

WATER SYSTEM

Chapter 174

WATER SYSTEM

§ 174-1. Authority.

§ 174-2. Definitions and abbreviations.

§ 174-3. Water system responsibility and ownership.

§ 174-4. Customer responsibilities and liabilities.

§ 174-5. General responsibilities.

§ 174-6. Town of Bow disclaimer of liabilities.

§ 174-7. Procedures for service installation and use.

§ 174-8. Billing for services.

§ 174-9. Penalties.

Appendix A, Fee Schedule

Appendix B, Typical Water Supply Installation Diagram

Appendix C, Application Forms

**[HISTORY: Adopted by the Board of Selectmen of the Town of Bow 5-29-2012.
Amendments noted where applicable.]**

§ 174-1. Authority.

- A. By virtue of statutory and other authority, and powers as authorized by NH RSA 38, the Bow Board of Selectman of Bow, New Hampshire establishes the following rules and regulations, fees and charges related to providing potable water from the Bow Municipal Water System.
- B. The Bow Water System will be operated and maintained by the Town of Bow or its designee and contractors through a water system operator and manager as defined by the New Hampshire Department of Environmental Services under the direction of the Bow Board of Selectman.
- C. The Water System's approval of an application for service binds the customer to current and future rules and regulations and to current and future payment of all applicable fees, rates and charges.
- D. The Town of Bow may enact changes to the Policy, Rules, Regulations and Fees contained herein only after a Public Hearing.

§ 174-2. Definitions and abbreviations.

BACKFLOW PREVENTION DEVICE: The Backflow Prevention Device is a device that is designed to, and which in practice does, prohibit unwanted substances from flowing into the water distribution pipes of a potable supply of water. See Appendix B.

BASE SERVICE FEE (BSF): The fee is assessed on every Water Use bill regardless of amount of water used or the use of the property.

BOARD OF SELECTMAN (BOS): Shall mean the Selectmen in the Town of Bow who are responsible for operation and maintenance of the Water System to ensure compliance with all local, state and federal requirements, including enforcement of this regulation.

BOW MUNICIPAL WATER SYSTEM (Water System or BMWS): Shall mean the piped water distribution system and all capital facilities draw water from Town-owned wells located in Bow, NH. The Water System also includes water treatment facilities, water mains, water services, water meters and a water storage tank to facilitate distribution and hydrants to provide fire protection.

CUSTOMER: The word "Customer" shall mean any person, partnership, firm, corporation, or organization of any type that is supplied with water by the Water System. The Customer shall customarily be the owner of record per the Town's Property Assessor's current records or the duly authorized representative of the property being supplied with water.

CORPORATION STOP: A water service shutoff valve located at a street water main. This valve cannot be operated from the ground surface because it is buried and there is no access.

CROSS CONNECTION: A Cross Connection is any actual or potential physical connection or arrangement between two otherwise separate systems, one of which contains potable water and the other which contains water of unknown or questionable safety or steam, chemicals, gases, or other contaminants, whereby there may be a flow of unwanted substances into the potable water supply system.

CURB BOX: See CURB STOP.

CURB STOP: The curb stop is inside an in-ground structure called a CURB BOX located at (or near) the property line. The CURB STOP is the connecting point between the service line (from the water main) and the service line into the building receiving the water. The curb stop is the property of and maintenance responsibility of the Town (see Appendix B).

FULL FLOW CONTROL VALVE: The Full Flow Control Valve is a water flow control valve located inside the foundation of a building, between the end of the service pipe and the water meter (see Appendix B).

WATER SYSTEM

LIEN: The word lien shall mean the statutory claim the town may impose as defined in RSA 38:22.

MANAGER: See Water System Manager.

METER PIT, READER BOX: A meter pit or reader box must be constructed to house the water meter for buildings without basements or greater than 100 feet from the Curb Stop. The meters must be located in an approved meter pit at least 4.5 feet below ground to prevent freezing. The customer owns the meter pit.

NEW HAMPSHIRE DEPARTMENT OF ENVIRONMENTAL SERVICES (NH DES): State regulating authority of the Water System.

OPERATOR: See Water System Operator.

PROPERTY OWNER: Per the Town's Property Assessor's current records.

PUBLIC OR PRIVATE WAY: A public or private way is the Town-owned or privately-owned road or street improved and open to the public as a throughway.

PUBLIC WATER SUPPLY (PWS): Shall have the meaning provided in RSA 38.

