

Chapter 146

WATER

[HISTORY: Adopted by the Town Board of the Town of Skaneateles 4-1-1969 by L.L. No. 1-1969. Amendments noted where applicable.]

§ 146-1. Title; applicability.

This chapter shall be known as the "Uniform Water District Regulations of the Town of Skaneateles, 1969." These regulations shall apply to all water districts of the Town of Skaneateles now or hereafter established and to the customers thereof. No water service connections or facilities shall be made or installed except in conformity with the provisions of these regulations.

§ 146-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

DISTRICT — Any and every water district or extension thereof, established pursuant to the provisions of the Town Law of the State of New York, which is located in the Town of Skaneateles, in whole or in part, and which is governed by the Town Board of the Town of Skaneateles.

PREMISES

- A. A building under one roof, owned or leased by one customer and occupied as one residence or one place of business.
- B. A combination of buildings owned or leased by one customer, in one common enclosure, occupied by one family as a residence or one corporation, firm or person as a place of business.
- C. Each unit of a multiple house or building separated by a solid partition wall, occupied by one family as a residence or one corporation, firm or person as a place of business.
- D. A building owned or leased by one customer, having a number of apartments, offices or lofts which are rented to tenants and using in common one hall and one or more means of entrance.
- E. A building, one or more stories high under one roof, owned or leased by one customer having an individual entrance for the ground-floor occupants and at least one for the occupants of the upper floors.
- F. A garden apartment owned by one individual or firm and located in one common enclosure.

WATER SUPERINTENDENT — The Water Superintendent of the Town of Skaneateles or his deputy as designated by the Town Board or such other person as may be designated by resolution of the Town Board to perform the duties of the Water Superintendent under these regulations.

§ 146-3. Application for service.

- A. Applications for use of water shall be on forms provided by the Town Clerk of the Town of Skaneateles. The applicant shall furnish all information indicated on the application forms, as well as additional information that may be required by the Town Clerk, Water Superintendent or Town Board.
- B. Approval of applications shall be subject to there being an existing main in a street or right-of-way abutting on the premises to be served, and approval shall in no way obligate the district to extend its mains.
- C. A separate application must be made for each premises. Submetering will not be permitted.
- D. Application of contractors, builders and others for temporary water service may be accepted and temporary water service supplied, provided that it does not interfere with use of water for general purposes. The quantity of water taken for such purposes shall be determined by meter or by estimate, as determined by the Water Superintendent. Customers requiring temporary water service shall reimburse the district for all its expenses in connection with providing temporary service connections, and a deposit specified by the district will be required.
- E. No application will be accepted from any applicant until all charges due from the applicant for water or services at any premises now or heretofore owned or occupied by him have been paid.

§ 146-4. Deposit. [Amended 12-10-1985 by L.L. No. 11-1985]

As security for payment of charges, the district may at any time require of any customer or applicant a deposit as fixed, from time to time, by resolution of the Town Board. No interest will be paid on such deposits. When service is discontinued and all charges due the district are paid, such deposit will be returned.

§ 146-5. Water services and operation.

- A. District service lines. Upon approval of an application for water service to property abutting on a street or right-of-way in which there is an existing main and payment of applicable charges and deposit, the district will, at its expense, install the service line from the main to and including the curb box shutoff. Service lines installed by the district shall remain the property of the district.
- B. Operation, maintenance and replacement of district service lines. The district, at its expense, will maintain and, when necessary, replace its service lines from the main to and including the curb box shutoff. Service lines shall not be trespassed upon nor interfered with in any respect. The curb box shutoff is for the exclusive use of the

district and may not be used by a customer or others for turning on or shutting off water supply.

C. Customer service pipes.

- (1) At his own expense, the customer shall install the service pipe from the curb box shutoff serving the customer's premises to a valve located just inside the building wall or as directed by the Water Superintendent. A valve shall be installed on each side of and adjacent to the meter location.
- (2) No customer service pipe shall be installed nor shall work be commenced thereon until the application for water service shall have been made, processed and approved pursuant to the provisions of these regulations and until all charges and deposits shall have been paid.
- (3) No trench or the customer service pipe therein shall be backfilled or covered until such trench, the service pipe and the curb box connection thereto shall have been inspected and approved by the Water Superintendent.
- (4) No water shall be drawn, used or consumed from a customer service pipe until the individual water meter has been installed, except that such prohibition shall not apply to the Water Superintendent when performing inspections or tests and may be waived for an approved temporary water service.

