

SHERRILL KENWOOD WATER DISTRICT
RULES AND REGULATIONS

1. Rules - Part of Contract:

The following rules and regulations are adopted by the Commissioners of the Sherrill-Kenwood Water District, and every person who shall be supplied, or whose property shall be supplied with water by the Sherrill-Kenwood Water District automatically subscribes to said rules, and the same shall constitute a part of the contract between such person and the Sherrill-Kenwood Water District. Whenever the word “customer” shall be used in these Rules and Regulations, it shall mean the owner of the premises.

2. Permits: No person, except a regular employee or representative of the Water District shall make any attachment to, or connection with, the pipes of the Water District, nor make any additions to or alteration of any pipes supplying water to customers from said water works, nor lay any service pipe connected therewith, or remove or tamper with any meter, check valve, reducing valve, or any other piece of equipment required and controlled by the Water District. Any person violating any of these provisions shall be subject to prosecution under the penal law and the Sherrill-Kenwood Water District may shut off the supply of water.

3. Agents or Owner: The plumber designated and employed by the owner of the premises will be considered the agent of such owner while employed in the commission of the work of introducing water into said premises, and in no sense as the agent of the Water District nor will the Water District be responsible for the acts of said plumber.

4. Service Connections: A written application for all new service connections must be made by the property owner or by an authorized agent to the office of the Sherrill-Kenwood Water District. When proper application shall have been approved by the Water District, a permit shall be issued to the owner to make connection to the curb stop. All service connections will be a minimum of ¾” copper tubing. Service connections shall consist of one continuous length of tubing from the curb stop to the inside foundation wall. The copper service going through the cellar wall must be in a sleeve. No joints will be permitted in this length of tubing. Curb stops shall be located approximately on the front property line but shall not be located within a sidewalk, driveway or paved area. All underground joints shall be flared or compression fitting type and conform to the Water District Standard Specifications.

5. Maintenance of Service Connections: The owner of property into which water is introduced by a service connection will be required to maintain in proper order, at the owner’s expense, the said service pipe from the curb stop to the meter, and in case such service is not so kept in repair, the Water District may shut off the supply of water until satisfactory repairs have been completed.

6. Valve & Curb Keys and Hydrant Wrenches: Valve keys, curb keys and hydrant wrenches may not be used by customers or plumber designated and employed by the customer for turning on or shutting off the supply of water but are the exclusive use of the Sherrill-Kenwood Water District or the Sherrill-Kenwood Fire Department in the case of hydrant wrenches.

7. Report of Completed Work: All persons holding a permit to do work in connection with the system of the Sherrill-Kenwood Water District shall be responsible for notifying the Water District within twenty-four (24) hours after completing such work.

8. Inspection of Premises: Authorized employees of the Sherrill-Kenwood Water District, upon showing proper identification, shall have the right to enter upon any premises being supplied by the Water District or upon any premises when application has been made for a permit to connect plumbing with the water system of the Water District, for the purpose of inspecting the meter, plumbing and fixtures of the water service, and all work in connection with such service.

9. Separate Services: A separate tap, curb box, and service pipe shall be required for each lot supplied with water. The curb box shall not be placed in an area that is subject to vehicle traffic.

10. Discontinuance of Use of Water: Any customer wishing temporarily to discontinue the use of water supplied by the Water District, shall be subject to the established minimum bi-monthly charge or prorated share of the water services, and for any damages to the same, and for fees minimum charge based on the number of days during the period when water is used. Where the actual metered water consumption during such period, as computed at established rates, exceeds the pro rata minimum amount, said metered amount shall be charged. In addition, a charge shall be made for turning off the water and a like charge for restoring service.

11. Delinquent Accounts: Whenever a service connection has been turned off for non-payment of water bills or other charges, or for the violation of any rule or regulation of the Sherrill-Kenwood Water District, it shall not be turned on again until all charges or penalties shall have been paid, or the defects of the service have been adjusted. No person shall be permitted to turn the water on again except those authorized by the Commissioners of the Sherrill-Kenwood Water District.

