f. Valve Boxes

Valve boxes shall be equal to type currently used by the Rowley Water Department and shall be provided for each underground valve. Valve boxes shall be heavy pattern cast iron, cast in two or three telescoping sections of sliding construction and of such lengths as will provide without full extension the required cover. The lower section shall be belled or domed at the bottom to fit over the valve nut. The upper section shall fit over the lower section and shall be flanged at its base to provide proper bearing. Covers shall be at least 6” in diameter, shall fit flush with the top, shall have the word “WATER” cast thereon in raised letters, and shall be slotted for easy removal. Valve boxes shall be of good quality cast iron free from all defects in material and workmanship and shall be coated with coal-tar pitch enamel or other approved coating. Valve boxes shall be suitable for the size valve on which they are used and shall weigh at last 100 pounds with cover.

g. Curb Boxes

Curb boxes shall conform to the specifications for valve boxes except that for curb boxes for service lines 1” and under an Erie-type iron curb box with 1” shaft will be used. For service lines 1 1/4” and 2”, an Erie with foot piece shaft with arch base will used. For service lines over 2”, a 5 _” shaft will be used.

h. Service Connections

1. Service connections shall consist of piping, corporation stops, curb stops and curb boxes. Corporation stops installed in asbestos cement water pipe will require the use of Ford SS Epoxy, double band saddles or equal. All corporation stops will have Type CC threads. Piping for service connections shall consist of annealed copper tubing Type K soft and shall conform to the requirements of ASTM Standard B88. No foreign copper tubing will be allowed. Minimum allowable size for service connections shall be 1”. Services shall be extended from the main to the lot line or to the curb stop whichever is further. Corporation stops will be Ford Ball Type metal gripper and double-face gasket or equal. Curb stops will be Ford Ball Type or equal. Taps in the main for services shall be made only in the top one-half section to prevent the introduction of sediment into the service. Curb stops shall be located in the center of the grass plot or on the property line or as directed by the Water Department. Direct taps shall use corporation stops with AWWA threads. All other requirements set forth in Article V Subsection 3(1) of these regulations shall be conformed to.

2. Before any services are installed, the contractor shall furnish the Water Department, for its approval, a list of all materials and their manufacturer, together with model and/or catalog number and, if necessary, shall furnish a sample for inspection by the Department.

3. Suitable fittings for the installation of a water meter shall be provided on all services.

Meters and outside registers shall be installed by the Water Department only. A ball valve shall be installed by the contractor on the water main side of the meter.

4. Materials used for service connections from the curb stop to the building are the responsibility of the contractor/owner subject to Department approval.

5. Service connections shall be buried at least five feet. In ledge or rocky soil, service connections shall be bedded and covered by at least six inches of sand. No underground electrical, gas or sewer service shall be constructed within five feet of the service connection between the water main and the curb stop.

i. Tapping Sleeves and Valves

No contractor shall be allowed to tap any water main owned by or presently used by the Water Department without the express written permission of the Water Department. If permission is obtained, the contractor shall employ an approved tapping sleeve and gate valve of compatible manufacture and make the tap under the direction of a representative of the Water Department in accordance with the manufacturer’s instructions for installation. The use of tapping sleeves and gate valves which require a poured joint will not be permitted. Tapping sleeves shall be stainless steel with mechanical gate or equal.

j. Hydrants

Hydrants shall be as manufactured by Darling B-50-B or B-62-B or equal with breakaway flange and shall comply with AWWA Standard Specification C502-65 for fire hydrants for water works services. They shall have 6 inch hub ends and 5 _ inch diameter, clear opening at valves, and shall open by turning to the left (counter-clockwise). Hydrants shall be of ample length for 6 feet of trench. They shall be provided with two 2 _ inch hose nozzles and one 4 _ inch pumper outlet with National Standard Fire Hose Thread and chained caps. Operating nuts shall be AWWA Standard (pentagonal, measuring 1 _ inch point to flat). Hydrants shall be equipped with "O-Ring" packing. Hydrants shall be shop painted red in accordance with AWWA Specifications. The breakaway flange shall be 2 inches above final grade. All hydrants shall be marked with a red metal flag. This flag shall be mounted on the 2 _ inch nozzle and shall be painted red.

k. Thrust Blocks

Thrust blocks, where required, shall be of concrete and shall have a compressive strength of 3000 psi at 28 days. Blocking shall be placed between solid ground and the hydrant, bend or fitting to be anchored. Unless otherwise indicated or directed, the base and thrust bearing side of the thrust blocks shall be poured directly against undisturbed earth. The sides of thrust blocks not subject to thrust may be poured against forms. The area of bearing shall be as directed. Blocking shall be placed so that the fitting joints will be accessible for repair. Steel rods and clamps shall be protected by galvanizing or by coating with bituminous paint.

l. Miscellaneous Metal Work

Bends, hydrants, valves and appurtenances shall be strapped and clamped where required and/or as directed. Steel bars, rods and plates shall be of structural steel. Straps, bridle rods, clamps, anchors and such other parts shall be provided as directed and as approved. After installation, all parts of the strapping and clamping devices shall be given two heavy coats of an approved coal tar base protective coating.

m. Plugs

A plug, where permitted, shall be equipped with a 2 inch blow off and gate box.

