

DURHAM WATER COMMISSION

RULES AND REGULATIONS

FOR THE

DURHAM PUBLIC WATER SYSTEM

Dear Customer:

In order to provide high quality water service to Durham Public Water System [DPWS] customers, we must have uniform practices. The following pages present the rules and regulations that will govern the three divisions of the Town of Durham's Public Water System. The three divisions are:

- Durham Center Division
- Durham Elderly Housing Division
- Durham Lexington Place Division

These rules and regulations were prepared by the Water Commission and have been reviewed and approved by the Board of Selectman. Since this booklet covers the most common aspects of DPWS governance, we encourage you to retain it for future reference.

It is not possible to anticipate every situation that may arise. Therefore, if you have questions relating to the rules and regulations in this booklet that require further explanation, please contact the First Selectman's office.

If you have any questions or need assistance with regard to your water service, please contact the ***Connecticut Water Company at 1-800-286-5700.***

These rules and regulations will help us provide you with quality water service while ensuring fair and equitable treatment for all of our customers. We appreciate your cooperation and compliance with these provisions.

Sincerely,

Water Commission
Durham Public Water System

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ABOUT YOUR WATER SERVICE

The Durham Public Water System [DPWS] is a municipally owned water utility serving residential, commercial, industrial and municipal customers. Approximately one hundred customers currently rely on the DPWS for their tap water service. The DPWS consists of three water divisions:

- **Durham Center Division**
- **Durham Elderly Housing Division**
- **Durham Lexington Place Division**

The Town of Durham Water Commission and its representatives are committed to providing you with a reliable supply of quality water. We respect your needs as a customer and want you to know that your satisfaction is our first concern. Meeting this objective calls for a special service commitment on our part, one that the Water Commission and its representatives take seriously.

The Town of Durham has contracted the Connecticut Water Company to manage the daily operational needs of the water system, provide expert water system monitoring and maintenance services, and provide administrative and customer support services. These customer needs will be met by the Connecticut Water Company through the efforts of their professional and well-trained staff.

Please call the Connecticut Water Company Customer Service Center Monday through Friday, 8:00 A.M. to 4:30 P.M., except holidays, at **1-800-286-5700** if you need assistance for any routine matter such as:

- Account information
- Billing questions
- Special payment arrangements
- Pending property sale
- Service appointments
- Rate schedules

If you need emergency service, call the Connecticut Water Company Customer Service Center anytime, 24 hours a day, at **1-800-286-5700**.

The Connecticut Water Company maintains a regular program of water sampling in compliance with state and federal requirements to monitor the DPWS water quality at the sources and in the distribution system.

The Town of Durham Health Department maintains records of the three water divisions at the Town Hall. This information is available to customers upon request.

If excavation is planned on a customer's property, the customer needs to use Connecticut's one-call system, **Call Before You Dig, Inc. at 1-800-922-4455**. This will ensure that the

identification and proper marking of underground utilities are done prior to the planned excavation.

The Connecticut Water Company has equipment available that can frequently locate a leak thus reducing the cost of repairs in the event of a leak in a customer's service pipe. The Connecticut Water Company will, upon request, send a service person to turn off a curb stop if the customer's main valve is not holding, so that necessary repairs can be made. There is a charge for these services.

The Town of Durham Water Commission believes these Rules & Regulations will clarify most questions you may have about your water service. Contact the office of the First Selectman if you have further questions or have suggestions for improved service.

ARTICLE 1 – Definitions

The meaning of the terms that follow are as stated when used throughout this Rules and Regulations document unless specifically defined otherwise.

Section 1: *Common Enclosure* - Property under common ownership that is bounded by fences, property lines, public streets or highways.

Section 2: *Company* - The operator contracted by the Town of Durham.

Section 3: *Cross Connection Control Device* - A Department of Public Health (DPH) approved device for preventing backflow, also known as back pressure or back siphonage device.

Section 4: *Curb Stop* - A shut-off valve on a water service connection generally located at the curb or property line.

Section 5: *Customer* - Any person, firm, corporation, company, association, or governmental unit receiving water service from the DPWS who:

- 1.) is the property owner, or
- 2.) is responsible for the water bill by terms of a written lease agreement.

Section 6: *Delinquent Account* - A water service bill that has remained unpaid for a period of more than 33 days after the date of mailing of a bill rendered on a monthly basis, or a water service bill that has remained unpaid for a period of more than 63 days after the date of mailing of a bill rendered on a quarterly basis, or a seasonal account that remains unpaid for a period of more than 63 days after the date of mailing of the bill rendered.

Section 7: *DPH* – The State of Connecticut’s Department of Public Health.

Section 8: *DPUC* – The State of Connecticut’s Department of Public Utility Control.

Section 9: *DPUC Hearing Officer* - A hearing officer designated by the DPUC to conduct hearings. A hearing officer may be a member of the DPUC staff who performs other unrelated functions, and shall not be a person who has participated in the investigation of the same case.

Section 10: *Durham Public Water System (DPWS)* – The water sources, the distribution and communications equipment, the structures, and all other ancillary devices and hardware used to supply water to customers.

Paragraph 1: The DPWS includes the following divisions:

- Durham Center Division
- Durham Elderly Housing Division
- Durham Lexington Place Division

Section 11: *DWC* – Durham Water Commission.

Section 12: *Family* - Individuals living as a single housekeeping unit.