12. Limits to the Amount of Water Furnished: The Sherrill-Kenwood Water District reserves the right to limit the amount of water furnished to any customer should circumstances seem to warrant such action, although no limit may be stated in the application or permit for use, or the Water District may entirely shut off the water supply used for any manufacturing purpose or for furnishing power, or for lawn sprinkling, at any time, by giving reasonable notice of such intended action. When construction or repair work makes it necessary, the right is reserved to shut off the water from any premises without notice for as long a period as may be necessary. The Water District will however, give prior notice whenever possible.

13. Pressure: The Sherrill-Kenwood Water District shall not be liable for any damages or loss of any sort which may arise from, or be caused by any change in the water pressure due any cause whatever. In order to determine if adequate pressure is available at a proposed service connection, the property owner shall meet with the designated representative of the Sherrill-Kenwood Water District.

14. Interruption of Water Supply: It is understood and agreed that the Sherrill-Kenwood Water District shall not be liable for any damages which may result to any person or premises from the shutting off of the water from any main or service for any purpose whatsoever, even in cases where no notice is given.

15. Supply to Neighboring Premises: No water customer will be allowed to supply water in any manner, or through neighboring premises of any description, except by written permission from the Sherrill-Kenwood Water District. Upon refusal of any person to comply with this rule, the water shall be shut off from the premises.

16. Subdivisions: Plans for the construction of water systems in subdivisions shall be approved by the NYS and Oneida County Health Departments for the Sherrill-Kenwood Water District.

17. Operation of Valves: No person except an authorized employee or agent of the Sherrill-Kenwood Water District shall open, close, or in any way operate any valve or gate in any water main or street pipe. Nor shall any person except for the Sherrill-Kenwood Fire Department, under the direction of the proper officer, shall open, close, or in any way operate a hydrant within the Sherrill-Kenwood Water District. Nor shall any person place any building materials, rubbish or any hindrances or obstruct in any way free access to any such valve or hydrant.

18. Valve Boxes: No person shall disturb or displace a valve box so that the valve stem cannot be reached by the key nor shall they cover a valve box in any way so as to make it inaccessible. Any valve boxes located at improper grade should be reported to the office of the Sherrill-Kenwood Water District.

19. Unauthorized Water Use: Any person who shall use water from the mains of the Sherrill-Kenwood Water District without written permission or shall use such water for purposes not specified in such permission or without authority from the Water District shall be prosecuted to the full extent of the law and shall pay for the water used according to the best estimate by the Commissioners of the Water District.

20. Violations of Rules: For the infraction of any of its rules and regulations, the Sherrill-Kenwood Water District may shut off the water from any premises where the violation occurs after proper notice has been served on the customer. Said notice shall be sent by registered mail to the customer's address as it appears on the records of the Water District and shall allow a period of fourteen (14) days from receipt of letter for correction before the water is shut off.

21. Meters: All meters up to $\frac{3}{4}$ inch will be owned by the Sherrill-Kenwood Water District. All meters larger than $\frac{3}{4}$ inch will be owned and maintained by the property owner. The cost of repairs or the replacement of meters damaged by hot water, freezing, or neglect on the part of the customer will be borne by the customer. No meter shall be set without a permit from the Water District and such installations shall be made under the direct supervision of a regular employee or representative of the Water District. Any persons delegated by the Water District must at all reasonable hours have access to all meters and to all parts of the premises to which water is delivered, for the purpose of inspection, examination of fixtures, reading meters, etc. All persons using water must at all times, frankly, and without concealment, answer all questions put to them relating to its consumption. All meters will be sealed and anyone tampering with or removing a seal on a meter without the consent of the Water District or authorized personnel shall be subject to a fee and/or fine. The following regulations shall be adhered to: A. All meters shall be installed so that all water which enters the service from the main passes through the meter.

B. No meter shall be allowed to remain in a location deemed unsuitable by the Water District or designated representative.