n. Backfill

1. The contractor shall furnish all materials and equipment and perform all incidental work necessary to backfill trenches for pipelines and appurtenances.
2. Common fill shall consist of mineral soil substantially free from organic materials, loam, wood, trash and other objectionable materials which may be compressible or which cannot be properly compacted. Fill to one foot above the top of the pipe shall be screened gravel or sand. Above this point, common fill with material up to 6 inches in its largest dimension may be used. Common fill shall have physical properties such that it can be readily spread and compacted. Snow, ice and frozen soil shall not be permitted. It is anticipated that in most areas material excavated from the trench will meet the requirements of common fill. Where excavated material does not meet the requirements, it shall be replaced with common fill obtained from other sources.
3. Granular fill shall consist of hard durable stone and coarse sand, essentially free from frost, frozen lumps, loam and clay, well graded and containing no stone having any dimension greater than 3 inches. The grading of sizes and material shall be such that the gravel may be thoroughly consolidated. The grading shall conform to the following requirements:
 - a. Passing 3/8 inch sieve 70% maximum
 - b. No. 10 sieve 50% maximum
 - c. No. 200 sieve 5% maximum
4. Screened gravel shall consist of hard, durable particles of proper size and gradation and it shall be free from sand, loam, clay, excess fines and deleterious materials. The size of the particles shall be uniformly graded gravel such that not less than 95% of the particles will pass a _ inch sieve and not more than 5% will pass a No. 4 sieve. Quality and gradation shall be acceptable to the Water Department.

o. Pavement

The Standard Specifications for Highways, Bridges and Waterways, as issued by the Commonwealth of Massachusetts and Rowley Highway Surveyor shall apply to materials and workmanship requirements for temporary and permanent pavements used to replace pavements removed or damaged during construction. Temporary and permanent pavement

shall be Class I, Bituminous Concrete, Type I-1, conforming to Section 460 of the Massachusetts Standard Specifications referred to above.

4 .Construction Methods

a. General

In uploading, storing, stacking and handling of pipe, fittings, valves or appurtenances, the contractor shall take special care to insure that his methods are consistent with methods employed by the manufacturer in the manufacture and shipping of the product. If at all possible, all heavy materials shall be carefully handled by the use of hoists or skid ways to avoid shock or damage. Pipe handled on skid ways shall not be skidded or rolled against pipe already on the ground. It shall be the contractor's responsibility to inspect all shipments, and to replace or repair at his own expense any materials which have been damaged through his own negligence. Whenever possible, pipe shall be strung along the routes with the bell ends facing in the direction in which the work is to proceed.

b. Trench Excavation

The contractor shall excavate the trench to the lines and grades as directed by the Water Department. Special care shall be taken to protect existing underground utilities and support the sides of the trench to prevent movement, to include the use of sheeting, shoring and bracing. The contractor shall also be required to do all dewatering of the trench which may be necessary to insure that the trench bottom is firm and dry. If in the opinion of the Water Department unsatisfactory soil conditions exist at the required trench grade, the contractor may be required to excavate below normal trench grade until suitable foundation material is encountered. The excavation shall then be backfilled with screened gravel in 6" layers. Each layer shall be properly tamped and compacted until normal trench grade is obtained. The contractor shall make additional excavation by hand or an approved mechanical method at each bell location and of sufficient depth to insure that proper jointing methods may be applied. The contractor shall also make such additional excavations as may be necessary to provide for proper placement of concrete thrust blocks, valves, hydrants, stone for hydrant drains, services and other appurtenances as shown on the plans or as directed by the Water Department. All water main trenches shall be such that a minimum cover of 4 _ feet is provided over the pipe except at gate valves where a minimum of 3 feet of cover shall be provided at the top of the valve bonnet. When ledge or rock is encountered at trench grade, the contractor shall excavate an additional 6" and backfill with screened gravel to pipe grade. Backfill shall be thoroughly compacted.

c. Bedding the Pipe

1. Ductile Iron

The trench shall be prepared to receive the pipe in accordance with AWWA Standard Specification C600 for the installation of iron water mains. In general, the bed shall be free from any large stones and of smooth and uniform surface. Any voids under the pipe shall be filled and thoroughly tamped so that the pipe is fully supported throughout its entire length. It is desirable that the bed be rounded out so as to form a cradle in advance of laying the pipe to prevent pipe movement. If so directed, the contractor shall lay the pipe on blank blocking and thoroughly tamp beneath the pipe to provide uniform bearing.

d. Laying the Pipe and Fittings

The pipe shall be placed in the trench in accordance with the manufacturer's recommendations or by an approved method in such a manner as to insure that the pipe is not damaged. All pipes shall be thoroughly sound, dry and clean before lying and the utmost of care shall be taken to insure that its condition is not altered when it is placed on the bed. A tight plug shall be installed once the pipe is in place to keep out groundwater and dirt. All work associated with lying the pipe must be inspected and approved by the Water Department. All inline tees will be valved on all sides excluding hydrants.

e. Installation of Valves and Hydrants

1. Valves

The contractor shall install all valves and tapping sleeves and valves together with valve boxes at the locations shown on the plans or as directed by the Water Department. In general, valves shall be installed as close as possible to plumb and in accordance with the applicable Subsections 4(c) and 4(d) of this article and in accordance with the manufacturer's

recommendations. Valve boxes shall be installed at every valve location and shall be adjusted to the proper finished grade and set plumb and centered over the operating nut of the valve. The contractor shall exercise special care that the valve box is free of dirt and other obstructions and that the base does not rest on the valve bonnet. An earth cushion shall be provided between the bonnet and the base. After installation is completed, all valves shall be operated and then left in the closed position.

