

**Royalton Fire District #1
Public Drinking Water System
Rules and Regulations**

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Rules and Regulations Table of Contents

Contents

Authority and Purpose 3
Article II — Definitions 3
Article III- Applications/Permits/Fees 9
Article IV — Fund Management 11
Article V — Disconnection and Restoration of Service 12
Article VI— Use of the Public Drinking Water System..... 13
Article VII— Service Connections 15
Article VIII — Cross Connections Prohibited..... 16
Article VIX — Water Supply Emergencies..... 16
Article X — Water Utility Acceptance Standards 17
Article XI— Fire Hydrants 18
Article XII - Access by the Royalton Fire District#1 19
Article XIII — Protection from Physical Damage 20
Article XIV — Penalties 20
Article XV — Amendments 21
Article XVI — Severability Clause 21
Article XVII — Conflict..... 21
Article XVIII — Ordinance in Effect 21
ATTESTED BY:..... 23
Resolution to Adopt 24

Authority and Purpose

Pursuant to Title 24, Chapter 89 and 129 of the Vermont Statutes Annotated, it is hereby ordained by the Royalton Fire District #1, Prudential Committee, Royalton, Vermont that the protection of the health and safety of the Town of Royalton and of the general public require the establishment of minimum standards governing the design, construction, installation, control, and operation of public drinking water systems.

- Sec. 1 All rules and regulations contained herein, together with such additions and amendments as may be hereafter adopted, are hereby designated as the “Drinking Water Ordinance” hereinafter sometimes referred to as the “Ordinance”.
- Sec. 2 The Royalton Fire District#1 clerk shall file certified copies of this Ordinance, as well as certified copies of any additions and amendments to this Ordinance as may be hereafter adopted, in the municipal records and with the Commissioners and Health Officer.
- Sec. 3 The principal objective of public drinking water facilities is to provide the state regulated degree of drinking water treatment and distribution under the most favorable and economic conditions.
- Sec. 4 The provisions of this Ordinance shall be reviewed at intervals not to exceed five (5) years by the Commissioners with the objective of assessing the continued applicability of these provisions; to consider any recommendations proposed for their improvement; and to determine if, and what changes are advisable due to advances in the technical methods or processes of drinking water treatment and distribution available to the Royalton Fire District #1, Prudential Committee.

Article II — Definitions

Unless the context specifically indicates otherwise, the meaning of the terms used in this Ordinance shall be as follows:

- Sec. 1 Backflow means (1) A flow condition, induced by a differential in pressure, which causes the flow of water or other liquid into the distribution system of a potable water supply, from any source or sources other than its intended source; (2) The backing up of water through a conduit or channel in the direction opposite to normal flow.

Sec. 2 Backflow Preventer means a device or means designed to prevent backflow. Examples include:

- a. Air-Gap means the unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or faucet supplying water to a tank, plumbing fixture, or other device and the level rim of said vessel. An approved air-gap shall be at least double the diameter of the supply pipe, measured vertically above the top of the overflow rim of the vessel; and in no case less than one inch. In case of leakage of either of the check valves, the differential relief valve shall operate to maintain the reduced pressure in the zone between the check valves by discharging to the atmosphere. When the inlet pressure is two pounds per square inch or less, the relief valve shall open to the atmosphere. To be approved, these devices must be readily accessible for inline testing and maintenance and be installed in a location where no part of the device will be submerged.
- b. Reduced Pressure Principle Device means an assembly of two independently acting approved check valves together with a hydraulically operating, mechanically independent pressure relief valve located between the check valves and at the same time below the first check valve. The unit shall include properly located test cocks and tightly dosing shut-off valves at each end of the assembly. The assembly shall operate to maintain the pressure on the public water supply side of the device. At cessation of normal flow the pressure between the two check valves shall be less than the pressure on the public water supply side of the device.
- c. Double Check Valve Assembly means an assembly of two independently operating approved check valves with tightly closing shut-off valves on each end of the check valves, plus properly located test cocks for the testing of each check valve. To be approved these devices must be readily accessible for the in-line testing and maintenance.

Sec. 3 Board means the Prudential Committee of the Royalton Fire District #1.

Sec. 4 Building Service Line means the pipe or conduit and valves connected on one end to the curb stop, the other end terminating inside the Property Owner's building; to provide water service. The Property Owner shall construct the Building Service Line on new construction in conformance with the Vermont Standards for Water System Design, Construction and Protection, as amended, and local construction standards as adopted by the Commissioners. The cost of construction shall be borne by the Property Owner. Once installed, the responsibility for maintenance and repairs of the Building Service Line and all costs associated therein shall be borne by the Property Owner.

