

**ORDINANCE**  
**RULES AND REGULATIONS**  
**FOR CAMBRIA WATER DISTRICT**  
**TOWN OF CAMBRIA, NIAGARA COUNTY, NEW YORK**  
**(As Amended – June 12, 2014)**

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# 1. RULES AND REGULATIONS

For

## CAMBRIA WATER DISTRICT TOWN OF CAMBRIA, NIAGARA COUNTY, NEW YORK

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### SECTION I – General Information

#### **A. The Law (Town Law)**

Extracts from the Town Law relative to the jurisdiction of the Town Board over the Water System and right of such concerning the same.

Powers of Town Board with respect to Improvement Districts.

3. **Water Districts**. After a water district shall have been established \*\*\* “The Town Board shall have the power to adopt, from time to time, ordinances, rules and regulations for the operation of the water district and the use of water therein, and in addition to the remedies provided in section one hundred thirty-five for the enforcement thereof or for the punishment of violators, the Town Board may enforce compliance with such ordinances, rules and regulations by cutting off the supply of water.”

\*\*\* “The Town Board shall establish, from time to time, the water rates to be paid by consumers and may provide for the payment of said water charges in advance. \*\*\*\*\* Such water charges shall be a lien upon the real property upon which or in connection with which the water was used. The Town Board may provide by ordinance or resolution that unpaid water charges in arrears for thirty days or longer shall be subject to a penalty not exceeding ten per centum of the amount due, and may further provide for cutting off the supply of water if such water charges are not paid within sixty days from the date due.”

\*\*\* “Supply pipes connecting with district mains shall be installed and repaired at the property owner’s expense under the direction of an employee of the town or the district after a permit therefore has been granted.”

\*\*\* “Any member of the Town Board or the board of district commissioners, if there be one, or a duly authorized agent of either, may at any time enter a building or upon premises where water is used from supply pipes connected to a district system, for the purpose of examining such pipes and the manner of installation thereof.”

#### **B. General Instructions and Conditions of Service** (Amended 10/8/09- Add #6)

1. It is the intention of the Town Board to notify consumers when the water in the mains is to be shut off, but it is here noted that it is many times impractical and sometimes impossible to do so.
2. Whenever the water is shut off for any reason, the consumer is hereby advised that all hot water boilers should be immediately banked and water content checked often and thoroughly.

3. If the plumbing is in proper condition, no damage can occur from turning the water in the mains off or on without notice and the Town Board is not liable for any damage caused thereby.
4. Service pipes from the street to buildings should maintain four feet minimum trench depth to avoid danger of freezing. Particular care should be exercised to maintain this minimum when crossing gutters, drainage ditches or other like depressions.
5. When property is conveyed, written notice should be given to the Town Board of said conveyance so that the transfer of ownership may be noted on the water books and the new owner notified of his accounts.
6. Prior to property transferring ownership, a final water meter reading and Water Service Compliance Report as outlined in Section II A shall be conducted by the Town of Cambria.

C. **Territory**

To which regulations apply shall consist of all lands within the boundary of the Town of Cambria and also, all lands outside the Town of Cambria, which are served by this system.

D. **Definitions**

Parties referred to in these rules and regulations are hereby defined as follows:

“**District**” means the Cambria Water District, Town of Cambria, Niagara County, New York.

“**Board**” means the Town Board of the Town of Cambria, Niagara County, or its duly authorized representative.

“**Foreman**” means the Foreman of the Cambria Water District, who is a duly authorized representative of the Board, or his authorized representative.

“**Owners**” means the persons or corporations owning the property to be served, or the authorized agent of such persons or corporations.

“**Consumer**” means the person or corporation to be served, or the authorized agent of such person or corporation.

**SECTION II – Application for Service**

- A. Application for service shall be made by the owner in writing, on blanks provided by the Board. Such application shall be made not later than one (1) day previous to the time of beginning of such service, and shall contain such information as the Board may require.

## **SECTION II A - Water Service Compliance Inspection (Added 10/08/09)**

Prior to the transfer of any real property which is connected to the Town of Cambria Water system, the Town Water District shall be notified of the transfer. The current owner shall provide access to the premises, allowing Town personnel to take the final water meter reading and conduct the Water Service Compliance Inspection which shall include compliance with the following provisions:

1. Installation of Radio Read Water Meter (hereinafter referred to as AMR) – A Radio Read Water Meter (AMR) must be installed in the residence/building prior to transfer of the property. The AMR shall be installed by Town of Cambria Water District personnel. The owner of the property shall be responsible for the payment of the water meter replacement fee and said fee shall be included in the final water billing charged to the property owner prior to transfer of the property.
2. Dual Check Valve – It shall be the responsibility of the property owner to insure that a dual check valve (WATTS #7 or equal) is installed and is in proper working order prior to the transfer of the property. The dual check valve shall be installed after the water meter and any costs associated with said installation shall be the responsibility of the property owner.
3. Reduced Pressure Zone Backflow Preventer – In lieu of a dual check valve, a Reduced Pressure Zone Backflow Preventer may be required by the Town of Cambria Water District. The acting Water Foreman or a duly designated representative of the Town of Cambria Water District will, upon inspection of the premises, make a determination as to whether a Reduced Pressure Zone Backflow Preventer will be required to be installed. This determination shall be based upon the degree of hazard and the potential for backflow into the Town Water system. Any required installation shall be the responsibility of the property owner and shall be completed prior to transfer of the property.
4. Thermal Expansion Tank – At the time of the Water Service Compliance Inspection, a recommendation shall be made by Town of Cambria Water personnel as to the requirement for the installation of a thermal expansion tank for potable water. If a determination is made that a thermal expansion tank should be installed for the protection of the plumbing system, such installation should be done in conjunction with the Dual Check Valve and should be installed prior to transfer of the property. Any costs associated with said installation shall be the responsibility of the property owner.
5. Items 2 and 3 must be completed prior to the AMR installation and transmitting of final water meter reading. If any of the above required items have not been met, a second compliance inspection shall be required to be scheduled to ensure compliance with the Town of Cambria Water District Rules and Regulations.

