

TOWN OF HUDSON WATER DIVISION RATES, RULES AND REGULATIONS

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SECTION 1.

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1.1 AUTHORITY AND RESPONSIBILITY

The Board of Selectmen shall have power to establish regulations for the introduction and use of water.

All persons taking water supplied by the Town shall prevent all waste of water.

The Director of Public Works or any of his assistants, may enter the premises of any water user to examine any water pipes and plumbing therein, or thereon, for the purpose of ascertaining whether there is any waste of water and for the purpose of determining the quantity of water used and the manner of use, and for the further purpose of shutting off the water for non-payment of rates, or fines, or if the property is unoccupied and/or abandoned, or for any alleged violations of the provisions of this section.

The Department of Public Works shall have the power to decide what is waste or what is improper use of water and to restrict its use. If the water user refuses, or neglects to comply with any lawful order of this Department after proper notice is given to him the water may be shut off until compliance with the order is ascertained and payment of a fifty dollars (\$50) charge for reconnection is made.

The Department of Public Works in consultation with the Hudson Fire Department and Hudson Light & Power may decide to shut off water if the property is unoccupied and/or abandoned, and based upon the risk of property damage and threat to the public safety that could occur if the pipes in the house/building were to freeze and subsequent flooding of the house/ building and to the public way were to occur.

The Department of Public Works may make repairs, extensions or improvements on the waterworks, provide new main pipes and construct or repair hydrants established by the Town.

The Department of Public Works does not guarantee constant pressure nor uninterrupted service nor does it assure either a full volume of water or the required pressure per square inch necessary to effectively operates appliances of any kind, the same being subject to all the variable conditions which may occur in the use of water from the main pipe.

The Town will not be responsible for damages caused by shutting off water for the purpose of doing repairs on pipes, gates, hydrants or other fixtures, or by any work on the main pipe system, or by breaks in the pipes, or by low pressure resulting from any cause or as a result of shutting water off to unoccupied and/or abandoned buildings. Reasonable notice shall be give if possible, to all customers before the water is shut off, except in case of emergency.

Any work done on the public water supply system by a private contractor or agent shall only be performed after procurement from the Department of all necessary permits and licenses as hereinafter described.

No plumber or other person not in the employ of the Department of Public Works Water Division shall shut water off or turn on the water at any service pipe except at the cellar wall. Whenever by request of the owner, or his representative, water is turned on or off at the curb stop for testing plumbing or other purposes, the charge for turning on or shutting off water shall be fifty dollars (\$50.00).

No person, not in the employ of the Department of Public Works, or a member of the Fire Department in the performance of his duties, shall turn on any hydrant, public or private, without first obtaining permission from the Water Department.

1.2 RATE SETTING

The Board of Selectmen shall determine and assess the water rates.

1.3 ABATEMENTS

The Department of Public Works may make abatements in water charges in all proper cases upon receipt, in writing, from the property owner of a request for abatement, stating reason for such requests, together with all information necessary to evaluate its merits. Excessive usage caused by pipe leaks, or leaking fixtures, on the owner’s property beyond the meter shall not be considered cause for abatement.

Should the owner request the meter be removed and checked, the Department will do so in accordance with Section 2.3.

1.4 METERING

All water will be measured by meter and charged for, whether wasted or not, in accordance with the approved schedule of rates.

1.5 ENTRANCE FEES

Single Residence/Condominiums/Duplexes \$2500.00
Multiple Dwellings \$2500. Plus \$1500.00 per unit

Multiple dwellings shall be considered as all structures containing more than one dwelling unit such as apartment houses, apartment complexes, hotels, motels, trailer parks, etc.

“A” Non-Residential/Commercial/Industrial entrance fees shall be based on size of service pipe as follows:

3/4”-----	\$1500.00
1”-----	\$1750.00
1 1/2”-----	\$2,000.00
2”-----	\$2,500.00
4”-----	\$3,000.00
6”-----	\$3,500.00
8”-----	\$4,000.00
10”-----	\$5,000.00
12”-----	\$6,500.00

“B” Testing of Fire Services

(1) No person shall test a fire service from either a fire hydrant or a building outlet without first contacting the Department of Public Works at least 72 hours in advance for permission.

