

TRACK CHANGES REVIEW VERSION – 11/02/15

1 **Town of Hinesburg**
2 **Water Use Ordinance**

- 3 Adopted April 1999
- 4 Amended February 2000 (Ban on Disconnection)
- 5 Revised September 2003 (Clarification of Billing Procedure, Connection Service and an Update of Fee
- 6 Schedule)

7
8 **Town of Hinesburg Water Department Mission Statement:**

9 The Water Department will provide adequate water to meet the demands of the users. The Town of
10 Hinesburg will ensure water quality meets all Minimum State and Federal Standards, striving to provide
11 water of the highest quality standards within the confines of local budget constraints. The facilities,
12 equipment, and records shall be kept in a manner consistent with the high professional standards of the
13 Town of Hinesburg.

Comment [TL1]: Re-write the Mission Statement?

14
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- 55 Public Water System Ordinance
- 56 The municipality of Hinesburg, Vermont by and through its Selectboard ordains that the Regulations
- 57 herein set forth are established as necessary and desirable for regulating the use of public water systems
- 58 and providing penalties thereof in Hinesburg, Chittenden County, and State of Vermont. Be it ordained
- 59 and enacted by the Selectboard, of Hinesburg, State of Vermont, as follows:
- 60
- 61 1. **Definitions:** Unless the context specifically indicates otherwise, the meaning of the terms used in this
- 62 Ordinance shall be as follows:
- 63

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- 64 a) “Base Fee” shall mean a minimum water charge per business or residential unit over a specified time
65 period that is assessed to the owner of each unit regardless of whether a meter exists for each unit or for
66 several units.
- 67 b) “Business Unit” shall mean an office, place where business is carried out or where employees are
68 stationed: (a few examples not meant to be all inclusive) a store, beauty salon, gas station, restaurant,
69 school, clinic or any other place of business that is not residential and is separately operated and
70 distinguished from other businesses in the same building.
- 71 c) “Cellar Stop” shall mean the valve installed on the service pipe after it enters the building and before
72 the water meter.
- 73 d) “Clerk” shall mean the duly appointed person who sends out water bills, receives payment for water
74 charges and issues notices for disconnection of water.
- 75 e) “Cold Weather Construction” shall mean non-emergency construction work during the period
76 November 15 to April 15 on the water system, especially distribution mains or service lines.
- 77 f) “Commercial” shall mean any building for use other than for residential, institutional or industrial
78 purposes.
- 79 g) “Commissioners” shall mean the Selectboard of the Town of Hinesburg.
- 80 h) “Corporation” shall mean the water shut off valve attached to the saddle at the water main, to which the
81 Service Line Municipal is attached; shall be brass ball valve style, MacDonald 4701 Series or approved
82 equivalent.
- 83 i) “Cross Connection” shall mean any direct or indirect pipe connection between the potable water supply
84 and another supply of liquid or gas.
- 85 j) “Curb Stop” shall mean the valve on the service line, typically at the edge of the Town highway right of
86 way on the User’s property, which provides water service to the User.
- 87 k) “Customer” shall mean any person, firm, corporation, or governmental subdivision who is granted
88 water service or who is responsible for payment of water service.
- 89 l) “Discontinuance of Water Service” shall mean deliberate interruption of water service by the
90 Municipality to the User (for reason of delinquent payment, prevention of excessive water loss, to protect
91 against contamination of the system or for tampering with water system).
- 92 m) “Distribution Main” (“Water Main” or “Main”) shall mean the primary supply pipe from which
93 service connections are made, to supply water to the User through service lines.
- 94 n) “Emergency Termination of Water Service” shall mean execution of an immediate water service shut-
95 off due to:
- 96 1. Water leakage between the curb stop and building
 - 97 2. Discovery of a direct and unprotected cross connection
 - 98 3. Unauthorized excessive use of water
 - 99 4. Violation of special “restrictive use” orders issued by the governing body
 - 100 5. Any other situation that could contaminate or significantly deplete available water in the system
- 101 o) “Extension of Water Main” shall mean any extension of distribution mains in accordance with the
102 rules, regulations, standards and specifications of the Municipality.
- 103 p) “Governing Body” means the Selectboard that represents the body politic.
- 104 q) “Industrial Facility” shall mean any structure(s) used or intended for use as a business enterprise for
105 manufacturing, processing, or assembling any product, commodity or article.
- 106 r) “Institutional Facility” shall mean any individual self-contained facility deemed by the Selectboard to
107 be important to the general health and well being of the community. Such facilities could include schools,
108 municipal offices, care facilities, medical facilities, libraries, etc.
- 109 s) “May” is permissive, indicating a choice. “Shall” is mandatory.
- 110 t) “Municipality” means the Town of Hinesburg.
- 111 u) “Municipal Office” shall mean the place designated by the governing body to receive applications for
112 service, receive payments of water bills and where public notices and notices of discontinuance of service
113 are generated and posted, i.e. Hinesburg Town Hall.