Sec. 5 Cellar Stop means the valve installed on the Building Service Line after it enters the building.

Sec. 6 Town Clerk means the Town Clerk of the Town of Royalton, Vermont.

Sec. 7 Commercial means any building other than residential or industrial.

- Sec. 8 Commissioners means the Board of Water Commissioners which is the Prudential Committee of the Royalton Fire District #1 in the Town of Royalton, Vermont shall constitute the Board of Water Commissioners and shall have the power to exercise all authority enumerated in 24 V.S.A. Chapter 89 including, but not limited to: supervising the Royalton Fire District #1 Water Department and making and establishing all needful water rates, charges, rules and regulations for its control and operation.
- Sec. 9 Connection Fee means the financial amount due, as determined by the Commissioners, charged to applicants who apply to connect to the distribution main.
- Sec. 10 Contaminant means any physical, chemical, biological, or radiological substance or matter in water.
- Sec. 11 Contamination means an impairment of the quality of water which creates an actual hazard to the public health through poisoning or through the spread of disease by sewage, industrial fluids, waste, etc.
- Sec. 12 Corporation Stop means a valve for joining a Service Line to a distribution main. It is usually owned and operated by the Royalton Fire District #1. It cannot be operated from the surface.
- Sec. 13 Cross Connection means any physical connection or arrangement between two otherwise separate piping systems; one of which contains potable water and the other water or liquid of unknown or questionable safety, steam, gases or chemicals whereby there may be a flow from one system to the other.
- Sec. 14 Curb Stop means the valve which terminates the Service Line and to which the Building Service Line is connected to provide water service to the User.
- Sec. 15 Delinquency means failure of the Owner (ratepayer) to tender payment for a valid bill or charge within thirty (30) days (of the postmark date of that bill or charge OR by a due date at least 30 days after mailing, which shall be clearly printed on the bill and which shall control in the absence of the postmark.)
- Sec. 16 Disconnection means deliberate interruption or disconnection of water service to a Owner (ratepayer) by the Royalton Fire District #1 for nonpayment of water charges, rates or rent.
- Sec 17 Disinfectant means any substance, including but not limited to chlorine dioxide, chloramines, and ozone added to water in any part of the treatment or distribution process, that is intended to kill or inactivate pathogenic microorganisms and potential pathogens.
- Sec. 18 Distribution Main (water main or main) means the primary supply pipe or conduit used for the transmission of water to hydrants and service connections, together with such appurtenant facilities as are necessary for the proper operation of the main.

- Sec. 19 Extension or Water Main Extension means any extension of the Royalton Fire District# 1 water system in accordance with the rules, regulations, standards, and specifications of the Royalton Fire District#1.
- Sec. 20 Fire Flow the rate of flow, usually expressed in gallons per minute that can be delivered from a water distribution system at a specified residual pressure for firefighting purposes.
- Sec. 21 Fire Service means the water service provided to a User for fire protection systems or equipment installed on the property of the User, such as a sprinkler system.
- Sec. 22 Health Officer the legally designated Health Officer or Deputy Health Officer of the Town of Royalton, Vermont.
- Sec 23 Hydrant, Public means a hydrant installed by the Royalton Fire District#1 within public rights-of-way, on Royalton Fire District#1 property or within an easement owned by the Royalton Fire District#1, or installed by a person other than the Royalton Fire District#1 that has been offered to the Town and accepted by the Commissioners.
- Sec. 24 Hydrant, Private means a hydrant not constructed by the Royalton Fire District #1 or within the Royalton Fire District #1 public right-of way, or on Royalton Fire District #1 property or within an easement owned by the Royalton Fire District #1 hydrant that has not been accepted by the Commissioners.
- Sec. 25 Industrial means any structure(s) used or intended for use as a business enterprise for manufacturing, processing cleaning laundering or assembling any product; commodity, or article
- Sec. 26 May is permissive. Shall is mandatory.
- Sec. 27 New Service Locations means areas at a distance of more than 200 feet from distribution mains of Royalton Fire District#1 where extension of distribution mains is required to provide service.
- Sec 28 Pathogenic means causing or capable of causing disease.
- Sec. 29 Peak Demand means the maximum momentary load placed on a water system.
- Sec. 30 Permit means a written document issued by the Commissioners pursuant to this Ordinance giving designated person(s) permission to operate and/or construct, alter, renovate or connect to or draw water from the Royalton Fire District#1 drinking water system.
- Sec. 31 Person means an individual or entity possessing legal rights and duties, including, but not limited to any individual, firm, company, association, group, or other legal entity.

