

TOWN OF PLYMOUTH WATER RULES AND REGULATIONS



**Be it so voted by the Select Board, Acting as Water Commissioners
of the Town of Plymouth**

Adopted in effect on: March 5, 2019

**Town of Plymouth Water Division
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**Town of Plymouth
Department of Public Works
Water Division**

WATER RULES AND REGULATIONS

The following Rules and Regulations are hereby promulgated by the Select Board of Plymouth acting as Water Commissioners pursuant to the authority set forth in G.L. c. 40, §8. Every person who shall be supplied or whose property shall be supplied with water, will be understood to have subscribed to these Rules and Regulations, and they shall constitute a part of the contract between such persons and the Town of Plymouth. The same shall apply to all subsequent changes or amendments and additions to these Rules and Regulations.

By virtue of statutory and other authority, and powers as described by General Laws, Chapter 40, Section 39A through Section 39G inclusive, the Town Charter, Chapter 3 Section 6, and the Rules & Regulations governing the Subdivision of Land as amended Article 4 Section 417 and the Select Board as Water Commissioners of Plymouth, Massachusetts establishes the following rules and regulations, fees and charges related to providing Potable Water from the Plymouth Municipal Water System

ARTICLE I: DEFINITIONS

1. **APPLICATION FOR WATER SERVICE:** The application for water from the Town's Water Distribution System in the form provided by the Town.
2. **BACKFLOW:** The flow of water, other liquids, or the mixture of water with other liquids from a source that is not Potable Water into a Potable Water pipe, prevention of which is by a Backflow Prevention Device.
3. **BACKFLOW PREVENTION DEVICE:** A Backflow Prevention Device (or approved Backflow Prevention Device) prevents the Backflow of water from the Premises into the Water Distribution System.
4. **CONTROL VALVE:** A 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. The Control Valve is the property and maintenance responsibility of the home or business owner.
5. **CORPORATION STOP VALVE:** A water service shutoff valve located at a street water supply main. This valve cannot be accessed or operated from the ground surface. The Corporation Stop Valve is the property of and maintenance responsibility of the Town.

6. **CROSS CONNECTION:** Any actual or potential connection between a distribution pipe of Potable Water from a public Water Distribution System and any water source, which is not of Potable Water, or any pipe, which is not a Potable Water pipe.
7. **CURB STOP:** A Curb Stop is an in-ground structure at the property line, which contains a service valve and is the connecting point between the Service Line and Service Pipe. The Curb Stop and service valve are the property of and maintenance responsibility of the Town.
8. **CUSTOMER:** Any person, partnership, firm, corporation, trust (real estate or other body) or organization of any type in which the owner(s) is supplied with water by the Water Distribution System. The Customer is normally the record owner of the realty being supplied with water and responsible for the account.
9. **LIEN:** Shall mean the statuary Lien a municipality may impose pursuant to Massachusetts General Laws Chapter 40, Section 42A.
10. **METER:** A device for measuring and recording the flow of water from the municipal supply to the Premises.
11. **METER READING DEVICE:** A device on the inside or outside of a building to enable routine Meter readings without internal access to the Premises. The Town shall maintain and replace such devices at its expense.
12. **POTABLE WATER:** Water from any source, which is approved by the Massachusetts Department of Environmental Protection (DEP) for human consumption.
13. **PREMISES:** The commercial or residential property being serviced with water from the Water Distribution System.
14. **PUBLIC OR PRIVATE WAY:** The Town-owned or privately-owned road or street open to the public as a through-way.
15. **RATES AND FEES SCHEDULE:** Water Division current water usage rates, standard fees and penalties as approved by the Select Board.
16. **RULES AND REGULATIONS:** Town of Plymouth Department of Public Works Water Division Rules and Regulations.
17. **SERVICE LINE:** A Service Line is a pipe that connects the water supply main to the Curb Stop. The Service Line is the property of and responsibility of the Town.