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- 114 v) “Municipal Representative” means a member of the Selectboard or its representative, the clerk, the
115 treasurer, the public works director or the operator.
116 w) “Operator” means the person designated by the governing body to operate the water system.
117 x) “Owner” means the person, firm, corporation, trusteeship, or governmental agency that has title to the
118 property that is served and ultimately responsible for payment of all rates, fees and charges.
119 y) “Person” means an individual person, owner, corporation, church, business, governmental agency, or
120 estate.
121 z) “Property Owner” shall mean that person(s) identified as owner of the property by recorded deed.
122 aa) “Reasonable Hours” shall mean between 8:00am and 8:00 pm.
123 bb) “Residential Unit” shall mean a livable abode, which includes as a minimum, a kitchen or kitchenette,
124 bathroom, and bedroom or other room that serves as sleeping quarters.
125 cc) “Saddle” shall mean the mechanism for attaching smaller service line to larger service line; a circular
126 device bolted or otherwise attached to the water main through which a hole is drilled in the water main to
127 supply water to the service line. For the purpose of this ordinance shall mean a Smith-Blair Series 317 or
128 approved equivalent.
129 dd) “Shall” is mandatory. “May” is permissive, indicating a choice.
130 ee) “SLB” = “Service Line-Building” shall mean the water pipe connected on one end to the curb stop
131 and the other end terminating just inside the User’s building, at the water meter including the connection
132 to the water meter, to provide water service.
133 ff) “SLM” = “Service Line-Municipal” shall mean the pipe running from the distribution main to and
134 including the curb stop at the property line of the User or to the edge of the right-of-way.
135 gg) “Subdivision” shall mean the division of any land, parcel, or area of land into two or more lots or
136 parcels for the purpose of conveyance, transfer, improvement or sale, which may include appurtenant
137 roads, streets, lanes, alleys and ways, dedicated or intended to be dedicated to public use.
138 hh) “Superintendent” shall mean the Appointee of the Governing Body designated as responsible for
139 management and operation of the public water system.
140 ii) “Tap” shall mean any connection of a service line or distribution main or extended main to the main.
141 jj) “Unconnected Properties” shall mean those properties, which do not receive water service.
142 kk) “Unit” shall mean any building or specific portion thereof which is separately identifiable as:
143 1. Residential: Self-contained housekeeping facility for individual or single- family (house, duplex,
144 apartment, condominium).
145 2. Commercial: Individual, self-contained facility or business such as a store, motel, hotel, garage. A meter
146 will be required for each building in a hotel/motel complex.
147 3. Industrial: Individual self-contained facility for use in manufacturing or industry.
148 4. Institutional: Individual self-contained facility deemed by the Selectboard to be important to the general
149 health and well being of the community. Such facilities could include schools, municipal offices, care
150 facilities, medical facilities, libraries, etc. All unit designations shall be as determined by the Selectboard.
151 ll) “User” shall mean any person who is a customer and who receives water from the
152 municipality through a pipe connection.
153 mm) “Water Shut-Off” shall mean discontinuance of service.
154 nn) “Water System-Public” shall mean the potable water system owned and operated by the municipality.
155 This system includes all sources, pipes, storage and treatment facilities that convey potable water between
156 the source and the curb stop.
157 oo) “Water System-Private” shall mean any water system located on the customer’s premises or property
158 not supplied by the public water system. The system may be potable or non-potable.
159 pp) “Water System-Secondary” shall mean any distribution system not owned by the parent municipal
160 water system but served by the municipal water system.
161

2. Mandatory Connection to Municipal Water System

All units receiving construction approval (building permit, site plan approval, or final plat approval)
within the water service area as defined in Appendix shall connect directly to the municipal water

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165 ~~system in accordance with the provisions of this ordinance. Individual or community wells shall not be~~
166 ~~allowed within the municipal water system service area and/or village growth center. A property owner~~
167 ~~may request that this requirement be waived by the Selectboard due to undue hardship. All units receiving~~
168 ~~construction approval (building permit, site plan approval or final plat~~
169 ~~approval) subsequent to the adoption of this ordinance, situated within the Town of~~
170 ~~Hinesburg and abutting on any street, alley or right of way in which there is located an adequate~~
171 ~~municipal water line as determined by the Public Works Department is hereby required at his/her own~~
172 ~~expense to connect directly to the municipal water system in accordance with the provisions of this~~
173 ~~ordinance. Said connection is mandated unless undue hardship would result, in which case the property~~
174 ~~owner should request in writing a deferral of this requirement.~~

175 3. Application for Service

176 Application for service shall be made in writing to the Selectboard, on forms furnished by the
177 municipality (see Appendix B – Water Service Application). The owner of the premises who shall be
178 responsible for payment of the connection fee and subsequent water charges shall make such application.
179 ~~Water system connection and/or allocation applications may not be submitted or approved prior to~~
180 ~~preliminary plat approval from the Hinesburg Development Review Board.~~

181 4. Shut-Off, and Restoration of Service

182 Collection fees, disconnection fees and reconnection fees regarding non-payment of water rates shall be
183 assessed in accordance with 24 V.S.A. Chapter 129. The governing board may shut off water service for
184 violation of special “restriction of water use” notices, to eliminate a public health hazard, or for continued
185 violation of these regulations. Any shut-off by the governing board may necessitate a shut-off charge to
186 the customer. After correction of the cause for water shut-off by the customer and on request by the
187 customer for restoration of service, a turn-on fee plus any other unpaid fees shall be due and payable
188 before service will be restored.