Section 13: *Fire Service Line* - A service pipe used exclusively for fire protection purposes. [For example, Durham Manufacturing]

Section 14: *Guarantee Contract* – An agreement available only for the projects that are owner built and operated. Such projects may serve residential, commercial, industrial or public authority customers. The DPWS pays the cost to install water main and other facilities needed to serve the project. The Customer guarantees an annual revenue to the DPWS from the project equal to a percentage of the water facilities cost. The guarantee constitutes a lien upon the property served and will be recorded in the Town of Durham land records.

Section 15: *Main* - A water pipe owned, operated, and maintained by the DPWS, which is used for the purpose of transmission or distribution of water but is not a water service pipe.

Section 16: *Meter* - A device for measuring the quantity of water used as a basis for determining charges for water service to a customer. A meter is owned by the DPWS.

Section 17: *Meter Vault* - A meter located in a vault.

Section 18: *Meter Yoke* - Piping and valve arrangement approved by the DPWC used for installing a DPWS meter. The meter yoke is owned and maintained by the customer.

Section 19: *Premises* - Shall include but is not restricted to the following:

Paragraph 1: A building or combination of buildings owned or leased by one customer, in one common enclosure, occupied by one family as a residence or by one corporation or firm as a place of business.

Paragraph 2: Each unit of a multiple house or building separated by a solid vertical partition wall occupied by one family as a residence or by one corporation or firm as a place of business.

Paragraph 3: A building owned or leased by one customer and having a number of apartments, offices or lofts, that are rented to tenants using one common hall and one or more means of entrance.

Paragraph 4: A building two or more stories high under one roof owned or leased by one customer and having an individual entrance for the ground floor occupants and one for the occupants of the upper floors.

Paragraph 5: An arrangement of buildings owned by one customer in one common enclosure with none of the individual buildings adapted to separate ownership.

Paragraph 6: A municipal building owned or leased by the Town of Durham.

Paragraph 7: A plot owned or leased by the Town of Durham used as a park, recreational area, or for other purposes.

Section 20: *Reasonable Amortization Agreement* - A mutually agreed upon promise by a DPWS customer to pay an account balance over a reasonable period of time.

Section 21: *Receipt or Received* – A billing notice or other document mailed and delivered to the addressee at the address given on the billing notice or on the other document. If a billing notice or other document is delivered rather than mailed, the date of delivery is the Receipt or Received date unless another date can be shown.

Section 22: *Seasonal* - Water service provided from no earlier than April 1 to no later than November 30 of the same year (individual seasonal system dates may vary).

Section 23: *Service Connection* - The service pipe, including corporation stop, from the main to and including the curb stop adjacent to the street line or the customer's property line, and such other valves and fittings as the DPWS may require between the main and curb stop, which are owned and maintained by the DPWS.

Section 24: *Tap* - The fittings installed at the main to which the service pipe is connected.

Section 25: *Termination* - The voluntary or involuntary discontinuance of water service to an individual customer.

Section 26: *Water Commission* – Five members and three alternate members selected to operate and maintain the DPWS in accordance with the terms set forth in the ordinance authorizing the creation of a Water Commission.

ARTICLE 2 – General Provisions

The Rules and Regulations presented in this and other articles establish, in part, a contract the DWC has with every customer taking water from the DPWS. Each customer of the DPWS is bound by these Rules and Regulations, which are subject to change without notice.

Section 1: Water service and use is charged in accordance with the DPWS approved rate schedules. All water, whether used or lost, shall be paid for by the customer.

Paragraph A: The Durham Center Division customer rate comprises a monthly service fee plus an approved rate per 1000 gallons of metered water used during the billing period. An approved monthly fixed rate applies to the customers of the Durham Elderly Housing Division and the Durham Lexington Place Division.

Section 2: The DWC will undertake to provide an adequate supply of potable water at adequate pressure throughout its system but cannot assume responsibility or liability, direct, indirect or consequential, for any damage from failure to do so. Whenever possible, work requiring the interruption of service will be scheduled to provide the least inconvenience to the customer. The DWC and the Company will make a reasonable effort to give notice in advance of any work requiring the interruption of service. To safeguard against possible damage due to interruption of service, customers are advised to regulate their installations connected with the water supply system so that damage will not occur if water is shut off without notice.

Paragraph A: Safeguards that should be in place are items such as backflow devices on a furnace or hot water heater to prevent back siphonage in the event of a main break or drop in system pressure. Check valves may be allowed on water heaters.

Section 3: Authorized employees or representatives of the Company shall have reasonable access to customers' premises for the purpose of reading, testing, repairing, and installing or replacing meters and meter appurtenances; inspecting plumbing connections, fixtures or pipes; or discontinuing service for any reason listed under Article 8- Denial or Termination of Service.

Paragraph A: An authorized employee or representative will either wear a uniform or carry a badge or an identification card or insignia identifying the individual as an authorized representative of the Company.

Subparagraph 1: Services rendered after the standard weekly hours or on weekends or holidays are subject to special charges.

Section 4: The piping and plumbing on all premises supplied from the DPWS shall conform to the State of Connecticut Regulations, Connecticut General Statutes, and the Connecticut Building Code.

Section 5: Customers are responsible for keeping their service pipe, house pipes, and fixtures in good order and protected from freezing. Failure to do so may result in interruption of service and costly repairs for which the DWC and the Company are not liable. [Refer to Article 4 - Required Connections, Sections 9, 10 and 11.]