18. **SERVICE PIPE:** A Service Pipe is a pipe running from the Curb Stop to a Control Valve, which valve is located immediately inside the structural wall of the Premises. The Service Pipe and the Control Valve are the property of and maintenance responsibility of the Customer.
19. **TOWN:** The Town of Plymouth, Massachusetts.
20. **UTILITY CONTRACTOR:** A contractor licensed to perform work in the Town of Plymouth as defined in the Rules and Specifications Regulating Street Excavations. The Utility Contractor's license is issued by the Town of Plymouth Department of Public Works, Engineering Division.
21. **WATER DISTRIBUTION SYSTEM:** Network of water supply mains, booster pumps and storage tanks, use to deliver water to the Customer.
22. **WATER DIVISION:** The Water Division of the Town of Plymouth Department of Public Works
23. **WATER MAIN:** A Water Main is the pipe to which a Service Line is connected to supply water to the Premises.

ARTICLE II: GENERAL PROVISIONS

APPLICATION FOR WATER SERVICE

All applications for the introduction of Town water to Premises shall be made in writing on an Application for Water Service provided at the Water Division, 169 Camelot Drive Plymouth, MA 02360. Only the Customer, or a duly authorized agent, may apply for Town water. Approval of the application by the Water Division shall create a contract between the Water Division and the Customer obligating the Customer to pay the Town of Plymouth its established rates and to comply with the Rules and Regulations. All applicants shall pay an application fee in accordance with the current Rates and Fees Schedule.

SERVICE ACTIVATION OR TERMINATION

Only Water Division employees shall turn off/on water service at the street.

Seasonal Customers that have not paid their water bill for the previous summer will not be turned on until all fees are paid.

DISCONTINUING SERVICE FOR FAILURE TO PAY BILL

A water service may be discontinued for any reason such as nonpayment of water bills, fees, charges and Liens, or for violations of any Rules and Regulations contained herein, and in accordance with Massachusetts General Law Chapter 40, Section 42A. A water service may be terminated without notice for fraudulent use.

In accordance with M.G.L. Chapter 40N, Section 9(D), Customers who have not paid their water bill within the allotted 30 days will be advised of the Division's termination procedure as follows:

Accounts with outstanding balances of \$5.00 or more and in excess of fourteen (14) days past due will be issued a Demand Notice via regular mail. Payment upon Demand is due fourteen (14) days from the date of the Demand Notice. If payment is not made within fourteen (14) days, water to the property will receive a Shut Off Warning Door hanger, listing the shut off date and a contact number for more information.

Any employee of the Town of Plymouth Water Division as provided in M.G.L. Chapter 165 Section 11D may, at any reasonable time, enter the common hallways of the Premises to post or deliver demand notices or final demand door hangers.

Accounts that remain unpaid after the expiration of the Demand Notice will be shut off at the street. A charge for this action will be assessed to the property owner together with the outstanding balance, which must be paid before the re-activation of the water service. The charge shall be billed according to the current Rates and Fees Schedule.

SCHEDULED SERVICE ACTIVATION/DEACTIVATION

Except in the case of emergencies or seasonal demands, all water shutoffs and startups shall be scheduled within a minimum of three (3) business days prior notice to the Water Division and shall be billed according to the current Rates and Fees Schedule as set annually by the Select Board. Whenever water service has remained discontinued for a continuous period of one (1) year or more, the Water Division shall require the Customer to cut and cap water Service Pipe(s) from the Water Main.

If water service has been discontinued for less than one (1) continuous year, the service shall be turned on only by the Water Division at the request of the Customer. Where water service has been discontinued for one (1) continuous year or more, the water service will be turned on only after the Customer submits an Application for Water Service in accordance with Article II of these Rules and Regulations.

DISCONTINUANCE BY THE OWNER FOR SEASONAL WINTERIZATION OF PREMISES

Any Customer may discontinue water service to a building by notifying the Water Division in writing at least fourteen (14) days in advance of the date on which water service is to be discontinued. Upon notification that the service is to be discontinued, the Water Division shall discontinue the water service for a fee in accordance with the current Rates and Fees Schedule. The property owner, or owners' representative, shall be present at time of the work.

The Customer may request, at their own expense, to hire a licensed Utility Contractor to discontinue the water service to a building. The Customer must notify the Water Division a minimum of three (3) business days in advance of the date on which the water service is to be discontinued. The Water Division requires an inspection prior to backfill.

The Customer shall not be permitted to remove the Meter or terminate their own water service. In this instance, the Customer shall bear all expenses for repair or replacement of broken pipes, valves, appurtenances and Meters owned by the Water Division and pay the Water Division on a time and materials basis for the repair.