189 5. Connection Fees

190 A connection fee shall be due and payable to the clerk of the municipality before a new service
191 connection is constructed and only after the governing board has approved the connection. Water service
192 will not be provided until the municipality has installed a meter in the building to be served. The meter
193 will be installed within 15 working days of the municipality’s receipt of a request for a meter installation
194 provided all applicable fees have been paid to the municipality and the work is deemed satisfactory by the
195 appropriate municipal representative. The amount of the fees shall be established by the Board, which is
196 authorized to establish or amend water connection fees from time to time by resolution.

197 The municipality shall provide:

- 198 a. The meter
- 199 b. A back-flow prevention device

200 The property owner shall provide:

- 201 a. Excavation of the distribution main and tap. All work done on or around the water line must be done by
202 qualified personnel approved by the Operator and meeting all AWWA standards.
- 203 b. Saddle, corporation, copper piping to curb stop and curb stop.
- 204 c. Excavation of the waterline into the building.
- 205 d. Labor and materials to install waterline from water main into the building.
- 206 e. Labor and materials for all backfill including sand or stone fill around piping as required. Inspection
207 and approval of waterline by Operator required prior to backfill.
- 208 f. Shut-off valve on the building line (see section 9 for specifications).

209 6. Curb Stops

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Comment [TL2]: Adding further clarity re: which body/individual may waive the connection requirement.

Should “undue hardship” be defined?

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Comment [TL3]: Is this the right time? How should add'l language be written to account for projects that don't need this level of review but do need to apply for service (ww allocation ordinance as a guide).

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216 Curb stops shall be installed at the property line of the right of way in which the pipe lines and shall be
217 under the municipalities control and ownership. There shall not be a waste port for draining water from
218 the service line unless the Selectboard is satisfied that the top of the highest water table is at least 12
219 inches below the bottom of the valve.
220

7. Ownership and Maintenance of Service Line

221 The SLM shall be operated and maintained by the municipality. The SLB shall be installed, operated and
222 maintained by the owner. The cost of repairing or replacing the SLB shall be the responsibility of the
223 owner. The minimum SLB diameter for a single family residence shall be ¾ inch; all service lines
224 installed shall be type K copper or 200 psi CTS plastic, and all fittings shall conform to AWWA
225 Standards. The Selectboard may require a larger than ¾ inch I.D. SLB when the demand flow rate will
226 exceed 15 GPM (gallons per minute). In a new development, the Selectboard may permit the developer to
227 install the SLM if done in accordance with acceptable standards and under the supervision of the
228 Operator.
229
230

8. Service Line Leaks

231 In the event a leak is discovered in a SLB, water service shall be shut off by a representative of the
232 municipality and restored after the repair is made. The owner is responsible for the cost of the repair or
233 replacement of the SLB. Also, if a SLB is discovered or known by the Selectboard to be constructed of
234 materials not meeting the municipality's materials standards, the municipality may require the owner to
235 replace the entire line with approved pipe materials regardless of whether or not the line has leaked in the
236 past.
237
238

9. Service Line Trench

239 Water service pipes shall not be laid in the same trench with another pipe unless the other pipe contains
240 drinking water from the same system or has been plugged and abandoned. The water service line shall be
241 kept at least 10 feet away from all combined or sanitary sewers including house sewers; five feet away
242 from all storm sewers and shall not be laid in the same trench with a sewer line. The water service line
243 shall be installed at a minimum depth of 4.5 feet. If a depth of 4.5 feet is not possible due to extenuating
244 factors (i.e. other utilities or ledge), insulation will be required as specified by the Operator. The
245 Selectboard considers the common use of a trench for water lines, sewer pipes and electrical lines to
246 represent an unacceptable construction practice which, if done, will create unsafe working conditions.
247 Common trench construction shall be grounds for denial or discontinuance of water service.
248
249

10. Quarter Turn Stop Valve

250 Every water service shall require a quarter-turn stop valve (rated at 250 pounds per square inch pressure)
251 located inside the building near the service entrance, easily accessible, protected from freezing, and
252 installed on the inlet side of the water meter as close to the foundation wall as practical. The installation,
253 maintenance, operation, repairs and replacement of this valve is the responsibility of the property owner.
254 There shall not be any connections in the incoming service line that are not metered.
255
256

11. Cold Weather Construction

257 New service or extension of mains shall not be constructed during the period November 15 to April 15
258 without prior cold weather construction approval of the Selectboard. The owner may be assessed an
259 additional charge as part of the connection fee to cover the additional expense incurred as a result of cold
260 weather construction.
261
262

12. Denial or Postponement of Service

263 The Selectboard may deny or postpone service due to: cold weather, insufficient water, insufficient
264 pressure, absence of a deposit for service line construction, absence of connection fee, to prevent
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266 contamination through a cross connection, or when the Selectboard determines that the service line leaks
267 or does not meet the material standards of the municipality.