C. No meter shall be located where it may freeze.

D. Whenever possible the meter shall be set in the basement.

E. When a meter cannot be set in the basement, it will be installed either in a meter pit or in a place designated and approved by the Water District. When the distance from the property line to the front wall of the building is greater than one hundred (100) feet, the Water District may require that the meter be installed in an approved meter pit.

F. All meter pits and covers shall be owned, installed, and maintained by the customer.

G. All meters must be installed level and installed as close as reasonably possible to the point of entry of water service into the building and all piping before meters will remain exposed.

H. A valve must be placed in the service pipe inside the building between the wall and the meter, and valve must be installed directly beyond the meter, and both maintained in an operable condition at all times.

I. When a meter cannot be read for a period of a year, the water service will be discontinued.

J. No outside remotes will be installed no less than three feet from the finish grade of ground, or more than five feet above ground level, and no more than twenty-five feet from the meter.

K. Large industrial and large commercial meters shall be provided by the property owner. The meter shall be a model acceptable to the Sherrill-Kenwood Water District. The meter pit design shall be approved by the Water District prior to construction. The Water District shall approve the completed works.

22. Amendments to Rules and Regulations: The Commissioners of the Sherrill-Kenwood Water District reserve the right to amend, modify and change these rules and regulations from time to time at their sole discretion and without giving prior notice to the customers of the Water District. The Water Commissioners also reserve the right to make special rates and contracts in all proper cases.

23. Injury to Pipes and Fixtures: Any contractor or party doing construction or repair work on such fixtures as sewers, drains, conduits, or engaged in track laying, grading, paving, etc., who may cause injury to any part of the water system, such as mains, services, valves, valve boxes, hydrants, etc., will be held liable for all such injuries and for loss of water that may be wasted due to his acts. The materials and labor necessary for repairs shall be supplied by the contractor(s) responsible for the damage.

24. Sprinkler System: The feed line going to a building does not have to be metered. The feed line shall be checked by the Sherrill-Kenwood Water District for any illegal taps before

backfilling both outside and inside the structure. Any customer taking or allowing others to take water from any fire line for other than the extinguishing of fires, or making taps or connections to said fire lines, shall be subject to prosecution under the penal law and the Water District may shut off service to the fire line. Water service to a fire service line shall not be discontinued, except in the case of illegal, unsafe or hazardous situations as determined by the Sherrill-Kenwood Water District, until sixty (60) days after the codes enforcement officer as well as the local fire control office, have been notified of the intent to terminate. All unmetered fire suppression and sprinkler systems are subject to fees determined by the Sherrill-Kenwood Water District.

25. Cross Connections: The term “cross-connection as used here, means any unprotected connection between any part of the Sherrill-Kenwood Water District water system and any service or system containing water or substance that is not approved as equally safe for human consumption. All physical connections which may constitute potential cross-connections are prohibited unless constructed, maintained, operated and tested in accordance with the provisions of the New York State Sanitary Code, Chapter I, Part 5, Section 5-1.31.

Cross-connection control shall be provided by the customer to protect the District’s water system, by containment of any existing or potential contamination within the premises of the customer in the following manner:

A. By installing an acceptable air gap, reduced pressure zone, double check valve assembly or equivalent backflow prevention device acceptable to the New York State Health Department consistent with the degree of hazard posed by the premises.

B. By submitting plans for the installation of backflow prevention devices to the Water Superintendent and the New York State Health Department for approval and

C. By inspecting and testing all such devices initially and annually at the expense of the customer by a certified backflow prevention device tester. These devices shall be repaired, maintained or replaced at the expense of the customer, whenever they are found to be defective. Records of testing and inspections shall be provided to, reviewed by and maintained by the Water Superintendent. No customer shall establish or maintain a separate source of water without the approval of the Sherrill-Kenwood Water District. In order to receive approval, the customer must justify the need for a separate source before the Water District. The Sherrill-Kenwood Water District shall have the authority to terminate service to any user that could potentially contaminate the District’s system through said service. Service will be restored once satisfactory measures have been taken to prevent contamination. Any corrective measures, disconnection or change on private property or in the District’s system outside the property, shall be added to the charges for water against the premises necessitating such expenditure.