- Sec. 32 Physician's Certificate means a written statement by a duly licensed medical practitioner certifying that a Owner (ratepayer) or resident with the Owner (ratepayer)'s household would suffer an immediate and serious health hazard by the disconnection of the water service to that household. The certificate will be considered valid and in force for thirty (30) days, or the duration of the hazard, whichever is less.
- Sec. 33 Pollution means a condition representing the presence of non-potable, harmful, or objectionable materials in water.
- Sec. 34 Potable Water means water free from impurities in amounts sufficient to cause disease or harmful physiological effects, and having bacteriological, chemical, physical and radiological quality conforming to applicable standards of the Secretary.
- Sec. 35 Property Owner (Owner) means that person(s) or User, identified as owner of property by recorded deed.
- Sec. 36 Public Water System means all of the facilities of the drinking water system as owned by the Royalton Fire District#1.
- Sec. 37 Owner (ratepayer) means the Property Owner of any tenement, house or building who takes the water of the Royalton Fire District#1.
- Sec. 38 Residential means any building with one or two dwelling units on its' own lot.
- Sec. 39 Revenues mean all revenues, rates, fees, charges, rents or other income and receipts received by the Water Department from any source, or accrued to the Royalton Fire District#1 or Water Department, or Board thereof, in connection with the management and operation of the public water system, and shall also include any interest received on any monies or securities of the Royalton Fire District#1 which are pledged to the payment of the Royalton Fire District#1's water bonds, and any federal or state grants-in-aid with respect to such system.
- Sec. 40 Sampling means the act or technique of selecting a representative part of the water supply for testing and analysis.
- Sec. 41 Secretary means the Secretary of the Agency of Natural Resources or the Secretary's designee.
- Sec. 42 Service Connection means each single water line, which provides water to an individual residential living unit, a commercial unit or an industrial unit from the public water supply system. The service connection is comprised of two line segments. It shall start at the corporation stop at the distribution main and extend to the curb stop — i.e., the Service Line. The service connection then extends from the curb stop inside the building to the cellar stop — i.e., the Building Service Line.

- Sec. 43 Service Line or Service Pipe means the pipe or conduit running from the corporation stop at the distribution main to a curb stop at or near the property line of the Property Owner. The Property Owner shall construct the Service Line (including curb stop) on new construction in conformance with the Vermont Standards for Water System Design, Construction and Protection, as amended, and local construction standards as adopted by the Commissioners. The cost of construction shall be borne by the Property Owner. Once installed, the responsibility for maintenance and repairs of the Service Line and all costs associated therein shall be borne by the Property Owner.
- Sec. 44 Special Charges means fees charged for collection of overdue accounts and reconnection of service disconnected because of nonpayment.
- Sec. 45 Subdivision means to divide land by sale, gift, lease, mortgage foreclosure, court-ordered partition, or filing of a plat, plan, or deed in the town records where the act of division creates one or more lots. Subdivision shall be deemed to have occurred on the conveyance of the first lot or the filing of a plat, plan, or deed in the town records, whichever first occurs. A subdivision of land shall also be deemed to have taken place when a lot is divided by a state or municipal highway, road, or right-of-way, or when a lot is divided by surface waters with a drainage area of greater than ten square miles.
- Sec. 46 Superintendent means Water Superintendent. The Superintendent shall have the duties and responsibilities described herein and in any job description and shall be appointed by the Board subject to the Royalton Fire District#1's personnel policy. The Superintendent is primarily responsible for the operation of the Royalton Fire District#1 Water Department.
- Sec. 47 Tap means any connection of a service pipe to the main.
- Sec. 48 Tapping Sleeves means a split sleeve used in making a wet connection where a single branch line is to be tapped into a distribution main under pressure.
- Sec. 49 Town means the Town of Royalton, Vermont acting by and through its Selectboard or, in appropriate cases, acting by and through its authorized representatives, agents, deputies, or operators.
- Sec. 50 Unconnected Properties means those properties with boundary line(s) 200 feet or less from distribution mains that do not receive water service.
- Sec. 51 Unit or Dwelling Unit means a building or entirely self-contained portion thereof containing complete housekeeping facilities for only one family, including any domestic, servants employed on the premises and having no enclosed space (other than vestibules, entrance or other hallways or porches) or cooking or sanitary facilities in common with any other "dwelling unit." A recreation vehicle, boarding or rooming house, convalescent home, fraternity or sorority house, hotel, inn, lodging nursing or other similar home or other similar structure shall not be deemed to constitute a dwelling unit.