SERVICE LINE: The service line is a pipe that connects the water supply main through the Curb Stop to inside the building receiving the water or to a fire hydrant. The service line between the water main and the Curb Stop is the property and responsibility of the Town. The service line into the building from the Curb Stop is owned by, and the responsibility of, the Customer (See Appendix B).

SERVICE PIPE: See SERVICE LINE.

SITE PLAN: When applying for a new service connection or alteration, a drawing is required to show a) location of existing drinking water source, b) building's location, c) septic location d) location of underground utility lines (electric, gas, etc.), e) proposed location of the water service pipes, water meter, Meter Pit if any, valves, backflow prevention device and any other required components between the curb stop and into the building. The Site Plan must be included with an application for a new connection and approved by the Town. In most instances, a copy of a Plot Plan or Septic Plan with notation to show all the required Site Plan items is acceptable.

TIE SHEET: A drawing showing the locations of the pipes, meter, meter pit (if applicable), with respect to the septic system, buildings, underground utilities and any other aspect of the water service going into a building from the water main. A Tie Sheet is prepared after an installation is completed. The Tie Sheet must be provided to the PWS before service is commenced. The tie sheet is usually prepared by the contractor who installs the new water service between the curb stop and the building. Sometimes it is called an "As Built" drawing.

WATER METER: The water meter is a device for measuring and recording the flow of water from the municipal water supply to the Customer's building. In some cases the meter is located within the Customer's building or structure and in other cases, in a Meter Pit elsewhere on the Customer's property. Regardless of the location, the meter is provided and owned by the Water System. It may be repaired, tested, calibrated, improved or replaced by the Town, for which purpose the Customer must permit entry with reasonable advance notice. The Customer is responsible for reasonable care and use of the meter.

WATER SUPPLY MAIN: The water supply main is the municipal water pipe (usually located in the street), to which a service line or pipe is connected to supply water to buildings (See Appendix B).

WATER SYSTEM MANAGER: The Water System Manager oversees the day-to-day operation and is responsible for the Water System's operation and maintenance and reports to the BOS.

Additional definitions as applicable are adopted as set forth by the NH DES, New Hampshire Building Codes and New Hampshire Division of Fire Safety.

ABBREVIATIONS:

BMWS: Bow Municipal Water System (otherwise called Water System)

NH DES: New Hampshire Department of Environmental Services

EPA: United States Environmental Protection Agency

GPD: Gallons per day

PWS: Public Water System

§ 174-3. Water system responsibility and ownership.

- A. The Town shall be responsible for overseeing the repairs, maintenance, construction, and reconstruction of the existing Town-owned capital facilities. For the purposes of this regulation, "capital facilities" shall mean water storage tanks, pump stations and appurtenances, treatment facilities, water mains, gate valves, water meters, fire hydrants and appurtenances in public ways and private ways where system components are located.
- B. The Water service lines from the curb stop to the individual buildings are the responsibility of the property owner for new and existing water service installations including repairs, alterations and maintenance. (See Appendix B).
- C. All Town-owned water mains that are in public or private streets are the responsibility of the Town.
- D. All Customers of the Water System will be charged according to the approved fee schedule (Chapter 124, § 124-10. of this Code).

WATER SYSTEM

- E. The Town may declare water restrictions or a STATE OF WATER EMERGENCY if it finds there exists a water shortage or an impending water shortage; and/or a Declaration of Water Emergency has been made by the NH DES as it is deemed essential to the protection of the public health, safety and welfare. In so doing, the Town may establish priorities for the distribution of water or water use by a specified amount or to share water with other water systems. The Town may also choose to develop a drought management or contingency plan and institute a conservation program for public and private use.

§ 174-4. Customer responsibilities and liabilities.