Section 6: Whenever the public interest requires, the DWC reserves the right to curtail or suspend entirely the use of water for non-essential purposes. Such limitation of use shall be without liability on the part of the DWC.

Section 7: In areas where pressure is either low or high, the DWC may recommend or require customers, at their expense, to install, operate, and maintain equipment designed to regulate extreme water pressure situations.

Paragraph A: Where pressure is low, below 38 psi, the DWC may recommend or require a customer to install, operate, and maintain a booster pump and tank of a combined capacity approved by the DWC.

Subparagraph 1: In such cases, customers will enter into a written Agreement [Refer to Exhibit E] with the DWC in which they hold the DWC blameless for possible damages and inconvenience resulting from the uncorrected low pressure.

Paragraph B: Where pressure is high, the DWC or the Company may recommend or require a customer to install and maintain a pressure-reducing valve (PRV).

Subparagraph 1: The DWC shall not be responsible for any possible damages or inconvenience resulting from the high pressure or the PRV.

Section 8: In the event that any customer uses water at a rate of flow that causes noticeable pressure variations in the water system, the DWC may require that the customer control the flow rate or install equipment to minimize such variations to an acceptable level.

Section 9: No customer shall supply water to other persons or permit any connection to be made on his/her premises for supply to other premises without approval of the DWC for "temporary service".

Section 10: Any changes in location of meters or services required by the customer shall, if approved by the DWC, be made at the customer's expense.

Paragraph A: Any changes made to the electrical bonding or grounding associated with the meters or services shall be inspected by the Town's Building Official.

Section 11: The DWC, at its discretion, may install remote reading devices on water meters.

Section 12: No pipe or fixture connected to the mains of the DPWS may be connected with pipes or fixtures supplied with water from any other auxiliary source. Such cross connections are in violation of the Connecticut DPH regulations. Installation of cross connection control devices shall be approved and inspected by the Company personnel and must be in conformance with the applicable provisions of the Connecticut Public Health Code and/or State Regulations. All devices shall be easily accessible for inspection and testing. If the applicant is unable to obtain and/or install the minimum cross connection control device required by the Connecticut Public Health Code and/or State Regulations, the applicant will be responsible for the next highest level of protection.

Paragraph A: Auxiliary source, for the purpose of this regulation means:

- (1) a water supply that is not approved for potable use such as a pond, river, open storage tank, or large swimming pool
- (2) potable water that has become not potable, such as by the addition of chemicals or from contamination while the water is being stored or held in reserve
- (3) a private well unless safe sanitary quality and the interconnection is approved by the Commissioner of Public Health.

Section 13: Filling of tank trucks for any purpose shall be done only at DPWS designated locations with approved backflow prevention device under the direction of DWC or the Company authorized representative personnel.

Section 14: Customers who plan to install water-cooled air conditioning or refrigeration equipment shall provide water-conserving equipment as approved by the DWC, except that if such water is subsequently re-used in industrial processing or similar purposes, water-conserving equipment shall not be required.

ARTICLE 3 – Applications and Transfers

This article outlines the rules, regulations, and requirements governing the process for establishing water service to a new customer and for changing the service of a current customer.

Section 1: Before water service to new premises can be established, an application for the installation of the new water service shall be made on forms provided by the operator contracted by the DPWS and signed by the applicant or a duly authorized representative of the applicant.

Paragraph A: The completed application must be submitted with the corresponding fee to the Company contracted by the Town of Durham.

Subparagraph 1: The application form can be obtained from the Company by contacting their Customer Service Department.

Paragraph B: The fee for this service is published on the Rate Schedule that can be obtained from the contracted operator.

Paragraph C: Appropriate forms of identification may be required with the application.

Subparagraph 1: Acceptable forms of identification include and are not limited to: a Social Security Number, a driver's license, a state issued identification card, or a birth certificate.

Section 2: A customer's application for water service will not be accepted if the customer has a delinquent water account at the time the application is made.

Paragraph A: The customer's application will be accepted once the delinquent account has been paid in full.

Section 3: The DWC may, within certain legal restrictions, require from a customer or prospective customer a deposit to guarantee payment of bills.

Paragraph A: A deposit will not exceed an amount equivalent to the estimated maximum bill for a 90-day period.

Subparagraph 1: Interest will be credited to each deposit account annually at a rate as provided for by the General Statutes of the State of Connecticut and is payable at the time a deposit is returned to a customer.

Subparagraph 2: The deposit will be returned to the customer upon successful establishment of good credit defined as 12 months of satisfactory water service payment history.

Section 4: Customers shall notify the Company when premises are to be vacated so that the water service may be turned off, the meters read, and the account transferred or the meters read and removed.

Paragraph A: If the premises are to be permanently abandoned, the owners shall make timely notification to the Company in writing to allow immediate closure of the service connection.

Subparagraph 1: Closure will be completed by the Company.

Section 5: A transfer of service can be authorized either in writing or by verbal request from a current or new customer through the Company's Customer Service Department.

Paragraph A: The Company's Customer Service Department contact information can be found in the About Your Water Service section.

Section 6: When the Durham Public Water System provides temporary or intermittent service to a customer, the DWC may require that the customer bear the costs in excess of any salvage realized from the installation and removal of the service; for example, a construction site.

Section 7: Water for construction purposes shall be applied for on forms provided by the Company. All water used must be metered and charged in accordance with the DPUC approved rate schedule.