- Sec. 52 Valve Boxes means a metal box set over a valve and rising to the ground surface, to allow access to the operating nut for opening and closing the valve. A cover is usually provided at the surface to keep out dirt and debris.
- Sec. 53 Water Department means the Royalton Fire District#1, Water Department.
- Sec. 54 Water Supply System means any publicly owned water system operated as a public utility under a valid State permit to supply water for domestic purposes. This system includes all sources, facilities and appurtenances between the source and the point of delivery such as valves, pumps, pipes, conduits, tanks, receptacles, fixtures, equipment and appurtenances used to produce, convey, treat or store potable water for public consumption or use.
- Sec. 55 RFD#1 means Royalton Fire District#1.

Article III- Applications/Permits/Fees

- Sec. 1 No unauthorized person shall uncover, connect with, make any opening into, or use, alter, disturb in any manner any public distribution main or appurtenance thereof without first obtaining a written water permit, from the Commissioners, or their designee, and paying to the RFD#1 any fee required and imposed by the RFD#1 against the applicant. Any person proposing a new connection into the system shall notify the Commissioners and obtain a written water permit from the Commissioners at least forty-five (45) days prior to the proposed connection. No such connection shall be made without the written permit from the Commissioners, or their municipal designee. Completion of the application and payment of fees shall be considered acknowledgment and agreement by the applicant to conform to this Ordinance.
- Sec. 2 For planned repairs of existing individual service connections, property owners do not need to obtain a written water permit. However, the owner shall provide the Superintendent with two (2) working days notice prior to beginning work. For emergency repairs, owners shall provide the Superintendent with notice as soon as possible.
- Sec. 3 The annual charge shall be for the purpose of the payment associated with the costs of operating, maintaining, and repairing said system and payment of the principal and interest upon the RFD#1 water bonds. The Commissioners may establish annual charges separately for bond payments, for fixed operating and maintenance costs not dependent on actual or estimated use and for variable operations and maintenance costs dependent on actual or estimated use.

- Sec. 4 All charges rates, or rents for, or in connection with water service shall be adopted by the Commissioners via resolution at a regular or special meeting, shall be incorporated in the “Schedule of Rates and Fees” appended to this Ordinance, and shall be a lien upon real estate, furnished with the service for which such charges, rates or rents are imposed, in the same manner and to the same effect as taxes are a lien on real estate under 32 V.S.A. § 5061.
- Sec. 5 Water use in RFD#1 is metered. Owner (ratepayer)s are billed a base rate plus extra fees for additional facilities or equipment. The Schedule of Rates and Fees is available at the RFD#1 Offices.
- Sec. 6 Bills are disseminated four times a year, however meters will be only checked twice a year. Payments are due in 30 days after date on the bill. Payment agreements must be requested and approved with the Bookkeeper and/or Collection’s Officer.
- Sec. 7 Billing for water service is issued in the name of the Owner (ratepayer). By applying for water service, the Owner (ratepayer) agrees to pay all bills that become due, and failing to do so, agrees to pay all costs of collection, including attorney’s fees.
- Sec. 8 The Owner (ratepayer) desiring to use RFD#1 water is responsible for the payment of water bills and is also responsible for notifying the RFD#1 of the address to which bills, notices and other communications to him/her shall be delivered. A change of tenants will not relieve the Owner (ratepayer) from liability for payment of delinquent bills. Failure to receive a bill does not relieve the Owner (ratepayer) of the obligation for payment.
- Options are available for tenants to avoid disconnection through the State of Vermont. See Vermont Statutes at <http://legislature.vermont.gov/statutes/fullchapter/24/129> § 5143. Disconnection of service.
- Sec. 9 Disputes concerning water bill shall be made to the Commissioners. The RFD#1 may institute legal action to collect any past due or delinquent bill. All delinquent water bills shall be collected and water service discontinued in accordance with the Municipal Uniform Disconnect Act (24 V.S.A., Ch. 129), or other remedies provided by law.
- Sec. 10 Past due bills are payable to the RFD#1. No interest shall accrue on late payments unless so voted by the RFD#1 according to 32 V.S.A. § 5136. The Owner (ratepayer) may enter into a repayment agreement with the RFD#1 Treasurer to pay past due bills in installments. The installment agreement must be honored, or the Owner (ratepayer) will be subject to disconnection and collection fees.
- Sec. 11 Water supplied to a building occupied by more than one tenant shall be charged to the Property Owner or his agent and shall not be charged to the various tenants in the building. In any event the Property Owner shall be primarily liable and responsible for water supplied.