REINSTATEMENT BY THE OWNER FOR SEASONAL WINTERIZATION OF PREMISES

Any Customer may request to reinstate water service to a building by notifying the Water Division in writing a minimum of three (3) business days in advance of which the service is to be restored. Upon notification that the service is to be reinstated, the Water Division shall reinstate the water service.

The Customer may request, at its own expense, to hire a licensed Utility Contractor to reinstate the water service to a building. The Customer must notify the Water Division a minimum of three (3) business days in advance of the date on which the water service is to be reinstated. The Water Division requires inspection prior to backfill to ensure compliance with the Rules and Regulations for a fee in accordance with the Rates and Fees Schedule.

The Customer shall not be permitted to install the Meter or reinstate its own water service.

TRANSFER OF OWNERSHIP OF THE PREMISES

The Water Division shall be notified at transfer of any change of ownership of Premises serviced. The property owner shall submit to the Water Division a Final Water Read Request a minimum of 10 business days before the sale. The Water Division will take a reading of the Meter upon the effective date of the transfer. Any outstanding charges, any excess charges, and the prorating of the minimum charge must be adjusted between the buyer and the seller at the closing of the transfer of title to the Premises. Failure of the seller or buyer to notify the Water Division of a change of ownership does not alleviate the buyer of any charges due to past bills, penalties or fees. All charges are against the Premises and statutory lien procedures may be instituted if necessary.

The Water Division will require, a minimum forty-eight (48) hours before the transfer of papers, entry to the Premises to make a final read out of the Meter, at which time a physical inspection of the Meter will be conducted. Any illegal connections shall be corrected prior to the sale and transfer of the Premises. Any final read out required sooner than forty-eight (48) hours advance notice will be subject to a fee as specified in the current Rates and Fees Schedule.

DISCONNECT FROM WATER SYSTEM

Any Customer currently connected to the Water Distribution System, that wishes to disconnect, must do so at their own expense. A written request must be submitted to the Board of Health. Upon review and approval of this request by the Board of Health, the Customer must hire a licensed Utility Contractor to disconnect their water service at the water main, as witnessed by the Water Division. This work is subject to approval and inspection of the Town. Once inspected and approved, the water Meter must be returned to Water Division. 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.

NEW CONSTRUCTION OR RENOVATION STANDARDS

All new water related construction, and/or upgrades to the existing Water Distribution System, shall conform to the Plymouth Engineering Division's water main specifications, standard details, and the Water Division Rules and Regulations. In the absence of these, American Water Works Association ("AWWA") Standards shall apply.

Prior to commencing installation of Water Mains, public or private, that will be connected to the Town's water system, the requestor shall submit to the Plymouth Engineering Division, one (1) printed full size set of plans and specifications and one (1) electronic copy of each in PDF format. The requestor shall also conduct hydrant flow testing and submit a hydraulic modeling analysis, as applicable, completed by an engineering firm certified in Massachusetts, detailing the effects the proposed development will have on the existing Plymouth water system. Following the Engineering Division review, the requestor shall meet with the Water Division to review and ensure understanding of, and compliance with the Rules and Regulations, applicable Water Division material specifications, and submit an Application for Water Service (if applicable).

The Water Division shall be given the right to enter upon all private ways to which the Plymouth water system extends for the purpose of maintenance and investigation.

Unless otherwise approved by the Plymouth Engineering Division in writing, the minimum size pipe shall be eight (8) inches. The pipe material shall be push on joint type ductile iron, thickness class 52, with an internal cement lining thickness twice that required in AWWA C104. All intersections shall be triple-gated with adequate distance between gates. A fire hydrant shall be installed every 500 linear feet of main and gate valves installed every 1,000 linear feet of main. All Water Mains shall be looped. All proposed water services shall not exceed 100 linear feet from the Curb Stop to the building.

The Water Division requires a full-time inspector be present during installation of Water Mains, hydrants, services, appurtenances and testing. The Water Division maintains a list of approved inspectors. The contractor shall be responsible for paying the inspector's hourly rate, and any expenses charged for the inspector's services. The contractor shall notify the Water Division a minimum of seven (7) business days in advance of any water related construction to ensure inspector availability.