Only the Director of Public Works, or his designee, shall turn a hydrant on or off for testing purposes and a charge of \$150.00 will be assessed for this service.

The Director reserves the right to postpone the testing of a service due to certain circumstances such as weather, freezing, red water, etc.

Whenever any provision of this Section is violated, the property owner for which this test is to be done will be responsible for problems that arise due to improper use of fire services.

“D”

Any service to be used for fire protection purposes, i.e. feeding hydrants, sprinkler systems, etc., shall be a separate service from the main and subject to the following charges:

(1) Entrance fee:

8” or smaller-----\$1500.00
over 8”-----\$2,500.00

(2) A yearly charge for this service will be assessed at the rate of \$25.00 per diameter inch of pipe for any pipe 4” or greater.

(3) A yearly charge for on site hydrants will be \$150.00 for each hydrant.

1.6 WATER CHARGES

The water use fee, in addition to such entrance fees as put forth in Section 1.5, shall pay for the water used at the established rate of the Board of Selectmen.

Mutiple services for individual residences or facilities shall not be allowed except for extraordinary circumstances as determined solely by the Director of Public Works. In such cases the computation of charges shall be based on the aggregate usage.

Should a water user desire, due to vacancy or prolonged non-use, to have the water service shut-off, he shall notify the Department, in writing, of his request and the Department will shut the service off at the curb stop.

No bills will be issued while a service is shut off at the curb stop.

When the user desires to have the water turned back on he should notify the Department and service will be reactivated and a fee of \$50.00 assessed.

The cost of special readings requested by the user shall be \$25.00.

Bills will be sent to, and liability for payment will rest with, the owner of the property. All bills are due and payable within 30 days of the billing date. Non-payment of bills may be cause for termination of service and/ or the placement of a lien on real estate as provided under Chapter 40 Sections 42A through 42F, inclusive, of the Massachusetts General Laws.

The quarterly minimum charge for water supplied for domestic or commercial/industrial consumption will be based on the size of the meter:

5/8”-----\$9.60 2”-----\$ 30.00
3/4”-----\$9.60 3”-----\$35.00
1”-----\$9.60 4”-----\$45.00
1 1/4”-----\$14.40 6”-----\$75.00
1 1/2”-----\$14.40 8”-----\$100.00

SECTION II

2.1 SERVICE PIPE INSTALLATION

Any property owner desiring to connect to the public water supply system must apply to the Department of Public Works Office and fill out the necessary forms. The prescribed form must be signed by the owner, or his authorized agent. This request must be accompanied in all cases by a plot plan showing the location of the proposed connection and appurtenances unless this requirement is waived by the Department of Public Works.

Services not installed by the Department must be installed by contractors licensed by the Department as stated hereinafter. Work performed will be in accordance with Section 3.3.

All services, including individual single family residences, shall be installed by the developer or property owner who shall furnish all materials, labor and whatever is necessary to complete the service. This includes the furnishing and installing of tapping sleeves and gates for larger services. This work shall be done in accordance with Section 3.3.

Every water user using a boiler is to guard against damage caused by collapse in the event that the water must be shut off without notice.

The Town reserves the right to shut off water temporarily whenever it becomes necessary to make repairs or extensions and to curtail water use when it may so require.

The Town, or the Water Department, shall not be held liable for, nor shall any claims be made against it in consequence of the breaking of any pipe or fixture.

Water services shall be installed no sooner than April 15, and no later than November 15. This requirement can be waived by the Department of Public Works due to unusual circumstances.

