

LOCAL LAW NO, 2 - 1974

VILLAGE OF ADDISON

ARTICLE I

This Local law recognizes that the Village of Addison is presently served by an unmetered water system and that the consumers are presently billed. It is the intention of this ordinance to supersede existing water ordinances following the transition to measurement of consumption by water meters.

GENERAL REGULATIONS

1. Regulations part of contract.

A. The following rules and regulations as established by the Board or Trustees of the Village of Addison, or as hereinafter amended or modified, are hereby made a part of any and all agreements, or contracts, with each consumer, taker or user of water furnished directly, or indirectly, from the mains of the said village

B. Each and every consumer, user or taker of water from the village water system shall be in all respects bound by, and shall be considered to have agreed to the rules, regulations, requirements and schedules of water rates and other charges or, hereinafter set forth, or amended, or modified by the Board of Trustees as a condition precedent to the rights of service from said water systems,

C. All premises using the village water supply must be charged with an adequate meter approved by the Board of Trustees.

2. New constructions to the system.

A. Permanent connections.

(1) Those desirous of making permanent connections to the mains of the water system of the said village should make application for permission thereof to the village and shall pay to the Village at the time of said application as follows:

They shall pay a sum of \$150-00 for any three-quarter-inch connection. Nothing in this Article shall be construed however as prohibiting the Board of Trustees from requesting a greater charge for connections to the village mains when, in its opinion, conditions or other circumstances are such that a greater charge is merited. It shall be in discretion of the Board of Trustees to fix and determine the charges for this service.

(2) No person or persons, shall make any connections to the mains of the water system of the said village except the duly authorized representatives of the Village of Addison. Any person violating any of the foregoing provisions shall be guilty of disorderly conduct and subject to a penalty of not less than One Hundred Dollars (\$100.00) for the first offense and Two Hundred Dollars (\$200.00) for each additional offense.

LOCAL LAW # 2 for 1974 Village of Addison

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This local law recognizes that the Village of Addison is presently served by metered water system and that the consumers are presently billed. It is the intention of this law to supersede existing water ordinances following the transition to measurement of consumption by water meters.

GENERAL REGULATIONS

1. Regulations part of contract.

A. The following rules and regulations as established by the Board of Trustees of the Village of Addison, or as hereinafter amended or modified, are hereby made a part of any and all agreements, of contracts, with each consumer, taker or user of water furnished directly or indirectly, from the mains of the said village.

B. Each and every consumer, user or taker of water from the village water system shall be in all respects bound by and shall be considered to have agreed to the rules, regulations, requirements and schedules of water rates and other charges as hereinafter set forth, or amended, or modified by the Board of Trustees as a condition precedent to the rights of service from said water systems.

C. All premises using the village water supply must be charged with an adequate meter approved by the Board of Trustees.

2. New constructions to the system.

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(1) Those desirous of making permanent connections to the mains of the water System of the said village should make application for permission thereof to the village and shall pay to the village at the time of making said application as follows:

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(2) No person or persons, shall make any connections to the mains of the water system of the said village except the duly authorized representatives of the Village of Addison. Any person violating any of the foregoing provisions shall be guilty of disorderly conduct and subject to a penalty of not less than \$100.00 for the first offense and \$200.00 for each additional offense.

(3) The installation of the service pipe from the curb box to the meter shall be performed to the satisfaction of the Board of Trustees, or its representative. The curb stop shall remain closed and shall not be opened by any other than the Board of Trustees or its agent.

(4) All materials used, the method and manner of placing same and the general arrangement and progress of the work shall conform to the specifications hereinafter set forth in these regulations.

(5) A separate tap and service shall be installed for each premise located on street in which there is a village water main and no connection will be allowed to supply water to another person or premise except with the written permission of the Board of Trustees of the Village of Addison to install other or additional taps and services. When the word PREMISE is used herein it shall be taken to designate:

(a) A building under one (1) roof occupied (as a residence Or) for business or commercial purposed.

(b) Each premise having its own frontage upon a street upon which there is a water main shall have its own individual service, excepting, however that in all cases where only one building in the same lot have Frontage on the street upon which there is a water main, the buildings which do not have a water service may connect onto the water line of the building having such a service providing that when such connection is made, due notice is given to the party so connecting to the Board of Trustees of the said village before any water is drawn from the connection so that the Board may place a separate meter for each building using water under such conditions. Any person who violates the provisions of this section shall be guilty of disorderly conduct and subject to a penalty of not less than \$100.00 for the first offense and a penalty of \$200.00 for each additional offense.