All Water Mains and Service Lines shall be installed with a minimum of five (5) feet of clean suitable cover and a maximum of six (6) feet of cover. All Water Mains and Service Lines shall be laid on a bed of six (6) inches of clean sand and covered with an additional twelve (12) inches of clean sand when compacted. All Water Mains shall be laid with metallic tracer tape buried two (2) feet above the Water Main.

All Service Lines shall be a minimum of one (1) inch polyethylene, PE-3408 or greater. All Service Lines two (2) inches or over shall be provided with a stainless steel saddle to the Water Main. All Corporation Stop Valves and Curb Stops shall be compression type, NSF 61 compliant, and open left. All water services shall have a dedicated Corporation Stop Valve and Curb Stop and shall only serve one property. No new services shall be tapped off any pipe that is less than 6-inches or provides water to another dwelling.

All gate valves shall be resilient seat wedge type and shall open right. All hydrants shall open right and have a dedicated gate valve and anchor tee. Hydrants shall be bagged until the water system is put into service. Hydrant color shall be approved by the Water Division prior to installation.

All taps into existing Water Mains shall be completed in accordance with all applicable local and state permits and with the written permission of the Water Division. No contractor is permitted to operate any water appurtenances unless with the written permission of the Water Division. Any person or persons operating a valve in the Town without permission from the Water Division will be assessed a tampering penalty in accordance with the current Rates and Fees Schedule. The Water Division reserves the right to mandate the tap be completed by its own staff, in which the contractor shall pay current labor rates and the cost of materials to the Water Division including, if necessary, overtime pay, and hazard pay for work on asbestos cement pipe.

All Water Mains shall be pressure tested in accordance with AWWA C600, specifically the 2-hour 200 psi test. Bacteriological sampling and testing shall be completed by the Water Division. All testing shall be completed before the Water Main is put into service. The Water Division shall witness the pressure test and bacteria test sampling. A copy of the bacteria test shall be sent to the Water Division from a Massachusetts DEP state certified laboratory certified for total and fecal coliform analyses of potable water.

The developer shall submit an as-built plan, gate tie cards, and water service cards, prepared by a registered civil engineer in the state of Massachusetts to the Plymouth Engineering Division at the conclusion of the project. The submittal shall include one (1) printed full size plan set, and an electronic set in PDF format.

Prior to a structure being demolished, the water service must be shut off, Meters removed, and service disconnected from the Corporation Stop Valve. It will be the responsibility of the property owner or developer to notify the Water Division and to excavate for the disconnection, which must be witnessed and inspected by the Water Division.

All new construction or permit required renovations shall not be allowed to have a Meter pit, vault, or box unless otherwise approved, in writing, by the Water Division. The Customer shall furnish and install the Meter pit, bearing all expenses, in accordance with Water Division specifications.

All permit required renovations with existing Meter pits shall identify a suitable location within the building to cut in the Meter. The installation of the Meter shall be completed and inspected by the Water Division or its authorized contractors.

FIRE HYDRANTS

In no case shall anyone be allowed to draw water from, exercise or operate any fire hydrant within the Water Distribution System without permission from the Water Division. The Water Division must be notified as soon as practical after the use of a hydrant for the purpose of inspection of all hydrants used. Anyone with permission from the Water Division to extract water from a hydrant will pay a fee and all water usage will be Metered by the Water Division. Any person or persons taking water from any hydrant in the Town without permission from the Water Division will be assessed a tampering penalty in accordance with the current Rates and Fees Schedule and will be responsible for any related damage and water charges.

All hydrant use requests that involve a tanker shall submit an Application for Tanker Usage to the Water Division, 169 Camelot Drive Plymouth, MA 02360. Requirements of the applicant, rates and fees are listed on the application.

All construction related hydrant use requestors shall submit an Application for Construction Hydrant Usage to the Water Division, 169 Camelot Drive Plymouth, MA 02360. Requirements of the applicant, rates and fees are listed on the application.

WATER USE RESTRICTIONS

The Water Division shall set water use restrictions in order to comply with the current Water Management Act Permit issued by the Massachusetts Department of Environmental Protection (DEP).