In the event the owner of the property fails to have a Water Service Compliance Inspection completed prior to the transfer of the property, the new owner of the property shall be held responsible for the completion of a Water Service Compliance Inspection and any necessary repairs required to comply with the provisions of the Town of Cambria Water District Rules and Regulations.

In the event the current owner fails to have a Radio Read Water Meter (AMR) installed prior to the transfer of their property, any fees associated with the installation of the Radio Read Water Meter (AMR) shall be included on the first water billing for the new owner of the property.

- B. No person or corporation shall make any connection or opening into a public water main, except upon written authorization of the Board. All connections to water mains, including service line work and excavation within public rights-of-way, shall be done by the District or its authorized representatives, including all excavation around or near public water mains.

### **SECTION III – Installation of Service**

#### **A. Inspection**

No water main shall be tapped nor any service connection made, laid, or covered, except in the presence of the Foreman and/or his authorized representatives, and then only after he shall have approved all work and materials and authorized the making of such tap and the connection and covering of it.

This requirement shall not apply to existing services in use prior to October 1, 1964, which do not require modification and which are in good condition. Any such services, which require replacement because of leaks, at any time, shall be replaced with acceptable materials in accordance with these rules and regulations.

No person, except an authorized District Representative, shall turn the water on or off at any connection to the water main. Water will be turned on by the Foreman to test the pipes before they are covered and immediately turned off until final approval of the completed service installation by the Foreman.

#### **B. Service Connections (Permanent) (First paragraph amended 12/13/07; Second paragraph amended 7/10/08)**

Taps and connections shall be one inch (1") and shall be carried full size from the water main to the meter, except that larger services will be permitted where proper application is made in writing to the Board, where need for such service is proven and where water main size is adequate. Where larger than one inch (1") is required, the owner shall pay to the Board an installation fee, in addition to those hereinafter described, which will fully compensate the district for the cost of the larger service desired.

Service pipe one inch (1") and smaller shall be Type K copper tubing or copper tubing size (CTS) polyethylene tubing and have an outside diameter based dimension ratio (DR) of 9 with PE 3408 material and a pressure of 200 pounds per square inch in accordance with AWWA specifications C901 (latest revision). No underground joints will be permitted except where distances are greater than the lengths available from the manufacturer. In this case, a minimum number of joints will be permitted and these shall be of the flare or compression type only. If copper tubing is used, one joint will be allowed. If polyethylene tubing is used, NO joints will be allowed. Distances over 300 ft from the curb box to meter require a meter pit. Meter pit must be purchased from the town and installed within 20 ft of the curb box. The meter pit includes meter valve and dual check valve. After the meter pit, 200 psi polyethylene is recommended. Service pipe larger than one inch (1") shall be of material acceptable to the Town of Cambria Water foreman and in accordance with standards established by the Town of Cambria as set forth in guidelines promulgated by the American Water Works Association. All pipe shall meet all requirements for a minimum working pressure of 150 psi. All service pipe shall be laid in a trench not less than four feet (4') below the surface of the earth.

Service pipe will be laid to and including the curb stop and box by the District at no additional cost, except as otherwise noted in these rules and regulations, until final acceptance of the construction contracts for Cambria Water district. Owners of vacant lots must show by commencing construction that they intend to use water since no service will be laid to vacant lots under the construction program. All lines installed, but not intended for immediate use shall be capped and sealed until ready for immediate use by the consumer.

After the above mentioned period, connections from the water main to and including the curb stop and box will be made by the District at a charge to the owner of Thirty Dollars (\$30.00) plus materials and equipment rental at prevailing prices.

Permission will not be granted to supply more than one consumer from a single tap unless a separate shut-off cock is provided for each such building and, if located on the premises, a perpetual right-of-way must be granted to the Board by the owners.

When premises are occupied by more than one consumer, a meter must be installed for each consumer, unless the owner contracts with the Board for the water for the building.

No installation shall be permitted which has any connections, direct or indirect, with any public or private pumping and/or distribution system or source not fully approved by the New York State Water Resources Commission and by the New York State Department of Health, regardless of how it is valved or piped. Health Department approved air breaks must be employed in supplying tanks, vats or other apparatus which contain liquids, chemicals or other matter which could in any way endanger the water supply if it were drawn back into the District mains.

All services installed shall be accomplished by a duly qualified person approved by the Superintendent.

Connection from water main to and including curb stop and box will be made by the District at a charge at the following rates:

<b>Rates:</b>	<b>(Rates adopted 7/12/07)</b>	<b>Meter Pits (rates adopted 12/13/07)</b>	<b>(Amended 6/12/14)</b>
	3/4" \$ 700.00	3/4" \$430.00	
	1" \$ 800.00	1" \$675.00	
	1-1/2" \$ 900.00	Larger than 1" – Price to be	determined following filing
	2" \$1,100.00	of application	

**C. Service Connections (Temporary)**

Temporary service connections shall consist of but shall not be limited to, construction jobs, fairs, circuses, military installations, emergency inter-system connections or for service of water to a premises or property upon which no permanent structure is or has been erected (such as a campsite, a trailer, a moveable building or advance service for new construction.).