(6) The minimum size service pipe to be installed shall have a diameter of three a quarters (3/4) inch and in making an application the applicant shall, state the size of the service desired.

(7) No connection of any kind shall be made to the service pipe between the main and the meter.

(8) Where an application is made for a connection for which existing service pipe is provided to the curb box only, all work shall be performed in accordance with these rules and regulations and specifications, as far as they are applicable the connections shall be made at the curb stop instead of at the main. It shall be the duty of the applicant, or his agent, to determine that the

portion of the connection previously installed is in satisfactory condition and make any repairs thereto which may be required by the Board of Trustees. Detailed methods of connection to the existing service pipe shall be in accordance with the instructions of the Superintendent of Public Works or his representative. The applicant must pay the charge which was applicable to the service connection previously installed upon application for such service connection.

(9) Where an application is made to Increase the size of the service pipe, or an other change to be made in the said pipe which serves any consumer, the corporation cock controlling such service must be closed at the main prior to any withdrawal of water through the reconstructed service pipe.

8, Temporary connections.

Those desiring the use of water for temporary purposes other than from temporary connections to the main shall make application therefore to the Village of Addison setting forth in detail the reason therefore and the exact use which is to be made of the water and the Village of Addison may Issue the necessary permit under such terms and conditions as it may determine.

B. General regulations

A. Except in case of fire, no person or persons, shall take water from the hydrants of the said village for any purpose whatsoever without having obtained a special permit from the Village of Addison which permit shall be conditioned in accordance with the circumstances involved at the discretion of the Village of Addison and, in case of fire, said fire hydrants shall be opened and water taken there from only by village employees of active members of the Fire Department. Any Person on violating the provisions of this section shall be guilty of disorderly conduct and subject to a fine and penalty of not less than \$100.00 for the first offense and \$200.00 for additional offense.

B. No work shall be performed upon the village mains or upon the service connected thereto between the main and the curb stop Except by employees or agents of the Village of Addison.

C. The consumer is required to notify the Village of Addison of any leak occurring damage to, the service line in which case the water will be turned off at the curb stop and remain turned off, until the leak is repaired or the damage repaired to the satisfaction of the Village of Addison. All repairs to the service line between the curb stop and the water meter shall be made by the consumer at his own cost and expense. The repairs to the service line between the main and the curb stop shall be made at the expense of the village. In all cases, repairs shall be made in conformity with the specifications for new services insofar as they may be applicable. Nothing in this section shall be construed as violating any agreement heretofore entered into between consumers served through improved and accepted services and the Village of Addison. Nor is it to be construed as affecting any future agreements similar to the one heretofore executed.

D. In case it is desired to abandon a service, the Village of Addison shall be notified and the service will be disconnected at the main. The work shall be performed at the expense of the village.

E. The Board of Trustees of the Village of Addison shall have control of the installation mains, curb boxes, service pipes and meters. The Village of Addison shall not be responsible for breaks, obstructions or intermission in service arising from any cause whatsoever except that they may take such steps as are reasonable upon proper notification to make such repairs to the curb stop. Charges for such repairs are to be made in accordance with 3C of this section.

F. Service shall be controlled at the curb stop and water will be charged for as long as the curb stop is open, The water shall be turned off and on only by employees of the Village of Addison or the duly or authorized representatives and only upon filing proper notice with the said Village of Addison. Violations of this rule shall be sufficient cause for discontinuing the service in addition to which a penalty of \$100.00 shall be imposed for the first offense and \$200.00 for each additional offense which shall be known as disorderly conduct.

G. The Village of Addison shall not be liable for any damage which may result to consumers; pipes, appliances or other fixture from the shutting off of water mains or service pipes for any purpose whatsoever whether previous notice has been given or not. No deduction from the service charge will be made for periods when the service is shut off.

In cases where coils, or other devices, are installed in heating furnaces or separate heating devices for the purpose of providing domestic hot water, approved check and relief valve must be installed at the expense of the owner in the supply or feed pipe between the meter and the source of heat. This is not only to be installed at the expense of the owner but

also at his peril. The Village of Addison assumes no responsibility for the proper operation and function of the said valves.

