

RULES, REGULATIONS & RATE SCHEDULES
OF THE TOWN OF
EAST LYME

REVISED TO NOVEMBER 2005
EAST LYME WATER AND SEWER
COMMISSION

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RULES AND REGULATIONS
(Subject to Change Without Notice)

DEFINITIONS

The word “Commission” as used herein is the “East Lyme Water and Sewer Commission.”

“Customer” means any person, firm, corporation, company, association, governmental unit or owner of property as guarantor furnished water service by the Commission.

“Premises” shall include, but is not restricted to, the following:

- a) A building or combination of buildings owned or leased by one customer, in one common enclosure, occupied by one family as a residence or one corporation or firm as a place of business, or
- b) Each unit of a multiple house or building separated by a solid vertical partition wall occupied by one family as a residence or one firm as a place of business, or
- c) A building owned or leased by one customer and having a number of apartments, offices or lofts which are rented to tenants using in common one hall and one or more means of entrance, or
- d) A building two or more stories high under one roof owned or leased by one customer and having an individual entrance for the ground floor occupants and one for the occupants of the upper floors,
- e) A combination of buildings owned by one customer, in one common enclosure, none of the individual buildings of which is adapted to separate ownership,
- f) A public building, or
- g) A single plot, used as a park or recreational area.

“Common Enclosure” means property under common ownership which is bounded by property lines, public streets or highways.

“Service Pipe” means the pipe that runs between the main and the customer’s premises.

“Service Connection” means the portion of the service pipe including corporation cock which runs from the main to and including the curb stop adjacent to the street line or the customer’s property line, and such other valves and fittings as the Commission may require between the main and curb stop.

GENERAL

The following rules and regulations, and all subsequent changes, amendments and additions thereto shall constitute a part of the contract with every water customer.

Every water customer served by the East Lyme Water and Sewer Commission shall be the property owner, and said owner shall be considered to have agreed to be bound by these rules and regulations.

A copy of these rules and regulations is available to any water consumer and can be obtained upon application to the main office of the Commission. All persons are requested to read same carefully. Failure to know the rules and regulations will not excuse any water customer from the consequences of neglect of such rules and regulations.

RULES AND REGULATIONS

1. APPLICATIONS

a) All applications for service connections and use of water shall be made at the office of the East Lyme Water Department on the form prescribed and signed by the owner of the premises to be supplied, or by his authorized agent, stating fully and truly the various uses to which the water is to be applied. The acceptance of the application by the East Lyme Board of Water and Sewer Commissioners shall constitute the contract between the Commission and the applicant, obligating the applicant to pay the rates and charges established in Schedules I and II, as amended from time to time and comply with its rules and regulations.

b) Owners of property will be held responsible for all payments of all just charges for services furnished him or his property during ownership, until such time as the Commission receives notice in writing of the transfer of his property.

2. SERVICE PIPE CONNECTIONS

a) For ordinary residential service, the Commission will furnish and install between the main line to the inside of the curb line within public ways and streets, a service connection at a cost as established in Schedule II, as amended from time to time.

b) In all cases the Commission reserves the right to specify the size of the service pipe and meter to be installed, and such sizes will be dependent upon the particular requirements and operating conditions. Single family residential service will be sized to

deliver at least twelve (12) gallons per minute at 35 psi at the resident's entrance. Duplex houses will be sized to deliver eighteen (18) gallons per minute at 35 psi. Minimum size of any residential service connection and pipe shall be three quarters ($\frac{3}{4}$) inch. Minimum size of any duplex house service connection and pipe shall be one (1) inch.

c) No new service or service pipes or extensions will be installed during the period from December 1st to March 31st except at the discretion of the Commission. Any service connection made during this period shall be at actual cost or at the cost established in Schedule II, as amended from time to time, whichever is greater.

d) Only one service connection will be supplied to a property under each application, unless otherwise specified by the Commission.

e) Any connection for which an assessment as specified in Schedule II has not been charged is subject to a special administrative connection fee, to be determined by the Commission, in addition to the normal connection fee as specified in Schedule II as amended from time to time.

f) Service pipes will be installed in accordance with published Water Department standards which at minimum shall comply with the American Water Works Association (AWWA) standards, revised, which states that all service pipe two (2) inches and smaller from the curb line to the premises shall be K copper. However, when the service pipe line exceeds one hundred (100) feet in length, Water Department approved PE or PB plastic in conjunction with a curb line meter pit and bored to a minimum depth of five (5) feet may be used. Service pipe material larger than two (2) inches shall be subject to the approval of the Water Department.