268

269 **13. Unauthorized Use of Water**

270 A customer shall not supply water to another party except as the Selectboard may permit such extended
271 use in an emergency. A person shall not obtain water from any hydrant or other fixture of the
272 municipality without the written approval of the Selectboard. Any violation of water use shall be grounds
273 for discontinuance of water service until the matter is resolved to the satisfaction of the Selectboard and
274 any and all required disconnection and reconnection fees are paid to the clerk.

275

276 **14. Restriction or Prohibition of Certain Water Uses**

277 When necessary to conserve the water supply, the municipality may restrict or prohibit the use of hoses,
278 sprinklers and any other non-essential water use or water-using device for all customers. Such notice shall
279 be posted in at least three places in the municipality where the public generally congregates or visits and
280 at least once in a newspaper of general circulation for the area. Violation of a municipal notice, directive
281 or order to conserve water by a customer after one written reminder by a municipal representative
282 shall be grounds for immediate discontinuance of service. A hearing, if requested by the affected
283 customer, shall then be held within five days to determine if the water will continue to be shut off or
284 water service will be restored. If the Selectboard determines the shut-off was due to a violation of
285 municipal notice to conserve, all applicable shut-off and reconnection fees shall apply. If it is determined
286 that no violation occurred, then no shut-off or reconnection fees will apply and reconnection shall take
287 place as soon as possible but at least by the following day.

288

289 **15. Maintenance of Plumbing**

290 To prevent leaks and damage, all customers shall maintain at their own expense the plumbing and fixtures
291 within their own premises in good repair and provide protection from freezing. The cost of replacement or
292 repair of a meter damaged by freezing, or otherwise damaged by customers, occupants or others shall be
293 paid by the owner on receipt of a bill submitted by the municipality. Water conserving devices meeting all
294 applicable State and Federal Standards will be used whenever fixtures and faucets are replaced.

295

296 **16. Cross Connections, Protected**

297 A connection capable of permitting backflow from any other source of water to the public water system is
298 prohibited. Such connections include, but are not limited to any plumbing fixture, device or appliance or
299 from any waste outlet or pipe having direct connection to waste drains. If the owner of the building
300 involving such a connection fails or refuses to eliminate or properly protect the cross connection within a
301 time period established by the Selectboard, water service shall be discontinued with all disconnection and
302 reconnection fees applicable once the situation is remedied. A cross connection shall not be created
303 without the approval of the Selectboard. If permitted, it shall be protected against backflow and/or back-
304 siphonage in accordance with accepted cross-connection control methods established by the Vermont
305 Department of Health. All new connections shall include an appropriate backflow prevention device
306 installed between the meter and interior household plumbing. A dual check valve manufactured as per
307 A.S.M.E. specification Number 1024 shall be installed at all domestic and small commercial services
308 (under 15 GPM flow). Other backflow devices shall be installed at industrial, commercial or other
309 services greater than 15 GPM flow as required by the municipality and as recommended by the Vermont
310 Department of Health.

311

312 **17. Fluctuation of Pressures by Customers' Apparatus**

313 Customers shall not install water pumps or high rate water consumption devices that will adversely affect
314 the water system's pressure or operating conditions or use water so as to unduly interfere with the service
315 of another customer. Where a customer has or proposes to install apparatus, which requires water in
316 sudden or large quantities, the Selectboard shall require the customer to install devices, which will

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317 confine such fluctuation of demand and pressure to within reasonable limits. If the customer, after
318 receiving written notice from the municipality, fails to remedy the situation, a hearing will be held within
319 five days to determine whether or not service will continue to the customer. During this five-day period
320 water service may be disconnected, if warranted by the opinion of the Selectboard, and all disconnection
321 and reconnection fees shall apply.

322

323 **18. Safeguarding Water-Using Devices**

324 All customers having hot water tanks or secondary systems supplied by automatic makeup valves shall
325 install and maintain in operating condition appropriate backflow, temperature/pressure relief valves and
326 thermal expansion tanks as needed to prevent damage to the water device or secondary system or their
327 appurtenances should it become necessary for the Selectboard to shut off the water main or service line
328 and to protect against loss of pressure for any other reason. In areas of the Water System where high
329 static water pressure is experienced, customers shall install and maintain in operating condition pressure
330 reducing valves. Water service supplied to any customer not providing such protective devices will be
331 done at the customer's risk. Accordingly the municipality will not be liable for damage resulting from the
332 lack of or failure of such protective devices as required in this section.