Except as otherwise directed by the Board or as set forth herein, all requirements for permanent service shall apply to temporary service.

In addition, the consumer shall pay to the District, in advance of service, a sum of money, in addition to the installation charges heretofore mentioned, equal to the full cost of the meter to be installed. Upon termination of said service and the return of the meter to the District, provided that said meter is found to be in proper condition for re-use after inspection and testing, the consumer will receive, without interest the amount paid. The cost of said inspection and testing and the cost of any repairs found to be necessary will be deducted from the above-mentioned amount. Also, for each year of service or major portion thereof, there shall be one twentieth (1/20) deducted from said sum for meter rental.

All other fees and charges outlined under Permanent Service Taps shall not be refunded.

The Board reserves the right to reject any application for service, which it believes, will be prejudicial to the best interest of the District.

#### **D. Special Services**

The Board reserves the right to accept or reject any or all applications for the services of a nature not hereinbefore covered by these rules and regulations, including the right to determine the rates for such services and shall approve only those permits which it finds are not prejudicial to the best interest of the District.

- (1) A service connection for private fire protection purposes may be secured from the Town upon application by the owner of the property involved. A drawing showing the proposed location of all valves, pipes, hydrants, sprinkler heads and other appurtenances to be installed shall be submitted with the application. The Water Department will determine the necessity and advisability of installing any fire service connection in view of the size of the street main available and the existence of available fire hydrants and the possible effect on the main pipe system if such a service line were broken and open during a conflagration. Likewise, the Water Department will determine the proper size of each fire connection, which in no case shall be larger than 10 inches in diameter. The cost of installation of such a service, including an approved type of check valve with meter on a by-pass located in a pit or vault, if required, shall be borne entirely by the applicant. An annual ready-to-serve charge based on the size of the service connection and payable in advance shall be made and fees as set by Town Board according to size of the connection.

A fire service connection, except as provided in this section, will be subject to the same rules and regulations as apply to regular service connections. No connection shall be made at any time between the fire protection system and the regular water supply regardless of source, unless specifically approved by the Water Department. A fire-service connection is exclusively for fire protection purposes. The use of water from this service for any other purpose whatever is prohibited. Any violation of provisions shall be sufficient cause for discontinuing such service until reasonable assurance be given that the offense will not be repeated. A backflow preventer as approved by the Water Department must be installed in the system and checked annually.

- (1) The Board/District reserves the right to accept or reject any or all applications for services of a nature not hereinbefore covered by these rules and regulations, including the right to determine the rates for such services and shall approve only those permits which it finds are not prejudicial to the best interests of the District.



**SECTION IV – Meters** (Amended 2/08/07; 4/12/07;1/14/10)

All water for domestic, commercial, and industrial purposes shall be metered. Meters shall be signed for by the owner, or his duly authorized agent, for whose premises the water is to be used. No charge shall be made for water for fire purposes taken from District owned hydrants. Each sprinkler system or private hydrant installation must be submitted to the Board for review and approval as to the connection to the supply main. The decision, thereafter, will be made by the Board as to whether meters will be required for the service and use requested. The District shall establish the price of meters.

When water is desired and after service from the main has been installed, all new water customers shall be charged the following sums for water meter installations:

3/4”	<b>\$190.00</b>
1”	<b>\$280.00</b>
1 1/2”	<b>\$515.00</b>
2”	<b>\$685.00</b>

Replacement or conversion of existing water meters will be charged as follows:

- **3/4” Water Meters: Customer will pay \$50 which will be invoiced at \$10 per quarter for five (5) quarters**
- **Larger than 3/4” Water Meters: Customer will pay \$100, which will be invoiced at \$20 per quarter for five (5) quarters**

Reference is hereby made to Section III – C – Service Connections – Temporary – for Meter Charges connected therewith.

Payment of the required sum does not carry with it ownership of the meter, which remains forever the property of the District.

In the event that the owner desires to discontinue use of water, he may request removal of the meter by the District and receive without interest the amount paid less one twentieth (1/20) of the total amount paid per year or major portion thereof for the time the meter has been in service. This charge will be considered as an annual rental for the use of the meter.

All meters will be maintained by and at the expense of the District insofar as ordinary wear and tear are concerned but the consumer will be held responsible for damage due to freezing, hot water, or other external causes. In case of damage, the District will repair the meter, if necessary, replacing it with another, the total cost of which shall be paid by the consumer.

The Board reserves the right, at all times, to inspect, test, clean, repair, remove and replace any meter at any time and to substitute another meter in its place. In the case of a disputed account involving the question of accuracy of the meter, such meter will be tested by the District upon request of the consumer or owner. The fee for testing such meters will be Five Dollars (\$5.00) for meters one inch (1”) and smaller, and ten Dollars (\$10.00) for larger meters, payable in advance of the testing. In the event that the meter so tested is found to have an error in registration to the prejudice of the consumer in excess

of four per cent (4%) at any rate of flow within the normal test limits, the fee advanced for testing will be refunded and the bill for the current period adjusted to correct such over registration.

The Board reserves the right, at all times, to stipulate the size, type and make of any and all meters employed within or without the District.

### **SECTION V – Termination of Service**

No person, except the Foreman or his authorized representative, shall terminate or restrict service at any connection to or from the District water system.