Paragraph A: Prior approval must be granted by the DWC.

Paragraph B: The rate schedule information can be obtained from the Company.

Section 8: Applicants desiring to connect to a main already under contract may be required to pay the Town of Durham an amount which, in its judgment, represents their equitable share of the original costs of the main, or to assume their equitable share of an existing guarantee provision.

Paragraph A: Applicants taking service from an extension of a main under special contract may be required to pay the Town of Durham an equitable share of the original cost of a pump station, storage tank or other facility.

Subparagraph 1: Payments to the Town of Durham as a share of original costs will be refunded to the original depositors.

ARTICLE 4 – Services

This section describes DWC and customer responsibilities concerning new and existing service connections, including, but not limited to, piping dimensions and maintenance of the service connections.

Section 1: A single service may not supply more than one premise. Division of premises presently served by a single pipe will require installation of corresponding additional service pipes.

Section 2: All services, new or renewed, for year round use shall typically be laid at a minimum invert depth of five feet below ground surface.

Section 3: All services shall be metered.

Section 4: All new and renewed service connections with meters up to 1” in diameter are required to have installed, at the customer’s expense, a meter yoke that meets DWC standards.

Section 5: All new and renewed services shall be sized and constructed to comply with the DWC’s current design criteria and be a minimum of 1” in diameter. Service pipes normally shall be Type B Copper with no soldered joints underground or cement-lined cast iron. In some instances, the DWC may approve the use of plastic pipe. Such pipe shall be PE 3408 SDR (Standard Dimension Ratio) 9 polyethylene, rated from 200 psi working pressure, or PE 3406 SDR 9 polyethylene, rated from 160 psi working pressure, with this information and the NSF (National Science Foundation) seal appearing on the pipe. A metallic wire or strip for ease in locating must parallel non-metallic pipe.

Service piping of any material except Type K Copper shall conform to the DWC’s specifications above. It must have advance approval of the DWC, and be acceptable under the requirements of the State of Connecticut Building Code. The DWC will not allow any plastic service within 500 feet of any commercial or industrial zoned area or any area with underground fuel tanks.

Section 6: All services shall be provided with a curb valve and curb box at the curb or at a convenient point prescribed by the DWC between the curb and property line.

Paragraph A: Seasonal service lines with a vertical rise shall be equipped with a stop and waste valve box outside the building between the DWC’s curb valve and the building, regardless of meter location.

Paragraph B: Where more than one building on the premises is supplied by a single service, the branch line to each building shall have an underground shutoff valve box and operating rod outside the building.

Section 7: When an applicant applies for service, except in conjunction with new main connections, the DWC will furnish, install, own, and maintain such new service connections.

The DWC will bear the cost of the service pipe from the main to the curb stop, the curb stop and their installation, but will make a charge to the applicant for tapping the main, furnishing, and installing the corporation cock and curb box. The applicant will bear the costs of excavation, backfill removal, and replacement of paving, walks, curbs, etc., necessarily incurred with respect to new services, and will be responsible for obtaining necessary permits and complying with safety requirements including shoring and all other trenching safety requirements as required by OSHA. Services installed in conjunction with new main extensions shall be paid in full by the customer, during the life of the main extension contract.

Section 8: The DWC will furnish and install at its expense all replacements of service connections, except as indicated below. When replacement is made at a customer's request for change in location or size of the service, the customer shall bear the full expense of relocation or enlargement. Unless the water piping is owned by the DWC with suitable easement rights by previous negotiation, maintenance of water piping installed within a private development and supplied from one service connection to the DPWS's main, shall be the responsibility of the private development. Repairs may be made and billed for by the DWC by pre-arrangement with the owners.

Section 9: The customer, at his or her own expense, shall furnish, install, own and maintain the service pipe from the curb stop to the interior of the building and shall assume ownership of a DWC approved curb box, keeping service pipe and box in good repair and keeping the curb box readily accessible. If the curb box is not accessible for DWC use, the DWC has the right to make it accessible and/or operable and bill any cost to the customer. Installation of this section of the service line should be performed by a licensed plumber or in accordance with those provisions defined in Section 20-340 of the Connecticut General Statutes. Violations of this section of the Connecticut General Statutes are subject to fines by the State of Connecticut.

Section 10: When there is a leak in any service pipe from the curb box to the customer's premises and the owner cannot be readily found or shall refuse to make immediate repairs, the DWC shall have the right but not the duty to make necessary repairs and charge the customer for the same. The customer is responsible for repairing all leaks and for other repairs, renovations, and maintenance to all customer owned pipe, fixtures and equipment. If a leak develops in a customer service line or a customer-owned service connection, the customer shall repair it without delay. If such repair work is not completed within a reasonable period specified by the DWC, the DWC may discontinue service until the leak is repaired, or repair the leak itself. In either case, the customer will pay all costs incurred by the DWC in performing such work.

Paragraph A: In compliance with this section, the DWC shall contact said customer by telephone, in writing or in person to set the period of time to complete the repair work.

Section 11: The customer shall inform the DWC in writing prior to backfill in order that the DWC or its representative may make an inspection and test to assure that the service pipe and installation complies with DWC requirements. Testing is to include pressurizing the service

pipe and a visual inspection of all joints for leakage. After inspection and approval of the trench, the depth of invert of the service may not be reduced to less than 5'-0", nor may any connection be made to the service pipe between the street shutoff and the meter. If the customer does not schedule the inspection prior to the backfill, the DWC may require that the pipe be re-excavated at the customer's expense to allow the DWC or its representative to perform the necessary inspection. No service pipe shall be turned on without prior approval of the DWC.