2. Tapping Sleeves and Valves

The contractor shall install tapping sleeves and valves in accordance with the applicable provisions of these specifications. In addition, before backfilling over any tapping sleeve, all exposed portions of any bolt used to hold the two halves of the sleeve together shall be heavily coated with two coats of Inertol #66 special heavy or approved equal bituminous paint. It shall be the contractor's responsibility to furnish the necessary tools and labor to make all approved taps of live mains.

3. Hydrants

Hydrant spacing shall be no greater than 500 feet or as directed by the Fire Chief. The hydrant shall be set plumb and at the proper elevation with respect to final finished grade. The breakaway flange shall be set 2" above finish grade. The hydrant base shall be set on firm material and shall be adequately anchored by mechanical means or by concrete thrust blocks. The contractor shall place one-half cubic yard of selected 2" stone around the hydrant base for drainage purposes. Stone shall be placed to 6" above the hydrant drain. Hydrant locations shall be such that no part of the hydrant is within 1 foot of the curb line and no less than 20 feet from an intersecting street. Prior to any hydrant being tested under pressure, all hydrant laterals and mains shall be flushed to remove dirt, rocks and foreign matter. Hydrant types shall be approved by the Rowley Water Department. Each nozzle and pumper outlet shall be at least 18" above grade on the installed hydrant. Prior to acceptance by the Town, each hydrant shall be flow tested and inspected for proper drainage.

f. Concrete Thrust Blocks

Concrete thrust blocks shall be installed at all bends, fittings, dead ends and hydrants as shown on the plans or as directed by the Water Department. Concrete for thrust blocks shall consist of Class I cement concrete. The thrust block shall be formed in such a way that as much of the undisturbed earth on the trench wall and bottom will be incorporated into the forming as is possible. In making both the forms and the pour, special care shall be taken to insure that concrete is not poured in and around the joints of the pipes and fittings. In the event that other utilities or local conditions prohibit the use of thrust blocks, the contractor shall furnish and install mechanical thrust resisting devices upon the approval of such devices by the Water Department. Mechanical thrust resisting devices may be substituted for concrete thrust blocks by Department approval and incorporated into the work if it is deemed to be more expeditious to do provided; however, the device shall be at least equal in resistance to the thrust block and of a satisfactory design.

g. Service Connections

1. Corporation Stops

The contractor shall furnish and install all corporation stops at the locations as shown on the plans or as directed by the Water Department. The corporation stops shall conform to the requirements of Subsection 3(1) (1) of this Article. The contractor shall be equipped with a tapping machine which will permit tapping of water mains under pressure and shall have a supply of combination drills and taps having a CC thread or equal. The tapping machine shall be rigidly fastened to the pipe and the tap shall be made in the upper one-half of the pipe. The length of travel of the tap shall be so established that when the stop is inserted and tightened with a 14 inch wrench not more than 1 to 3 threads will be exposed on the outside. When a wet tap is made, the corporation shall be inserted with the machine still in place.

2. Copper Tubing

The contractor shall furnish and install copper tubing at the locations as shown on the plans or as directed by the Water Department. Copper tubing shall conform in all ways to Subsection 3(1) (1) of this article. Excavation for services shall be to a minimum depth of 4 feet, and the contractor shall exercise special care to insure that the bottom is free from sharp rocks or ledge outcroppings. In placing the service in the trench, the contractor shall be careful that the copper tubing has no kinks or sharp bends and that the screened sand placed

to a depth of 6 inches over and around the service is free from large or sharp stones which may come in contact with the service.

3. Curb Stops and Boxes

Curb stops and boxes shall be furnished and installed by the contractor where noted on the plans or as directed by the Water Department. Materials under this section shall conform in all ways to Subsections 3(k) and 3(1) (1) of this article. The contractor shall place compacted sand around and below the curb stop to permit draining of the pipe through the waste opening. The curb box shall be set flush with the finish grade and shall be adjustable from 4 to 5 feet. The operating rod shall be a 30 inch rod.

h. Hydrants, Valve Boxes and Curb Boxes Removed and Reset

If the contractor is directed by the Water Department to remove and reset a hydrant, valve box or curb box, he shall carefully excavate the structure to be removed, disassemble the item, relocate it and then reassemble the item in its new location. Prior to their discontinuance, all items to be removed and reset shall be checked by the Water Department to insure that they are in satisfactory condition. When the Department has satisfactorily determined that they are in good working order, they shall be installed in their new location in accordance with the same construction methods as for new hydrant, valve boxes and curb boxes.

i. Hydrants, Valve Boxes and Curb Boxes Removed and Stacked

If the contractor is directed by the Water Department to remove and stack hydrants, valve boxes, curb boxes, he shall do so in accordance with the provisions of Subsection 4(h) of this article; except that once the item is removed, it shall be stacked in a neat and orderly fashion in a location designated by the Water Department.

