TOWN OF NORTHFIELD WATER USE REGULATIONS

AN ORDINANCE REGULATING THE INSTALLATION AND USE OF PUBLIC AND PRIVATE WATERLINES, THE INSTALLATION OF WATER SERVICE CONNECTIONS, METERS, BACKFLOW DEVICES, HYDRANTS, VALVES AND OTHER EXISTING OR PROPOSED COMPONENTS OF THE WATER SYSTEM OWNED BY THE TOWN OF NORTHFIELD WATER DEPARTMENT, COUNTY OF WASHINGTON, STATE OF VERMONT AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF.

The Town of Northfield Select Board hereby ordains and enacts:

ARTICLE 1

Section 1: Definitions

Unless the context specifically indicates otherwise, the meaning of terms used in this ordinance shall be as follows:

Approved – Accepted by the Town of Northfield Select Board as meeting an applicable specification stated or cited in this ordinance.

Backflow – (1) A flow condition, induced by a differential in pressure, that causes the flow of water or other liquid into the distribution system of a potable water supply, from any source or sources other than its intended source; (2) The backing up of water through a conduit or channel in the direction opposite to normal flow.

Backflow Preventer – A device or means designed to prevent backflow.

Air-Gap – The unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or pipe or faucet supplying water to a tank, plumbing fixture, or other device and the level rim of said vessel. An approved air-gap shall be at least double the diameter of the supply pipe, measured vertically above the top of the overflow rim of the vessel; and in no case less than one inch.

Reduced Pressure Principal Device – An assembly of two independently acting approved check valves together with a hydraulically operating, mechanically independent pressure relief valve location between the check valves and at the same time below the first check valve. The unit shall include properly located test cocks and tightly closing shut-off valves at each end of the assembly.

The assembly shall operate to maintain the pressure on the public water supply side of the device. At cessation of normal flow the pressure between the two check valves shall be less than the pressure on the public water supply side of the device.

In case of leakage of either of the check valves the differential relief valve shall operate to maintain the reduced pressure in the zone between the check valves by discharging to the atmosphere. When the inlet pressure is two pounds per square inch or less, the relief valve shall open to the atmosphere. To be approved these devices must be readily accessible for in-line testing and maintenance and be installed in a location where no part of the device will be submerged.

Double check Valve Assembly – An assembly of two independently operating approved check valves with tightly closing shut-off valves, plus properly located test cocks for the testing of each check valve. To be approved these devices must be readily accessible for in-line testing and maintenance.

Cellar Stop – The valve installed on the service pipe after it enters the building and before the water meter.

Chapter 21 – Shall mean the most current version of the State of Vermont Water Supply Rules.

Commercial or Industrial Unit – A single, commercial or industrial unit, whether rented or owned by the business or occupant, which has independent ingress and egress or has common ingress or egress with other units within a building or structure, but with separate commercial or industrial facilities. Examples may include, but not limited to, stores located in shopping centers or separate office or condominium units with a single building or structure. A commercial or industrial unit is for use other than residential purposes.

Completed Construction – Shall mean: For a single building; completion of all foundation, framing, siding, roofs and improvements; or for subdivision development; the completion of all building on all buildings on all lots.

Connection Fee – A two-part fee comprised of a connection fee and a water initiation fee imposed on applicants for the Town's cost of performing, supplying materials, supervising, inspecting and administering a connection to the water system, including any water service extension, upgrade of a water service or for any portion of these activities.

Contaminant – Any physical, chemical, biological or radiological substance or matter in water.

Contamination – Shall mean an impairment of the quality of water which creates an actual hazard to the public health through poisoning or through the spread of disease by sewerage, industrial fluids, waste etc.

Corporation Stop (Corporation) – A valve for joining a service pipe to a street water main. It is owned and operated by the Town. It cannot be operated from the surface.

Cross Connection – Any physical connection or arrangement between two and otherwise separate piping systems; one of which contains potable water and the other water or liquid of unknown or questionable safety, steam, gases or chemicals whereby there my be a flow from one system to the other.

Curb Stop – The valve that normally terminates the Town's portion of the service line normally located at the highway right-of-way or public water main right-of-way and to which the buildings service line is connected to provide water service to the user.

Department – Shall mean the Town of Northfield Water Department. In this Ordinance, Department and Town of Northfield Water Department are interchangeable.

Development – The construction of improvements on a tract of land for any purpose, including but not limited to, residential, commercial, industrial, manufacturing, farming, educational, medical, charitable, civic, recreational and religious uses.

Development Water Flow – The estimated flow calculated using flow quantities, adopted as rules by the State of Vermont, as promulgated at the time a water allocation letter is requested.

Disconnection – The deliberate interruption by the department of water service to the user.

Disinfectant – Any substance, including but not limited to chlorine, chlorine dioxide, chloramines, and ozone added to water in any part of the treatment or distribution process, that is intended to kill or inactivate pathogenic microorganisms and potential pathogens.

Easement – Shall mean the authorization of a property owner for the use by another or for a specified purpose, of any designated part of his property.

Fire Flow – The rate of flow, usually expressed in gallons per minute that can be delivered from a water distribution system at a specified residual pressure for firefighting purposes.