All water use restrictions shall be enforced by the Water Division in a manner that is deemed acceptable by the Superintendent or acting Superintendent of the Water Division based upon the use restriction(s) in place. The Water Division reserves the right to terminate service for any Customer that does not comply with mandatory water use restrictions.

LEAKS

The Water Division shall have the right to shut off water to where a leak exists or is believed to exist. Any such leaks must be repaired and must pass inspection by the Water Division before water will be restored. In addition, each Customer shall be responsible for the cost of any repairs on all Customer-owned water pipes.

Customers notified of a leak on their Service Pipe will be given seven (7) days to make the repair. a final 48-hour shutoff door hanger will be left on day eight (8) the water service shall be terminated on day ten (10).

Private Water Mains where a leak is detected may be subject to immediate shutoff to avoid excessive loss of water. It is the responsibility of the owner(s) of the Water Main to make necessary repairs, bearing all expenses, before water service is restored to the main.

ARTICLE III: OWNERSHIP & RESPONSIBILITY

RESPONSIBILITY FOR CHARGES

Upon the activation of water service, the Customer will be charged with and held responsible for all water passing through the Service Pipe. The charges shall be based on the current Rates and Fees Schedule.

BILLS PAYABLE

Bills are payable to the Town of Plymouth Collector's Office, 26 Court Street, Plymouth, MA 02360, and will be sent to the Customer at the address provided on the Application for Water

Service. Customers shall notify the Water Division promptly of any change of address in accordance with Article II of the Rules and Regulations.

Residential Meters and commercial Meters will be read according to the current Meter reading schedule. All Customers shall pay a minimum billing charge irrespective of water consumption. Billing charges and water consumption shall be billed as shown on the current Rates and Fees Schedule. The minimum billing charge ceases only when the structure receiving water from the Water Distribution System has had its service terminated, in an approved manner, in accordance with Article II of the Rules and Regulations.

OVERDUE CHARGES AND DELINQUENT BILLS

If a bill is not paid on or before the due date, the Customer shall be charged interest and overdue charges in the amount specified in the current Rates and Fees schedule.

Failure of the Customer to receive a bill does not relieve the Customer of the obligation of payment, nor from the consequences of non-payment. Any overdue bill may be collected by any legal means, including a Lien on the Premises, termination of service, or an action in contract, pursuant to Massachusetts General Laws Chapter 40N, §9D, Chapter 40, Sections 42A-42F and any other applicable statutory authority.

If the water service is shut off by the Town due to a delinquent account, it will not be turned on until all past due bills, penalties, and a fee for turning on water service are paid accordance with the current Rates and Fees Schedule.

ESTIMATED CONSUMPTION

All water passing through a Meter must be paid for by the Customer. If a Meter malfunctions or fails to register, the Customer will be charged at the average daily consumption as shown by the historical usage of the Meter when in working order for the first bill after the malfunction. All proceeding bills will be charged an estimated read fee in addition to the estimated consumption until the Water Division is provided access to repair or replace the Meter.

When, in the opinion of the Water Division, the Customer is not adhering to the Rules and Regulations and/or is unreasonable with providing the Water Division access to repair the damaged Meter, the service may be terminated and not reinstated until the Water Division or its authorized contractors has repaired or replaced the Meter. A fee for reinstating the terminated water service shall be charged to the Customer in accordance with the current Rates and Fees Schedule.

CLAIMS FOR ADJUSTMENT OR ABATEMENT

All claims for adjustment or abatement of bills shall be made within sixty (60) days of date of issuance of said bills, in writing to the Water Division. Abatements will not be issued for water leaks or high consumption.

RESPONSIBILITY FOR WATER SERVICE LINE & SERVICE PIPE

The Service Line from the Water Main to the Curb Stop shall be owned and maintained by the Water Division. The Service Pipe from the Curb Stop to the building to the Meter, including the Control Valve, shall be installed, owned and maintained by the Customer. In the event of a leak in

this Service Pipe, the Customer shall repair the leak upon discovery as a condition of continued water supply.

METER REPAIRS, RELOCATION, AND REPLACEMENT

The Meter is the property of the Town and may be repaired, tested, calibrated, improved or replaced by the Town, for which service the Customer must permit entry onto the Premises by persons authorized by the Town, upon reasonable advance notice to the Customer. The Customer is responsible for reasonable care and use of the Meter.