The areas where water pressure exceeds 80 PSI, property owners shall install a pressure reducing valve within their own premises and maintain the same.

H. In cases where boilers or other special equipment are supplied with water, a suitable valve or other device must be installed at the expense and peril of the consumer to prevent collapse, or explosion, in case the water is shut off in the a street mains.

I. The Village of Addison does not guarantee and shall not be held liable for any damage sustained by reason of its failure to supply water to any owner at any time or for any cause; and it reserves the right to control the amount of water supplied in the event that the supply becomes short for any reason. It especially reserves the right at any time it is considered necessary to prohibit the use of water for sprinkling of lawns, or gardens, or for any other purpose.

J. The Village of Addison shall be the judge, subject to judicial review, as to the meaning of these rules and regulations. Its interpretation shall be final and binding upon all applicants for water service and upon all takers and users of water.

4. Meter; furnishing of meters.

Five-eighth-inch meters to be used within the limits of the Village of Addison will be furnished by the village expense. All other meters shall be furnished by the village at the property owners expense and shall remain the property of the village. The foregoing shall also apply to all meters outside the Village of Addison where the service has been extended by the Village of Addison. Credit shall be given toward expense of larger meters which credit shall be limited to the current value of a 5/8 meter.

5. Size of meters.

A. Meters shall be of the size determined by the requirements of each particular installation and shall be adequate for delivering and measuring accurately the peak load which they may be required to handle.

B. In case of installation having three-quarter-inch service pipes, the requirements of 5A of this section will usually be deemed to have been met where the meter is of five-eighths-inch size with three-quarter-inch size with three quarter-inch connections.

C. In the case of installations having service pipes larger than three-quarter (3/4) inch, the requirements of 5A of this section will usually be deemed to have been met when the meter is of the same size as the pipe.

D. Where the service pipe is larger than three-quarter (3/4) inch a meter of smaller size than the service pipe may be used.

E. In all cases which are not specifically covered by 5, the judgment and discretion of the Board of Trustees of the Village of Addison is final and binding.

6. Location of meter.

The service connection and the plumbing in the building to be served shall be arranged that the meter can be placed in a horizontal position not more than three (3) feet from the point where the service enters the building. There shall be installed by the owner a suitable stop and waste valve between the point where the service enters the building and the meter and must at all times be within clear view and the location thereof must be easily accessible for reading, inspection and repair. Village may make such repair and or additions as necessary to meet the above conditions at the expense of the property owner.

7. Entrance to premises.

Employees or agents of the Village of Addison may enter the premises of the consumer at any reasonable time to examine the meter and its connections, and to determine the quantity of water used and the method and manner of its use. The hours a between 8 A.M. and 6 P.M. shall be considered reasonable hours for this purpose.

B. Damage to meters.

Damaged meters shall be repaired by the Village of Addison at the expense of the consumer except where the damage is caused by ordinary wear and tear.

10. Water rates and charges.

A. Water rates shall be set by the Board of Trustees of the Village of Addison and shall take effect upon publishing at least once as a legal advertisement and posting in four conspicuous *public* places. Rates shall be reviewed annually following end of fiscal year and may be revised by publishing and posting as hereinbefore described.

B. The failure to pay any water bill within 10 days after date shall result in an addition of 10% of amount as penalty.

11. Shutting off and turning on water.

Should it be desired by the consumer to discontinue the use of water, the Village of Addison shall be notified in writing as to the desired time and place at which the service is to be discontinued. The Board shall require its representative to shut off the service at the curb box. When it is to resume service, similar notification shall be given to the Village of Addison, and upon payment of all indebtedness, its representative will turn on or off the water at the curb box. The charge made for turning on or off the water shall be \$5.00.

12. Testing meters.

A. It is the policy of the Village of Addison to make periodic tests at approximately ten year cycles of all meters of Six one (1) inch and smaller without specific charge to the consumer. There shall be, however, no obligation upon the department to make these tests, nor shall the failure to do so give rise to the assumption that the meters are in any way out of order or incorrectly registering.

B. Five-eighths meters will be tested with a charge of \$25.00 at the request of the consumer. However, such testing will be such times as it is conforming for the village. Testing of larger meters shall be at a cost basis.