- A. **Damage to the water meter.** Customers will be held responsible for Water Meter care and protection from damage as a result of freezing, hot water, or other external causes. When damage occurs, the Town will furnish and set another Meter or repair the damaged one. The cost of such replacement or repairs shall be charged to the Customer on the basis of cost of materials and labor.
- B. **Tampering with the water meter.** It is illegal to tamper with a Water Meter. Written authorization must be obtained from the Town to install, alter or remove a Meter. Violations are subject fines as set forth in the Rate Schedule (Chapter 124, § 124-10. of this Code).
- C. **Ownership of pipes, valves and taps.** All pipes, valves, taps and other appurtenances between the Municipal Water Main and the outlet of the Curb Stop inclusive, are the property and responsibility of the Town. All piping, valves, equipment and any other appurtenances between the Curb Stop and the Customer's building are the property and responsibility of the Customer; although such items are required to meet standards and specifications of the Water System. An exception to the above is the water meter, which will always be the property of the Water System.
- D. **Requirement for control valves.** Requirements established by the Town for Customer- owned portions of the system include (but are not limited to) one (1) Full Flow Control Valve located at the point of entry of the service pipe through the building or structure wall.
- E. **New Hampshire regulations.** Valves and other appurtenances shall conform to New Hampshire Plumbing Code Regulations and Water System specifications. All plumbing installations shall be performed by a licensed plumber in accordance with New Hampshire Plumbing Code and any other applicable regulations and to the satisfaction of the Town. If any defects in workmanship or materials are found or if the Customer's service has not been installed in accordance with the requirements defined in the Rules and other Water System specifications, the water service will either not be turned on or will be discontinued if such defects are not remedied within a specific time set by the Town. The Town will not be held liable for any defects in such workmanship or material. A Customer must apply to the Town to alter in any way a previously installed and approved water service connection.

- F. **Maintenance of customer's plumbing.** All Customers shall maintain the plumbing and fixtures within their own building(s) in good repair and protected from freezing at their own expense. Customers shall make any repairs that shall be necessary to prevent damage or leaks. All plumbing must conform to New Hampshire Plumbing Codes, NH DES regulations and all other applicable federal, State and municipal regulations.
- G. **Backflow prevention device.** As part of connecting the Customer's property to the Water System and pursuant to New Hampshire Regulations (Env-Ws 364) all water service Customers are financially and legally responsible for the installation of an approved reduced pressure backflow prevention device or other approved backflow prevention device approved by the Water System Manager immediately "downstream" of the water meter or as specified by the Town (see Appendix B).
- H. **Leaks.** The Town shall have the right to shut off water supplied to any property where a leak exists or is believed to exist at any point beyond the Curb Stop. The Town will make a reasonable attempt to contact the property owner or authorized representative as soon as a leak is discovered. Any such leaks must be repaired and pass inspection by the Town before water service will be restored. Customer shall be responsible for the cost of any repairs from the curb stop into the building.
- I. **Safeguarding of hot water tanks.** All Customers having boilers and/or hot water tanks are responsible for the installation of appropriate vacuum breaker(s), relief valve(s) and/or expansion tank(s) within the piping system. This is necessary to prevent any damage to such tanks and to protect against damage from other sources, if it becomes necessary to shut off the water at the water main in the street. The Water System will not supply water to buildings where boilers, hot water tanks or other appliances are used without these protective devices in accordance with New Hampshire Plumbing Codes, NH DES regulations and all other applicable federal, State and municipal regulations.
- J. **Liability for interruption of water.** The Town, its employees, officials and contractors shall not be liable for loss or damage from any excess or deficiency in water pressure and any circumstances beyond the control of the Water System. Prior to the interruption of service to allow repairs, modifications or maintenance to the water distribution system, the Town will endeavor to notify affected water service Customers, whenever practical. However, nothing in this section shall be construed that such notice is required.
- K. **Liability for water discoloration.** Neither the Town, nor the BOS, including contractors and employees shall be held liable or responsible for loss or damage from discolored water resulting from repairs, modifications, hydrant flushing or maintenance to the water distribution system, or any other reason.
- L. **Liability for frozen water service components.** It is the responsibility of all water service Customers to ensure that all plumbing, fixtures, water meters and appliances are protected from freezing. The Town, its employees, officials and contractors shall not be liable for loss or damage to any plumbing, fixtures, water meters or appliances due to freezing. The Customer is financially responsible for any repairs that may be necessary to prevent leaks and damage.

§ 174-5. General responsibilities.