333

334 **19. Access to Premises**

335 Water system employees, contractual agents of the municipality, members of the Selectboard, the Water
336 System Operator, the Director of Public Works, and the clerk, with suitable identification, shall have
337 access to all premises served by the water system at all reasonable hours during any day of the week,
338 except state and federal holidays and Sundays (unless an emergency is believed by the municipality to
339 exist) for the purpose of inspecting plumbing and fixtures, identification of cross connections, to set,
340 remove or read meters, to ascertain the amount of water used and the manner of use, and to enforce these
341 regulations. If a customer or occupant prohibits access to the premises, the customer or occupant must
342 arrange for an inspection to take place within 24 hours, otherwise water service may be discontinued with
343 all disconnection and reconnection fees applied.

344

345 **20. Responsibility for Water Charges**

346 The property owner served by the water system is responsible for payment of all charges for water service
347 rendered to the property. The owner is obligated to pay at least the minimum base fee regardless of
348 whether the residence or business is occupied. Any additional fees established on meter readings above
349 the minimum allotted quantity of water shall also be charged to the owner and are due and payable on
350 presentation of a bill. If property is to be sold or transferred, the Operator must receive a written request
351 for a final meter reading for prorated bills at least two weeks in advance of the sale or transfer. The
352 amount of water rates, charges and fees shall be established by the Board, which is authorized to establish
353 or amend said rates, charges and fees from time to time by resolution.

354

355 **21. Billing Procedures**

356 Bills will be issued to the property owner quarterly based on the calendar year, the amount of which will
357 be in accordance with rates shown in the separate document titled "Water Rates, Special Charges and
358 Connection Fees" (see Appendix A). Said bills are due immediately and will be considered in arrears if
359 unpaid in 30 days. Interest will be charged to all bills in arrears at the rate of 18% per annum or the
360 maximum rate allowed under state law, whichever is less. In addition, a penalty of 5% will be levied on
361 all bills in arrears. Bills in arrears shall be due and payable in accordance with procedures set forth in 24
362 V.S.A. Chapter 129. In the case of rental property, bills will be issued to the property owner, in care of the
363 tenant, if requested to do so in writing by the property owner.

364

365 **22. User Initiated Termination or Deactivation of Service**

366 Disconnection from the water system is prohibited, per Vermont State Statute Title 24, Section 3315, with
367 the following exception:

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- 368
369 1. The property owner shall notify the Selectboard in writing of intent to terminate service.
370 2. On receipt of the required termination fee, the municipality shall terminate service by shutting off the
371 curb stop or otherwise discontinuing supply. The property owner shall remove 20 feet of the building
372 service line, which on acceptance after inspection by the municipal representative will represent a
373 termination of service.
374 3. The property owner shall enter into an agreement (binding upon the current owner, his or her heirs and
375 assigns and recorded in the land records) to obligate the owner and property to the quarterly payment of
376 the minimum base fee. Failure to pay following termination or termination without approval will result in
377 a penalty of double the minimum base fee, plus interest and court costs. If the property owner wishes to
378 deactivate the water service for a period, he or she shall submit a request in writing to the Selectboard.
379 Upon Selectboard approval and receipt of the required deactivation fee, the municipality shall deactivate
380 service by shutting off the curb stop. Unless waived by the Selectboard, the property owner will be
381 obligated to pay the minimum base fee until reactivation of the service. Water service will not be
382 deactivated if any outstanding balance for service is owed for the property. When the owner wishes to
383 reactivate the water service, he or she shall notify the Selectboard in writing of such intention. Upon
384 receipt of the required activation fee, the municipality shall restore service by turning on the curb stop.
385

23. Municipality Initiated Disconnection of Service

- 386 Bills for water service are due and payable to the clerk when received as indicated on the statement and
387 shall be considered in arrears if unpaid in 30 days. Water service may be discontinued:
388
389 1) by reason of nonpayment of water bills,
390 2) to eliminate a health hazard,
391 3) for violation of a special order restricting water use, or 4) for fraudulent use of water. If the customer
392 requests a hearing, one shall be held within five work days to determine if water service will continue to
393 be denied, or if to be restored under what conditions. Service, once discontinued, shall not be restored
394 until the reason for discontinuance has been eliminated. Before service is discontinued for delinquency of
395 payment, the municipality shall follow the procedure set forth in 24 V.S.A. Chapter 129. Notice for
396 payment request and shut-off will be mailed at least 14 days in advance of the water shutoff date (see
397 Appendix D – Disconnection Notice Form). Shut-off on account of delinquency of water rate payment
398 will not be made on a day immediately preceding a Saturday, Sunday or a state or federal holiday. When
399 the Selectboard dispatches an agent to effect a shut-off caused by delinquency of payment and, upon
400 arrival, payment is made to the agent for all charges due including the collection fee as permitted under
401 24 V.S.A. Chapter 129, service will be permitted to continue. If a violation of rules, health hazard or
402 emergency incident results in a shut-off, a reconnection charge will be assessed for resumption of service
403 in addition to the disconnection charge.
404
405