2.2 SERVICE PIPE MAINTENANCE

Maintenance and repair of service pipes shall be the responsibility of the property owner from the building to the curb stop, whether the curb stop (gate valve) is on private property or within the public way. In the event that it is not clear if a leak is in the service between the curb stop and the building, the Department will attempt to shut off the water at the curb stop. If the leak is stopped by that action, then it shall be deemed the responsibility of the property owner. If the leak is not stopped by that action, it shall be the responsibility of the Town to repair, and the cost for such repair shall be borne by the town.

Where the responsibility to repair the leak has been determined by the department to rest with the property owner, The Department will so notify the property owner, in writing wherever practicable, allowing the property owner a reasonable period of time to make repairs. During periods of declared water emergencies said period shall be no longer than 72 hours after notification is made.¹

If the property owner fails to make said repairs within that time period, or if at any time the department deems the leak to be a public nuisance or a threat to the public health or welfare it may act to cause the leak to be repaired with the cost of said repair being billed to the property owner.

2.3 METERS

¹ 72 hour period defined by BOS 4/29/02.
Town of Hudson Water Use Regulations

All individual services from the public water supply shall be metered in a manner approved by the Department of Public Works.

The Department of Public Works may, in the case of a single family residence, furnish and set the meter at the owner's expense. All other meters shall be purchased and set by property owners in conformity with Department requirements.

All meters will be equipped with remote registers mounted on the outside of the building.

The Department will, if it deems necessary, repair and/or replace damaged or faulty meters in single family residences at no cost to the property owner except in the case of negligence and frozen meters.

The property owner shall provide access to the meter at all times. If the property owner requests the Department to remove the meter and check its accuracy there shall be within each three year period a charge assessed to the owner. If the meter is found to be running accurately (within 2%) the owner shall be charged as follows:

First Test-----\$25.00
Second Test-----\$25.00
Third and Additional Tests-----\$25.00

Should the meter prove to be faulty, no charge will be made.

If a meter falls into disrepair and fails to register, the consumer shall be charged at the average consumption as shown when the meter was in order.

Prior to the transfer of any property having a town water service, the existing service must be up-graded to the Town of Hudson's Water Department specifications at the owner's expense.

SECTION III

3.1 PERSONS AUTHORIZED TO MAKE CONNECTIONS TO THE WATER SUPPLY SYSTEM

Contractors or individuals of established reputation and experience will be licensed by the Director of Public Works to make connections to the public water supply.

No connections shall be made, or service pipes installed, by any contractor of individual not so licensed.

All licensees shall be subject to compliance with the following requirements:

“A” Applicants for licenses are required to pay a filling fee of \$50.00 payable to the Town, all of which will be refunded to the applicant if his application is rejected.

“B” All licenses issued will expire on December 31 of each year after which they will be renewed upon payment to the Town of \$50.00 renewal fee.

“C” No licenses shall be transferable.

“D” If approved by the Director, applicants for licenses shall file with the Director, a proper and acceptable performance and guarantee bond in the amount of \$1,000.00, which shall remain in full force and effect for at least one year from the date of original approval and each calendar year thereafter upon renewal.

“E” Applicants for licenses, after approval by the Director, shall file with the Director a Certificate of Insurance in the sum of \$300,000.00 to cover public liability and a Certificate of Insurance in the sum of \$100,000.00 covering property damage. In addition, a Certificate of Insurance covering Workmen’s Compensation shall be file, all of which shall remain in full force and effect for a period of at least one year from the date of original approval and each calendar year thereafter upon renewal. Said insurance shall indemnify the Director and the Town against any and all claims, liability or action for damages, incurred in or in any way connected with the performance of the work of the licensee, and for or by reason of any acts or omission of said licensee in the performance of his work

“F” Applicants for licenses will be approved or disapproved within a period of 15 days after filling the application; after 15 days a license shall automatically be approved.

“G” The licensee shall comply with all applicable Town, State and Federal codes, rules and regulations.

“I” The Director reserves the right to revoke or suspend any license if any provision of said license if violated.

“J” All licensees are required to give personal attention to all installations and shall employ only competent and courteous workers.