The Board reserves the right to shut off the water from or in any District main or to any service connection, at any time, without notice, that it is deemed necessary and the Board shall not be responsible for any damage that may result therefrom.

Upon detection of a leak in a service line, between the curb stop and the meter, of any nature prejudicial to the District, the owner, consumer and/or corporation shall make the necessary repairs to said service, at no expense to the District, and shall perform the work in strict accordance with the requirements set forth for a new service.

Upon failure by an owner, consumer and/or corporation to repair such a leak the District may, at its option, terminate service fifteen (15) days following issuance of a notice to repair. The District reserves the right to enter on any property or premises, at any time, to repair any leak, break or other damage which, if left un-repaired, would or could be prejudicial to the District water system. The expense of such repairs to services shall be at the cost of the consumer while the expense incurred in the repair of District mains and fixtures shall be borne by the District.

Water may be turned off, at the direction of the Board, by the Foreman, because of failure of payment by any consumer, sixty (60) days after the end of a period, and a charge of One Dollar (\$1.00) will be made, in addition to the payment of all bills then in arrears, before the water will again be turned on.

### **SECTION VI – Hydrants and Fire Regulations**

#### **A. Fire**

In case of fire or an alarm of fire, all water consumers are requested to cease the use of water for motors, fountains, sprinkling and power purposes during such fire, in the interest of keeping up a strong and effective pressure for fire purposes.

#### **B. Operation of Hydrants**

No person except the Foreman of the Water system, or persons acting under his direction or permission, shall open any fire hydrant or draw water therefrom, except that the chiefs of the Town Fire Departments and their assistants shall be authorized to draw water as necessary to fight fire. In no case shall inexperienced or incompetent persons be allowed to manipulate or interfere with any such hydrants, gates, valves, or other fixtures of said District.

Hydrants will be installed on all water mains so that each developed property or premises shall in no case be farther than six-hundred (600) feet distant from a hydrant, except that no

hydrant will be installed on other than public lands, easements or rights-of-way permanently owned or controlled by the Board, its successors and assigns.

Changes in location of existing hydrants will be made, except where otherwise required by law, at the expense of the owner or consumer requesting such change in location. All such requests shall be made in writing to the Board.

The Board does not guarantee to provide hydrant service to consumers outside the district or to temporary services within the District.

## **SECTION VII – Vandalism and Property Damage**

Any person who shall deface, injure, disturb or interfere with any machinery, pumps, buildings, trucks, tools, valves, hydrants or any other part of the District Water System will be prosecuted to the fullest extent of the Law.

The penalty for the commission of any of the above offenses is punishable by fine and imprisonment (Article 134 of the Penal Law.)

## **SECTION VIII – Payment for Water Service**

### **A. Installation and Repair (Services)**

#### **1. Expense borne by the District**

- a. Cost of making taps, except as otherwise outlined in Section III.
- b. Maintenance and repair of meters as set forth in Section IV of these regulations.
- c. Cost of installing service line from main to curb stop inclusive. (During the Construction period only.)
- d. Maintenance and repair of service lines from main to curb stop inclusive.

#### **2. Expense borne by the Owner**

- a. The cost of all materials and labor for laying and maintaining the service pipe upon and within his premises from the curb box serving said property.
- b. Cost of installing service line from the main to the curb stop inclusive, as set forth in Section III. (Following the completion of any District Construction Program.)
- c. Water Rentals and Special Assessments.

- d. Deposits for meters in accordance with Section IV of these regulations.
- e. The charge of One Dollar (\$1.00) for turning on the water after it has been turned off due to delinquent accounts; also all arrearage penalties or back rents of whatever nature. All delinquent charges shall be a lien against the property.
- f. The cost of installation, repair and testing of meters, except for mechanical defects or natural wear and tear, as set forth in Section IV of these regulations.

## **B. Water Rentals (Use of Water)**

All water rentals will be charged to the owner, and statements rendered to the consumer upon request.

Water Rentals of all kinds shall become due in January, April, July and October, except in the case of large industrial or commercial consumers where monthly billing may be ordered, and in all cases where bills remain unpaid for a period of sixty (60) days after becoming due, the Foreman may shut off the water at the curb stop and in no case will service be resumed until such overdue bill, all penalties, and the one dollar (\$1.00) fee, previously mentioned, is paid.

Rates for water used by consumers living within the District and paying taxes therein, or their tenants, shall be set forth in Water Service Classification No. 1. Where payments in lieu of taxes or where other considerations, acceptable to the Board and not prejudicial to the best interests of the District are arranged for and agreed to by public agencies or individuals, Water Service Classification No. 1 would apply unless otherwise modified by contract between the District and the owner or agency involved.

Rates for water used by consumers, owning property within the District but NOT subject to payment of taxes or special assessments, or by the occupant thereof, or by consumers outside the District, or by consumers qualifying as temporary services within or without the District shall be set forth in Water Service Classification No. 2, except as otherwise provided for in this Section of these regulations.

Rates for water used by trailer parks or campsites serviced through a master meter, and where, at least one permanent structure exists, shall be set forth in Water Service Classification No. 3.

The Board reserves the right, if need be, to refuse water to anyone for consumption outside said District.

## **C. Rebates**

Where disputes arise concerning the payment of water bills in which the registration of the meter is in question, rebates will be made in accordance with the conditions set forth in Section IV of these regulations.

Consumers desiring permanent discontinuance of the use of water or for period in excess of one year may, upon written notice to the Board, request and receive a rebate on their meter deposit as set forth in Section IV of these regulations. For periods of temporary discontinuance

extending less than one full year, no rebate or release from minimum service charges will be made.