24. Interrupted or Unsatisfactory Service

- 406 If, by reason of shortage of supply or for the purpose of making repairs, extensions, connections, placing
407 or replacing meters, or for any reason beyond the control of the municipality, it becomes necessary to shut
408 water off in a main or service line, the municipality will not be responsible for any damages caused by
409 such shut-off, and no adjustment of rates will be allowed unless the interruption is in effect for a
410 continuous period in excess of 10 days, in which case a prorated adjustment of the minimum base fee will
411 be made on the next billing. Notice of water shut-off will be issued when feasible, but nothing in this rule
412 shall be construed as requiring the giving of such notice. The municipality will not be responsible for
413 meeting unusually high water quality standards for specialized industrial processes for its customers nor
414 will it be held responsible for interrupted service or poor water quality caused by legitimate use of the fire
415 hydrants.
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25. Meters and Related Apparatus

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419 **a. General** Where possible, all water will be sold on the basis of metered measurements. When it is
420 impractical to install a meter such as in a mobile home and on approval of the Selectboard, flat rate fees
421 shall be used to establish water charges. The municipality shall install meters whenever deemed expedient
422 or appropriate. The customer can receive water through a meter upon written application to the clerk of
423 the municipality and after payment of all required fees. The size of the meter will, in all cases, be
424 determined by the municipality and these rules.

425 **b. Meter Setting** All meters shall be installed at the foundation wall (or the mechanical room in the case
426 of a slab on grade building, condominium unit or mobile home) where the building service line enters the
427 building, and the customer shall provide and maintain a warm and accessible place for it. The piping
428 arrangement for meter installations shall be in accordance with the requirements of the municipality. A
429 municipal representative must inspect and approve the water meter installation before water is permitted
430 to flow through it.

431 **c. Repairs and Replacements** For standard house meters (5/8" x 3/4") maintenance, repairs and
432 replacements necessitated by ordinary wear will be provided by the municipality. The cost of meter
433 repairs and/or replacement necessitated by freezing, hot water, or other causes under the control of the
434 customer will be charged to the property owner. The costs of maintenance, repairs and replacements of
435 meters larger than the standard house meters (5/8" x 3/4") shall be the responsibility of the property
436 owner.

437 **d. Testing** The municipality shall arrange for suitable means of testing its meters. All tests will be at the
438 sole expense of the customer unless initiated by the municipality. The customer requesting a meter test
439 shall make a deposit in an amount established under "Water Rates, Special Charges and Connection Fees"
440 to cover the cost of removal, testing and re-installation. If a meter tested at the request of a customer
441 shows the meter does not conform to flow criteria established by AWWA standards, the deposit made by
442 the customer shall be refunded and a new meter installed at no cost to the customer. If the meter conforms
443 to the standards of these rules, the municipality will retain the customer's deposit and the meter may be
444 continued in use at the same location. Municipality reserves the right to remove and test any and all
445 meters.

446 **e. Multiple Meters** Water shall not be double metered. Each newly constructed separate apartment and
447 each residential unit of a townhouse, condominium or duplex building shall be individually metered.
448 Existing apartments may remain with one meter per building, but the correct size meter must be installed
449 if not already in place.

450
451 **26. Water Use Adjustments**

452 **a. Meter Malfunction or Removal** If a meter is removed from service at the request of the customer, the
453 municipality will make an estimate of the water consumption during the period of removal, said estimate
454 to be based on the average consumption for similar periods for the customer, and the water charges will
455 be computed accordingly. If the municipality initiates the meter removal, water consumption for the
456 period of meter removal shall not be estimated or charged to the customer.

457 **b. Adjustment** When a meter is tested and found to be over-reading in excess of 2%, an appropriate
458 percentage adjustment shall be made to the metered consumption record of the past billing period and the
459 portion to date of the current billing period.

460
461 **27. Fire Hydrants**

462 Fire hydrants, whether on public or private property, may not be used for any other purpose than the
463 extinguishment of fires, normal flushing operations done by the Water Department or such purposes
464 agreed to in writing by the municipality. In no case shall fire hydrants be opened by any person other than
465 an agent of the municipality or a duly authorized representative of the fire department. Hydrants shall not
466 be used for irrigation, filling of swimming pools, dust control, water games or any other nonlegitimate
467 use. Violators will be prosecuted to the full extent of the law as it pertains to tampering with public water
468 systems.

469

470 28. **Tampering With Public Water System, Prohibited**

471 Tampering with municipal water system property is not permitted. Any valve, pump, pump house,
472 hydrant, curb stop, water main, municipal service line, tank reservoir or any other appurtenant part of the
473 water system, which is deemed the property of the municipality, shall not be adjusted, operated or
474 tampered with by any person except those authorized by the municipality. If a customer or owner is
475 known to have tampered with any municipal water system property or its works, such action shall be
476 grounds for discontinuance of water service, and any cost due to such tampering will be charged to said
477 customer or person.