C. If there should be a derangement of the meter or a faulty registration of the quantity of water consumed for the current quarter, the correct amount shall be taken to be that of the registration plus the deficiency, or less the excess, that subsequent readings of the meter shall indicate, and if it is found that the meter is stopped or failed to register, the quantity of water consumed shall be taken to be the same as that of the corresponding quarter of the previous year and the bill rendered accordingly.

13 Repair of five-eighths meters.

A. Where repairs to meters are necessitated by the normal deterioration of the meters through use, the cost of repairing such meters shall be borne by the Village of Addison. Cost of repair and replacement of meters of greater size than 5/8" shall be borne by property owner.

B. Where repairs to meters are necessitated by neglect on the part of the consumer, such as damage done by freezing, or by hot water backing through the meter, or actual breakage, the consumer shall be charged for the cost of the repair work; such cost, however, shall not exceed the cost of purchasing a new meter of the same size.

14. Reading meters.

When bills are desired by the consumer at other than regularly specified times a bill will be given after the receipt of a written request.

15. Water services.

Village of Addison does not assume responsibility for frozen services notwithstanding the fact that the installation of any service or meter which may subsequently become frozen had been installed by the Village or its representative.

16. Bills: quarterly bills.

A. Each consumer will, unless it is otherwise provided, receive a bill for quarterly, the same to be due and payable upon presentation. Each of the bills shall include the charge for water consumed as well as any other charges which the consumer may have incurred.

B. In any case where the amount of water used is such quantity that the Board of Trustees shall deem it advisable to issue a bill monthly, it shall be done notwithstanding the provisions of the foregoing paragraph. The decision of the Board of Trustees shall be binding and the bills shall become due and payable upon presentation.

C. The responsibility for payment of all bills rests upon the owner of the premises and he liable for all charges when due and payable and such charges shall be a lien upon the premises until fully paid.

D. Failure to receive a bill does not entitle any consumer to avoid the penalty as hereinafter prescribed. The Village of Addison does not guarantee billing, or delivery of bills to any consumer,

17, Penalties on bills.

In the event any previous water bill has not been paid in full a penalty of ten percent (10%) of the amount of the unpaid bill will be added to the current water consumption bill. Said penalty of ten percent (10%) shall go into effect 10 days after billing.

18. Private fire protection,

A. In cases where it is desired to install connections to private fire protection systems, written application shall be made to the village setting forth the details thereof. The application shall be accompanied by a sketch or diagram, showing the plan of the system to be Installed. This plan must be approved by the village previous to any work being done.

B. The Village of Addison reserves the right to impose specific regulation in connections with the supply to private fire protection systems* The rates for such service shall be as follows:

- (1) Sprinkler systems shall be charged at the rate of five dollars (\$5) per year per sprinkler head. The minimum charge is to be one hundred (\$100) per year.
- (2) Stand pipe service shall be one hundred per year. This amount covers all systems having a pipe serving the system which is not over two (2) inches in diameter. For all pipes serving systems in excess of two (2) inches in diameter the charge, which shall be in addition to the charge heretofore set forth, will be five dollars (\$5) per year per inch.
- (3) All installations necessary to serve private fire protection systems shall be constructed and maintained at the sole expense of the owner or applicant. Connections for private fire protection purposes shall be properly valved at the expense of the consumer in order to prevent the use of water for any other purpose than those which are contemplated by this Article. Private hydrants shall be charged for at the rate of ten dollars (\$10) per year*

19. Nonpayment of bills.

Collection of all unpaid bills shall be by such means as provided by law including such bills becoming liens and collected by addition to the tax rolls,

20. Single service for multiple dwellings.

A. Where there is one water service servicing a building, housing one or more families, the minimum water rate for such buildings shall be charged for at the filed rate multiplied by the number of families residing within said building.

B. However, this Article shall not apply to hotels or a rooming house as defined by the Multiple Dwelling Law.

21. Repeal of inconsistent ordinances.

All ordinances or parts of ordinances of the Village of Addison New York inconsistent with the provisions of this ordinance are hereby repealed provided\$ however, that such repeal shall be only to the extend of such inconsistency and in all other respects, this ordinance shall be addition to the other ordinance regulating and governing the subject matter covered by this ordinance.

22. When effective.

This local law shall take effect immediately upon publication and posting.