Fire Service – The water service provided to a user for fire protection systems or equipment installed on the property of the user, such as a sprinkler system.

First come-First Served Basis – Shall mean the review of complete plans and application for approval of a project in the order in which they were received by the Department.

Hydrant, Public – A hydrant installed by the Town within public rights-of-way, on Town property or within an easement owned by the Town, or installed by a person other than the Town which has been offered to the Town and accepted by the Town, which acceptance is documented by action of the Selectmen.

Industrial Fluids system – Shall mean any fluid or solution which may be chemically, biologically or otherwise contaminated or polluted in a form or concentration which would constitute a health, system, pollutional or plumbing hazard if introduced into an approved water supply. This may include, but not be limited to: polluted or contaminated used waters; all types of process waters originating from the public potable water system which may deteriorate in sanitary quality; chemicals in fluid form; plating acids and alkalis, circulated cooling waters connected to an open cooling tower and/or cooling waters that are chemically or biologically treated or stabilized with toxic substances; contaminated natural waters such as from wells, springs streams, rivers, bays, harbors, seas, irrigation canals or systems, etc; oils gases, glycerine, parafins, caustic and acid solutions and other liquid and gaseous fluids used industrially, for other processes, or firefighting purposes.

Irrigation System – A network of piping designed to distribute water on or towards plant life to promote growth.

Legislative Body – The Northfield Select Board.

Manager – The appointed manager for the Town of Northfield.

Manifold – A pipe fitting with numerous branches to convey fluids between a large pipe and several small pipes or to permit choice of diverting flow from one of several sources or to one of several discharge points.

Pathogenic – Causing or capable of causing disease.

Peak Demand – The maximum momentary load placed on a water system.

Permit – A written document issued by the Town of Northfield Water Department pursuant to this ordinance giving designated person(s) permission to operate and/or construct, alter, renovate or connect to or draw water from the Town of Northfield water system.

Person (Customer, User) – An individual, partnership, association, syndicate, company, firm, trust, corporation, government corporation, municipal corporation, institution, department, division, bureau, agency or any entity recognized by law requesting water from the Town.

Pollution – A condition representing the presence of non-potable, harmful or objectionable materials in water.

Potable Water – Water free from impurities in amounts sufficient to cause disease or harmful physiological effects with the bacteriological chemical, physical and radiological quality conforming to applicable regulations and standards of the Safe Drinking Water Act administered by the VT Water Supply Division.

Private Street – Any road, lane or way intended for vehicle access purpose, which serves a subdivision and is neither owned nor maintained by the Town or Town. Private Streets and hence, private water mains and appurtenances shall be marked as such on final plats. The Development Review of the Town of Northfield Subdivision Regulations may adopt a street as private.

Property Owner(s) – That person(s) or user identified as owner of a property by recorded deed.

Public Water System – Shall mean a water system in which all users have equal rights and is controlled by the Northfield Select Board.

Residential – shall mean water consumption consistent with common household activities.

Sampling – the act or technique of selecting a representative part of the water supply for testing and analysis.

Service Area – Shall mean the entire distribution area of the water system whether within or without the Town.

Service Connection – Each single water pipeline which provides water to an individual residential living unit, a commercial unit or an industrial unit from the public water system in a service connection. The service connection shall start at the corporation stop at the main water line and extend inside the building to the water meter. The applicant to Department standards shall construct the service connection on new construction. Once installed, the responsibility for maintenance and repairs on the service connection is split at the curb stop between the owner/applicant and the Department. The Department has responsibility for maintenance from the main line to and including the curb stop which is normally located at the edge of the Right-of-Way. The owner/applicant has responsibility for maintenance and repairs from beyond the curb stop to and inside the building with the exception of the meter.

Shall – is mandatory; **May** – is permissive

Standard Methods – Methods for examination of water and wastewater published jointly by the American Public Health Association, the American Water Works Association of the Water Pollution Control Federation or successor organizations.

Subdivision – Shall mean a tract of land, owned or controlled by a person as defined herein, which has been partitioned or is intended to be divided for the purpose of sale or lease into two (2) or more lots. A subdivision shall include any development of a parcel of land such as a commercial or industrial complex, multi-family project, planned unit development or planned residential development.

Tapping Sleeves – A split sleeve used in making a wet connection where a single branch line is to be tapped into a water main under pressure.

Traverse – To cross via an easement through or to pass within a Town right-of-way along the edge of the property in question.

Valve Boxes – A metal box set over a valve and rising to the ground surface to allow access to the operation nut for opening and closing the valve. A cover is usually provided at the surface to keep out dirt and debris.

Water Main – A pipeline used for the transmission of water to hydrants and service connections, together with such appurtenant facilities as are necessary for the proper operation of the main.

Town Water Main – A water main constructed by the Town within public rights-of-way on Town property or within an easement owned by the Town or a water main constructed by a person other than the Town which has been offered to the Town and accepted by the Town Select Board which acceptance is documented by action at a duly warned meeting. Any other water main in the Town which is not a Northfield Water Department water main shall be deemed a private main for the purpose of this ordinance.