- A. **Curb box.** The curb box shall contain curb stop which must be readily available to the Town should it be necessary to turn off the water supply.
- B. **Resale of water.** The Customer will not be permitted to resell water to the property or parcel of another person.
- C. **Meter.** The meter is sized, provided, owned and installed by the Town. It may be repaired, tested, calibrated, improved or replaced by the Town, for which purpose the Customer must permit entry with reasonable advance notice. In some cases the meter is located within the Customer's building or structure and in other cases, in a box or vault elsewhere on the Customer's property. Regardless of the location, the Customer is responsible for reasonable care and use of the meter. No meter shall be moved or disturbed without permission of the Town.
- D. **Meter repair.** The Town will have the right to remove, repair or replace any meter. The cost of meter repairs or replacements due to defects will be paid by the Town. The costs of repairs, maintenance and/or replacement caused by freezing, hot water, or unknown causes, whether internal or external, will be charged to the Customer.
- E. **Sub-metering.** Sub-metering is allowed with prior written approval from the Water System Manager and properly permitted through the Town permitting procedures. All sub-meters once approved for use and installation are owned and maintained by the property owner in accordance with the NH Plumbing Code, NH DES regulations and all other federal, State and municipal regulations.
- F. **Shut off or turn off service.** Except in the case of emergencies, all water shut-offs and turn-ons requested by a Customer require advance notice through a process of scheduling an appointment for service with the Water System Manager with at least 24 hours during normal business days and billed according to the fee schedule (Chapter 124, § 124-10. of this Code).

§ 174-6. Town of Bow disclaimer of liabilities.

- A. **Guarantees.** Constant water pressure and uninterrupted service are not guaranteed. Further, the Customer is not assured a full volume of water or the required pressure per square inch necessary to effectively operate any appliances and/or fixture. The same rule holds true of all variable conditions that may take place in the use of water from the water supply mains. The Town will use all reasonable care and diligence to avoid interruptions and fluctuations in the service. The Town, its employees, officials and contractors shall not be liable for any loss or damage from any excess or deficiency in the pressure or volume or supply of water.

- B. **Repairs.** The Town, its employees, officials and contractors shall not be liable for conditions in the Customer's plumbing or appliances associated with or following installation, repairs or flushing to any part of the system and shall not be responsible for damages caused by dirty water resulting from the opening or closing of any valves for repairs or any other reasons, or the breaking of any supply lines.
- C. **Due notice.** The Town will endeavor to give due notice to as many of the affected Customers whenever it may become necessary to shut off the water supply to any section of the system, to make repairs or changes or because of a broken main or service, and will, as far as practical, use every effort to prevent damage or inconvenience. The Town, its employees, officials and contractors shall not be liable for damage arising from the shutting off of the water supply, in the event prior notice is not given by the Town or received by the Customer.
- D. **Shut offs.** The Town reserves the right at any time, without notice, to shut off the water supply for the purpose of making repairs, extensions or other reasons. Customers having boilers, hot water tanks or other appliances on their premises are hereby warned against the danger of collapse or damage from the shutoff, and are required to provide safety devices as described in the New Hampshire Plumbing Code, for their protection. The Town, the BOS, water system contractors and employees shall not be liable for damages resulting from the shutoff.
- E. **Existing connected equipment:** All existing equipment connected to a new service shall be in compliance with the current NH Plumbing Code, NH DES regulations and all other applicable federal, State and municipal regulations as if a new installation and inspected by the Town and/or certified by a licensed NH plumber.

§ 174-7. Procedures for service installation and use.

- A. **Contractual agreement.** Acceptance of service shall bind the Customer to the laws, rules, regulations and policies of New Hampshire, the Town of Bow, and the Rules and Regulations as adopted, amended and approved by the BOS. Acceptance of service shall form a part of the contract with every water system Customer and shall govern their relations.
- B. **Applications for water service.** All applications for any new installations, alterations, replacements or change of ownership of a water service shall be submitted to the Town by the owner of the property or duly authorized representative on the approved application form (*Appendix C*). When applying for a new service connection or alteration, a Site Plan and Tie Sheet are required. The application and Tie Sheet must be approved by the Town.
- C. **Responsibility for charges.** Customers of water shall be charged with and held responsible for all water passing through their water meter. Exceptions may be granted only by the BOS.