Section 12: The customer shall assume the responsibility and expense of maintenance of the customer's portion of the service pipe. Thawing of metallic service pipe, when required, may be done by the DWC and the cost of thawing a first freeze-up will be divided equally between the DWC and the customer, regardless of ownership of the service. Such services shall be lowered at the customer's expense to prevent repetition of freezing. If the service is not lowered and subsequent freeze-ups occur, the customer shall be responsible for the full cost of thawing. The DWC cannot thaw freeze-ups in plastic service pipes or in service pipes located entirely within a private development served through one service connection.

Section 13: The service pipe shall extend through that point on the customer's property line or the street line easiest of access to the utility from its existing distribution system and from a point at right angles to the existing or proposed distribution line in front of the premises to be served. If a multiple premises building is positioned at right angles to the existing distribution line, a new distribution line placed in an easement shall be necessary to permit right angle services to each premise. New or reconstructed service pipes shall not cross intervening properties. The approval of the DWC shall be secured as to the proper location for the service pipe.

Section 14: Water service may not be laid in the same trench with other underground utility facilities. Separation distances shall comply with the Great Lakes-Upper Mississippi River Board of State Sanitary Engineers Recommended Standards for Water Works.

Section 15: No service pipe shall cross any portion of a leaching or septic system or be installed less than 10 feet from any portion of a leaching or septic system.

Section 16: All underground lawn sprinkling systems shall be equipped with proper backflow prevention devices. The DWC shall approve plans for such a system before the installation is made, and the DWC's final on-site inspection and approval is required before backfilling.

Section 17: If a multiple family house is being served by a single service and meter, and a part of the house changes ownership, the new owner shall have a separate service and meter installed.

Section 18: Restoration of an abandoned service will be considered a new service connection.

Section 19: Customers who wish to convert from seasonal to year-round service shall obtain prior approval from appropriate town officials and shall be responsible for lowering service to a minimum invert depth of five feet below ground level. Seasonal services of less than five feet in depth shall be pitched toward the customer's stop and waste valve that shall be located between the house and curb valve, and, depending on soil conditions, the DWC may require that it have a permanently installed extension rod. Such services shall be drained when not in use. The DWC will not be responsible for damages done to services that have not been properly drained. Services for buildings without cellars shall have underground stop and curb shutoff.

Section 20: Customers who wish to convert from seasonal to year round or vice versa may make the conversion only once.

Section 21: The installation of combined fire and domestic services will not be permitted without special approval of the DWC. Prior to installation of fire sprinklers on any domestic service less than 2", the DWC shall be notified in accordance with Section 19a-37a-1 of the Connecticut Public Health Code. Such sprinklers may only be installed on piping that is metered. No meter bypasses are permitted for such installations. It is the customer's responsibility to have the system designed and installed in accordance with all applicable state and local regulations. The DWC makes no claim of reliability or adequacy of such system for fire protection. Such installation will not prevent the DWC from pursuing normal termination procedures (Refer to Article 7).

Section 22: If a fire pump is desired at a customer's location, the pump curve data must be provided to the DWC for review and approval prior to installation to determine if the location is suitable for a pump.

Section 23: Installation of new or renewed services is not allowed in easements or right of ways without prior DPUC approval.

ARTICLE 5 – Meters

The rules and regulations in this article address the administrative policies governing the use, installation, reading, placement, removal, and maintenance requirements applicable to meters. Meters are used to measure the amount of water used by a customer during a billing period. Currently, meters apply only to the Durham Center Division.

Section 1: The DWC shall determine the type, size and installation of a meter to be installed. All premises and/or billing customers must be metered separately.

Section 2: Sub metering shall be permitted only with the written approval of the DWC.

Section 3: If a metered service cannot be shut down for periodic testing and removal, a second meter will be required.

Section 4: Seasonal meters will be removed by the Company at the time service is shut off. The meter will be tested, properly stored, and reinstalled in the spring upon receiving notification from the customer. Some seasonal meters are equipped with drain cocks and can be drained for the winter by the customer or the customer's agent without removal. The Company must be notified at that time so that the meter can be read, and notified again in the spring, at least one day in advance, so that the service may be reactivated by the Company.

Section 5: Customers who satisfy all the requirements of the DWC and the Town Officials when converting from seasonal, to year round service will become metered customers subject to the DWC's effective metered rates.

Section 6: The DWC owns all meters and is responsible for their installation, testing, maintenance, and removal. Meters will be installed, tested, and removed by the Company. Damage due to freezing, hot water, faulty connections, or customer's negligence shall be paid for by the customer.

Section 7: No person, other than a Company employee, shall break seals or disconnect meters unless specifically authorized in writing by the DWC to do so. If any person takes such action without authorization from the DWC, that person will be liable for any damages, which may result therefrom, and shall be billed on the basis of water used in a similar period.

Section 8: The customer will provide an accessible and protected location for the meter at his/her expense. The location of the meter is subject to DWC and local building official approval at the time of the service pipe installation.

Paragraph A: The meter may be located inside a building when the service pipe from street line to place of use does not exceed 150 feet in length and all the following conditions are satisfied:

Subparagraph 1: The DWC agrees that the inside setting will provide adequate accessibility.