** NWD Water Main – A water main owned and controlled by NWD.

Water Supply System – Shall mean any publicly owned water system operated as a public utility under a valid State permit to supply water for domestic purposes. This system will include all sources, facilities and appurtenances between the source and the point of delivery such as valves, pumps, pipes, conduits, tanks, receptacles, fixtures, equipment and appurtenances used to produce, convey, treat or restore potable water for public consumption or use.

Wet Tap (Tap) – A connection made to a main that is pressurized.

Select Board – Shall mean the Town of Northfield Select Board.

Town – Shall mean the Town of Northfield or any duly authorized agent or employee of the Town of Northfield.

Section 2: Abbreviations

For the purpose of this Ordinance, the following abbreviations shall have the meaning ascribed to them under this ARTICLE. References to standards of the following organizations shall refer to the latest edition of it.

ANSI – Shall mean American National Standards Institute.

ASME – Shall mean American Society of Mechanical Engineers.

ASTM – Shall mean American Society of Testing and Materials.

AWWA – Shall mean American Water Works Association.

NPC – Shall mean National Plumbing Code.

NeRWA – Shall mean the Northeast Rural Water Association.

NEWWA – Shall mean New England Water Works Association, a section of AWWA.

NFPA – National Fire Protection Association

ARTICLE II

EXTENSION, MODIFICATION AND MAINTENANCE OF TOWN WATER MAINS

Section 1

No person shall construct a water main that is to be connected to a Town water main without the prior, written approval of the Select Board or their designee.

Section 2

Any water main which is to be connected to a Town water main shall be constructed in accordance with the following standards and requirements:

1) Minimum pipe size shall be eight-inch (8"), unless the Department grants written approval for use of a smaller pipe size. The Manager or his/her designee may require the installation of a larger pipe size. If the Manager or his/her designee requires a pipe larger than that necessary for a development, then the Town shall reimburse the person or developer installing the water main for the difference in cost of material between the eight-inch (8") and the larger pipe.

2) Water mains shall be located within the right-of-way limits of public highways in the Town/Town unless the Manager or his/her designee grants written approval for locations of a water main on other property owned by the Town or within an easement granted to the Town. Where a water main is to be located in an easement, the easement shall:

   a) Be perpetual in duration;

   b) Be of sufficient width to accommodate the water main and reasonably needed or anticipated appurtenant facilities;

   c) Be of adequate scope to allow the perpetual repair, replacement, operation and use of the water main and appurtenant facilities located within the easement;

   d) Be sufficiently restrictive to prevent the installation or construction of improvements within the limits of the easement, including landscaping improvements, that would place an unreasonable burden on the Town when exercising its right under the easement;

   e) Extend across the entire property to be served to enable continuation of the main across adjoining property; and

   f) Shall act as a bill of sale after one year from installation to convey the water main and appurtenance facilities located in the easement to the Town. The Northfield Water Department will accept a fully executed deed for all mains supplied by NWD sources subsequent to testing and inspections by NWD personnel.

3) When a water main is extended to serve a specific property, the property owner shall be responsible for constructing the main to the property's furthest property line to allow for continuation to adjoining properties. In the event that other customers utilize the privately installed main, the original owner has the right to recover a percentage of their investment for up to and including 10 years after their original investment. That percentage will be based on the maximum allowable hook-ups. The percentage will be determined at the completion of the pipe installation and recorded in the Town records.

4) Persons designing and constructing water mains shall use the most recent version of the Specifications and Details For the Installation of Water Lines and Appurtenances For All Water Systems Owned by the Town of Northfield. Looping of water lines shall be a design requirement wherever feasible.

5) Unless otherwise approved by the Manager or his/her designee in writing, all water main construction work shall be performed between April 1 and November 15.

6) A water main shall not be placed in service until the Manager or his/her designee issues written authorization of such action. Such authorization will not be issued until, at a minimum, the Manager or his/her designee has been provided written certification from a professional engineer licensed in Vermont that the water main and appurtenant facilities:

   a) Have been constructed in accordance with approved plans and required standards; and

   b) Has been inspected and tested with results that demonstrate compliance with applicable standards.

Section 3 – Testing and Disinfection of Pipeline

All water mains shall be constructed, tested and disinfected in accordance with the Specifications noted in Section 2. The test pressure for all mains shall be a minimum of 200 psi; or 150% of working pressure, whichever is greater. Test results will be submitted to the Department upon completion by a qualified engineer or licensed testing laboratory.

All costs for all water, materials, equipment and labor to perform the required testing and disinfections of the pipeline shall be borne by the Contractor.

From the date the new system is placed into service, for one year, the developer/contractor will be responsible for any necessary repairs or corrections.

Section 4

No person shall initiate excavation work within the limits of a Town right of way or water main easement without the prior written approval of the Manager or his/her designee. It will be the responsibility of the contractor to contact Dig Safe.

Section 5

No person shall perform any work or make any modifications or connection to a Town water main without the prior written approval of the Manager or his/her designee.

Section 6

The Department shall be responsible for the maintenance of all Town water mains by overseeing the maintenance of private water mains at current rates for labor and material that shall be billed to the private water main owner.