j. Cleaning

At the conclusion of the work, the contractor shall thoroughly clean all pipelines by flushing with water or other means to remove all dirt, stones, and pieces of wood or other material which may have entered during the construction period. Debris cleaned from the lines shall be removed from the low end of the pipeline. If after this cleaning obstructions remain, they shall be removed. After the pipelines are cleaned if the groundwater level is above the pipe or the surface water level is above the pipe following a heavy rain, the Water Department shall examine the pipes for leaks. If any defective pipes or joints are discovered at this time, they shall be repaired by the contractor.

k. Pressure Testing

The contractor shall furnish the necessary equipment and labor for carrying out a pressure test and leakage test as specified in AWWA C600 on the completed pipes. The hydrostatic pressure for the pressure test shall be maintained for at least 30 minutes and the hydrostatic pressure for the leakage test shall be maintained for at least 60 minutes. The amount of leakage permitted shall be in accordance with AWWA Specifications C600 current edition. If any leaks occur during either test, they shall be repaired to the satisfaction of the Water Department. The contractor shall make any taps and furnish all necessary caps, plugs, etc. as required in conjunction with testing the pipe. The contractor shall also furnish a test pump, gauges and any other equipment required in conjunction with carrying out the hydrostatic test.

l. Chlorination of Pipelines

1. Before being placed in service, all new water pipelines shall be chlorinated in accordance with AWWA C601, "Standard Procedure for Disinfecting Water Mains."
2. Before any disinfecting procedures are initiated, the Water Department shall be advised of the contractor's intended methods and no work shall be done until such methods are approved by the Water Department. The contractor shall provide all necessary tools, materials and labor for disinfecting the mains.
3. The location of the chlorination and sampling points shall be determined by the Water Department in the field. Taps for chlorination and sampling shall be installed by the contractor. The contractor shall uncover and backfill the taps as required.
4. The general procedure for chlorination shall be first to flush all dirty or discolored water from the lines and then to introduce chlorine in approved dosages through a tap at one end while water is being withdrawn at the other end of the line. The chlorine solution shall remain in the pipeline for about 24 hours.
5. Following the chlorination period, all treated water shall be flushed from the lines at their extremities and replaced with water from the distribution system. Bacteriological sampling and analysis of the replacement water shall then be made by the Water

Department or its agent in full accordance with AWWA Specification C601. The contractor shall be required to rechlorinate if necessary and the line shall not be placed in service until the requirements of the State Department of Environmental Protection are met.

6. Special disinfecting procedures shall be used in connections to existing mains and where the method outlined above is not practical.
- m. Backfilling the Trench
Upon installation of the pipe, the trench shall be backfilled and final restoration of the surface made. From the top of the bedding to a point twelve inches over the top of the pipe, screened gravel or sand, whichever is applicable, shall be placed in six inch layers and thoroughly compacted. Each layer shall be moistened and then compacted by rolling or by tamping with mechanical rammers or by hand tamping with iron tampers having a tamping face not exceeding twenty-five square inches in area. Special care shall be taken to insure that backfill around the pipe is adequately tamped. The remainder of the backfill shall be common fill or granular fill and shall be placed in twelve inch layers and compacted as specified above. Compaction for that portion of the trench twelve inches above the top of the pipe shall be to 90% of maximum density as determined in accordance with Method D of ASTM Specification D1557-78. The use of jetting or flooding to obtain a necessary compaction for bedding of the pipe will not be permitted. Whenever a loam or gravel surface exists prior to cross-country excavations, it shall be removed, conserved and replaced to the full original depth. In some areas it may be necessary to remove excess material during the cleanup process so that the ground may be restored to its original level and condition. If the contractor prefers not to store loam or topsoil, he shall replace it with loam or topsoil of equal quality and in equal quantity. In freezing weather a layer fill shall not be left in an uncompacted state at the close of a day's operations. Fill shall not be placed on snow, ice or frozen uncompacted soil nor shall snow, ice or frozen soil be incorporated in any fill. At the close of each day's operations, the surface of the compacted fill shall be rolled or otherwise smoothed to eliminate any ridges or mounds.
- n. Compaction Control
 1. The contractor will make compaction tests as directed by the Water Department in accordance with ASTM D1556-64 (1974) as the work progresses to determine the degree of compaction being attained. Corrections for oversize stones larger than $\frac{1}{2}$ -inch in size shall be made in accordance with ASTM "Procedure for Testing Soils", suggested method for correcting maximum density and optimum moisture content of compacted soils for oversize particles.
 2. Any corrective work required as a result of such tests such as additional compaction or a decrease in the thickness of layers shall be performed by the contractor.
 3. Compaction control tests will be made at no expense to the Water Department and by a testing laboratory approved by the Water Department.
- o. Restoring Trench Surface
 1. Where the trench occurs adjacent to paved streets, in shoulders, sidewalks or in cross-country areas, the contractor shall thoroughly consolidate the backfill and shall maintain the surface as the work progresses. If settlement takes place, he shall immediately deposit additional fill to restore the level of the ground. In an adjacent to streets and highways if the top 24-inch layer is unsuitable for use as sub grade or shoulder material, the contractor shall remove this layer and provide granular fill for the sub grade.
 2. The surface of any driveway or any other area which is disturbed by the trench excavation and which is not a part of the paved highway shall be restored by the contractor to a condition at least equal to that existing before work began.
 3. In sections where the water main passes through grassed areas, the contractor shall, at his own expense, remove and replace the soil or shall satisfactorily loam and seed the surface. The depth of the loam replaced shall be at least equal to that removed by the contractor in his trenching operations but in no event shall it be placed less than 6 inches in depth.
- p. Pavement Replacement