D. Maintenance and replacement of customer service pipes. The customer, at his expense, shall maintain and, when necessary, replace service pipes from the curb box shutoff to the building. If any defects in workmanship or materials are found, if the customer service pipe has not been installed in accordance with these regulations or if there is a failure in the customer service pipe, water service shall not be turned on or, if turned on, shall be turned off and discontinued until such defects are remedied.

E. Service pipe specifications. All service pipes shall have a minimum cover of 4 1/2 feet. No service pipes shall be smaller than three-fourths-inch inside diameter. Type K copper pipe or copper-size plastic tube shall be used for two-inch inside diameter and smaller pipe, with fittings conforming to applicable American Water Works Association specifications as directed by the Water Superintendent. Services larger than two-inch diameter shall be ductile iron, SDR 18 plastic or high-density polyethylene pipe and fittings of quality equal to American Water Works Association specifications suitable for service under a pressure of 150 pounds per square inch. Customer service pipe installations smaller than three-fourths-inch inside diameter in place at the effective date of these regulations may remain while in good condition; if such installations shall thereafter require excavation for test, inspection or replacement, they shall be replaced with installations conforming to these regulations. [Amended 4-3-2008 by L.L. No. 1-2008]

F. Taps and unmetered use. There shall be no tap, provision for a tap, plugged tee or other fitting between the district's main and the meter, except as approved by prior writing of the Water Superintendent. No water may be taken or used which is not metered (except for approved temporary water service), and any yard hydrant,

fountain, hose or other installation must be connected on the building side of the meter.

- G. Winter provisions. The district shall not be required to install any service lines or service connections between November 15 and April 15, except by special arrangement, in which case the customer shall pay for the excess over normal costs.
- H. Easements and rights-of-way. Applicants for service shall deliver, without cost to the district, permanent easements or rights-of-way when necessary for the installation and maintenance of service lines and service connections. The district shall not be obligated to commence any construction until applicants have delivered satisfactory easements or rights-of-way or have agreed to pay all costs of the district to obtain easements or rights-of-way.
- I. Delay. The district shall not be liable for delay in the installation of mains, service lines or service connections, whether or not such delay is reasonable or unreasonable and whether or not such delays may be within or beyond the control of the district.

§ 146-6. Meters.

- A. An individual meter shall be required for each premises and for each separate water service connection to a premises.
- B. Meters up to and including three-fourths-inch will be furnished by the district and remain the property of the district. Meters larger than three-fourths-inch shall be furnished and installed by the customer and will remain the property of the customer. The district reserves the right in all cases to stipulate the size, type and manufacturer of the meter to be used.
- C. Location.
 - (1) Whenever possible, a meter less than two inches in size shall be set in the basement. The meter shall be located at a convenient point approved by the district so as to protect the meter and to measure the entire supply of water through the service line and service pipe. When a meter cannot be set in the basement, it will be set at or near the property line or at a place designated by the Water Superintendent. The customer shall bear all costs of a pit or housing for the meter, as approved by the district.
 - (2) A meter two inches in size or larger shall be set at or near the property line or at a place designated by the district, and the customer shall bear all costs of a pit or housing for the meter, including a bypass for testing, as approved by the district. All meters 1 1/2 inches or larger shall have a bypass for testing.
 - (3) Where the distance from the property line to the front wall of the building is greater than 75 feet, irrespective of meter size, the district may require that the meter be set at or near the property line, and the customer shall bear all costs of a pit or housing for the meter, as approved by the district.
- D. Meters and meter connections shall not be interfered with in any respect. All meters

furnished by the district will be maintained by and at the expense of the district so far as ordinary wear and tear are concerned, but the customer will be held responsible for damages due to freezing, hot water or external causes. Meters furnished by the customer shall be maintained and repaired by the customer. If a meter furnished by a customer shall, in the opinion of the Water Superintendent, require inspection, maintenance or repair and such is not provided within five days after notice to the customer, the district may provide such inspection, maintenance or repair, and the customer shall bear all costs thereof. The district recommends that the customer install suitable equipment to prevent backflow of hot water which may cause damage to the meter or to the customer's plumbing.