Section 7

The Department shall be responsible for the maintenance of all hydrants in the Town and/or/Town.

Section 8: Connecting to the Town of Northfield Distribution Pipelines

Persons wishing to connect to a water line owned by NWD must contact the Department and secure a written permit.

Section 9: Private Water Mains and Hydrants:

1) The Department shall not maintain any water lines that have not formally been accepted by the Town as stated in Section 2 above, except in subdivisions that are designed to Department specifications and are intended to be accepted, as defined in number 5 below.
2) All water line and appurtenances not located in the Town right-of-way or public grounds shall be considered private pursuant to these ordinances and others of the Town.
3) All water mains and appurtenances located within an area so designated as restricted or private by the developer shall be considered private.
4) Water lines, hydrants, and appurtenances installed at the request of a property owner in a location that none was planned or intended shall be considered private, unless waived by the Town Selectmen.
5) All water mains and appurtenances in new developments which have not had final inspections by the Department, or are still under warrantee by the contractor, though not subject to an NWD and/or user fee, are liable for all other fees or charges if services are requested by the developer, until such time as the lines are deeded over and accepted by the Town, pursuant to these ordinances and others.

ARTICLE III

BUILDING WATER SERVICE CONNECTIONS

Section 1

No person shall initiate construction work to make a connection to a Town water main without obtaining a permit from the Manager or his/her designee authorizing such connection. Application for a permit shall be made on forms provided by the Manager or his/her designee and shall be supplemented by any plans, specifications or other information which the Department deems necessary to review the application. Required application fees shall accompany applications. Any person proposing a new water allocation from the distribution system or a substantial change in the volume from the system shall notify the Manager or his/her designee at least 45 days prior to the proposed change or connection. No such change or connection shall be made without written approval from the Manager or his/her designee as required by this ordinance.

The allocation request shall be supplemented by any plans, specifications or other information considered pertinent by the Manager or his/her designee. Permitting may require ANR approval. If required, applicant must submit all approvals to the Manager or his/her designee before construct will begin.

Section 2

The Manager or his/her designee shall act on applications for connections to NWD water mains in accordance with procedures established by the Manager or his/her designee. Applicants seeking approval for such connections shall be subject to all applicable Manager or his/her designee procedures, requirements and fees.

Section 3

Service connections to Town water mains shall be subject to the following requirements:

1) All costs and expenses incident to the installation and connection of the building water service connection from the water main to the building or structure shall be borne by the owner. The Department shall perform all necessary excavation from the main to the curb stop. The property owner/agent is responsible and must provide all necessary exaction from the curb stop to the building structure. The owner shall indemnify the Town from any loss or damage that may directly or indirectly be occasioned by the installation of the water service connection.

2) A separate and independent corporation stop and curb stop with approved curb box shall be provided for every building. Where one building stands at the rear of another or on an interior lot and no water system is available or can be constructed to the rear building through an adjoining alley, court, yard or driveway, the Manager or his/her designee may allow two services from a single corporation stop, providing each building has a separate curb stop and curb box. Use of an existing single corporation stop and service line may only be used when found on exam by the Department, to be in satisfactory condition and meeting all requirements of this ordinance. The burden of proof and all expenses incurred by the Manager or his/her designee to determine the condition and adequacy of the service line shall be borne by the owner of said service line.

3) The size, depth, alignment, materials of construction of the building water service connection and the methods to be used in excavating, placing the pipe, jointing, testing and backfilling the trench, shall all conform to the requirements of the Specifications noted in Article II or other applicable rules and regulations of the Manager or his/her designee. In the absence of code provisions or in amplification thereof the materials and procedures set forth in appropriate specifications of the National Plumbing Code, Ten State Standards for Water Main and AWWA Standards, all latest editions, shall apply. Furthermore, the following additional standards shall apply;

   a) New type "K" copper shall be used for all service lines up to and including two-inch (2") diameter pipe from the corporation stop to the curb stop. No PVC may be used between the main and curb stop.

   b) Service connections over two inches (2") shall require a tapping sleeve and valve.

   c) New service lines over one inch (1") shall require tapping sleeve and valve.

   d) New service lines up to two inches (2") shall be copper from the curb stop to the building. The Manager or his/her designee reserves the right to inspect all water service lines from the curb stop to the building. The Manager or his/her designee reserves the right to waive the use of copper.

e) All service connections shall be laid at a minimum depth of 6', unless specifically waived by the Manager or his/her designee.

f) Service connection taps to the main water line shall only be performed by firms qualified to perform the service connection tap. The qualification of a firm to perform this tap shall be determined by the Manager or his/her designee.

** Specifications noted in Article II contain additional guidelines for the installation of building service connections.