D. The Sherrill-Kenwood Water District reserves the right to implement procedures and an annual charge/fee structure as needed along with potential fines for failure to comply to ensure that the water system remains protected from cross connections and the potential contamination.

26. Charge for Service Connections: A charge shall be made by the Water District for all new service connections in an amount determined by the Commissioners of the Water District. This amount will be sufficient to cover the cost of the meter, corporation stop, curb box, service pipe (from main to curb stop), equipment and labor costs required to tap the main and provide the connection.

27. Schedule of Water Rates: Water rates may be obtained from the Sherrill-Kenwood Water District upon request. The Water District reserves the right to revise these rates at any time.

28. Estimated Usage: In the case of meter failure, the customer will be charged for the water consumed during the period based on the previous year's record of usage, or by such other means as shall seem fair and equitable to the Commissioners of the Sherrill-Kenwood Water District.

29. Terms: All residential water bills shall be rendered bi-monthly (commercial and industrial monthly). Water bills of whatever nature are payable without penalty within the due date of the bill. A ten percent (10%) penalty will be charged on all bills remaining unpaid after the due date of the bill. Any bill remaining unpaid one month from date of bill will result in the discontinuance of service and a charge will be made to cover the cost of discontinuing the service.

30. Billing for Incomplete Periods: When a meter is first installed for a new customer or a change in customer occurs during a billing period, such customer shall be subject to a prorated share of the established minimum charged based on the number of days during the period when water was used. Where the actual metered water consumption during such period as computed at established rates exceeds the pro rata minimum amount, said metered amount shall be charged.

31. Consumer Deposits for Commercial and/or Industrial Users:

A. The Sherrill-Kenwood Water District, upon a finding of good cause, may require any commercial and/or industrial user to deposit a reasonable sum of money, according to the estimated quantity of supply water to said user for two (2) calendar months. The purpose of said deposit shall be to secure payment for water actually supplied to said user.

B. The Water District shall allow to every such depositor interest at a rate as set by the New York Public Service Law

Section 117 and 16 NYCRR Section 510.3 or any successor law or regulation. The SKWD shall credit such interest to each depositor whose deposit has been held for one (1) year or more by paying such interest in cash or deducting it from the amount of a bill rendered for water service thereof, pursuant to Public Service Law Section 117 and 16 NYCRR Section 510.3 or any successor law or regulation.

C. The Water District shall render to each depositor, when and as the deposit is applied to an unpaid bill, a statement containing the information required by 16 NYCRR Section 510.4 or any successor regulation.

D. If the depositor was not delinquent in the payment of any bill in a one (1) year period, the Water District shall refund the deposit to the depositor, without prejudice. The Water District may require a future deposit in the event of a future delinquency from said user. Notwithstanding the above, when the Water District has good cause to believe that the financial condition of a user is such that the user will likely default in the future, the Water District may retain the deposit until the depositor has not been delinquent of a two (2) year period.

E. The Water District shall render to each depositor, when and as the deposit is refunded, a statement containing the information required by 16 NYCRR Section 510.5 or any successor regulation.

F. The Water District shall issue to every depositor a Certificate of Deposit conforming with the mandates of 16 NYCRR Section 510.6 or any successor regulation.

G. If a depositor makes application for the return of the deposit but is unable to produce the original Certificate of Deposit, the depositor shall be entitled to a hearing before the Water District to demonstrate that the deposit is in fact entitled to the return of a deposit.

H. The Water District shall distribute a Circular containing terms of deposit, conforming with the mandates of 16 NYCRR Section 510.8 or any successor regulation.

I. The Water District shall keep records and an index of user deposits, conforming with the mandates of 16 NYCRR Section 510.1 and 510.2 or any successor regulation.

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