- E. The district reserves the right to remove and test any meter it has furnished at any time and to substitute another meter in its place. In case of a question as to the accuracy of a meter, the meter will be tested by the district upon the request of the customer. The fee for testing such meter will be as fixed, from time to time, by resolution of the Town Board. In the event that the meter so tested is found to have an error in registration to the prejudice of the customer in excess of 4% at any rate of flow within normal test flow limits, the fee advanced for testing will be refunded, and prior water bills will be adjusted for overregistration as determined by the Water Superintendent, subject to appeal to the Town Board. [Amended 12-10-1985 by L.L. No. 11-1985]
- F. The district may require the testing of any meter furnished by a customer at any time. If such test of a meter is less than two years after a previous test of the same meter and the meter is found to have error to the prejudice of the district of 4% or less at any rate of flow within normal test flow limits, the district will pay the cost of the test, otherwise the cost of the test shall be borne by the customer.

§ 146-7. Payment for service.

- A. All bills are payable in accordance with the terms of the applicable service classification. For new services installed at any time during the billing period, the minimum charge and the amount of water allowed thereunder will be prorated according to the number of days remaining in the billing period after the service has been made available.
- B. Meters may be read semiannually, quarterly, bimonthly or monthly, and customers may be billed semiannually, quarterly, bimonthly or monthly at the option of the district.
- C. The quantity recorded by the meter shall be considered the amount of water passing through the meter, which amount shall be conclusive on both the customer and the district, except when the meter has been found to be registering inaccurately or has ceased to register. In such cases, the quantity may be determined by the average registration of the meter in a corresponding past period when in order or by the average registration of a meter later installed, whichever method is representative, in the opinion of the Water Superintendent, of the conditions existing during the period in question, subject to appeal to the Town Board.

- D. The customer shall notify the district, in writing, of any change in occupancy. No adjustment of bills will be made by the district as between owners or tenants unless 10 days' notice, in writing, prior to the change of occupancy has been given to the district. No rebate will be given for unoccupied premises unless notice of nonoccupancy is given as required in Subsection F hereunder.
- E. In case any water bill or charges provided for by these regulations shall not be paid within 30 days following the rendering of the bill, such bill shall be delinquent. Unpaid water charges in arrears for 30 days or longer from the date of rendering shall be subject to a penalty of 10%. The district or its agents may discontinue the supply of water if water charges are not paid within 60 days from the date due. Water service will not be reestablished until such unpaid charges and any other unpaid charges due the district, together with the charge for restoration of service, are fully paid.
- F. Any customer may discontinue water service by giving the district written notice not less than 10 days prior to the discontinuance. Upon discontinuance of service, the district will refund to the customer the appropriate amount of any deposit or advance payment of the customer.

§ 146-8. Miscellaneous provisions.

- A. Discontinuance of service by district.
 - (1) Water service may be discontinued by the district for any of the following reasons:
 - (a) Use of water other than as represented in customer's application or through branch connections on the street side of the meter or place reserved therefor.
 - (b) Willful waste of water through improper and imperfect pipes or by any other means.
 - (c) Damaging or molesting any main, service line, seal, meter or any other property or installation of the district.
 - (d) Nonpayment of bills for water or services rendered by the district.
 - (e) The cross-connecting of pipes carrying water supplied by the district with any other source of supply or with any apparatus which may endanger the quality of the district's water supply.
 - (f) Refusal of reasonable access to the property for the purposes of reading, repairing, testing or removing meters or inspecting water piping and other fixtures.
 - (2) Where two or more premises are now supplied with water through one service line under the control of one curb box shutoff, if any of the customers so supplied shall violate any of the above rules, the district reserves the right to apply its shutoff regulations to the joint service line, except that such action

shall not be taken until the innocent customer who is not in violation of the district's rules has been given reasonable opportunity to attach the service pipe leading to his premises to a separately controlled service line.