WATER SYSTEM

- D. **Extending mains.** Water Main Extension Applications (Appendix C) for new service(s) will be accepted for review, subject to the existence of a municipal water main in a street or right-of-way abutting the property to be served AND the existence of sufficient water capacity. Approval of an application shall in no way obligate the Town or the owner/applicant to extend the water main.
- E. **Alterations and modifications to connected systems.** The Owner of a property that is already connected with the Water System and desiring construction, alterations or attachments to an existing structure where the Customer desires expansion of water service or quantity of water shall submit plans and specifications for the proposed work to the Town, for approval, inspection, and for a determination as to whether water service will be provided to the Customer. The Town or its designated representatives shall determine the terms, charges and conditions under which the requested water use shall be permitted in accordance with these rules and regulations.
- F. **Water service inspections.** The Customer, or Customer's authorized representative, shall notify the Town prior to commencing work on any alteration or modification to an existing water service, once plans and specifications have been approved. Upon said notification, the Town will designate the requirements for inspections during construction as approval may be required at different stages of work. No construction relating to the interconnection with the Water System shall be covered or enclosed until inspected and approved. Water System inspections will be scheduled during normal working hours. If by mutual agreement inspections are scheduled for other than normal working hours, the Customer will be responsible for paying any and all extra costs. A licensed plumber or contractor approved by the Town and paid for by the Customer will coordinate and perform all required inspections as well as provide a "TIE SHEET" or "AS BUILT" diagram to the Water System Manager.
- G. **Private well.** The Town has the responsibility to control all cross connections for the safety of the Water System. Except where denied by local or State Regulations, a property that is connected to the Water System may retain a private well for non-potable uses.
- H. **Right of entry.** The Owner or occupants of any premises served by the Water System shall, upon presentation by Water System personnel of their credentials, authorize entry to their building(s) without a warrant for the purpose of inspecting and surveying their water system for new installation, cross connection, leak detection or to remove, repair, read or replace any water meter at anytime the Town deems necessary. When such access is refused, the water may be shut off and may not be turned on until such access has been allowed and fees have been paid for shutting off and turning on the water.

- I. **Full flow control valve and anti-backflow prevention devices.** Full Flow Control Valve at the meter inlet shall be the first fitting inside of a serviced building and shall be inspected and approved by the Town. There must also be a backflow prevention device installed to permit removal of the meter without backflow from the internal water systems (see Appendix B). The meter shall be located in a clean, dry, warm and accessible location. The Town will complete the meter installation and final inspection.
- J. **Meter pits and remote reader boxes.** When it is necessary or expedient to locate the meter in an underground box or vault, it must be approved by the Town and the Customer shall bear the expense of same and shall bear the responsibility of reasonable care and maintenance of said box or vault such as keeping it clean and dry. In those instances where the service line from the curb stop to the dwelling or structure is more than 100 feet, a Meter Pit is required. All remote reader boxes located on the property shall be the responsibility of the Town. In the event that they must be moved or removed or if the remote reader is damaged or missing, the Customer shall notify the Town. If the Customer does not notify the Town, any costs associated with the replacement of a missing or damaged remote reader will be paid by the Customer. The Customer shall not install a permanent cover to a Meter Pit or otherwise hinder access to the water meter in any way. Covers must remain exposed at all times. Pits shall be furnished with inlet and outlet connections.
- K. **Right to change meters.** If, in the opinion of the Town, a meter does not fit the conditions of the service installation, the Town has the right to change such meter. Such a change shall be made in accordance with current regulations and costs are the responsibility of the Customer. There is no charge to the Customer, if the Town replaces a meter (with no change in size) as part of maintenance or improvements to the Water System.
- L. **Repairing or replacing or removing meters.** The Town shall have the right to remove, repair or replace any meter at anytime it so determines. No meters shall be removed by the Customer or their Plumber without written permission from the Town.
- M. **Fire services.** Public fire service is provided through Town-owned fire hydrants connected to Town-owned water mains located within Town-owned property or approved right-of-ways. Private fire service(s) can be provided once approved by the Town through private fire hydrants and/or private fire services. Private fire hydrants and Private Fire Services shall be located on private property. Private Fire Service applications (Appendix C) must be submitted to the Town for review and approval. All Private Fire Services require a separate and individually approved connection and service line to the water main. All Private Fire Services require backflow prevention devices equipped with a detector meter set-up.