- Sec. 12 No abatement of charges, rates or rents for or in any connection with water supply shall be allowed by reason of disuse or diminished use of such services or vacancy of the premises served, unless reasonable advance written notice of such disuse, diminished use or vacancy of premises has been given to the Superintendent and the Commissioners have authorized such abatement. Nor shall any payment be refunded nor abatement made in connection with charges, rates or rents for water supplied by reason of the occurrence of any of the matters or things specified in Article XIII of this Ordinance.
- Sec. 13 No person shall be entitled to damages, nor to have any portion of a payment refunded for any stoppage occasioned by accident to any portion of the water supply system.
- Sec. 14 Special charges shall not exceed those prescribed by 24 V.S.A. 5151 and amendments thereto. As of the date of the adoption of this Ordinance, the schedule for such fees is as follows:
- (a) Collection trips - \$25.00 maximum, regardless of number;
 - (b) Reconnection:
 - (i) Normal hours - \$25.00
 - (ii) Overtime - \$37.50
 - (c) New User Application Fee - \$30
 - (d) Returned Check Fee - \$30

Article IV — Fund Management

- Sec. 1 The Commissioners may create a dedicated fund for the purposes enumerated herein, in accordance with 24 V.S.A. 2804 and amendments thereto. A separate dedicated fund may be utilized to finance major rehabilitation, major maintenance, costs of expanding and upgrading the water supply system and for the accumulation of funds to be used to match federal funds. The establishment of a dedicated fund shall be based upon the following which shall be set forth in writing: major maintenance/replacement identification, estimated expenditures, estimated year of expenditure, payment amount, type of account used to accumulate dedicated fund assets source of funding and when payments are to stop.
- Sec. 2 Revenues deposited into the dedicated fund may include a surcharge established by the Commissioners of up to fifteen percent (15%) on the costs of normal operations, maintenance and debt service. The water fees charged for expansion cost shall be deposited into a separate account. The Commissioners holding office have the authority to withdraw dedicated fund amounts only for the purposes for which the fund was established. When dedicated fund assets are not disbursed fully for major maintenance/replacement expenditures and/or treatment plant/distribution system expansion/upgrade, excess monies shall remain in the dedicated fund for future expenditures similar in nature. The dedicated fund balance shall not exceed the estimated costs for the purposes for which the fund was established.

Article V — Disconnection and Restoration of Service

Sec. 1 If the Owner (ratepayer) fails to pay charges, or rents due, does not arrange a payment agreement, or is unsuccessful in an appeal, the RFD#1 may disconnect water service after sending notice in the form prescribed by 24 V.S.A § 5144 to the Owner (ratepayer) and owner of the property, if different from the Owner (ratepayer), that will be affected by the disconnection.

a. The RFD#1 shall implement disconnection procedures per 24 V.S.A., Chapter 129.

Sec. 2 The RFD#1 shall not cause disconnection of water service in any of the following circumstances:

a. The delinquent bill or charge, or aggregate delinquent bills and charges do not exceed \$15.00.

b. The delinquency is due solely to a disputed portion of a charge which is the subject of an appeal.

c. The delinquency is due to a failure to pay a deposit, line extension, special assessment, special construction charge, or other nonrecurring charge.

d. The disconnection would present an immediate and serious hazard to the health of the Owner (ratepayer) or a resident within the Owner (ratepayer)'s household, as set forth in a physician's certificate which is on file with the RFD#1. Notice by telephone or otherwise that such certificate will be forthcoming will have the effect of receipt; providing the certificate is in fact received within seven (7) days.

e. The Owner (ratepayer) has not been given an opportunity to enter into a reasonable agreement to pay the delinquent bill or, having made such agreement; has abided by its terms.

Options are available for tenants to avoid disconnection through the State of Vermont. See Vermont Statutes at <http://legislature.vermont.gov/statutes/fullchapter/24/129> § 5143. Disconnection of service.

Sec. 3 Notice of disconnection shall be provided to the Owner (ratepayer) prior to disconnection. Disconnection of water service shall occur only between the hours of 8:00 a.m and 2:00 p.m. of the business day specified on the notice of disconnection, or within the same hours during the four business days thereafter. When service is disconnected or interrupted at the premises of the Owner (ratepayer), the authorized individual making the disconnection shall immediately inform a responsible adult on the premises that service has been disconnected, or if no responsible adult is then present, shall leave on the premises in a

conspicuous and secure place a notification advising that service has been disconnected or interrupted and what the Owner (ratepayer) has to do to have service restored.