4) Prior to any service connection being made to the main water line, the Manager or his/her designee or his designee shall be given at least two (2) working days notice in order that the work can be scheduled for inspection. All service connections will be made during normal workday hours and no connection shall be allowed on Saturday, Sunday or legal Town holidays. If the Manager or his/her designee or his designee has not been properly notified and the work has proceeded, the Manager or his/her designee or his designee may require the completed work to be uncovered for examination, at the owners expense and/or be prepared to bear all repair cost if problems arise. The property owner/agent shall agree, as a condition of receiving approval for connection to the Manager or his/her designee water system, to restore the street, sidewalk, curbs, electrical lines, grassed or open areas or other features to their original conditions after the installation of the said water line. The property owner/agent shall be responsible for obtaining all local and/or state permits required prior to any excavation. Failure to comply with proper restoration of facilities may subject the property owner to penalties regardless of whether the installation was performed by the owner of the property or another party.

Section 4

All service connections to the NWD water mains shall have water meters that shall be installed as follows:

1) All buildings connected to the Town owned water system shall be required to have meters installed.

2) The property owner of all buildings shall be required to perform all interior or exterior plumbing necessary to accommodate the require meters.

3) The Manager or his/her designee will provide a meter or meters with outside readers(s) in one of the following sizes for each structure. Meter size will be determined by the Department based on flow information supplied to them from the developer or engineer.

Meter Size	**Operating Range**
5/8"	½ - 20 gpm (standard)
¾" x ¾"	¾ - 30 gpm
1"	1-50 gpm
1 ½"	2-100 gpm
2"	2 ½ - 160 gpm

Section 5

A **Backflow** devise is required on all new construction.

Section 6

The Manager or his/her designee may require appropriate tests be made to the pipes and appurtenances; the owner or their agent shall furnish all necessary tools, labor, materials, and assistance for such tests and shall remove or repair any defective materials when so ordered by the Manager or his/her designee. The Manager or his/her designee reserves the right to demand any unmetered use, whether intentional or unintentional, be corrected within a reasonable period of time. The Manager or his/her designee may send an estimated bill for unmetered water to the owner. **Any and all repairs and/or testing shall be supervised by Northfield Water Department personnel.**

Section 7

The Town owns and is responsible for maintenance and repair of water service connections from the Town owned main line up to and including the curb stop and/or the property line and the water meter. Only the Manager or his/her designed employee may operate, repair, replace, remove or modify these items. The owner is responsible for the service line from the curb stop to the building and for all internal plumbing except for the meter.

Water service lines that have only a tapping valve connected to the Town owned water main, controlling the flow of water through the line to the building shall only be owned and maintained by the Department up to and including the tapping valve. All cost associated with the repair and maintenance beyond the tapping valve, even if the line is located within the Town right-of-way shall be borne by the owner.

It shall be unlawful for any person other than those authorized by the Manager or his/her designee to turn water on or off at the curb stop.

It shall be unlawful to remove any seal or connecting pin from a valve, meter or appurtenance.

A cellar stop shall be installed before the meter and a second valve installed on the opposite side of the meter so that the meter can be isolated. The owner shall be responsible for all costs associated with the purchase and installation of such valves. No bypass lines shall be installed around the meter without approval of the Manager or his/her designee.

Section 8

In case of loss or damage to the water meter, or equipment supplied by the Town, the customer shall be liable for the repair and/or replacement of the meter or equipment. Such charges shall include the labor costs of removing, repairing and replacing the meter or equipment.

Section 9

A private water system, to which the customer has connected a Town water service line, shall be disconnected before Town water service begins so that water from the private system cannot feed back in the Town distribution system. The Manager or his/her designee reserves the right to inspect premises at any time for compliance with this section. The use of pumps at a customer's premises, which pumps are connected in any way to the Town water service is prohibited except upon prior written consent of the Manager or his/her designee. In no instance shall any pump

use be allowed to interfere with the quality of service to other Town customers, and/or where the possibility of damage to piping of the Town or other customers could occur.

Section 10

Onsite wells will not be permitted for new construction where Town water supply is reasonably available, unless waived by the Select Board. The owner of all new houses, buildings or properties used for human occupancy, employment, recreation or other purposes, situated within the Town and abutting any street, alley or right-of-way in which there is located Town water, is hereby required at his/her own expense to connect such property to the Town water main within one hundred and eighty (180) days of official notice to do so, unless specifically exempted from this provision by the Select Board. Such notice may be given in the event of a situation that may affect the health of Town residents.

Section 11

Seasonal service shall be supplied primarily from April 15th to November 1st depending on frost conditions and weather.

Section 12

All excavations for building water service connections shall be adequately guarded with barricades and lights so as to protect the public from hazard. Construction within the Town and/or Town right-of-way shall only be performed when appropriate permits have been obtained. Construction within the State Highway right-of-way may require a permit from the Agency of Transportation. Every effort shall be made to permit vehicular traffic at all times.

Section 13 Water Allocation

1) Ownership of Capacity: The Town of Northfield owns the water distribution system and utilizes the Town owned water storage system within the Town/Town as defined in this ordinance. The Town is obligated to comply with conditions put forth by the Department of Environment Conservation Water Supply Division as it relates to water distribution and water storage requirements.

ARTICLE IV

USE OF PUBLIC WATER SUPPLY SYSTEM

Section 1

The primary use of the public water supply system shall be for the supply of potable water to all connected users for residential commercial, institutional, agricultural and industrial consumption and fire protection for structures within the area served by the distribution system.