1. The contractor shall furnish all labor, material, equipment and incidentals necessary to replace all paved areas damaged by his operations.
 2. The contractor shall, after pipe lying and backfilling operations are completed and after a 12-inch gravel sub-base is shaped and compacted, place the pavement.
 3. The contractor shall be required to hose clean all road surfaces after backfilling and before any surfacing but in no case shall pavement be placed until the trench material is dry.
 4. The contractor shall maintain pavement during the guarantee period of two years and shall promptly refill and repave areas which have settled or are otherwise unsatisfactory for traffic.
 5. The contractor shall furnish and spread calcium chloride on disturbed surfaces to allay dust conditions. Calcium chloride shall conform to AASHO M-144.
 6. No permanent pavement shall be placed within 90 days after completion of backfilling unless permitted to do so in writing by the Town of Rowley Highway Surveyor. Repaving may be delayed for a longer time if the said Highway Surveyor so directs.
 7. Temporary pavement shall be 1 _ inch thick bituminous concrete. Temporary pavement shall be maintained until replaced by permanent pavement.
 8. If points of settlement or holes appear in the temporary pavement, the contractor shall repair the same within three days of notification by the said Highway Surveyor.
 9. Permanent pavement to be placed over the width of the trench shall be 2 _ inches of bituminous concrete laid in two courses- a 1 _" binder course and a 1" wearing course. Temporary pavement shall be removed and the sub-base shall be prepared by thoroughly compacting and shaping the sub-base to the required grade and cross section and the edge of the old pavement shall be trimmed to a smooth straight line and tack coated. Immediately prior to laying the binder course, the trimmed edges shall be stable and unyielding free of loose or broken pieces and all edges shall be thoroughly broomed and coated with an approved asphalt tack coat. Prior to placing wearing course, the binder course shall be broomed and tack coated. If directed by the Rowley Highway Surveyor, permanent pavement of a thickness greater than 2 _ inches shall be placed. Material and placement shall conform to the above specifications and thicknesses shall be as specified by the Town.
- q. Cross Connections
Cross Connections must conform to Section 22 of the Drinking Water Regulations of Massachusetts, current edition, as issued by the Commonwealth of Massachusetts Department of Environment Protection.
- r. Ties
Ties for the accurate location of all gate valves, curb stops, tees, elbows, etc. shall be supplied by the contractor to the Water Department. Dead end house services shall be marked with a 2" pipe at the terminal of the service. This pipe shall protrude 3 feet above ground level.
- s. Roadwork
All excavation backfill and paving shall be subject to any additional requirements by the Town of Rowley Highway Surveyor including all specifications in the Road Opening Permit.

ARTICLE VI
WATER METERS

1. INSTALLATION

The Water Department shall install meters and outside registers on all 1” and smaller services. The Water Department shall choose the meter location. All applicants for water shall make available a suitable location and shall install fittings for such meters. Any individual/consumer/user of water that refuses or fails to allow the Water Department to install a meter and/or connect to the Department’s automatic meter reading system on any service shall be subject to Civil and/or Criminal prosecution. Such refusal and/or failure to do so will result in paying to the Water Department any expenses, costs and legal fees incurred by the Water Department in compelling such installation.

2. Free Access

The property owner or consumer must keep such meters accessible for reading and inspection at all times. If there is an obstruction, the Water Department shall contact the owner in writing to clear the obstruction. If the obstruction is not cleared, estimated usage charges shall be assessed until the obstruction is cleared and then a retroactive billing adjustment shall be made.

3. Damages

The owner of the property served by water shall be responsible for payment of any and all reasonable expenses incurred by the Department in replacing a meter damaged either by obvious vandalism or negligence.

4. Tests for Accuracy

Any customer on a metered service shall be entitled to an examination and test of his meter to determine the accuracy of same. A written application shall be accompanied by a \$3 charge which shall be returned if the meter is found to register more than 2% over the actual amount water used. Also the percent of overcharge for a year prior to the date of the test shall be credited to the customer’s account. The charge will be forfeited as payment for removing, testing and replacing if the meter does not register over the 2% as above and the customer shall also be charged with the proper additional amount that he should have been charged or should have paid. (Refer to MGL Chapter 40, Section 39I) The customer will also be charged the expense of testing, shipping and reinstalling meter.

5. Replacement Meters

A customer having a meter 1” or under which is (a) greater than twenty-five years old or (b) has ceased to operate or is (c) found faulty under a test for accuracy conducted as set forth in Section 4 above shall have his/her meter replaced at the expense of the Water Department (provided his meter has not been damaged due to obvious vandalism or negligence). A credit against future billings will be made as opposed to a cash refund. All meters larger than 1” are repaired and replaced at customer’s expense regardless.

6. Unmetered Services

All unmetered year-round customers shall be ordered to engage a plumber at their own expense to fit their plumbing for a meter. In the event such customer fails to prepare for meter installation, the service will be shut off.