3. WORK INSIDE THE CURB LINE

a) All work inside the curb line or in the absence of curbing in the street, 4 feet into highway beyond the property line, shall be done by and at the expense of the customer. The Commission reserves the right to decline to connect with plumbing which has not been examined and approved by the Commission or its duly authorized representative. Curb line meter pits are required when connecting to pre-existing uninspected service pipes.

b) All pipes laid between the curb stop and the customer's stop-cock must have at least four (4) feet for K copper and five (5) feet for PE or PB plastic of either

cover and shall be tested for water tightness by the Commission or its duly authorized representative before backfilling. Any exceptions shall have approval of the Commission.

c) No service pipes shall be laid in the same trench with the pipe, sewer pipe or any other facility of a public service company, nor within three feet of any open excavation or vault. Additionally, service pipes shall be laid to comply with the public Health Code of the State of Connecticut and any local regulations as established by the Town of East Lyme.

d) A gate or ball valve shall be installed directly before and after the meter. Sufficient all around clearance shall be provided to easily install the meter and piping shall be rigidly supported.

e) The Commission will furnish the necessary couplings to be placed in the line to accept a meter when available.

f) All repair and maintenance costs of water service pipe from curb stop to premises shall be at the expense of the customer. If such pipes are not repaired promptly following written notice of need thereof the Commission reserves the right to discontinue the service without further notice. The Commission shall not be responsible for maintenance or for damage done by water escaping from the service pipe or any other pipe or fixture on the outlet side of the curb cock.

g) Prior to the implementation of these regulations, where two or more customers are supplied with water from one service pipe, under the control of one curb stop, if any of the parties so supplied shall violate its rules and regulations, the Commission reserves the right to shut off the joint service line as specified in paragraph (f). However, such action shall not be taken until the innocent customer(s) not in violation of the Commission's rules has been given reasonable opportunity to obtain independent service. Reasonable opportunity is defined as sixty days, weather permitting.

4. WATER DISTRIBUTION MAINS

a) The installation or extension of water mains in any public street or way, or in any duly approved private street or way, may be made only as authorized by the

Commission and in accordance with and subject to such conditions and requirements as the Commission may prescribe. Failure to comply is subject to refusal of service.

b) All private water lines or main extensions must be pressure tested and chlorinated before service is supplied. The entire cost of the test and chlorination shall be borne by the applicant.

5. METERS

a) All domestic, commercial and industrial water service, except fire protection, will be rendered through meters.

b) Meters up to and including $\frac{3}{4}$ inch in size will be provided and installed by the Commission. Such meters will require a deposit as established in Schedule III, as amended from time to time. Larger meters will be available from the Water Department in accordance with Schedule II, as amended from time to time.

c) The installation, repair and disconnection of the Commission's meters is to be performed by the employees of the Water Department only. Installation, repair and maintenance of all other meters is the responsibility of the owner. Such installation, repair and maintenance shall be repaired under Water Department approval.

d) The normal maintenance cost for meters up to and including $\frac{3}{4}$ in size will be borne by the Commission. The cost for larger meters and for unusual repairs necessitated by freezing, hot water, or attributable to any carelessness or neglect on the part of the occupant or owner of the premises, shall be charged to the owner of the premises.

e) A suitable location for installing all water meters shall be provided so that they will be readily accessible for inspection, reading and repair. The Commission shall have access to the premises supplied at all reasonable hours for the purpose of reading meters or to examine piping and fixtures connected with the water service.

f) Whenever an outside location is approved by the Commission, the meter shall be in an approved pit located where it is easily accessible for meter reading and repairs. The outside vault shall be located inside the property line at the expense of the customer and responsibility for damage or theft shall be that of the owner.

g) All meters shall be connected using couplings furnished by the Commission. Meters shall not be moved or disturbed without permission. The customer

must bear the cost of all pipe changes on his premises made necessary to receive the meter.

h) All water passing through and recorded by a meter shall be charged for whether used or wasted as a result of leaks or neglect and the property owner shall be liable and charged for the amount of water recorded by the meter in conformity with the current schedule of water rates.

i) Meters up to and including $\frac{3}{4}$ inches can be tested upon request of the customer. If the meter is found to be accurate within 2% of being fast or slow, a test charge in accordance with Schedule I, as amended from time to time, shall be made to the customer for the test. If the meter error is greater than 2% of being fast or slow, the cost of the test will be borne by the Commission and an adjustment of the customer's water bill will be made based upon average daily consumption. Requests for meter tests shall be payable in advance. Meters larger than $\frac{3}{4}$ inches in size will be tested at the request and expense of the customer. The charge for the test will be in accordance with prevailing costs.

j) The Commission reserves the right to remove and test all meters within the system without cost to the customer whenever doubt exists on the part of the Commission as to the accuracy of the meter. Should the meter fail to register within 2% of being fast or slow, the charge for water will be based on the average daily consumption either prior to or subsequent to the failure of the meter.

k) 1. Any building which is constructed after February 24, 1981 and which is divided into separate ownership of two or more dwellings, commercial or retail units, shall have a separate water meter for each of such units.