Subparagraph 2: A meter location within a building shall be placed just inside the foundation wall at a point that controls the entire water supply to the premises, exclusive of fire lines.

Subparagraph 3: The meter location provides adequate protection against damage and freezing.

Paragraph B: When there is no suitable place for the meter inside the building or when the service pipe exceeds 150 feet in length, the DWC may require that the meter be set in a pit near the street shutoff subject to the following conditions:

Subparagraph 1: Subject to DWC written approval, the meter shall be equipped with suitable valves and placed in a pit with a cover to a depth of at least five feet deep to protect from freezing.

Subparagraph 2: Meter pits or vaults, including the meter vault cover, become the property of the customer upon installation, and the customer is responsible for the maintenance and repair of the vaults as needed from time to time.

Subparagraph 3: Meter pits or vaults must be kept accessible and free of debris to help prevent the meter from freezing or being otherwise damaged.

Section 9: The Customer is responsible for maintaining the meter, piping, and valves in good condition allowing for the convenient removal or replacement of the meter without damaging the meter, piping, or valves.

Paragraph A: If a problem develops with the meter, the piping, or the valves during the removal or replacement procedure, and in the opinion of the Company the problem is a direct result of the inadequately maintained condition of the meter, piping, or valves, the customer will be responsible for the repairs needed to restore the equipment to a properly maintained condition.

Paragraph B: The customer is requested to immediately notify the Company promptly of any defect in or damage to the meter or its connections.

Section 10: Customers are not permitted to fill pools or other facilities with water directly from hydrants.

Paragraph A: The DWC may pursue appropriate enforcement action and may assess a usage fee based on estimated metered consumption if a customer fails to abide by the above.

Section 11: In order to assure accuracy, the Company may at any time remove a meter for testing, repairs, or replacement. At a minimum, meters will be tested periodically in

accordance with the regulations of the DPUC. Customers shall allow the Company access to their property for such periodic meter tests.

Section 12: Upon written request of a customer, the Company will test without charge to the customer, the accuracy of a meter in use at his premises provided the meter has not been tested by the Company or the DPUC within one year prior to such request. Upon a request by a customer or an order by the DPUC, the Company shall notify the customer in writing within one week of the request that he, or his authorized representative, has the right to be present during the test. If the customer wishes to be present for the meter test, he shall notify the Company within 10 (ten) days of the written notification to arrange to be present for the test. The Company shall schedule a convenient time for all parties at its meter testing facility as soon as possible. A written report of the results of the test shall be furnished to the customer. The customer shall agree to abide by the results of such test as the basis for any adjustment of disputed charges. If the customer prefers, the DPUC can witness a test of the meter at a location other than the Company's own testing facility. The customer is responsible for all DPUC fees associated with witnessing a test.

Section 13: The DWC assumes no responsibility for the clogging of interior house plumbing or flooding that may occur during or after interruption of service or repairs to services, meters, hydrants, or mains.

Section 14: The DWC may, at its discretion, install remote meter reading devices on its customer's meters. Customer requests for these installations will be reviewed on the basis of necessity.

Section 15: The DWC shall not be required to install a meter until all the requirements for a new service installation have been met, including the installation of a meter yoke.

ARTICLE 6 – Billing and Collection Policies

This article defines the rules and regulations that govern the Durham Public Water System billing and collection processes.

Section 1: The general billing standards and practices are:

Paragraph A: Independent premises shall be billed separately. Refer to Article 1, Section 19, Paragraphs 1 through 7 for the definition of “premises”.

Paragraph B: The customer billing cycles are:

- Monthly for residential service
- Monthly for commercial service
- Monthly or quarterly for Fire Protection Service

Paragraph C: Private fire protection service is billed monthly or quarterly and the billing cycle covers the water service provided during the previous month or quarter.

Paragraph D: Public fire protection service charges are billed for the current month.

Section 2: Bills are payable on the statement due date. Customers who fail to receive the bill or notice are not relieved from their obligation of payment or from the consequences of its non-payment.

Section 3: The property owner is generally the customer of record and is responsible for the water bill payment. However, if the property is rented or leased, the tenant may be the customer if the written lease specifies that the tenant is responsible for the water bill. The DWC application procedure to obtain water service should be followed in either case.

Paragraph A: Refer to Article 4 for information about the application procedure.

Section 4: The customer is liable for the water service charges until such service has been disconnected by the Company pursuant to instructions from the customer or until the Company receives a notice of change in ownership or change in lessee.

Sections 5: Where a premises is supplied with two or more meters connected to a single service, the minimum charge for each meter shall be applied and the registrations [meter reading] combined in the computation of consumption charges. Where a premise is supplied through more than one service, the minimum charge shall be applied to each meter and the registrations shall not be combined. Combined billing will not be allowed except when approved by the DWC.

Section 6: First and final bills shall be prorated so as to adjust the bill to the period for which service was rendered.

Section 7: Bills for seasonal service shall be rendered at the time the meter is installed or a connection is made and the minimum charge payable in advance for the seasonal period. Prorated charges will be made in cases where premises are occupied for the first time after July 1.

Section 8: Guarantee contracts are billed semi-annually in advance with semi-annual adjustment for actual revenue received.

Paragraph A: Refer to Article 1 for an explanation of “Guarantee Contract”.

Section 9: Water for construction purposes, or for tank trucks, will be metered in accordance with the DWC approved rates and charges.