- Sec. 4 If water service has been disconnected for delinquency of payment of a valid billing or other charge, the Water Department shall, within twenty-four (24) hours, restore service upon the Owner (ratepayer)'s request, provided the cause for disconnection of service has been removed or when an agreement has been reached between the Owner (ratepayer) and the RFD#1 regarding the dispute which led to the disconnection or when so directed by the Commissioners. Restoration of service, to the extent feasible, shall be done so as to avoid charging Owner (ratepayer)s for overtime wages and other expenses.
- Sec. 5 When it is desired to discontinue the use of water service, written notice shall be given to the Superintendent. Water charges, rates, or rents shall continue to be assessed and collected until water service is turned off at the Curb Stop. A disconnection fee shall be paid to the RFD#1 at the time of request. All delinquent charges must be paid in full prior to discontinuance of service.

Article VI— Use of the Public Drinking Water System

- Sec. 1 This Ordinance shall constitute a contract between each Owner (ratepayer) and the RFD#1. Each Owner (ratepayer) shall be bound by the Ordinance and all subsequent changes and amendments thereto. The Owner (ratepayer)'s application for water service shall be considered the Owner (ratepayer)'s consent to be bound by this Ordinance.
- a. A copy of this Ordinance is available for review at the Town Office. Copies of this Ordinance may be purchased at the Town Office for the actual cost of production.
- b. Failure to know the Rules and Regulations of this Ordinance will not excuse the Owner (ratepayer) from the consequences of failure to abide by the provisions of this Ordinance.
- Sec. 2 It shall be unlawful for any person to extend, tap or in any way injure or tamper with a Distribution Main or Service Connection. All tapping and turning of Distribution Main Valves shall be done under the direction of the Superintendent or authorized agent.
- Sec. 3 It shall be unlawful for any person to remove any seal placed on any valve or other appurtenance of the Water Department, unless permission to do so has been given in writing by the Superintendent prior to the actual removal of said seal.
- Sec. 4 No person shall turn on water to any premises or shut off the same, without the express permission of the Superintendent.

- Sec. 5 No person shall adjust, open, close, alter or perform any operations to valves, hydrants or to any other parts of the water system without the express permission of the Superintendent or as provided under Article 11 below.
- Sec. 6 No person shall permit water from the water system to run to waste through any faucets or fixtures to prevent freezing, or, for any other purpose, to be kept running for any longer than necessary for non-wasteful consumption, without prior approval from the Superintendent. The Superintendent or officers and agents of the Water Department entrusted with the care and superintendence of the water may, at all reasonable times, enter all premises supplied with water by the RFD#1 examine the pipes and fixtures and prevent any unnecessary waste.
- Sec. 7 Distribution Mains may be extended only upon an agreement in writing wherein the applicant shall agree to pay for all labor and materials necessary including valves hydrants, tapping, service pipes, and appurtenances. All extensions must obtain, as appropriate, approval from the Vermont Water Supply Division. Also, the applicant shall agree that such extension shall be installed in conformance with the Vermont Standards for Water System, Design, Construction and Protection, as amended. After the water main extension has been constructed, and has passed the required pressure and bacteriological tests, it shall be acceptable to the Water Department to place the extension in service.
- Sec. 8 All material, labor and locations for installation or extension of Mains or Service Lines shall be subject to approval by the Superintendent and Commissioners. All distribution main extensions or alterations must be submitted to the Superintendent on a detailed, workable 24"x36" print drawing to 1" = 50' or 1" = 40' scale and presented in triplicate at least thirty (30) days prior to the anticipated date construction is to commence.
- Sec. 9 Owner (ratepayer)s shall be notified in writing of interruption or disconnection of water service in accordance with 24 V.S.A. § 5145(b) and amendments thereto.
- Sec. 10 All Owner (ratepayer)s of the drinking water system shall keep the fixtures and service pipe within their own premises in good repair, fully protected from frost, and prevent the waste of water. The Water Department shall not be liable for leakage of hydrants, pipes, or fixtures upon the premises of the Owner (ratepayer), nor for any obstructions or restrictions therein caused by frost or otherwise, nor for any damage resulting from the foregoing.
- Sec. 11 Out of the Fire district public water lines consist of lines running south of Fire Hydrant #13 at the bottom of Caron Circle.

There is a 6 inch line from here to the #14 Hydrant at the top of Caron Circle. This line was installed by directive of the Prudential Committee and complies with State codes. This line is maintained by the Water Department even though it is out of the District.

Neither the line extending further down South Windsor Street, or the line servicing Caron Circle, (both originating from Hydrant #14) were installed by directive of the Prudential

Committee, nor paid for by the Water Department, nor do they meet State Code. (the flushing hydrants at the end of each of these lines - on at 615 South Windsor Street and the other beside Hydrant #13 - were supplied by the Water Department.) These lines are not the responsibility of the Water Department to maintain, repair, or bring up to code. The Water Department is responsible for supplying portable water as far as Hydrant #14. From time to time the Water Department may choose to work on these lines to enhance the water quality (such as flushing) or an emergency repair. This is not to be construed as these lines being the property of, or the responsibility of, the Water Department.