Section 2

In the event of an emergency the Manager or his/her designee shall have the right to:

1. Temporarily cut off water supply in order to make necessary repairs, connections etc. While it is the intention to give notice in advance of planned work that may necessitate interruption of the supply, notice is to be considered a courtesy only and not requirement on part of the Town. In the case of a break in a pipeline, water may be shut off without notice to perform emergency repairs.

2. Reserve sufficient supply of water at all times in storage tanks to provide for fires or other emergencies and restrict and regulate the quantity of water used by customers in case of scarcity or whenever the public welfare may require such restriction or regulation.
3. Prescribe any temporary regulations as necessitated by emergency conditions.
4. The NWD will make every effort to limit necessary interruptions in service but makes no guarantee regarding duration.

Section 3

The Town shall not be liable for any injury, loss or damage of whatever nature occasioned by the failure to maintain a constant uniform pressure within the water mains, leakage of hydrants, pipes or other appurtenances or for damages occasioned by or growing out of a stoppage of said water by frost or other causes, or for damage occasioned by or growing out of an insufficient supply of the same, or for accident or damage of any kind by or growing out of the use or failure of said water.

Section 4

The Town shall not be responsible for damage caused by dirty water, which may be occasioned by the cleaning of pipes for the opening and closing of gate valves or hydrants, when said work is done with reasonable care on the part of the Department.

Section 5

In case of a water quality emergency, the Manager or his/her designee in accordance with Chapter 21 Rules shall notify the consumer immediately. While the Manager or his/her designee is ultimately responsible for water quality to the "last tap" on the municipal system, the last tap shall be considered the last point on the system where water enters into a building and is registered at the water meter. Credit shall not be issued for the minimal use of water that is not fit for consumption by human or animal. Water quality notices shall be lifted only after the requirements of Chapter 21 have been achieved.

Section 6

The Manager or his/her designee maintains a listing on file of so-called private hydrants and fire services. Private water mains and businesses within the Town water system with fire hydrants or sprinkler services are billed annually as referenced in Appendix 1 of this document. The private hydrant charge is imposed in order to defer costs associated with the routine maintenance and testing costs incurred by the Department; similar to a service contract. Cost associated with damages and charges outside of routine maintenance are billed to the private hydrant owner. The fire service charge relates to potential unmetered water use through a fire sprinkler system. The fire service and private hydrant charge shall be established or revised from time to time by resolution of the Legislative Body.

ARTICLE V

PROTECTION FROM DAMAGE

Section 1

No person shall maliciously, willfully or negligently break damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment, which is part of the Public Water system. Any person violating this provision shall be subject to immediate arrest under the charge of unlawful mischief as set forth in Title 13, Section 3701 of the Vermont Statutes Annotated. Any person violating this article on conviction thereof shall be fined a maximum amount allowed under State statute for each violation.

Section 2

Actual repair or replacement costs shall be charged to the owner or operator of any motor vehicle which shall cause such damage to any fire hydrant, blow off or appurtenance. Hydrants, valves, curb stops and standpipes shall not be tampered with or opened or closed by any person except Department employees or authorized persons.

Section 3

No person shall in any way, interfere or obstruct access to any valves, curb stops, fire hydrants or other appurtenances within the Town water distribution system.

Section 4

It shall be unlawful to cause or have caused the deliberate or unintentional contamination of publicly owned water mains or water supply.

Section 5

No person shall permit water from the water system to run to waste through any fixture for any purpose that causes wasteful consumption without the prior approval of the Manager or his/her designee. The Manager or his/her designee shall restrain and prevent any and all waste of water to that end, and may, when necessary, turn off water or take such other action, as in its judgment, appears proper.

Section 6

It shall be a violation of this Ordinance for any customer to violate of Town conservation notice or order.

ARTICLE VI

POWERS AND AUTHORITY OF INSPECTIONS

Section 1

Duly authorized employees of the Department bearing proper credentials and identification shall be permitted to enter all properties with fair notice to the building owner, resident or occupant for the purposes of inspection, observation, measurement, sampling and testing and maintenance in accordance with the provisions of this ordinance. If a property owner, resident or occupant denies the Department personnel access after reasonable notice has been provided to the property owner, resident or occupant, the Manager or his/her designee may direct disconnection on forty-eight (48) hours written notice to the owner, resident or occupant. Once water service has been

disconnected it will not be restored until access has been provided and the Department has been paid all applicable charges.

Section 2

While performing the necessary work on private properties referred to in Section 1 above, the Manager or his/her designee or duly authorized employees of the Department shall observe all safety rules applicable to the premises established by the owner or tenant, and the owner or tenant shall be held harmless for injury or death to the Department employees. The Department employees and the Department shall indemnify the owner or tenant against liability claims and demands for injury of property damage except as may be caused by negligence or failure of the owner or tenant to maintain safe premises or conditions, including conduct or agents or employees of the owner or agent, as applicable.

Section 3

Duly authorized employees of the Department bearing proper credentials and identification shall be permitted to enter all private properties through which the NWD holds an easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair and maintenance of any portion of the water works lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the easement pertaining to the private property involved.

Section 4

No permanent structures such as buildings, gardens; walkways; walls of any kind may be placed over a water service line.