“K”, If during the course of their work any licensee shall encounter any previous violations of this Section, he shall give a full written report to the Director within 24 hours of such violation.

“L” All licensees shall have all necessary equipment, tools and materials to perform their work in a professional and workmanlike fashion..

3.2 WORK PERFORMED BY THE DEPARTMENT OF PUBLIC WORKS

In the event that the Department of Public Works, Water Division, is involved either in the installation of a new service or relay to a single family residence, or repairs to an existing service, the work shall be performed in accordance with the following rules and regulations:

“A” Trenches, or areas of excavation, after completion of the installation or repairs, shall be rough graded and hand raked. Permanent repairs, on the land owner’s property (i.e. loaming, seeding, cold patching and hot topping of drives and walks, cement sidewalks, steps, etc.,) shall be at the owner’s expense.

“B” Fences or walls, of any kind, if not removed by the landowner, will, if within the Department’s means and capabilities, be removed and stacked on the land-owner’s property. Upon completion of the Department’s work, replanting or replacement of these items will be the responsibility of the land owner.

“C” Trees, bushes, shrubs, hedges, flowers, lawn ornaments, etc., if not removed the landowner, will, if within the Department’s means and capabilities, be removed and stacked on the landowner’s property. Upon completion of the Department’s work, replanting or replacement of these items will be the responsibility of the landowner.

”D” In the event that the Department’s work necessitates the cutting of roots of trees, bushes, shrubs, hedges, etc. the Town will not be responsible for their continued life.

“E” The landowner shall be responsible for notifying the Department of any underground wiring, wells, septic system pipes, drainage pipes, etc., that may be in the line of construction. Unless the Department is notified in advance, the Town will assume no liability for resulting damages.

3.3 WORK PERFORMED BY DEVELOPERS AND/OR PRIVATE CONTRACTORS

“A” There shall be submitted to the Director of Public Works, in the case of a new development which has the approval of the Planning Board, a plot plan which has been recorded in the Middlesex South District Registry of Deeds. Other private projects approved by appropriate Town agencies shall also submit a plan of the proposed water system.

“B” Any and all plans for a water system in the Town of Hudson shall show and/or specify the following:

All mains a minimum of 8”, and over in diameter will be cast iron or ductile iron including nipple pieces. All hydrant branches will be 6” Cast Iron. All intersections of mains will be gated in their respective directions. No main will extend more than 1,000’ in length without the use of a gate valve. All hydrants will be within 500 feet of each other, and so spaced, at the direction of the Department of Public Works or the Fire Chief. All hydrants will be gated. All taps to the existing public system will specify a tapping sleeve and gate valve.

“C” Any contractor involved in water works construction in the Town of Hudson will strictly adhere to the provisions as set forth in Section 3.1. No equipment, tools or materials will be rented or loaned from the Department of Public Works. All materials used must be of the same make and quality as set forth hereinafter.

“D” COSTS. All labor and material costs to install a water system as specified herein will be borne by the owner, developer or contractor, whatever the case may be. Costs for taps into the public system and the restoration thereof of any public way will be borne by the owner, developer or contractor.

“E” INSPECTION. Inspection services will be provided by the Town of Hudson only on a scheduled basis. Before any backfilling is done the Department of Public Works Water Division will be notified 24 hours in advance, and a person will inspect the completed work. This method of operation will be used for hydrant installation, main taps, service taps, etc.,. If the Department of Public Works feels that insufficient workmanship and care is being taken in the installation, a person will be assigned from the Department of Public Works on a full time basis. The contractor, or owner will bear the cost of this person at his or her customary hourly wage rate, Monday through Friday from 7:00 A.M. to 3:30 P.M. Any time spent on the site outside of these limits, or on Saturdays, Sundays, or Holidays, , will be at twice the charge.