7. **ALL WATER METERS SHALL BE INSTALLED OR REMOVED ONLY BY WATER DEPARTMENT PERSONNEL.**

ARTICLE VII
PAYMENT OF BILLS

1. BILLING
Bills for water service shall be rendered at the convenience of the Water Department and shall be payable upon receipt by the customer.
2. RATE SCHEDULE AND CHARGES
All charges shall be billed in accordance with the schedule of rates and charges in Article VIII herein below.
3. PAYMENT
All bills due to the Department for water and services are payable at the Office of the Rowley Water Department or Treasurer/Collector. Checks and money orders shall be made payable to the **TOWN OF ROWLEY WATER DEPARTMENT**.
4. INOPERATIVE OR UNDREAD METERS
When a meter fails to register the consumption or is not read by the Water Department, a quantity shall be estimated based on previous consumption patterns and a charge shall be so billed.
5. WATER NOT USED
All water passing through a meter shall be charged for whether used or wasted.
6. DISCONTINUANCE OF SERVICE
No allowance shall be made for the non use of water service unless official notice is given and the service is shut off by the Department. A service charge shall be billed for shutting off an individual service.
7. UNPAID BILLS
Unpaid bills shall become property tax liens per Massachusetts General Laws Chapter 40 Section 42A as amended and subject to termination of water service.
8. LIABILITY FOR CHARGES
All bills shall be rendered to the recorded owner or to this authorized agent if the written notice of the appointment of said agent is on file with the Department. Owners of property shall be held liable for the charges to tenants.
9. TRANSFER OF ACCOUNTS
A minimum semi-annual charge shall be made which is payable for any portion of semiannual use. In the event of transfer of ownership of the premises, the seller shall notify the Department of such transfer; otherwise, the seller shall remain liable for charge incurred by the premises until notice is received. The semi-annual bill covering the period in which such notice is received shall be issued to the seller only on water used prior to said notice. The new owner shall receive a bill for the semi-annual minimum plus any coverage for his portion of use.
10. BILLS NOT RECEIVED
Failure of an owner to receive a bill does not relieve him from the obligation of its payment or from the consequences of non-payment.
11. OCCUPANT METER READINGS
If the meter reader fails to find access to the building, he shall leave a postcard for the occupant to take his own reading and mail to the Department. If this card is not received in time for billing, the account shall be billed in accordance with Article VII, Section 4. When the meter is read again, the difference between the sum of the billed amounts and the bill for the actual reading shall be charged or credited.
12. PAYMENT PLANS
All payment plans for water rates and/or services must be authorized by the Board of Water Commissioners not to exceed 6 months in duration.

ARTICLE VIII
RATES

1. TURN ON AND SHUT OFF CHARGES

No person except Water Department personnel shall be permitted to turn on or shut off water at the curb stop. There shall be a \$25 service charge for requests by customers for turning on or shutting off water services and for final water meter readings. Such requests shall be made forty-eight hours prior to the final. Customer failure to meet an appointment resulting in a repeat service call shall occasion an additional \$25 fee per repeat service call. Customers having shallow summer services are permitted to turn on and shut off their own services at their own risk for damages and accordingly shall not be billed the standard \$25 turn on and shut off fees at the open and close of the summer season.

2. NORMAL CHARGES FOR METERED YEAR ROUND RATES

0-50,000 gallons	\$6.00 per thousand gallons
50,001 to 100,000 gallons	\$6.50 per thousand gallons
100,001 to 150,000 gallons	\$7.00 per thousand gallons
150,001 to 250,000 gallons	\$7.50 per thousand gallons
250,001 gallons and up	\$8.00 per thousand gallons

3. DISCOUNTS

To be eligible for a discount on water rates all charges on the account must be current. If so eligible, a discount of 5% shall be permitted for payment of water rate charges within thirty (30) days of issuance of a bill

4. INTEREST CHARGES

Interest charges to the maximum percentage permitted under Mass. General Laws Chapter 40 Section 42A (14% per month) as amended shall be assessed on unpaid balances from the thirty-first (31st) day following the date of billing and shall be added to the next billing period. In addition to said interest charges there shall be a demand charge of \$5.00 for each additional reminder notice sent. A service charge on water liens as set forth in the following schedule:

<u>UNPAID BALANCE</u>	<u>WATER LIEN SERVICE CHARGE</u>
\$ 1.01 - \$50.00	\$20.00
\$50.01 - \$100.00	\$30.00
\$100.01-\$150.00	\$40.00
\$150.01-\$200.00	\$50.00
\$200.01-\$250.00	\$60.00
\$250.01 and over	\$100.00

5. DISCONNECTED OR TAMPERED

Upon discovery that a water meter has been disconnected or tampered with, there shall be a flat charge of \$300.00 which shall be assessable for each billing period it remains disconnect. Said charge to be in addition to estimated usage charges billed in accordance with Article VII Section 4 of these regulations.

ARTICLE IX
MISCELLANEOUS PROVISIONS

1. CONTRACTORS INSTALLING WATER MAIN EXTENSIONS

Pursuant to applications approved under Article III or IV of these Regulations shall be required as a precondition to the Departments issuance of approval to execute an Indemnity Agreement (attached in Appendix IV of these Regulations and incorporated herein) and to file with the Rowley Board of Selectmen Certificates of Insurance in accordance with the requirements of the Commonwealth of Mass. General Laws with respect to Workers' Compensation and the Town of Rowley Street Opening Permit.