In the event that a Meter fails to register or is out of order, the Town will notify the Customer. If, for whatever reason, access to repair or replace the Meter is not allowed, the account will be immediately placed on the estimated read list and may be subject to additional fees and/or termination of service as mentioned in Article III.

ARTICLE IV: LIABILITY

CONDITIONS UNDER WHICH SERVICE IS FURNISHED

The Water Division does not guarantee constant pressure nor uninterrupted service, nor does it assure the Customer either a full volume of water or the required pressure per square inch necessary to effectually operate hydraulic elevators, sprinkler systems, or other appliances. However, although the Water Division will undertake to use all reasonable care and diligence to avoid interruptions and fluctuations in the water service, the Water Division shall not be liable or responsible to any persons for any loss or damage from any excess or deficiency in the pressure, volume or supply of water.

NO LIABILITY FOR INTERRUPTION OF SERVICE

No Customer will be entitled to damages, or to have any portion of payment refunded, for any interruption of supply occasioned either by accident to any portion of the Water Distribution System, or by shutting off for the purpose of additions or repairs to the Water Distribution System, or by stoppage or shortage of supply due to causes beyond the control of the Water Division, such as excessive drought, excessive use of and waste of water by other Customers, or by leaks or defects in the pipes or appliances owned by the Customer or other consumers.

NO LIABILITY FOR CUSTOMERS' PIPES

The Water Division will not assume any liability for conditions in the Customer's plumbing or appliances associated with or following installation, repairs or flushing to any part of the Water Distribution System and shall not be responsible for damages caused by sediment laden water resulting from the opening or closing of any gates or screens for repairs or any other reasons, or the breaking of any supply lines.

NO LIABILITY FOR COLLAPSED BOILERS, ETC

The Water Division reserves the right at any time, without notice, to shut off the Water Distribution System for purposes of making repairs, extensions or for other necessary purposes. Persons having

boilers or other pressure-dependent appliances on their Premises are required to provide, at their own expense, suitable safety appliances to protect themselves against such danger. In any event, it is expressly stipulated that the Town will not be liable for any damage resulting from water having been cut off, either through accident or necessity.

NO LIABILITY FOR SHUTTING OFF WATER WITHOUT NOTICE

When it becomes necessary to shut off the water from any section of the Town because of an accident, emergency or for the purpose of making any changes or repairs, the Water Division will endeavor to give timely notice to as many of the Customers affected thereby as time and character of the repairs or accident will permit, and will, so far as practicable, use its best efforts to prevent inconvenience and damage arising from any such shut off. Failure to give such notice will not render the Water Division responsible for any damages that may result from the shutting off of the water.

NO LIABILITY FOR FROZEN PIPES

It is the responsibility of all Customers to ensure that all plumbing, fixtures, Meters and appliances on their property are protected from freezing. The Customer shall make any repairs that may be necessary to prevent leaks and damage. Neither the Town nor the Water Division shall be held responsible for loss or damage to any plumbing, fixtures, Meters or appliances due to freezing and any repairs made by the Water Division shall be paid for by the Customer.

ARTICLE V: ACCESS RIGHTS

ACCESS TO THE PREMISES

Employees or contractors working on behalf of the Water Division shall be permitted to access all Premises supplied with water at reasonable hours to permit inspection of plumbing and fixtures, to read, set, examine, calibrate, repair, test or remove Meters and Meter reading devices, to ascertain the amount of water used and manner of use, and to enforce the Rules and Regulations. After three (3) attempts to contact the Customer, a registered notice of the time the water service will be disconnected will be sent and water service will be turned off at that time.

ACCESS TO CURB STOP

The Curb Stop shall contain a service valve which must be accessible to the Water Division should it be necessary to turn off the water supply.

The Water Division shall not be liable for removing any landscaping, such as but not limited to, grass, mulch, plantings, pavers, pavement or structures to access the Curb Stop. The property shall be restored at the expense of the Customer. Penalties may be charged to the Customer on a time and materials basis for any excessive work required to access the Curb Stop, in addition to any established shutoff fees stipulated in the Rates and Fees schedule.

The Curb Stop is property of the Town of Plymouth, and customers found tampering with, or operating any Curb Stop will be subject to a penalty in accordance with the current Rates and Fee Schedule.