Section 10: Miscellaneous sales are billed when the service is rendered.

Section 11: Bills that are incorrect due to meter or billing errors will be adjusted based upon Section 16-11-71 of the Regulations of Connecticut State Agencies. Whenever a meter in service is tested and found to have over-registered more than two percent, the Company will adjust the customer's bill for the excess amount paid determined as follows:

Paragraph A: If the time at which the error first developed can be definitely determined, the amount of overcharge shall be based thereon.

Paragraph B: If the time at which the error first developed cannot be definitely determined, it shall be assumed that the over-registration existed for a period equal to one-half of the time since the meter was last tested. If more than one customer received service through the meter during the period for which the refund is due, a refund will be paid to the present customer only for the time during which they received service through the meter.

Whenever a meter in service is found not to register or a meter reading is not available, the Company may render an estimated bill. The Company will estimate the charge for the water used by averaging the amount registered over a similar period preceding or subsequent to the period of non-registration or for corresponding periods in previous years, adjusting for any changes in the customer's usage.

Billing adjustments due to fast meters will be calculated on the basis that the meter should be 100% accurate. For the purpose of billing adjustments, the meter error shall be one-half of the algebraic sums of the error at a maximum test flow plus the error at intermediate test flow.

When a customer has been overcharged as a result of incorrect reading of the meter, incorrect calculation of the bill, incorrect connection of the meter, or other similar reasons, the amount of the overcharge will be refunded or credited to the customer.

When a customer has been undercharged as a result of incorrect reading of the meter, incorrect calculation of the bill, incorrect connection of the meter, or other similar reasons, the Company may bill or otherwise hold the customer financially liable for no more than one year after the customer received such service per State Statute 16-259(a).

Section 12: The Company must receive approval from the local fire marshal and the local building official before a customer's request for discontinuance of a private fire service can be processed by the Company. The owner is responsible for billings until terminated.

ARTICLE 7 - Denial or Termination of Service

This article defines DWC and customer rights in determining denial or termination of water service.

Section 1: Refusal or termination of service by a water company is restricted by certain provisions of the Connecticut General Statutes and by the DPUC's "Rules and Regulations concerning Termination of Electric, Gas, Water and Sewage Utility Service". Copies of the applicable statutes and of the DPUC regulations are available for inspection at Durham Town Hall.

Section 2: Notices regarding termination of service shall:

- 1.) Be sent via first class mail at least fifteen (15) days before the termination.
- 2.) State the grounds for termination.
- 3.) State the explanation of the customer's rights.

Section 3: New service may be denied or termination proceedings may be started by the DWC for any of the following reasons and carried out subject to the aforementioned restrictions.

Paragraph A: Service may be terminated without notice, subject to certain restrictions, for:

- a.) A condition determined by the DWC or its representative to be hazardous.
- b.) In the event of illegal or unauthorized provision of service.

Paragraph B: Service may be terminated with notice, under any of the following conditions:

- a.) Failure of a customer to comply with the terms of any agreement whereunder they are permitted to amortize the unpaid balance of an account over a reasonable period of time, or any failure for such a customer to simultaneously keep his/her account for utility service current as charges accrue in each subsequent billing period. An exception will be made where the customer has made a payment or payments amounting to at least fifty percent (50%) of the balance due, in which case the DWC shall not terminate service until further notice of the conditions the customer must meet in order to avoid termination is sent to the customer. Such notice will not entitle the customer to further review as provided by Article 7 Section 5(a) of these regulations or to additional notice upon subsequent payment of fifty percent (50%) of the balance due.
- b.) Failure of the customer to furnish such service, equipment, permits, certificates of rights of way as shall have been specified by the DWC as a condition of obtaining service, or if such equipment or permissions are withdrawn or terminated.
- c.) Failure of a non-residential customer to fulfill contractual obligations for service or facilities subject to regulation by the DPUC.

- d.) Failure of the customer to permit the DWC or its representative reasonable access to its equipment during normal working hours.
- e.) Failure or refusal of the customer to reimburse the DWC for repairs to or loss of utility property on the customer's property when such repairs are necessitated or loss is occasioned by the intentional or negligent acts of the customer or its agent(s).
- f.) Customer use of equipment in such a manner as to adversely affect the DWC equipment or the DWC's service to others.
- g.) When the DWC or its representative has discovered that a customer has obtained unauthorized water service by fraudulent means or material misrepresentation, has diverted the water service for unauthorized use, or has obtained water service without the service being properly registered upon the DWC's meter.
- h.) Tampering with the equipment furnished and owned by the DWC.
- i.) Violation of or non-compliance with the DWC's Rules and Regulations.
- j.) When the DWC or its representative has determined that the furnishing of water services would be contrary to any orders or ordinances of laws of the federal or state government or any political subdivision thereof.
- k.) Failure of the customer to make necessary service line repairs after reasonable notice to avoid the wasting of water.
- l.) Failure of the customer to provide identification within fifteen (15) days of opening an account.
- m.) Non-payment of a delinquent account, provided that the DWC notified the customer and is in compliance with all of the procedures prescribed in Section 16-3-100 (c) through (h) of the Regulation of Connecticut State Agencies.
- n.) In the event of either unauthorized unmetered or unauthorized metered service is found to be used.
- o.) Failure to comply with the Public Health Code of the State of Connecticut pertaining to cross connection control requirements at the premises.