2. Any building which is constructed after February 24, 1981 which is not divided into two or more dwellings, commercial or retail units or any combination of such units, but is capable of being divided into separate ownership of such units or combination of such units shall have plumbing which is capable of being adapted to provide for separate water meters for each of such units.

3. When any building described in subsection 2 of this regulation is divided into separate ownership of two or more dwellings, commercial or retail units, or any combination of such units, it shall have a separate water meter for each of such units.

6. HYDRANTS

a) All public fire hydrants and their connections are installed and maintained by the Commission and remain a part of the East Lyme water system.

b) No person shall tamper with or obstruct the access to any fire hydrant by placing or permitting snow, debris, building material or other obstruction to remain at or about hydrants so as to interfere with their immediate use.

c) Public fire hydrants are installed for the sole purpose of fire protection; and, with the exception of the authorized members of Municipal Departments operating them for the legitimate purpose of said Departments, no use of hydrants shall be made without the written consent of the Commission or its duly authorized representative.

d) The Commission will install in private water lines a hydrant or hydrants at the request and expense of the applicant. Installation and assessment charges for these hydrants will be in accordance with Schedule II, as amended from time to time. These hydrants will be subject to the provisions of these regulations.

e) The customer agrees that the Commission will not be considered in any manner an insurer of property or persons or to have undertaken to extinguish fire or to protect any persons or property against loss of or damage by fire or otherwise and that it shall be free and exempt from any and all claims for damages on account of any loss of or damage to property or injury to persons by reasons of fire, water, failure to supply water or pressure, or for any other cause whatsoever.

7. CROSS CONNECTIONS PROHIBITED

a) No person or persons shall cause a physical connection to be made between the East Lyme water system and any other water supply for commercial, domestic, sanitary, fire protection or boiler feed purposes or for any other purpose whatsoever.

b) No water closet, urinal bowl, or any other fixture shall be supplied directly from the East Lyme water system through a flush-meter or other valve unless the valve is set above the water closet or urinal bowl or other fixture in such a manner as to present any possibility of back siphonage or pollution.

c) No plumbing fixture, device or construction shall be installed which will provide a cross-connection between the East Lyme water system and a drainage system,

soil or waste into the said water system. Draw-off pipes for draining sprinkler systems shall be connected into a drainage system or a submerged pit.

d) If water from the East Lyme water system is delivered to a tank which is also supplied with water from any other source, such tank shall be open to atmospheric pressure and the East Lyme water system inlet shall be six inches above the maximum water level in the tank. The tank shall be equipped with an overflow pipe of ample size to fix definitely the maximum level of water.

e) If water from the East Lyme water system is delivered to a tank in which there are chemicals, dyestuffs, or other materials used in processing, the East Lyme water system supply pipe shall not be submerged. There shall be a minimum of a six inch clearance between the invert of the pipe and the top of the tank to prevent back siphonage into the East Lyme water system.

f) Commission approved backflow and cross connection devices such as check valves, vacuum breakers, and backflow preventor valves may be required by the Commission to prevent a cross connection. If such a device is used in lieu of an air gap, the type shall be with the approval of the Commission.

g) Cross connections not permanently connected shall be protected in the same manner as if they were permanent.

8. WATER BILLS

a) Water bills are prepared at the office of East Lyme Water and Sewer Commission.

1. Meters will be read semi-annually. All seasonal customers shall notify the Commission before closing the premises for the season, so that a meter reading can be taken, and meter removed, if necessary.

2. The Commission may require a deposit from a customer whose water has been shut off for any violation of these regulations, or for nonpayment of a bill, or where credit has not been established. The amount of the deposit shall be at the discretion of the Commission.

3. Prompt notice should be given the Commission of any change in the billing address of the customer. Failure to receive a bill does not relieve the customer of the obligation of its nonpayment.

4. Whenever a customer sells or transfers property for which application for service has been granted, the customer shall promptly notify the Commission, in writing, giving the name and address of the new owner as well as arrange for final meter reading for final bill.

5. Each customer shall be liable for payment of all charges including bills for water furnished him or his lessees during his ownership and until such time as the Commission receives notice in writing of the transfer of his property.

6. Water rates will be charged on the basis of meter readings over a period of six months in accordance with Schedule I, as amended from time to time.

7. All charges for water supplied by the Commission shall be and remain a lien upon the buildings and land in connection with which said water shall have been used by the owner or occupant thereof until such rates, interest, shut-off charges, and lien fees as specified in the schedules and Town Ordinances have been paid and the Commission shall have the authority and responsibility to foreclose such liens.