WATER SYSTEM

- N. **Potable water service lines greater than two inch (>2”)**. Any potable water service line greater than 2” will be considered a large service line. The location of the service and required apparatus will be determined by the Town and/or its representative during the review process. The requirements of these lines will differ from the standard service line based on size, demand and location. This line will at a minimum have a working shutoff valve near the property line so it can be controlled by the Town. All large service lines will be subject to annual leak detection inspections and may be tested at the expense of the owner if the Town and/or its representative warrant. The installation of this line will follow standard construction practices and be subject to inspection by the Town and/or its representative. **[Amended 9-25-2012 by Board of Selectmen]**
- O. **Temporary hydrant connections (THC)**. Temporary Hydrant Connections (THC) must be installed by the Town of Bow or their representative. Prior to utilizing the THC the contractor or party utilizing this connection must file an application with the Town along with payment for the fee and deposit (Chapter 124, § 124-10. of this Code). The following rules must be adhered to during the use of these temporary connections: **[Amended 4-23-2013 by Board of Selectmen.]**
- (1) Before installing the THC visually inspect the unit to confirm that it is in good working condition.
 - (2) The THC must have a meter and reduced pressure backflow device approved or supplied by the Town’s water manager.
 - (3) Record the initial meter reading. Meter readings must then be taken weekly on Friday’s and submitted to the Town.
 - (4) Once installed, the hydrant must be fully opened, do not partially open the hydrant or the in line gate valve. The THC shall be operated by a ball valve installed just downstream of the meter and backflow device. Do not throttle the hydrant operating valve or hydrant branch valve.
 - (5) The protection of the THC and fire hydrant being used is the responsibility of the individual or company that files the application. If used in the winter time, the THC and hydrant must be protected from freezing. In the event the THC or hydrant becomes damaged due to neglect, the individual and/or company will be responsible for the repair or replacement of the Town owned equipment.
 - (6) All TCH must be removed by 4:30pm, unless prior authorization is obtained.

§ 174-8. Billing for services.

- A. **Meter reading and base service fee.** Water use charges will be billed in accordance with the current fee schedule (Chapter 124, § 124-10. of this Code). In addition to any water use charges, a monthly Base Service Fee will be added to each bill starting with the first month of service and continuing until the meter is removed. The BSF Fee ceases only when the meter is removed from a property and water services are terminated.
- B. **Bills payable.** Bills may be delivered either electronically or as a printed statement, as determined by the Town. Bills are payable to the "Town of Bow" or its designee for bill processing and will be sent to the Customer of Record (or duly appointed representative), to the address provided on the Application for Service or provided by the Customer. Customer shall notify the Town promptly of any change of mailing address. If a bill is not paid in full within 30 days of the billing date, the account will be considered delinquent.
- C. **Failure to receive a bill.** Failure of the Customer (or duly appointed representative), to receive a bill does not relieve the Customer of the obligation of payment, nor from the consequences of nonpayment.
- D. **Delinquency notice.** When bills are not paid in full on or before the due date specified on the Customer's invoice, reminder notices will be sent. Notices shall be sent to the Customer after 30 and 45 days have elapsed from the due date and full payment has not been received. Failure to pay the delinquent amount specified, after a final notice has been sent to the Customer via certified mail, will subject the property to municipal water lien processing. The delinquent amount shall be certified by the Town and delivered to the Assessor for commitment to the Collector to be added to the property tax to which it relates, as provided under RSA 38:22. For bills which are already delinquent beyond these time periods, certification proceedings shall begin immediately with or without such notice. In the event a Customer fails or refuses to pay the water charges, such unpaid charges shall result in a lien on the property in accordance with RSA 38:22. Interest at the rate of 1% per month computed monthly (12% per annum), from and after the date fees are assessed by the Town, shall be charged on all fees which remain unpaid 30 days after notification by the Town. The person against whom fees are assessed shall be responsible for all costs of collection, including reasonable attorney fees.
- E. **Termination and restoration of water service for non-payment.** Service rendered under any application, contract or agreement may be discontinued by the Town, after reasonable notice, for any of the following reasons: a.) willful or indifferent waste of water due to any cause, such as failure to repair service leaks within the Customer's own property line, b.) misrepresentation in an application, contract or agreement and c.) nonpayment of any account for water supplied or water service. When water service

WATER SYSTEM

has been terminated for any reason other than temporary vacancy it will be renewed only after the acceptance of a new application and when the conditions, circumstances satisfaction of the Town, and upon payment of all charges due and payable by the Customer in accordance with the approved rates, fees and regulations.