- B. When water service to any premises has been turned off upon the order of the customer or for any of the reasons of this section and service is again desired by the customer, a charge as fixed, from time to time, by resolution of the Town Board, will be made for the restoration of service. Such charges contemplate only reinstallation of the district's meter at the customer's premises and opening of the curb box shutoff; any additional costs to the district shall be borne by the customer. [Amended 12-10-1985 by L.L. No. 11-1985]
- C. No person shall take water from any public fire hydrant or unmetered connection to any facilities of the district for any use whatsoever, other than for fire purposes, except as specifically authorized by the district. The use of public fire hydrants for washing streets, flushing sewers, filling swimming pools and other nonfire purposes is not permitted except upon specific authorization from the district, and, for such uses, advance payment of charges shall be required. If water is used for a public fire hydrant or unmetered connection to any facilities of the district without specific authorization by the district, the user shall be liable for usual charges as if authorization had been given and, in addition, a civil penalty not to exceed \$100 a day for each day of continued violation in excess of the first week. [Amended 12-10-1985 by L.L. No. 11-1985]
- D. The district's mains or services shall not be connected on any premises with any other source of water supply not approved by the Department of Health of the County of Onondaga and by the district; nor shall the district's facilities be connected in any way to any piping, tank, vat or other apparatus which contains liquids, chemicals or any other matter which may flow back into the district's facilities.
- E. If any customer shall use such a volume of water as to endanger, diminish or cut off the supply to other customers, in the opinion of the Water Superintendent, the Water Superintendent may order such customer to reduce such excessive use of water and the customer shall comply forthwith.
- F. Upon receipt of an application for a new service or reinstatement of an existing service, the district may assume that the piping and fixtures which the service will supply are in proper order, and the district will not be liable for any accident, breaks, leakage or damage of any nature resulting from, relating to or arising out of the supply of water or failure to supply same. The district reserves the right, at any time, without notice, to shut off or reduce the flow of water in its mains for the purposes of making repairs or extension or for other purposes. The district shall not be liable for a deficiency or failure in the supply of water or the pressure thereof for any cause whatsoever nor for any damage caused thereby nor for the bursting or breaking of any main or service pipe or any attachment to the district's property. All applicants and customers having installations upon their premises depending upon the pressure or continuity of water flow in the district's system are cautioned to provide their own standby or supplemental facilities.

- G. Where a customer-owned service pipe or main is frozen, thawing shall be at the expense of the customer. To avoid a recurrence of freezing, the district may order an examination of the customer service pipe or main, and, if the same is not at a depth of 4 1/2 feet as required, the district reserves the right to require it to be so relocated before service is resumed.
- H. The district reserves the right, in periods of limited water supply or emergency, to restrict the use of water for sprinkling, car washing or other nonessential purposes during certain hours of the day or certain days of the week or to prohibit such use entirely.
- I. Any person, firm or corporation who shall injure, break or damage any district facilities or equipment shall pay all costs of repair or replacement.
- J. When the district meter reader is unable to read a customer's meter due to inaccessibility or absence of a responsible person on the customer's premises, the meter reader shall leave a notice, and the customer shall promptly forward the meter reading to the district. Until the meter reading is received, interim water billings shall be made at 1 1/2 times the estimated water charges based on past usage, or service may be shut off.

§ 146-9. Classifications, rates and charges.

Classification of services rendered, facilities furnished and rates and charges therefor shall be established and may be changed from time to time, amended or repealed by resolution of the Town Board of the Town of Skaneateles. Nothing herein contained shall prevent the Town Board of the Town of Skaneateles from establishing separate schedules of rates for separate water districts nor from changing, amending or repealing same by resolution of the Town Board of the Town of Skaneateles nor from establishing different rates for metered and unmetered services until services shall be metered.

§ 146-10. Penalties for offenses. [Amended 12-10-1985 by L.L. No. 11-1985]

An offense against the provisions of this chapter shall constitute a violation under the Penal Law and shall be punishable by a fine of not more than \$250 or by imprisonment for not more than 15 days, or both. In addition, any person, firm or corporation who violates any of the provisions of these regulations or who shall omit, neglect or refuse to do any act required thereby shall severally, for each and every such violation, forfeit and pay a civil penalty not to exceed \$100. The imposition of penalties for any violation of these regulations shall not excuse the violation or permit it to continue. The application of the above penalty or penalties or prosecution for a violation of any provision of these regulations shall not prevent the enforced removal of conditions prohibited by these regulations. When a violation of any of the provisions of these regulations is continuous, each day thereof shall constitute a separate and distinct violation subjecting the offender to additional penalty. The foregoing penalties are separate from and in addition to penalties prescribed by any other applicable statutes, ordinances, local laws or regulations.

§ 146-11. Appeals.

Any person, firm or corporation adversely affected by a decision of the Water Superintendent may appeal the same, in writing, within 10 days to the Town Board.

§ 146-12. Right to amend.

The Town Board reserves the right to change, modify, supplement or amend these regulations and the rates and charges from time to time. The right is also reserved to make such additional rules and regulations as to the Town Board seem appropriate to promote the health, safety, morals and welfare of the inhabitants of the Town of Skaneateles, in order to regulate the water supply and to promote the proper and efficient administration of the water districts and to make rates and contracts for the use of water in special cases by resolution of the Town Board.¹

1. Editor's Note: Rates promulgated by resolution are on file in the office of the Clerk.