Article VII— Service Connections

- Sec. 1 Prior to any service connection being made to a distribution main, a written water permit must be obtained from the Commissioners, or its designee. Any fee required and imposed by the RFD#1 against the applicant must be paid in full for an application to be deemed complete and subject to review. The applicant shall also be responsible for obtaining all local and state permits required prior to any excavation. The securing of final approvals of the project pursuant to this Ordinance does not remove the responsibility of the applicant from obtaining other applicable permits, such as public building permits, zoning permits, road access permits, etc. All applicants are advised to seek advice as to the compliance requirements of all applicable permits and to contact a regional permitting specialist at the Vermont Agency of Natural Resources to ascertain whether any State permits, or amendment thereto, are required.
- Sec. 2 The Property Owner shall construct the Building Service Line on new construction in conformance with the Vermont Standards for Water System Design, Construction and Protection, as amended, and local construction standards as adopted by the Commissioners. The cost of construction shall be borne by the Property Owner. Once installed, the responsibility for maintenance and repairs of the Building Service Line and all costs associated therein shall be borne by the Property Owner.
- Sec. 3 The Property Owner shall construct the Service Line (including curb stop) on new construction in conformance with the Vermont Standards for Water System Design, Construction and Protection, as amended, and local construction standards as adopted by the Commissioners. The cost of construction shall be borne by the Property Owner. Once installed, the responsibility for maintenance and repairs of the Service Line and all costs associated therein shall be borne by the Property Owner.
- Sec. 4 All costs and expenses incident to the installation, connection, repair and maintenance of the Service Connection shall be borne by the Property Owner. Where the work involved will or may disturb public property, a monetary deposit in an amount to be determined by the Commissioners shall be required. This deposit will be returned to the applicant upon satisfactory restoration of the disturbed area or facilities. If the area or facilities are not satisfactorily restored, the deposit shall be applied towards completing the work, and any

remaining money returned to the applicant. If the deposit is insufficient to complete the work the applicant shall be billed for the shortfall. The Property Owner shall indemnify the RFD#1 from any loss or damage that may directly or indirectly be occasioned by the installation of the Service Connection.

- Sec. 5 The RFD#1 shall utilize construction standards and specifications in conformity with the Vermont Standards for Water System Design, Construction, and Protection, as amended. Said standards will be administered by the Superintendent and/or his authorized agent(s).
- Sec. 6 The applicant is further responsible for ensuring the new service conforms with the Vermont Standards for Water System Design, Construction, and Protection, as amended.
- Sec 7 All materials and equipment used will conform to the Vermont Standards for Water System, Design, Construction, and Protection, as amended, and local construction standards as adopted by the Commissioners, or as approved by the Superintendent.
- Sec. 8 All construction activities within Town rights-of-way shall occur between April 1 and November 15, except as otherwise approved by the Commissioners.

Article VIII — Cross Connections Prohibited

- Sec. 1 A cross connection shall not be created without the approval of the Commissioners. If permitted, it shall be protected against backflow and/or back-siphonage, in accordance with accepted cross-connection control methods established by the Vermont Water Supply Division and set forth in the Vermont Standards for Water System, Design, Construction, and Protection, as amended. In addition, a connection capable of permitting backflow from any other source of water, any plumbing fixture, device, or appliance or from any waste outlet or pipe having direct connection to waste drains to the public water system is prohibited. If the owner of the building involving such a connection fails or refuses to eliminate or properly protect the cross connection within a time period established by the Commissioners, water service shall be discontinued.

Article XIX — Water Supply Emergencies

- Sec. 1 The Commissioners may prescribe emergency rules governing the supply and use of water as it may deem appropriate to accommodate such emergency. Such rules shall be adopted at any duly held meeting of the Commissioners. Any required notice of such meeting shall state that the Commissioners will consider adopting emergency rules governing the supply and use of water. Such rules shall be adopted by a majority vote of the Commissioners, shall be thereafter recorded in the minutes and posted in five (5) public locations within the Town and shall become effective immediately upon adoption. Such rules may remain in

effect for a period not to exceed ninety (90) days, unless again adopted in the manner set forth herein.