2. STREET OPENING PERMITS – NOTIFICATION REQUIREMENT

- a. Prior to the commencement of work within the public way, the contractor shall obtain a Street Opening Permit through the Rowley Highway Surveyor and from the Rowley Board of Selectmen and file therewith a bond as assurance that the road shall be properly restored to Town standards. This bond shall remain in effect for duration of two years after completion of the work. No permit to install a new main or service shall be issued between November 15th and before the frost is out of the ground in the spring of the succeeding year except in emergency situations determined by the Board of Water Commissioners.
- b. The Water Department shall be notified by the contractor at least two working days prior to the commencement of the work.
- c. Upon completion of the work, water shall not be turned on by the contractor nor shall the water be turned on by the Water Department until the work has been approved by said Department.

3. USE OF EXPLOSIVES

When the use of explosives is necessary for the execution of the work, the contractor shall observe the utmost care not to endanger life and property. All explosives shall be stored in a secure manner and all such storage places shall be clearly marked, **“DANGEROUS – EXPLOSIVES”** and shall be in the care of competent watchmen at all times. The method of storage and handling explosives and highly inflammable materials shall conform to all State laws and regulations pertaining thereto. The contractor shall obtain all necessary permits relating to the storage and use of explosives.

4. BARICADES, WARNING SIGNS AND TRAFFIC CONTROL

The contractor shall at all times and at his own expense provide, place and erect all necessary barricades and warning signs and furnish and keep lighted all lights necessary mutually to protect the work, traffic, pedestrians and animals. He shall also furnish at his own expense a sufficient number of watchmen at all times to protect the work. Whenever it is deemed necessary in the opinion of the Chief of Police to direct traffic around work areas within the public way, the contractor shall, at his own expense, obtain the services of a police man at such times as may be designated. The contractor shall be held responsible for all damage to the work due to any failure of signs.

5. AS BUILT PLANS

Upon the completion of a main extension performed pursuant to an application under Article III or IV of these Regulations, the contractor shall file with the Water Department one reproducible as-built plan of said extension which plan shall be at a scale of 1”=40’ and shall show the accurate location of all water mains, gate valves, tees, reducers, plugs, services, hydrants and metes and bounds of all easements conveyed to the Town.

ARTICLE X
VIOLATION, PENALTIES, SEVERABILITY

1. Any person found to be in violation of any provision of these Regulations shall be served by the Water Department with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. Within the time period stated in such notice, the offender shall permanently cease all violation.
2. Any person who shall continue any violation beyond the time limit provided in Section 1 hereinabove shall be guilty of a misdemeanor and on conviction thereof shall be fined in an amount not exceeding three hundred (\$300.00) dollars for each day of violation or such other higher penalty as may be prescribed by law.
3. In the alternative these Regulations may be enforced pursuant to the provisions of Mass. General Laws Chapter 40 Section 21D and General By-Laws of the Town of Rowley.
4. These Regulations are severable. The invalidity of any section, clause, sentence or portion thereof shall not affect the validity of any other part of these Regulations which can be given effect without such invalid part or parts.

APPENDIX
MASSACHUSETTS GENERAL LAWS
CHAPTER 165, SECTION 11

Whoever unlawfully and intentionally injures or suffers to be injured a water meter belonging to a city, town, district or company engaged in supplying water or prevents such meter from duly registering the quantity of water supplied through it or hinders or interferes with its proper action or just registration or attaches a pipe to a main or pipe belonging to a city, town, district or company without the consent of the same unless it passes through a meter set by such city, town, district or company shall be punished by a fine of not more than one hundred (\$100.00) dollars or by imprisonment for not more than one year or both.

CHAPTER 111, SECTION 171

Whoever willfully deposits excrement or foul or decaying matter in water used for domestic water supply or upon the shore thereof within five rods of the water shall be punished by a fine of not more than fifty (\$50.00) dollars or by imprisonment for not more than one month. A police officer or constable of a town where such water is wholly or partly situated acting within the limits of his town and any executive officer or agent of a Water Board, Board of Water Commissioners, public institution or water company furnishing water or ice for domestic purposes acting upon the premises of such board, institution or company and not more than five rods from the water may, without a warrant, arrest any person found in the act of violating this section and detain him until a complaint can be made against him therefore. This section shall not interfere with the sewage of a town or public institution or prevent the enrichment of land for agricultural purposes by the owner of occupant thereof.

Scott C. Martin, Chairman
Board of Water Commissioners

Date

David Dalzell, Clerk
Board of Water Commissioners

Date

Jack L. Cook, Member
Board of Water Commissioners

Date

APPENDIX II
APPLICATION FOR WATER
ROWLEY WATER DEPARTMENT

Date: _____

The undersigned desires a supply of water at the following location:

ADDRESS

To be used for the following purposes:

Domestic () Fire Sprinkler () Hydrant ()

In the event that this petition is granted, the petitioner agrees to comply with the Department's Rules and Regulations and understands that this application constitutes a contract between the signed, his heirs, his assigns and the Town of Rowley Water Department. The petitioner is to have the complete connection installed by an approved private contractor. The Water Department will make all service taps, and the petitioner must pay the tap-in charge in advance. The contractor must make application for a Street Opening Permit at the Board of Selectmen's Office. The contractor will do all the work on private and town property, supply all materials not furnished by the town, do all excavation (including ledge), backfilling, patching (temporary and permanent) and whatever other work is necessary to complete the connection.