478
479 **29. Water Main Extension Within the Water Service Area, Plan Approval, and Construction**

480 ~~A request for a water main extension within the water service area as defined in Appendix ___ may be~~
481 ~~made to the Selectboard. Any person desirous of constructing an extension to the water system shall apply~~
482 ~~to the municipality.~~ Upon preliminary approval of the application, ~~by the Selectboard,~~ the applicant shall
483 have final plans and specifications developed by a professional engineer ~~whom the municipality agrees~~
484 ~~has who has~~ demonstrated proficiency in water system design, and is registered to practice civil or
485 sanitary engineering in Vermont. ~~Construction may begin after the municipality and all applicable State~~
486 ~~regulatory entities have issued plan approval and/or permits. Construction shall not commence until the~~
487 ~~State department having due authority and the Selectboard of the municipality has issued approval of the~~
488 ~~plans. The Selectboard's approval shall address, but may not be limited to, the following:~~

- 489 • Engineering oversight;
- 490 • Submission of record drawings;
- 491 • Applicant's responsibility to pay for outside engineering services requested or required by the
492 Town;
- 493 • Meter installation at the curb stop for private water main extensions.

Comment [TL4]: Tie to development review components, for this and 30.

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494
495 ~~Written approval by the Selectboard will address issues such as engineering oversight, submission of~~
496 ~~record drawings, the municipality's rights for review of the project and payment by the applicant in the~~
497 ~~event the municipality hires an outside engineering firm in the event the water mains are not being~~
498 ~~constructed according to original plans. The municipality reserves the right to require a meter installation~~
499 ~~at the curb stop for private water main extensions.~~ All work ~~performed~~ shall remain uncovered until an
500 authorized municipal representative has inspected the work and ~~has written an official correspondence~~
501 ~~stating that the Town is satisfied that it complies, indicates general satisfaction with it.~~ A record drawing
502 of the extension will be recorded at the clerk's office at the builder's expense.

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503
504 **30. Water Main Extension – Outside of the Water Service Area**

505 ~~A request for a water main extension that would effectively extend the water service area beyond the~~
506 ~~boundaries of the water service area shall not be approved, unless the Selectboard has first found that the~~
507 ~~extension is necessary for public health and safety.~~

508
509 **3031. Materials**

510 Materials used in building service lines from the curb stop to the meter shall be specified and approved by
511 the municipality. All materials used and methods employed shall conform to the National Plumbing Code
512 and AWWA Standards, all latest editions.

513
514 **3032. Protection From Damage**

515 No person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper
516 with any structure, appurtenance, or equipment, which is part of the Water System. Any person violating
517 this provision shall be subject to immediate arrest under the charge of unlawful mischief as set forth in
518 V.S.A. Title 13, Section 3701.

519

520 | **3433. Penalties**

521 Any person found to be violating any provision of this Ordinance shall be served by the municipality with
522 written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory
523 correction thereof. The offender shall, within the period of time stated in such notice, permanently cease
524 all violation. Any person who shall continue any violation beyond the time limit mentioned above shall be
525 guilty of a misdemeanor and on conviction thereof shall be fined the maximum amount allowed under
526 State statute. Each day in which any such violation shall continue shall be deemed a separate offense. In
527 addition to any fine imposed, any person violating any of the provisions of this Ordinance shall become
528 liable to the municipality for any expense, loss, or damage occasioned the municipality by reason of such
529 offense. Notwithstanding any of the foregoing provisions, the municipality may institute any appropriate
530 action including injunction or other proceeding to prevent, restrain or abate violations of any provision of
531 this Ordinance.

532 | **34. Capacity Allocation Reserve**

534 As a matter of policy, the Selectboard will attempt to retain 10 percent of the permitted capacity of the
535 municipal water system in an allocation reserve.

536 Allocation may be made from the reserve by the Selectboard for projects as listed in priority order below:

- 537 1. Municipal, educational, or institutional projects.
- 538 2. Redevelopment projects at the former Saputo Cheese Plant, or subsequently designated
539 redevelopment priority site.
- 540 3. Projects whose circumstances are so unique that the allocation cannot be met without using
541 capacity from the reserve, and are deemed by the Selectboard to be in the best long-term public
542 health, safety, and welfare of the Town.

543 | **35. Allocation Purchase, Maintenance, and Forfeiture**

544 All applicable allocation fees shall be paid in full prior to the issuance of a zoning permit. Allocation must
545 be purchased in full within three years of the date of issuance, unless a two-year extension is granted by
546 the Selectboard. The owner shall pay the quarterly allocation holding fee as specified in Appendix
547 .

548 Upon issuance of an allocation letter, the owner must pay an allocation deposit equal to 10 percent of the
549 total allocation fee.

550 If the allocation is not paid for in full prior to the expiration of the three- or five-year allocation window,
551 the allocated capacity will be returned to either the uncommitted capacity reserve allocation pool or the
552 capacity allocation reserve. Holding fees paid for allocation not purchased in full prior to the expiration of
553 the allocation will not be refunded.