“F” EXCAVATION. In A permit from the Department of Public Works will be necessary for a road opening in any public way. Forms may be obtained and filed with the Department of Public Works. It will be the contractor’s responsibility to notify utility companies such as gas, telephone, electric, etc., if there is any possibility of their equipment or their property being jeopardized by the excavation. It shall also be the contractor’s responsibility to notify the Police and Fire Departments of said work to be performed and, if necessary, to hire uniformed police for traffic control. In the event that the roadway cannot be restored to its normal surface immediately following the work, sufficient care will be taken to make the roadway smooth for traffic and, if necessary, to light with flashers as a warning to motor vehicles.

“G” Before any water mains, water services or hydrants are installed in a new subdivision or development, the contractor will bring the entire site where these utilities are located to sub grade, and such grade will be verified by grade stakes provided and set by a registered land surveyor or engineer employed by the owner or contractor, in order to expedite the verification of such grades by public works personnel.

“H” WATER MAINS. All water mains 8” in diameter and over will be Cast Iron, Class 150, cement lined, Cast Iron Class 22 or Ductile Iron, Class II, all in accordance with A.W.W.A Standards. Excavation will be to a depth that provides a minimum of 5 feet of cover over the pipe. If excavation is in ledge, a minimum of 8” spacing around the pipe will be required to allow for backfill material. It will be at the discretion of the Department of Public Works as to the type of bedding used and will depend on field

conditions. In any event, it will be either crushed bank gravel or 3/4" stone. No stones larger than 3" in diameter may be used within the first foot of backfill over the pipe. Once the pipe has sufficient cover with a select material, normal backfilling may proceed with care. Jointing of push-on or tyton joint Cast Iron will be completed with the use of a come along or bar. If a bar is used a block of wood will be used between it and the pipe; the same applies for having a backhoe set larger diameter pipe, a block of wood will be inserted between the bucket and the pipe; in no event will there be a metal to metal driving force to set the pipe. If this is not strictly complied with, the length of pipe will be removed and a new one used in its place.

"I" HYDRANTS. Shall be approved by the Department of Public Works, meeting the A.W.W.A. improved type standards; open left, 5 1/2 foot bury, 4 1/2" valve opening with bell and inlet for a 6" pipe. All hydrants to be on and in the center of at least a 2 foot diameter sump by 1 foot deep consisting of 3/4" stone for drainage purposes. No hydrant shall be placed within 15 feet of a driveway or access road.

"J" THRUST BLOCKS. All plug, tees, caps, bends and hydrants shall be provided with a concrete thrust block to prevent movement.

"K" MAIN GATE VALVES shall open right; iron body, bronze mounted, double disc, non-rising stem as manufactured by Mueller Co., or approved equal. Main gate boxes shall be cast iron, slide type with at least 6" of adjustment and at least 5 feet long. The covers shall be flush, close fitting with the letter "W" or the word "WATER" cast into the cover.

"L" MAIN LINE TAPS will always be done with the use of a tapping sleeve and gate valve. The tapping sleeve to be Mueller, or approved equal. If the contractor is to make the tap himself he must furnish evidence of his competence through previous work and having necessary tools to perform the work satisfactorily.

"M" SERVICE CONNECTIONS. shall be at least 3/4" in diameter. All service pipe 2" or under will be Type K copper tubing. Any service pipe larger than 2" and less than 8" in diameter will be of material approved by the Department of Public Works. A curb stop and box shall be installed at the property line on the owner's side for each service. The curb stop shall be copper to copper "T" head, open right, with drain as manufactured by Mueller. Any service 1" or greater shall employ an oriseal curb with drip. Under no circumstances will any inverted key curbs will be installed in any water system in the Town. The curb box or service box shall be 4 1/2 to 5 1/2 feet, extension type, buffalo box. Minimum cover for services shall be 5' 0". A sand backfill will be carefully placed around the service pipe to protect it from normal backfill and compaction. A minimum of 2 metal wedges will be placed at every pipe joint.