#### **D. Cottages and Seasonal Users**

Where it is desired that water service be shut off during cold weather, the Foreman, upon written request of the owner, will disconnect and de-water the meter and shut off the service at no charge to the owner. The Foreman will re-connect the meter and re-open the service at no charge to the owner, upon his request. In the event that no notice is given it will be expected that the owner will continue to protect the meter and piping from damage from freezing through the winter months and failure to do this shall be a charge against the owner as set forth in Section IV.

#### **E. Special District Assessments – Availability Charge**

A special district assessment shall be laid against the assessed valuation upon the several lots and parcels of lands within the Town of Cambria Water District based upon existence and availability of water service, and the Town Board shall apportion and assess upon and collect from each such parcel, such sum as shall be based upon its assessed valuation as provided by law.

#### **F. Backflow Prevention**

### **PURPOSE OF REGULATIONS TO SAFEGUARD DRINKING WATER SUPPLY BY PREVENTING BACKFLOW INTO PUBLIC WATER SYSTEMS**

**Section 1. Purpose.** The purpose of these regulations is:

- (1) to protect the public water supply against actual or potential cross-connections by isolating within the premise contamination or pollution that may occur because of some undiscovered or unauthorized cross-connection on the premise.
- (2) to eliminate existing connections between drinking water systems and other sources of water that are not approved as safe and potable for human consumption.
- (3) to eliminate cross-connections between drinking water systems and other sources of water that are not approved as safe and potable for human consumption.
- (4) to prevent the making of cross-connections in the future.

#### **Section 2. Definitions**

1. **Airgap.** The unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or faucet supplying water to a tank, plumbing fixture, or other device and the flood-level rim of the receptacle. The air-gap shall be at least double the diameter of the supply pipe or faucet,

measured vertically above the flood-level rim of the receptacle but not less than one inch.

2. **Approved.** Accepted by the New York State, Department of Health.
3. **Auxiliary Water Supply.** Any water source or system other than the public water supply that may be available in the building or premises.
4. **Backflow.** The flow of water or other liquids, mixtures, or substances into the distributing pipes of a potable supply of water from any source or sources other than its intended source. Back-siphonage is one type of backflow.
5. **Backflow Preventer.** A device or means to prevent backflow
6. **Backsiphonage.** Backflow resulting from negative pressure in the distributing pipes of a potable water supply.
7. **Certified Backflow Prevention Device Tester.** A person who is examined annually by the water purveyor and found competent in the testing of backflow prevention devices. Said person shall be provided with an appropriate identification card, renewable annually. Failure to perform duties competently and conscientiously will result in expeditious withdrawal of certification. Said person is one who has taken backflow prevention course and successfully completed it at Erie County Community College, or any comparable course, approved by New York State Health Department.
8. **Check Valve.** A self-closing device which is designed to permit the flow of fluids in one direction and to close if there is a reversal of flow.
9. **Contamination.** See Pollution.
10. **Cross Connection.** Any physical connection between a potable water supply and any waste pipe, soil pipe, sewer, drain, or any unapproved source or system. Furthermore, it is any potable water supply outlet which is submerged or can be submerged in waste water and/or any other source of contamination. See Backflow and Back-siphonage.
11. **Double Check Valve Assembly.** An assembly of at least two independently acting acceptable check valves, including tightly closing shutoff valves located at each end of the assembly with suitable connections for testing the water tightness of each check valve.
12. **Hazard, Health.** Any conditions, devices, or practices in the water supply system and its operation which create, or in the judgment of the Cambria Water District, may create a danger to the health and well-being of the water consumer. An example of a health hazard is a structural defect in the water supply system, whether of location, design, or construction, that regularly or

occasionally may prevent satisfactory purification of the water supply or cause it to be polluted from extraneous sources.

13. **Pollution.** The presence of any foreign substances (organic, inorganic, radiological, or biological) in water that tends to degrade its quality so as to constitute a hazard or impair the usefulness of the water.
14. **Reduced Pressure Principle Backflow Preventer.** An assembly of two independently acting acceptable check valves, together with an automatically operating pressure differential relief valve between the two check valves. The assembly shall include tightly closing shutoff valves located at each end of the assembly and suitable connections for testing the water tightness of each valve.
15. **Surge Tank.** The receiving, non-pressure vessel forming part of the airgap separation between a potable and an auxiliary supply.
16. **Water, Potable.** Water free from impurities in amounts sufficient to cause disease or harmful physiological effects. Its bacteriological and chemical quality shall conform to the requirements of the Niagara County Health Department and the New York State Health Department.
17. **Water, Nonpotable.** Water that is not safe for human consumption or that is of questionable potability.

### **Section 3. Protection of Public Water System at Service Connection (Par. 6 added 10/09)**

#### **Part I. Where Protection is Required**

- (1) Each service connection from a public water system, for supplying water to premises having an auxiliary water supply, shall be protected against backflow of water from the premises into the public water system.
- (2) Each service connection from a public water system, for supplying water to premises, on which any substance is handled under pressure in such fashion as to permit entry into the water system, shall be protected against backflow of water from the premises into the public water system. This shall include the handling of process waters and waters originating from the public water supply system which have been subject to deterioration in sanitary quality.
- (3) Each service connection from a public water system, for supplying water, to premises on which a substance of unusually toxic concentration or danger to health is handled in liquid form, even though it is not under pressure, shall be protected against backflow of the water from premises into the public water system. Examples are plating factories, using cyanide and hospitals.