APPLICATION AND INSPECTION CHARGE

The petitioner must pay in advance \$3,000.00 for the application charge to the Rowley Water Department. The Water Department will determine the size, type and make of meter and outside register to be used. All meters 1" and under shall be the property of the Town of Rowley Water Department. All meters larger than 1" shall be owned, maintained, tested and replaced by the property owner or its representative. The Water Department shall supply and seal all meters. The petitioner must pay the total cost of the water meter and outside register. The petitioner must also pay all cost of the materials to be furnished by the Water Department at the time of purchase.

Petitioner's Signature

Petitioner's Address (Print)

Property Owner (Print Name), Property Owner's Address (Print)

Office Administration, Received Payment & Date _____

Meter Size _____ Board of Water Commissioners Approval

APPENDIX III
TOWN OF ROWLEY WATER DEPARTMENT
401 CENTRAL STREET
P.O. BOX 29
ROWLEY, MA 01969

I (we)

Owner or lessee of the property at _____

Hereby give permission to officers, employees or agents of the Town of Rowley Water Department to enter upon said premises for the purpose of installing, replacing and/or repairing the water service pipe or fixtures. The expense incurred for work performed by the Water Department on private property shall be allocated in accordance with the provisions of Article I Section 4 of these Regulations. It is understood and agreed that the Town of Rowley is hereby released from all liability for any damage resultant of such work.

In witness whereof, the following signature is affixed this _____ day of

_____, 20____.

Witness:

(Date)_____

APPENDIX IV
INDEMNITY AGREEMENT – WORK IN PUBLIC WAYS

In consideration of the promise of the Inhabitants of the Town of Rowley, a body corporate in the county of Essex hereinafter called the Town to accept the work hereinafter described (provided it is completed in a workmanlike manner) and of the promise of the Town to service, maintain and use the said work and for other valuable consideration the receipt whereof is hereby acknowledged, hereinafter called the Indemnitor, covenants and agrees that it will indemnify and save harmless the public officials of the Town both in their individual and official capacity, and the said Town from any claims or damages or judgments for personal injury or death, or for property damage of any kind sustained by any person or persons whomsoever, arising out of the performance of the said work. The Indemnitor further covenants and agrees that it will take over the defense of, and pay all of the expense of the defense of, any suit at law or in equity brought by any person or persons whomsoever, on account of such claims. The Indemnitor agrees to furnish, and herewith does furnish, a certificate of paid insurance for public liability with limits for injuries to person and to property as specified in Article IX Section 1 of the Regulations of the Town's Water Department said insurance to be for the protection of all persons (except employees engaged in the said work) who may have claims for personal injuries or death or for property damage arising out of the negligence of the Indemnitor or its services or agents or independent contractors engaged in said work. The Indemnitor further agrees to furnish, and herewith does furnish, a certificate of paid-up Workmen's Compensation Insurance for the protection of all employees of the Indemnitor, or of independent contractors performing the said work, against injuries arising out of, and in the course of, their employment upon the said work.

The Indemnitor shall not be liable under this agreement for any claims for occurrences after it has obtained a written acceptance of the said work from the said Town.

IN WITNESS WHEREOF, THE Indemnitor has hereunto affixed its hand and seal this

_____ day of _____ 20_____.

APPENDIX V
CONVEYANCE OF TITLE

In consideration of the promise of the Inhabitants of the Town of Rowley, hereinafter called the Town, acting through its duly authorized officials, to accept the work hereinafter described, if it is performed satisfactorily to the said Town and in consideration of the promise of the Town to maintain, use and repair the said work after it has been accepted, and for other valuable consideration, the receipt whereof is hereby acknowledged, the undersigned hereby agrees to assign, release and convey and transfer to the said Town, all the right, title and interest that it may have in the said work, said assignment to take place within () days after the said work is completed to the satisfaction of the Water Department. Moreover, in the event the work is to be performed in an unaccepted way, the undersigned further agrees to convey a utility easement to the Town prior to the commencement of work. The undersigned also acknowledges and agrees that the Town is under no obligation, either expressed or implied, to pay for the said pipe line or for any of the expense of installing the same.

IN WITNESS WHEREOF, _____ the undersigned has hereunto affixed its hand and seal this

_____ day of _____, 20_____.

Signature

Witness

AMENDMENTS TO 2008 RULES & REGULATIONS

Page 19 – 2008 Rules and Regulations Article V Section 4T is to be added as “Trench Permit”. Contractors are to be aware that under 520CMR 14.00 and G.L. C. 82A, “A trench permit must be obtained from the Town of Rowley Building Inspector prior to excavations.”

Page 23 – 2008 Rules and Regulations Article VIII Section 4 (Interest Charges read: “Interest charges to the maximum percentage permitted under Mass. General Laws Chapter 40 Section 42A (14% per month) as amended that be assessed on unpaid balances from the thirty-first (31st) day following the date of billing and shall be added to the next billing period. In addition to said interest charge there shall be a demand charge of \$5.00 for each additional reminder notice sent.

This will be changed and amended to read:

“Interest charges permitted under MGL Chapter 40 Sec. 42A are set by the Board at 14% annual rate compounded daily shall and assed on unpaid balances from the thirty-first (31st) day following the date of billing and shall be added to the next billing period. In addition to said interest charge there shall be a demand charge of \$5.00 for each additional reminder notice sent.

These amendments to the 2008 Rules and Regulations were passed at the May 6, 2009 meeting.