554 | **36. Emergency-Only Utilization of Wells 1 and 3**

555 Wells 1 and 3, the “old wells,” located west of Town Hall and Stella Road will be left connected to the
556 municipal water system but not utilized, except in an emergency situation as determined by the
557 Selectboard. The capacity of the wells will not be counted in the Town’s calculation of permitted
558 capacity, nor will the capacity be available for allocation and subsequent purchase. If other water sources
559 are connected to the water system that capably serve the Town’s standard and emergency water capacity
560 needs, wells 1 and 3 will be disconnected from the water system entirely and properly abandoned per
561 Water Supply rules.

562 | **Appendix A**

Comment [TL5]: New Section.

Look to make it match the ww ordinance to the extent possible.

2 sections? 1 that’s the 10% reserve, another specifying a 70/30 split, after the categories are split out (similar to ww allocation ordinance)

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Comment [TL6]: Infill/redevelopment – focus on less specific, but still focused on the same goals.

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Comment [TL7]: New Section.

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Comment [TL8]: Similar to ww allocation ordinance

Comment [TL9]: Similar to ww allocation ordinance. Reflected in 34 above, as well.

Comment [TL10]: New Section.

Need to quantify what it takes to exercise the pumps (process, manpower, costs, etc.) and monitor the MTBE contamination.

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Comment [TL11]: Clarification added: as to who makes the decision.

Comment [TL12]: Home of the new allocation charge, once established.

Quarterly holding fee too.

TRACK CHANGES REVIEW VERSION – 11/02/15

569 Town Of Hinesburg Water System
570 Water Rate, Special Charges And Connection Fees
571 Effective July 1, 2007
572 Water Rates:
573 1. Metered Properties
574 \$60.00 per quarter for first 500 cubic feet water usage
575 \$0.031 per cubic foot for water usage above 500 cubic feet
576
577 2. Unmetered Properties
578 \$60.00 per quarter base charge
579 \$40.00 per quarter unmetered usage charge
580
581 Connection Fee:
582 \$1000 per unit. Municipality to supply water meter and back-flow prevention device. Connection fee for
583 waterlines greater than ¾ inch in diameter will be determined at time of application.
584
585 Special Charges:
586 Disconnect Fee: \$60.00
587 Reconnection Fee: \$60.00
588 Deactivation Fee \$60.00
589 Activation Fee: \$60.00
590 Meter Test Deposit: \$75.00
591
592 Charges for disconnection/reconnection resulting from delinquent accounts will be according to Vermont
593 State Statute Title 24 VSA § 5151.
594
595 **Town of Hinesburg Water/Wastewater Department Appendix B**
596 **Service Connection Permit Application**
597 **Property Owner/Applicant:** _____

TRACK CHANGES REVIEW VERSION – 11/02/15

598 Phone # _____

599 Mailing
600 Address: _____

601 Property
602 Location: _____

603 I hereby apply for permission to construct a:

604 **New Water Service** " See Town of Hinesburg Water Use Ordinance, Sections 3-25, 30 and Appendix A

605 **New Wastewater Service** " See Town of Hinesburg Wastewater Ordinance Name, address of Contractor,
606 Company or Individual who will undertake the proposed work:

607 _____
608 Phone # _____

609 _____
610 Fax# _____

611 _____
612 Email _____

613

614 **Water Service Information:**

615 1. Commercial " Residential " Industrial " Other " (describe) _____

616 2. Type and Size of Service:
617 _____

618

619 **Wastewater Service Information:**

620 1. Commercial " Residential " Industrial " Other " (describe) _____

621 2. Type and Size of Service:
622 _____

623

624 **Permit Conditions:**

625 1. Work must commence within one year from the date of this permit.

626 2. Water/Wastewater Department must be contacted 48 hours prior to:

627 a. Construction of service connection

628 b. Meter installation

629 c. Final inspection. No work may begin without Water/Wastewater Department approval.

TRACK CHANGES REVIEW VERSION – 11/02/15

630 3. Final inspection and approval by Water/Wastewater Dept. is required prior to water or wastewater
631 service use. Any use without Approval will be subject to penalties per Water/Wastewater Ordinances.

632 4. All Allocation and/or Connection fees shall be paid at the time service connection(s) are constructed.

633 5. Applicant is responsible for all labor and material costs of connection except that Town shall supply
634 5/8" meter, remote reader and backflow prevention device for each unit.

635

636 **Signatures:**

637 I hereby certify that I have read the applicable excerpts for the Town of Hinesburg Water and Wastewater
638 Ordinances and I agree to abide by the conditions contained therein, conditions as noted above or attached
639 to this Permit.

640 Applicant(s): _____

641 Date: _____

642 Approved By: _____

643 Date: _____

644 **OFFICE USE ONLY:**

645 Connection Fees: Water \$1000 Wastewater \$1000 Final Inspection:

646 \$ _____ Connection Fees Paid _____ Inspected BY: _____

647 Date Date Town of Hinesburg

648 Check # _____ Property Tax I.D.# _____

649 Notes: _____

650 _____

651 _____

652