- (4) Backflow prevention devices shall be installed on the service connection to any premises that have actual or potential internal cross-connections.
- (5) Backflow prevention devices shall be installed on the service connection to any premises in which the Cambria Water District is not allowed to fully and completely review all processes within the facility.
- (6) As a minimum requirement, an approved double check valve assembly shall be installed to protect each service connection to a public water system against backflow of water from the premises into the public water system.

It shall be the responsibility of the water user to provide protective devices as required under Part II.

## **Part II. Type of Protection.**

The protective device required shall depend on the degree of hazard as tabulated below:

- (1) At the service connection to any premise on which a substance that would be aesthetically objectionable (but not necessarily hazardous to health), the public water supply shall be protected by an approved double check valve assembly.
- (2) At the service connection to any premise on which there is an auxiliary water supply meeting the New York State Drinking Water Standards, the public water supply system shall be protected by an approved double check valve assembly.
- (3) At the service connection to any premise on which there is an auxiliary water supply not meeting the New York State Drinking Water Standards, the public water supply system shall be protected by an air-gap separation or an approved reduced pressure principle backflow preventer device. The air-gap shall be located as close as practicable to the water meter, and all piping between the water meter and surge tank shall be entirely visible.
- (4) At the service connection to any premise on which any material dangerous to health or toxic substance in toxic concentration is or may be handled under pressure, the public water supply shall be protected by an air-gap separation. The air-gap shall be located as close as practicable to the water meter and all piping between the water meter and surge tank shall be entirely visible. If these conditions cannot reasonably be met, the public water supply shall be protected with an approved reduced pressure principle backflow prevention device, providing the alternative is acceptable to both the Cambria Water District and the local health department.
- (5) At the service connection to any premise on which any material dangerous to health or toxic substance in toxic concentration is or may be handled; but not under pressure, the public water supply shall be protected by an air-gap separation or an approved reduced pressure principle backflow preventer device. The air-gap shall be located as close as practicable to



the water meter, and all piping between the water meter and surge tank shall be entirely visible.

- (6) At the service connection to any sewage treatment plant or sewage pumping station the public water supply shall be protected by an air-gap separation. The air-gap shall be located as close as practicable to the water meter and all piping between the water meter and the surge tank shall be entirely visible. If these conditions cannot be reasonably met, the public water supply shall be protected with an approved reduced pressure principle backflow prevention device, providing this alternative is acceptable to both the Cambria Water District and the local health department.
- (7) At the service connection to any premise where the Cambria Water District is not allowed to fully and completely review all processes within the facility, the public water supply system shall be protected by an air-gap separation or an approved reduced pressure principle backflow prevention device. The air-gap shall be located as close as practicable to the water meter, and all piping between the water meter and the surge tank shall be entirely visible.
- (8) The following regulations shall apply to any individual or entity connecting to Town water facilities.
  - (a) The minimum cross connection protection for an irrigation meter should be a double check valve with a guard valve installed after the check so that the flow of water is regulated by the guard valve and not be the operating nut of the hydrant. (Hydrant must be fully open)
  - (b) Pumps will not be allowed to connect directly to a fire hydrant. Connections to fire hydrants are only by one (1) – 2 ½” opening. No steamer connections allowed.
  - (c) A pump would only be allowed in the irrigation system if it was connected by a minimum of 100 feet of 2 ½” to 3” collapsible hose.
  - (d) All meters and cross connection protection devices should be properly blocked so as not to put a strain on the fire hydrant.
  - (e) All applications will ask the irrigator if they are planning to inject fertilizers or pesticides while watering and if so an Reduced Pressure Zone (R.P.Z.) will be required. A yearly testing of this R.P.Z. will be required.
  - (f) Towns do not guarantee to provide irrigation water to fire hydrants.
  - (g) Town has the right to limit or suspend irrigation services, as needed.
  - (h) Tank filling must be done with overhead fill with 12” minimum air gap.

- (9) Prior to making a connection to the Town facilities, the individual or entity (hereinafter referred to as “applicant”) must sign a yearly application prepared by the Town of Cambria.
- (10) Failure to comply with regulation or irrigation will immediately terminate applicant’s right to the use of town water facilities for irrigation purposes.

### **Part III. Frequency of Inspection of Protective Devices.**

It shall be the duty of the water user on any premise on account of which backflow devices are installed to have competent inspections made at least once a year, or more often in those instances where successive inspections indicate repeated failure. These devices shall be repaired, overhauled or replaced at the expense of the water user whenever they are found to be defective. These tests shall be performed by a certified Backflow Prevention Device Tester, and all test results and repairs shall be delivered to the Cambria Water District within seventy-two hours after test is made.

### **Section 4. Violations and Penalties**

#### **Part I. Notification of Violations**

The Cambria Water District shall notify the owner, or authorized agent of the owner, of the building or premises in which there is found a violation of this ordinance, of such violation.

The Cambria Water District shall set a reasonable time for the owner to have the violation removed or corrected. Upon failure of the owner to have the defect corrected by the end of the -

specified time interval the Cambria Water District may, if in its judgment an imminent health hazard exists, cause the water service to the building or premises to be terminated, and not be restored until such condition or defects are corrected and/or recommend such additional fines or penalties to be invoked as here may be provided

#### **Part II. Penalties for Violations.**

- (1) Any person found violating any provision of this ordinance shall be served with a written notice, stating the nature of the violation and providing a specified time within which the violation shall cease and satisfactory corrective action shall be taken by the violator.
- (2) In the event that such violation is not terminated within the time specified within said notice, the violator shall be liable to the people of the Town of Cambria for a penalty of not more than one thousand dollars (\$1,000.00), or imprisonment not exceeding thirty (30) days, or both.
- (3) Every week that a violation is allowed to continue beyond the time specified in said notice shall constitute a separate offense.
- (4) Nothing contained herein shall prevent the town of Cambria from exercising such other and additional remedies as are available to it under local law, or state or federal law.