Section 5

The Manager or his/her designee shall have the authority to inquire into any processes including metallurgical, chemical, oil, refining, ceramic, paper or other uses beyond the water meter or backflow prevention device that may have a direct bearing on providing safe, potable water to its users.

ARTICLE VII

PENALTIES

Section 1

Any violation of this ordinance, except as set forth in Section 2 below, may be pursued as a civil violation utilizing the civil ordinance enforcement procedures set forth in 24 V.S.A. Section 1974a. Each day a violation continues shall be considered a new violation. In such civil proceedings, an issuing Municipal Office is authorized to recover a waiver fee, in lieu of civil penalty, in the following amount, for any person who declines to contest a municipal complaint and pays the waiver fee:

First Offense	$50
Second Offense	$100
Each subsequent violation:	$300

Offenses shall be counted on a calendar year basis.

An issuing Municipal Official is authorized to recover civil penalties in the following amounts for each violation:

First Offense	$100
Second Offense	$150
Each subsequent violation	$300

Offenses shall be counted on a calendar year basis.

Section 2

Any violation of the sections of this ordinance set forth below may be pursued as a criminal violation utilizing the criminal ordinance enforcement procedure set forth in 24 V.S.A Section 1974:

Article II, Sections 4 & 5

Article III, Sections 1, 8 & 10

Article IV, Section 3

Article V, Sections 4

Section 3

In addition to the enforcement authority set forth above, the Town shall have the right to institute civil action which it deems appropriate to obtain injunctive or monetary relief.

Section 4

The Manager or his/her designee shall provide any person found to be violating any provision of this ordinance with written notice stating the nature of the violation and providing a reasonable time period for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, correct the violation.

ARTICLE VIII

RATES

Section 1

The Legislative Body shall have the authority to establish rates, including service initiation fees, hydrant use fees, user fees, turn-on/shut-off fees and other similar fees to defray the costs of planning, design, construction, operations and maintenance of the system. The rates shall be established by the Select Board.

Section 2

All new users shall pay a service connection fee at the time of submittal of the application for water service. The water service application fee is a two-part fee comprised of a service connection fee and a water service initiation fee. The service connection fee helps defrays capital costs of providing potable water and water for fire protection to the customer. The water service initiation fee covers the costs for tapping the water main based on time and material. **See Rates and Fee Schedule Appendix I.**

Section 3

A hydrant use fee shall be paid by all users, (not including fire departments while fighting or practicing the fighting of fires) for use of any hydrant within the Town's distribution system at the time of submittal for the application for hydrant use. The hydrant fee schedule is shown in Rate and Fee Schedule, Appendix II. In addition to payment of the hydrant use fee, the applicant shall be responsible for payment of normal user fees for all water taken from the hydrant. All hydrant use must be completed during normal Department working hours so as to allow adequate time for shut down and retrieval of the meter. Hydrant use in excess of the standard one day period may be approved by the Manager or his/her designee if such use is determined not to be in conflict with any Article of this Ordinance.

Any outstanding balance due for water charges from a requesting individual or firm shall be paid in full prior to connecting a hydrant meter to any hydrant with the Town/Town.

Section 4

A user fee shall be paid by all users of the Town water system based upon the multiplied product of their metered water usage, and a water rate per cubic feet as set by the Select Board, except as set forth in subsection (a) or (b), and as shown in the Rate and Fee Schedule Appendix I:

1. The minimum use fee reflects the fact that all users of the system receive some level of fire protection in addition to the benefit of potable water use. This charge is also based in part of the significant portion of water system expenses that are independent of actual customer usage.
2. This fee is payable whether or not water is physically turned on or off to the facility at the meter during part or all of the billing period, provided the service connection is physically connected to the main line. Water service termination at the curb stop needs to be arranged in order to **not** be responsible for at least a minimum monthly bill. No abatement of water rates will be allowed by reason of disuse, diminished use or vacancy of premises without proper notice to the Department.
3. Any account that has been finalized between regular billing cycle readings shall be billed for the actual metered usage.

Section 5

There shall be shut off and turn on fees as determined by the Select Board for turning on and shutting off water at the curb stop. These fees shall be charged in all cases except when it is determined that there is a problem with the service connection between the curb stop and the main line or a problem with the meter or meter connection fittings. Fees for services associated with delinquency disconnects shall be the maximum allowed under Title 24, V.S.A Chapter 129, Uniform Water and Sewer Disconnect. The owner of the property is responsible for all problems between the curb stop (not including the curb stop) and the building with exception of the meter itself, which is the Department's responsibility. When multiple service calls are required for a single repair, each call shall be billed individually. These fees are shown in the Rate and Fee Schedule, Appendix II.

Section 6

Excess revenues may be placed into a capital fund, accessible for use on water system related construction improvements or debt retirement.

Section 7

Water charges will be invoiced monthly to residential and commercial accounts. Water charges shall be payable on or before the 30th day following the date of the invoice or a later date as shown on the invoice. If any account shall remain delinquent, the Manager or his/her designee may also take action that is consistent with the provisions of Title 24, V.S.A. Chapter 129, Uniform Water and Sewer Disconnect, as presently constituted and as amended from time to time, to obtain payment of delinquent charges or to discontinue water service. Such charges shall be a lien upon the real estate as provided in 24 V.S.A. 3306 and 32 V.S.A 5061.