Section 4: Termination proceedings may be started by the DWC for non-payment of a delinquency account, provided that the DWC has notified the customer of the delinquency and has made a diligent effort to have the customer pay the delinquent account. A termination notice to a customer whose account is delinquent will be mailed no earlier than forty-five (45) days after the mailing of the original monthly bill. Actual termination of the service will not occur earlier than fifteen (15) days after mailing of the termination notice.

Section 5: The DWC will not terminate service to a customer if:

- a.) The customer has filed an unresolved complaint or dispute with the DWC, its representative and/or the DPUC. Such complaints must be made to the DWC within seven (7) days of receipt of a termination service. Such complaint will be reviewed by the DWC as prescribed by Section 16-3-100 (g) of the Regulations of Connecticut State Agencies.
- b.) There is known to be serious illness in the home of a residential customer. A doctor must notify the DWC in writing within fifteen (15) days of a customer's receipt of a termination notice. The notice must be reviewed every thirty (30)

days or by the last day of the period specified by the physician as to the length of illness. The customer is required to make a reasonable arrangement with the DWC to pay the delinquent part of his/her bill, and to pay all future bills on a current basis while the illness continues.

- c.) The customer is a landlord or agent for an occupied residential rental property, and the delinquent bill is for water service to that property. If practicable, arrangements may be made with the tenant for payment of bills for future service, and appropriate legal action may be taken against the customer for the delinquent and current amounts. However, if reasonable arrangements were made with the tenant and the tenant refused to cooperate, the DWC may terminate service to the tenant upon proper notice.
- d.) The termination date occurs immediately prior to a weekend or holiday except if conditions are determined by the DWC or its representative to be hazardous, as set forth in Article 7 Section 3 Paragraph A, subsection (a).

ARTICLE 8 - Private Fire Service

This article defines the rules and regulations that govern the DPWS Private Fire Service, if and when this service may exist.

Section 1: Private fire hydrants and sprinkler systems shall be installed and maintained at the expense of the customer with the expressed consent of the DWC. The size, material and locations of piping, the plans and specifications for any tanks and pumps that may be required shall be submitted in writing to the DWC and the Company for approval. The Company must inspect the installation before backfill and must witness the pressure test and all flow tests for compliance with the approved plans and specifications. The Company may meter private fire lines where there is demonstrated justification such as unauthorized use of the service and/or where unusual circumstances prevail on the customer's premises.

Section 2: Operating tests of private fire hydrants and sprinkler systems shall be made only after 96 hours written notification to, and approval by, the Company.

Section 3: No water shall be taken from a private fire hydrant except for use on the property in which it is located, nor for any purpose other than to extinguish fires or to test fire fighting equipment. Such uses of water for purposes other than fire fighting shall be made only after 96 hours written notification to and approval by the DWC.

Section 4: The Company shall not be held liable or responsible for any losses or damage resulting from fire or water that may occur due to the installation of a private fire service system or any leakage or flow of water therefrom.

Section 5: In cases where a private development is to be served by a single service connection and ownership of the single service pipe or distribution main is not held by the DWC, a separate fire service main may be required to accommodate private fire hydrant service.

Section 6: With DWC approval, a single fire service may serve more than a single premise.

Section 7: A backflow prevention device shall be required on a line to a fire sprinkler system with any siamese connection in accordance with the Connecticut Public Health Code.

Section 8: The DWC must receive approval from the local fire marshal before a customer's request for discontinuance of a private fire service can be processed by the DWC. The owner is responsible for billings until terminated.

Section 9: Prior to the installation of any fire sprinkler system, the DWC shall be notified in accordance with Section 19a-37a-1 of the Connecticut Public Health Code.

ARTICLE 9 - Public Fire Service

This article defines the rules and regulations that govern the DPWS Public Fire Service, if and when this service may exist.

Section 1: Fire departments desiring to use water from hydrants for testing equipment or for any purpose other than that of extinguishing fires, must notify the DWC in writing 96 hours in advance of such usage.

Section 2: Persons who desire to use water from public hydrants for purposes other than fire fighting must first obtain permission in writing from the DWC. Persons using water without permission of the DWC shall be prosecuted to the full extent of the law.

Section 3: All public fire hydrants, except certain town-owned hydrants, shall be owned and maintained by the DWC.

Section 4: Any hydrant located on public property, easement, or a public right of way is, by definition, subject to public fire charges.

ARTICLE 10 – Durham Public Water System Responsibilities

This article further defines DWC responsibilities relating to the delivery, quantity, and quality of the water, and for damage to a person or property resulting from the water service provided.

Section 1: The DWC undertakes to supply its customers with water that meets the requirements of the State of Connecticut DPH, and which has such physical and chemical properties as to make it acceptable for domestic use. However, the DWC does not undertake to render any special service, nor to maintain any fixed pressure, nor to deliver any fixed quantity of water, or special quality water.

Section 2: The DWC shall not be liable for any damage to person or property, sustained as a result of any break, failure or accident in or to its system or any part thereof, which is not due to the negligence of DWC, or which, being known to the customer, was not reported by that customer in time to avoid or mitigate such damage.

NOTES

APPENDIX

- A. Diagram ~ Typical Water Service Installation
- B. Diagram ~ Typical Water Service Installation with a Meter Pit
- C. Diagram ~ Typical Seasonal Water Service Installation
- D. Diagram ~ Typical Meter Yoke Installation & with PRV
- E. Low Pressure Agreement