ACCESS TO METERS

It shall be the duty of all Customers to see that Meters on service connections and Meter reading devices shall be readily accessible at all times to the Water Division. Failure to remove any obstruction which prevents access to the Meter or the remote Meter within three (3) days after being notified by the Water Division may cause the water to be shut off from the Premises and it will not again be turned on until all obstructions are removed.

ARTICLE VI: METERS

FURNISHING OF METERS AND METER SIZE

For residential and non-residential buildings, the Town shall size, furnish, and install Meters, along with the necessary bushings and couplings to attach to the plumbing and all automatic reading devices.

Meters shall be installed in the horizontal direction and remain accessible.

For commercial and industrial buildings, the Water Division may request an inspection of the Premises prior to sizing the Meter to determine the appropriate Meter type and size for its intended use.

Each unit within any apartment, condominium, multi-family, or mixed use, as defined in the Town Zoning Bylaws may not be Metered individually by the Water Division. Each water service from the main shall have a maximum of one (1) Meter. If required, a master Meter shall be installed for the property on the Service Pipe entering the Premises.

COST OF METER REPAIRS

The cost of Meter repairs or replacements necessitated by ordinary wear and tear will be borne by the Town. The costs of repairs, maintenance and/or replacement caused by freezing, hot water, or other than ordinary wear and tear, whether internal or external, will be borne by the Customer.

Customers will be held responsible for damage to the Meter 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 to the Town of materials, labor, and current sales tax law.

CONTROL VALVES

Requirements established by the Town for Customer owned portions of the Water Distribution System include but are not limited to the following: a minimum of two (2) Control Valves are required in association with the installation of each service. One valve is to be located near the point of entry of the Service Pipe through the building or structure wall. A second valve is to be

located on the "downstream" or house side of the Meter. These valves should be of equal size to the diameter of the pipe to which they are connected and are the property of the Customer.

MATERIALS SPECIFICATION

Specifications, valves and other appurtenances shall conform to Massachusetts Plumbing Code Regulations and Water Division specifications. All installations shall be performed by a licensed plumber in accordance with Massachusetts Plumbing Code and any other applicable regulations and to the satisfaction of the Water Division. If any defects in workmanship or materials are found or if the Customer's service has not been installed in accordance with proper specifications or the Water Division's requirements, 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 Water Division. The Water Division will not be held liable for any defects in such workmanship or material.

MAINTENANCE OF CUSTOMER'S PLUMBING

All Customers shall maintain the plumbing and fixtures within their Premises in good repair and protected from freezing at their own expense. Customers shall make any repairs that shall be necessary to prevent damage or leaking. All plumbing must conform to Massachusetts Plumbing Code and any other applicable regulations.

LOCATION

All Meters shall be set, as nearly as possible, at the point of entry of the Service Pipe to the building, and the Customer shall provide and maintain a clean, warm accessible place therefore.

TAMPERING

It is illegal to tamper with a Meter. Written authorization must be obtained from the Town to install, alter or remove a Meter. Violations shall be subject to a penalty in accordance with the current Rates and Fees Schedule. All Meters will be sealed against tampering or alteration. A broken seal is a violation of these Rules and Regulations.

Once sealed by the Town, Meters and Meter reading devices shall be moved only by the Water Division and its authorized contractors. If the relocation is done for the convenience of the Customer, the Customer will be responsible for the cost of the relocation.

TESTING METERS BY REQUEST

The accuracy of the Meter on any Premises will be tested by the Water Division upon written request of the Customer, who shall pay a Meter bench test fee to cover the cost of the test. If upon testing the Meter is found to register over two percent (2%) more water than actually passes through it, the Meter will be repaired and the fee will be refunded and the water bill for the current period will be adjusted in accordance with the result of the test; if, however, it appears that the Customer was charged, or has paid for less water than he should have been charged or should have paid for, the Customer shall forthwith be charged with the proper additional amount and shall pay the same, together with the expense of the examination and test, to the Town.