"N" TESTING. The contractor shall furnish a water meter, pressure gauge, testing plugs, pumps, pipe connections and other required apparatus. The section of pipe to be tested will be completely filled with water and air blown off through a high point such as a hydrant. The section under test will be maintained full and under pressure for a period of 24 hours. The line shall be filled and tested within one to three days after filling.

Any failure of the various pipelines, structures, valves, hydrants and related accessories that occurs before final acceptance of the work shall be replaced at the expense of the owner. A successful water pressure test is not to be interpreted as final acceptance.

The pressure and leakage test shall consist of first raising the water pressures (based on the elevation of the lowest point of the section under test and correct to the gauge location) to a pressure in pounds per square inch numerically equal to the pressure rating of the pipe. While maintaining this pressure, the contractor shall make a leakage test by metering the flow of water into the pipe. If the average leakage during a two hour period exceeds a rate of 10 gallons per inch of diameter per 24 hours per mile of pipeline, the section shall be considered as having failed the test.

“O” AFTER TESTING. The completed pipeline is to be disinfected with a chlorine concentration of approximately 50 PPM prior to being placed in service. The introduction of this chlorine shall be accomplished by pumping or siphoning a calcium hypochlorite solution, or tablets, into the main.

“P” AS BUILT PLANS will be furnished to the Department in duplicate, by the contractor, or owner, at the completion of the project. The plans in particular will depict exact distances between gate valves, and ties to gate valves both in the main and on hydrant branches. Curb box locations shall be referenced to the house or building that it serves by at least two ties from permanent points.

3.4 VIOLATIONS

The provisions of this Section shall constitute a part of the contract with every person who takes Town water. Every person taking Town water shall be considered as having expressed his, or her, consent to be bound thereby.

Whenever any provision of this Section is violated, the water shall be shut off and shall not be let on again except on the payment of \$10.00 and all chargeable rates. The Director of Public Works may declare any payment made for the water by the persons committing a violation to be forfeited and the same shall thereupon be forfeited.

Any account delinquent more than 30 days after the due date may be subject to termination. Notification of such termination shall be by certified mail and said termination shall not take place if full payment is made within 15 days of said notice. The holder of any account subject to termination hereunder may request an appeal hearing before the Town Accountant, The Town Collector, and the Director of Public Works. The request for such an appeal must be made within three days of receipt of the termination notice.

Section IV¹

4.1 WATER CONSERVATION MEASURES AND RESTRICTIONS DURING PERIODS OF WATER SHORTAGE.

In accordance with Article VI, Section 44, of the Town’s general By-Laws, Water Supply Protection, and with the terms of any water management act withdrawal permit or other regulations issued by the Department of Environmental Protection(DEP), certain water use restrictions shall be put into effect when different levels of water shortage or drought are identified.

4.2 WATER CONSERVATION LEVELS AND RESTRICTIONS²

Level I – Normal	None
Level II – Advisory	Voluntary Conservation to minimize usage
Level III – Watch	Mandatory Conservation with outdoor watering permitted only between 5:00 PM and 9:00 AM. Car washing permitted during restricted hours. Filling of new swimming pools prohibited.
Level IV – Warning	Mandatory Conservation with outdoor watering limited as above except that odd numbered houses may water on Tuesday, Thursday and Saturday, and

¹ Section IV added by BOS 5/19/2003.

² Restrictions do not apply to private water supplies or to commercial or industrial uses integral to the commercial or industrial process.

	even numbered houses on Sunday, Wednesday, and Friday.
Level V – Emergency	No Outdoor Watering

4.3 PROCEDURES

Water Use restrictions whether promulgated locally or mandated by the DEP shall be adopted by the Board of Selectmen at a regularly posted meeting.

In the event of an emergency, restrictions may be imposed by the Director of Public Works, after consultation with the Executive Assistant, and shall be subject to review and ratification by the Board at its next meeting.

4.4 VIOLATIONS

Violations shall be subject to enforcement pursuant to Article VI, Section 44.7 of the general Bylaws of the Town of Hudson.