- F. **Sale or transfer of property.** The Town must be notified prior to the sale, transfer or any change in ownership of a property currently serviced by the Water System. A final meter reading and a water service turn off must be scheduled with the Town, coincident with the transfer. A turn-off of a fire service must be approved in writing by the Fire Department. The Town will provide to the previous owner (or legal representative) a statement of water usage within the then current billing cycle. The new owner must complete an Application for Water Service and follow the process of transferring the ownership of the connection to the new owner and the reinstatement of service. Bills will continue to be rendered by the Town on a monthly basis, with any adjustment or pro-ration of fees between the prior and new owner being the responsibility of the Customer. Changes to a Customer's address and billing will become effective at the next regular billing date following the date of notice. A Customer remains responsible for all fees and charges until the Town is notified of a change of ownership. All charges for any billing period are against the property and will be the responsibility of the customer of record at the time a bill is rendered.
- G. **Meter malfunction.** All water passing through a Meter must be paid for by the Customer. If the Town determines that a Meter has malfunctioned or failed to register usage, the Customer will be charged at the average daily consumption recorded over the prior two years, or shorter period if the in-service duration is less than two years.
- H. **Water meter.** For each property connected to the Water System, there is a single (or main) water meter. This Water Meter is the property of the Town. It provides the water usage in gallons or cubic feet for billing the Customer (or duly appointed representative). If a Customer with multiple units wants water meters for each unit, the additional water meters (and any additional plumbing charges) is the sole responsibility of the parcel owner and must be installed downstream of the Main Water Meter by a licensed plumber. The additional water meter(s) or sub-meter(s) will not be read, supplied, or maintained by the Town. **[Amended 9-25-2013 by Board of Selectmen.]**
- (1) All initial meters two inch (2") in size or smaller will be supplied by the Town at no cost to the property owner. All meter sizes will be determined by the Town and/or its representative during the service approval process.
 - (2) All meters greater than two inch (2") in size will be paid for by the property owner and become the property of the Town. The property owner will be provided a credit for the cost of a two inch (2") meter. The meter manufacturer, model, type, and size will be specified by the Town and/or its representative during the service approval process.

TOWN OF BOW

- (3) Meter Testing. All water meters will be tested in accordance with AWWA Standard C705-60, Testing Cold-Water Meters. In addition all meters greater than 2” in size will be installed with proper testing ports for accuracy testing in place. These tests will also be subjected to and be in accordance with AWWA Standards.
- (4) If any water meter becomes inoperable due to neglect on the part of the property owner, a new meter will be installed at the current cost of a direct replacement meter plus ten percent (10%) and the current labor rates on a time and materials basis. The property owner will be invoiced for these services.
[Amended 4-23-2013 by Board of Selectmen.]

I. **Abatement and adjustments.** Abatements will be made for clerical errors, misreads or failure of Water System equipment. Abatements will not be issued for water leaks, unless expressly granted by the Town. The Abatement Procedure for Water Bills is:

- (1) All claims for adjustments of water bills shall be made within thirty (30) days of the billing date.
- (2) The Town shall, upon written request, consider an abatement of a previously paid water bill.
- (3) The Town shall hold a meeting with Customer within forty five (45) days of receipt of a request for abatement and shall render a decision within forty five (45) days of the meeting.
- (4) A Customer may seek an abatement or adjustment by requesting a hearing before the BOS, after first completing the informal meeting process set forth in this section.

J. **Disconnect from water system.** A Customer may disconnect from the Water System by completing the process set forth in this section. A written request form (see Appendix C) must be submitted to the Town. If a property receives fire service from the water system the Fire Department and Building Department will need to approve the disconnection in advance in writing. Upon review and approval of this request by the Town, the Customer must hire an approved contractor to disconnect their water service at the water main. The Town is to be notified of the time and day when the disconnection will occur, and the Town may provide a monitor to be present when the disconnection occurs. Once inspected and approved, the water meter must be returned to the Town. A final bill for water use must be paid before the account will be closed. The Customer is not entitled to a refund of the connection fee. If the property owner wishes to connect at a later time, costs, terms and procedures in effect at that future time, will apply.

WATER SYSTEM

§ 174-9. Penalties.

Penalties are hereby established for violations not already defined in the Rate Schedule (Chapter 124, § 124-10., of this Code) as follows:

- (1) First Violation: Penalty applicable upon written notice of violation to Customer:
\$50.00
- (2) Subsequent Violations: Penalty applicable upon and after the eleventh day following written notice of first violation. If a violation remains uncorrected after the tenth day following the original notice, each day after the tenth day shall constitute a separate violation. \$100.00 each violation

Attachments:

Appendix A, Fee Schedule
Appendix B, Typical Water Supply Installation Diagram
Appendix C, Application Forms