New water connections made during a billing period shall be billed on the following basis:

The billing shall be the larger of the actual metered billing, the estimated usage or the minimum charge for the billing period.

Section 8

In consideration of water service applied by the Manager or his/her designee, all applicants agree to be responsible for payment of all bills rendered for all water used by the applicant, their tenants, successors in tenancy or in ownership and all other operations at the specified location, unless and until notice is given to the Manager or his/her designee of termination of service on a specific date. The applicant shall agree to abide by all rules and regulations established by the Select Board, consistent with enforcement of the provisions of this ordinance.

All water charges will be billed to the owner of the facility (ices) service, unless waived by the Select Board. Upon written request, the Manager or his/her designee may provide billing to the tenant within the facility of record. Although another person may pay the service rate, the owner of the premises shall be held responsible for such fees. In the event the tenant fails to pay all charges on a timely basis, the landlord will be solely responsible for all future and delinquent charges. Each time a bad check is received for payment of a water bill the account shall be charged that amount as listed in Appendix I in addition to any other penalties.

There will be a fee for interim or final bills requested due to a change of owners or tenants as listed in **Appendix I**. This fee is in addition to any charges owned for metered water. Additionally, a lien will be placed on all properties with delinquent accounts unless both the NWD and the customer have signed an approved payment plan.

Section 9

Each structure served by a fire suppression system (sprinklers) shall pay an annual fee for each sprinkler line served by the public water main. The fee is shown in the Rate and Fee Schedule, Appendix I.

Section 10

The Rate and Fee Schedule, **Appendix I** may be reviewed by the Select Board as needed.

Section 11

The Department residential and commercial service application fee shall be assessed to each building that has applied for a tap to the NWD owned transmission main, in addition to any connection charges levied by NWD. In addition, all other rates and fees shall apply according to this ordinance.

Section 12

In case of new construction, the Department shall read the water meter at the time of closing. This reading shall be used as the "final reading" for real estate transfers involving the new premises, when the information is requested by either party for their real estate closing.

Section 13

By accepting water service from the Town of Northfield, the customer, his transferees, successors and assignees, together with any record lien holders of customer, agree that a lien applied by the department shall have priority over all liens except real estate tax liens.

ARTICLE IX

DISCONNECTION POLICY

This water service disconnection policy outlines the Northfield Utility Department's conditions of termination and pertinent regulations and allows for the disconnection of water or sewer services, or both, as a delinquency collection procedure for water or sewer delinquencies.

It is the policy of the Northfield Utility Department that reconnections requested outside normal working hours shall only be made in special circumstances and in compliance with Title 24, Chapter 129, as determined by the Superintendent of Public Works or the Town Manager.

Water that is disconnected pursuant to Title 24, Chapter 129 shall be reconnected at the following rates:

Collection Trips:	$25.00/trip, regardless of number

ARTICLE X
VALIDITY

Section 1

The Town of Northfield Water Use Ordinance shall be amended in its entirety and shall take effect as set forth above on passage.

Section 2

The validity of any section, clause, sentence, or provision of this ordinance shall not affect the validity of any other part of this ordinance which may be given effect without such invalid part or parts.

Section 3

The Legislative Body may amend this ordinance at any time.

Adopted by the Northfield Select Board, on this _____th day of ,2020.

K. DAVID MAXWELL, Chair	CHARLIE MORSE
JULIE GOODRICH, Vice Chair	JOHN STEVENS
NATHANIEL MILLER	

APPENDIX I

NORTHFIELD UTILITY DEPARTMENT

Rates and Fee Schedule

1.	Metered Water Usage Charge	As approved annually by the Town Select Board
2.	Fire suppression (sprinklers)	$100
3.	Frozen Meter Charge:	$75.00
4.	Service Call: (before 7:00 a.m. & after 3:30 p.m.) **There may be additional service charges during regular business hours (7:00 a.m. – 3:30 p.m.)	3 Hours minimum charge at overtime rates.
5.	Off/On: (before 7:00 a.m. & after 3:30 p.m.)	3 Hours minimum charge at overtime rate.
6.	Account Initiation Fee	$20.00
7.	Interim or Final Bill Requests	$10.00
8.	Bad Check Fee	$25.00
9.	Water Connection Fee – Residential	
	a). Single Family Home	$500.00 Includes one 5/8" x 3/4" Meter & Installation (labor, material and equipment)
	b). Multi Family Dwelling (First Unit)	$500.00 Includes one meter up to 1" in size
	c). Single Unit of a Multi Family Dwelling (Second Unit and/or more)	$500.00/Unit Includes one 5/8" x 3/4" Meter & Installation
10.	Water Connection Fee – Commercial	
	a). Single Commercial Unit	$800.00 Includes one meter up to 1" in size & Installation
	b). Single Unit – Part of Above Multi Commercial Unit (Second unit and/or more)	$500.00 Includes one meter up to 1" in size & Installation