8. Such liens shall be discharged by the Commission upon payment of such unpaid water rates, interest, administrative fee, shut-off fee and lien fee as specified in Schedule III, as amended from time to time.

VIOLATION OF RULES – DELINQUENT BILLS

a) Service to any customer may be terminated for violations of these rules and regulations or delinquency in payment of water bills in accordance with the regulations established by the Department of Public Utility Control (DPUC). The latter regulations are available in the Commission office.

b) Delinquent water bills include: water rates, interest, administrative fees, lien fees, turn on charges, or charges for services rendered and unpaid for a period of more than sixty (60) days after the original bill is rendered.

c) The Commission will give written notice to the customer of pending termination of service by certified mail specifying a period of fifteen (15) days from mailing after which service may be discontinued. Water will not be turned on until satisfactory arrangement has been made for payment in full of all amounts due plus a turn on fee as specified in Schedule III, as amended from time to time.

d) Regulations pertaining to termination of service are issued by the DPUC. These regulations establish customer rights and procedures of termination. Limitations on termination for customers with hardship, serious illness, or rental property customers is established. These regulations are available at the Commission office.

RATE SCHEDULES

a) Water rates and miscellaneous fees pertaining to water rates are published on Schedule I, as amended from time to time.

b) Connection charges, meter deposits, and assessments are set forth on Schedule III, as amended from time to tome.

c) All other charges, meter deposits, and assessments are set forth on Schedule III, as amended from time to time.

d) Assessments and benefit charges are determined by Town Ordinance, all other charges are established by the Commission.

GENERAL RULES

a) All damages to water mains or service pipes, hydrants or other parts of the water system caused by any agency in putting in sewers, drains, pipes or in any other manner, shall be chargeable to the owner of the premises for whom such work is done.

b) No person shall be entitled to damages, nor to have any portion of payment refunded, for any stoppage of supply occasioned by accident to any portion of the works, not for stoppage for purpose of additions or repairs, nor for non-use occasioned by absence or any other reason, and the Commission shall have the right at all times to shut off the water temporarily without notice (although it is intended that a prior notice will be given when possible) for necessary repairs, extensions or other necessary work connected with the distribution system, or for causes beyond its control. No taker or other person or corporation will be entitled to recover any abatement compensation for damages, on account of shutting off or the neglect or refusal to comply with the rules and regulations of the Commission. The Commission may restrict or regulate the quantity of water used by consumers in case of scarcity, or whenever the public welfare may require it.

c) All consumers having boilers on their premises depending on the pressure in the pipes to keep them supplied are hereby cautioned against danger of collapse. The

Commission does not recommend the installation of boilers on direct pressure and will not be responsible for accidents or leaks arising therefrom. Neither the Commission nor its agents shall be held liable for damages caused by bursting, collapse or leakage of pressure boilers or hot water tanks, nor any leakage from pipes, fixtures or other appliances on the premises.

d) Water used by contractors under contracts with the Town of East Lyme for work other than Commission work will be charged at the regular schedule rates and payment for same must be made by said contractors.

e) All water furnished by the Town of East Lyme for whatever purpose shall be charged for and collected at the regular scheduled rates.

f) The employees of the East Lyme Water Department shall have the right of access at all reasonable hours to the premises supplied with water for purpose of reading meters, examining pipes and fixtures, observing manner of using water and for any other purpose which is proper and necessary in the conduct of the Commission business and will carry with them the proper credentials denoting their employment by the East Lyme Water Department.

g) No unauthorized person shall open or close any of the Commission's stop cocks or valves in any public or private line.

h) The Commission reserves the right to change or amend from time to time these terms, conditions and rates for the use of water in accordance with the Statutes of the State of Connecticut.

i) When transfers of property are to be made, those interested should have the meter read when available for the proper water charge adjustment between buyer and seller. The seller should promptly notify the Commission of the sale and meter reading as of the date of sale and give the name and address of the purchaser. The new owner must promptly sign a new application for service.

j) Water mains and distribution systems installed by developers in compliance with Subdivision Regulations shall be inspected for compliance to design and Rules and Regulations of the East Lyme Water and Sewer Commission. Inspection costs are chargeable to the developer.

k) The East Lyme Water Department shall:

1. Administer the Rules and Regulations of the East Lyme Water and Sewer Commission pertaining to the Water Department.

2. Bill owners for charges set forth in the Schedules of rates and charges and Water Ordinances.

3. Review submitted designs properly concerning the Water Department and require such changes necessary to maintain at least American Water Works Association standards, Federal and State and East Lyme Water Department requirements.

1) The Water Department Engineer is the Review Officer for any disputed bill, except assessments. Appeals from Review Officer's decision may be made to the East Lyme Water and Sewer Commission if made within 30 days from the Review Officer's decision.