### **Section 5. Reasonable Interpretation Required**

These regulations are to be reasonably interpreted; it is their intent to recognize that there are varying degrees of hazard and to apply the principle that the degree of protection shall be commensurate with the degree of hazard.

## **SECTION IX – Main Extensions**

The Board reserves the right to accept or reject any or all applications for main extensions in maintaining the best interests of the District.

### **A. Application for Extension by Taxpayer Petition**

The Board will review any petition for main extensions, if and when a petition is duly presented to the Board which contains the legal signatures of owners along the route of the proposed extension representing an average assessed valuation of the least Two Hundred Thirty Thousand Dollars (\$230,000.00) per mile of proposed construction and have a potential water demand equivalent to twenty-five (25) services per mile all based

on 1964 rates of assessment. Said petition shall represent more than fifty per cent (50%) of the owners and assessment thus effected, and the work proposed shall not involve heavy rock cuts or other unusual construction conditions. Where such unusual construction conditions exist, the Board shall be the sole judge, with the assistance of its legal counsel and engineers, as to the acceptance or rejection of the extension thus requested.

Said extension shall include all necessary construction from existing District mains to and including the property or premises of all owners signing said petition.

Where rights-of-way are necessary, the petitioners will be required to exhibit proof that same will be provided to the District by Deed or easement in perpetuity.

The Board, through its engineers, will be the sole judge as to location, size, type and make of all materials and/or work thus performed and as to the acceptance or rejection of said petition.

### **B. Application for Extension by Contractors**

The Board will review any application duly presented in writing, by a responsible party such as, but not limited to, real estate developers, builders, building contractors, or corporations, both public and private, which shall show a proposed development which, when completed, will represent at least Two Hundred Thirty Thousand Dollars (\$230,000.00) per mile of proposed construction and have a water use equivalent to twenty-five (25) houses per mile, or greater, based on 1964 rates of assessment. Where heavy rock cuts or other unusual conditions are found to exist, the Board reserves the right to modify the assessment requirement in order to allow for the greater cost of construction.

The owner in making such application shall agree to provide all easements, rights-of-way, and proof of ownership in full accordance with all Town Laws and Ordinances and with all conditions herein set forth. The owner in making his application shall provide all his own expense all maps, plans and the like necessary to clearly indicate the proposed extensions.

No main extension will be approved by the Board until the land is owned or controlled forever by the Board, its successors and assigns.

Prior to construction of said extension, the Board, upon approval of the extension, will direct its engineer to prepare construction plans and specifications and submit, to the Board, an estimate for the work. The owner shall pay to the Board, in behalf of the district, the full amount of the estimated cost of construction to be adjusted, after construction has been completed, to the exact amount expended in the extension. Thereafter, the owner shall be repaid personally by the Board, without interest, in direct proportion to the existing and permanently developed assessed valuation abutting or directly benefited by the extension until the required assessed valuation per mile, as set forth above or as otherwise modified as herein provided, together with the water use, shall have been reached, at which time the entire cost without interest shall be returned. The aggregate total, repaid to the owner shall not exceed the total of the original cost.

All real property benefited by the extension shall become immediately assessable as directly benefited properties under the Tax Structures set up by the Board in behalf of the District.

If a period of ten (10) years shall elapse before the necessary assessed valuation shall have been developed, then, the outstanding amount shall cease to be repayable and shall become the property of the District.

All extensions so constructed shall, immediately and forever, become the property of and under the complete control of the Board in behalf of the District.

### **C. Application for Extension by Guaranteed Income Contract**

The Board will review any application duly presented, in writing, by a responsible party, such as but not limited to military installations or State or Federal parks, which shall agree to pay a guaranteed minimum annual revenue in lieu of taxes, in

addition to all other charges set forth in these rules and regulations, of sufficient amount to compensate the District for their expenses in financing the extension proposed. The owner shall also contract for said water for a period of time to be determined by the Board.

The owner, in making such application, shall agree to provide all needed easements, rights-of-way and proof of ownership in full accordance with all Town Laws and Ordinances and in full accordance with all conditions herein set forth and shall provide, at the owner's expense, all maps, plans and the like necessary to perform the proposed extension.

No main extensions will be approved by the Board until the land is owned and controlled forever, by the Board, its successors and assigns.

The Board reserves the right to determine location, size, type and make of all materials and labor so employed.

## **SECTION X – Supply of Water**

The District undertakes to use reasonable care and diligence to provide a constant supply of water at a reasonable pressure to all consumers, but reserves the right, at any time, without notice, to shut off the water in its mains for the purpose of making repairs and/or extensions, or for any other purpose, and it is expressly agreed that the Board and the District shall not be liable for a variation, deficiency or failure in the supply of water, or the pressure thereof, for any cause whatsoever, nor for any damage caused thereby, or by the breaking or bursting of any main or service pipe or any attachment to the District System. All consumers having boilers upon their premises, which are dependent upon the pressure in the District mains, are cautioned against

danger of collapse or lack of water and all such damage shall be borne exclusively by the consumer.