ARTICLE VII: CROSS-CONNECTION PROGRAM

The purpose of the Cross Connection Program is to protect the Town's Potable Water supply from the possibility of contamination or pollution by isolating such contaminants or pollutants which could Backflow or back siphon into the Water Distribution System; to promote the elimination or control of cross-connections, actual or potential, between a Customer's Potable Water system and non-Potable Water systems, plumbing fixtures and industrial piping systems; and to provide for a continuing program of cross-connection control which will systematically and effectively prevent the contamination or pollution of all Potable Water systems from cross-connections.

As provided in the Federal Safe Drinking Water Act of 1974, Public Law 93-523, and the Commonwealth of Massachusetts Drinking Water Regulations, 310 CMR 22.22, Cross-Connections; the Town has the primary responsibility for preventing water from unapproved sources or any other substances from entering the Water Distribution System.

The Water Division is responsible for the protection of the public Potable Water supply from contamination or pollution due to Backflow or back siphonage of contaminants or pollutants through a Potable Water service connection. If, as a result of a survey of the Premises, the Water Division determines that an approved Backflow prevention device is required at the Town's water service connection or as interior protection within any Premises, for the safety of the Potable Water supply, the Water Division shall give notice in writing to said Customer to install an approved Backflow Prevention Device(s). The Customer, shall within the time frame determined by the Water Division, install by a licensed plumber such approved Backflow Prevention Device(s) at the Customer's expense.

Failure, refusal, or inability to install said device(s) within the specified time shall constitute grounds for shutting off water to the Premises until such device(s) has been properly installed and any fines or charges for shutting off and turning on water have been paid.

No water service connection to any Premises shall be installed or maintained by the Water Division unless the water supply is protected as required by 310 CMR 22.22 and these Rules and Regulations. Service of water to any Premises shall be discontinued by the Water Division if a Backflow prevention device is not installed, tested and maintained, or if it is found that a Backflow prevention device has been removed, by-passed, or if an unprotected cross-connection exists on the Premises. Service shall not be restored until such conditions or defects are corrected.

In the case of a Premises in which any industrial fluids or any other objectionable substances are handled in such a way as to create an actual or potential health hazard to the public water supply, the public water supply shall be protected against Backflow from the Premises by requiring the Customer to install an approved Backflow Prevention Device(s) in the Service Pipe to provide additional containment protection.

All commercial, industrial and institutional users of the public water system shall be required to install and maintain an approved Backflow Prevention Device for building containment. This

device shall be installed immediately downstream of the Meter or at the point of service entrance, as so there are no draw-offs or tee's upstream of said device.

The location of each Backflow Prevention Device with respect to the plumbing on the Premises and the service connection to the Premises shall be based upon the degree of existing or potentially existing health hazard, and shall conform to Water Division's requirements and other specific requirements in accordance with 310 CMR 22.22 (4)(a) and (4)(b).

All Backflow Prevention Devices required by Massachusetts 310 CMR 22.22 shall be tested as required in 310 CMR 22.22 (13). In those instances where the Water Division deems the hazard to be great enough, the Water Division may require certified inspections at more frequent intervals.

All decisions relating to the determination of Backflow Prevention Devices will be made by the Water Division. Failure to comply with any directive from the Water Division will result in termination of water service.

All new businesses shall be charged a fee for an initial survey in accordance with the current Rates and Fees Schedule. All proceeding surveys conducted by the Water Division will not carry a fee.

The Customer shall be responsible for applying for and obtaining all necessary approvals and permits for the maintenance of cross-connections and installation of Backflow Prevention Devices

Backflow testing is performed twice a year. All Backflow Prevention Devices will be tested by the Water Division or an authorized representative. In the event of a failed device, repair/replacement as well as re-testing must be conducted within ten (10) days of installation or repair. Failure to follow this procedure will result in water service termination. For all testing the Customer shall be charged each occurrence in accordance with the current Rates and Fees Schedule.

All fire protection systems connected to the Town's water supply must be protected with an approved Backflow Prevention Device; such device(s) will be tested according to Massachusetts Water Division of Environmental Protection's recommendations.

The Town shall not be responsible for any damage resulting from the shutoff of water or the subsequent let-on of water in conducting required tests and inspections of an approved Backflow Prevention Device installations.

It is illegal to improperly tamper with a Backflow Prevention Device. Written authorization must be obtained from the Town to install, alter or remove a Backflow Prevention Device. Violations are subject to a penalty accordance with the current Rates and Fees Schedule.