In the interest of public health, the District will not permit its mains or services to be connected directly or indirectly with any service pipe or piping which is in any way connected to any other source of water supply not fully approved by the Department of Health of the State of New York. The District will not permit its mains or service pipes to be connected in any way, directly or indirectly to piping, tanks, vats or other apparatus which contains liquids, chemicals, or other matter which, if allowed to back flow into the District System, could endanger the water supply.

The District reserves the right, if need be, in periods of draught or emergency, to restrict the use of water for sprinkling to particular hours determined by the Board, or to prohibit it entirely.

## **SECTION XI – Rights Reserved by the Board**

1. To make such changes in the Rules and Regulations as it may deem to be in the best interest of the District.
2. To make such changes in the rates for water rental as may in its judgment be in the best interest of the District.
3. To order existing service pipes and fixtures to be replaced with acceptable material, as determined by the Foreman, and to refuse service with all penalties hereinbefore set forth for failure of an owner to comply with such order.
4. To have free access to enter upon the premises of any consumer at any reasonable time for the purpose of inspection, reading, repair and/or replacement of meters.
5. To enter into contracts with other water districts for a supply of water, either into or out of the district, to or from such districts, corporations or individuals, under such terms and conditions as shall properly protect the interests of the District.
6. The Town Board may, by resolution, make any changes in rates and fees as they may deem necessary without the necessity of a public hearing. (added 12/13//07)

## SECTION XII – Taxes

The Board shall have the right, in accordance with the applicable sections of the Town Law, and other applicable Laws, to levy taxes against all assessable properties for the purpose of meeting the expenses of any and/or all capital construction, maintenance, and operation deemed to be in the best interests of the District.

Reference is hereby made to Section VIII – E. of these regulations.

## SECTION XIII – Water Service Rates

Reference is hereby made to Section IV and Section VIII for a description of charges, fees and payments required by these Rules and Regulations.

Service Classification No. 1 (Rates for water used by owners of property within the District and paying taxes therein, or not paying taxes but making annual payments in lieu of taxes, and their tenants.)

For Water Use:

1. Quarterly (Domestic and small consumers) (Town Board Resolution 12/9/10)

Minimum Charge – 1 <sup>st</sup>	5,000	Gallons / quarter-	\$ 10.75 / quarter
Next	10,000	Gallons / quarter-	\$ 1.85 / 1,000 gal.
Next	100,000	Gallons / quarter-	\$ 1.50 / 1,000 gal.
All Over	115,000	Gallons / quarter-	\$ 1.30 / 1,000 gal.

2. Quarterly (Industrial and large consumers)

Minimum Charge – 1 <sup>st</sup>	2,000	Gallons / quarter -	\$ 13.20 / quarter
Next	4,000	Gallons / quarter -	\$ 1.75 / 1,000 gal.
Next	34,000	Gallons / quarter -	\$ 1.40 / 1,000 gal.
Next	960,000	Gallons / quarter -	\$ 1.20 / 1,000 gal.
All Over	1,000,000	Gallons / quarter -	\$ 1.15 / 1,000 gal.

Penalty: 10% of Total bill for non-payment after Thirty (30) days. A minimum water charge for each user through a master meter is required. A user is defined as a separate dwelling unit.

Service Classification No. 2 (Rates for water used by owners of property within the District, but not subject to the payment of taxes and not making annual payments in lieu of taxes, and their tenants, and by consumers outside the district, or by Consumers qualifying as temporary services.)

For Water Use

1. Quarterly (Domestic and small consumers)

Minimum Charge – 1st	5,000	Gallons / quarter	\$ 19.00 / quarter
Next	10,000	Gallons / quarter	\$ 2.80 / 1,000 gal.
Next	100,000	Gallons / quarter	\$ 2.30 / 1,000 gal.
Next	500,000	Gallons / quarter	\$ 1.45 / 1,000 gal.
All Over	615,000	Gallons / quarter	\$ 1.35 / 1,000 gal.

2. Quarterly (Industrial and large consumers)

Minimum Charge – 1st	2,000	Gallons / quarter	\$ 23.70 / quarter
Next	3,000	Gallons / quarter	\$ 2.80 / 1,000 gal.
Next	33,000	Gallons / quarter	\$ 2.30 / 1,000 gal.
Next	167,000	Gallons / quarter	\$ 1.45 / 1,000 gal.
All Over	205,000	Gallons / quarter	\$ 1.35 / 1,000 gal.

Penalty: 10% of Total bill for non-payment after Thirty (30) days.

Service Classification No. 3 (Rates for water used by trailer parks or serviced through a master meter)

SERVICE CHARGE per approved campsite and cabin, \$2.00 per quarter, per unit.

FOR WATER USE THROUGH MASTER METER:

1. Quarterly

Minimum Charge – 1st	2,000	Gallons / quarter	\$ 23.70 / quarter
Next	3,000	Gallons / quarter	\$ 2.80 / 1,000 gal.
Next	33,000	Gallons / quarter	\$ 2.30 / 1,000 gal.
Next	167,000	Gallons / quarter	\$ 1.45 / 1,000 gal.
All Over	205,000	Gallons / quarter	\$ 1.35 / 1,000 gal.

Penalty: 10% of Total bill for non-payment after Thirty (30) days.

## **RATES FOR SPECIAL SERVICES**

An annual rate-to-serve charge based upon the size of service connection to be installed shall be payable as follows:

2"	\$100.00 (Annually)
6"	\$250.00 (Annually)

Any other size per regulation of the Town Board, Town of Cambria