- Sec. 2 The RFD#1 shall not be liable for any injury, loss or damage of whatever nature occasioned by the failure to maintain a constant uniform pressure within the distribution mains leakage of hydrants, pipes, or other appurtenances or for damages occasioned by or growing out of a stoppage of said water by frost or other causes, or for damage occasioned by or growing out of an insufficient supply of the same, or for accident or damage of any kind caused by or growing out of the use or failure of said water.
- Sec. 3 The RFD#1 shall not be responsible for damage caused by dirty water, which may be occasioned by the cleaning of pipes or the opening and closing of gate valves or hydrants, when said work is done with reasonable care on the part of the RFD#1.
- Sec. 4 In case of a water quality emergency the RFD#1 accordance with Chapter 21 of the State of Vermont Environmental Protection Rules (“Chapter 21”), shall notify the consumer immediately. While the RFD# 1 is ultimately responsible for water quality to the “last tap” on the public water supply system, the last tap shall be considered the last point on the system where water enters into a building; credit shall not be issued for the minimal use of water that is not fit for consumption by human or animal. Water quality notices shall be lifted only after the requirements of Chapter 21 have been achieved.

Article X — Water Utility Acceptance Standards

- Sec. 1 All extensions of water mains and any additions and improvements to the public water supply system, with the exception of service connections, shall be eligible for acceptance as part of the public water supply system by the Commissioners when all of the following criteria have been complied with:
- Sec. 2 The installation must be within an existing or proposed right-of-way.
- Sec. 3 Prior to considering acceptance of any new water facilities into the public water supply system, the Water Department shall be furnished with three (3) sets of Record Drawings and one (I) set of reproducible Record Drawings. All Record Drawings shall be 24” x 36” in size and drawn to a 1” = 50’ or 1” 40’ scale. Also required are two sets of ties — service connections, valves, hydrants, curb stops, etc.
- Sec. 4 One (1) year from the date the new installation is placed in service, the Commissioners shall take action on whether or not to accept the new water line as part of the public water supply system. The developer or property owner must provide a deed to the RFD#1 along with the easements required by the Commissioners, for the water main and appurtenances prior to their final acceptance. However, it should be clearly understood that prior to acceptance, full responsibility for the maintenance and repair of the new main and its

related appurtenances, and all costs associated therein, shall be borne by and rest with the Owner(s).

Article XI— Fire Hydrants

- Sec. 1 Public fire hydrants are installed for the purpose of firefighting and, with the exception of the Water Department, Highway Department, Fire District or other qualified inspector, they shall not be tampered with, operated, or used in any manner whatsoever.
- Sec. 2 Fire hydrants may be installed by the RFD#1 within its legal and common right-of-ways as determined by the Superintendent for the safety and welfare of the RFD#1 residents and their property. The Superintendent shall consider an application for installation of fire hydrants by property owners, contractors, or developers and determine the feasibility of the same. The RFD#1 may require installation of fire hydrants by property owners, developers, or contractors when proposed new or expanded developments are planned.
- Sec. 3 The need for and installation of hydrants shall be determined by the Superintendent, after consultation with the property owner, contractor, or developer. Once installed and inspected, such hydrants, if acceptable, shall become the property and responsibility of the public water supply system. All costs incurred for the installation, testing, and inspection of such hydrants shall be borne by the property owner, contractor, or developer.
- Sec. 4 All public fire hydrants connected to any portion of the public water supply system shall become the property and responsibility of the RFD#1. If the RFD#1 must cut-off the supply of water from any of the RFD#1 hydrants in the RFD#1 district for repairs or other causes, immediate notice must be given to the Fire Chief and in his/her absence, the next highest-ranking officer. Notice shall be made to the same person when water supply is reconnected to the hydrant
- Sec. 5 No person shall obstruct the access to any fire hydrant by placing or permitting to be placed any article whatsoever which shall restrict or obstruct access to and use of the hydrant. No private vehicles shall be parked within six (6) feet of any fire hydrant.
- Sec. 6 A damage fee shall be charged the operator of any motor vehicle that shall cause any fire hydrant to be damaged or broken or otherwise rendered inoperative by reason of accident with said motor vehicle. In addition, said operator shall be liable for those costs of material, labor, and equipment required to return the hydrant to operable condition which exceed the damage fee.
- Sec. 7 The Water Department shall from time to time be required to flush the fire hydrants and its system in an effort to improve reliability and flush out impurities which may accumulate during non-use. Advance public notice of routine flushing operations shall be given whenever possible.

- Sec. 8 The Water Department shall from time to time make an inspection of fire hydrants belonging to them and keep them in good repair and working condition, except those shut off for repair. The Water Department shall perform such repairs without unnecessary delay. No person shall open or draw water from any hydrant except:
- a. Superintendent, or persons acting under his authority or direction;
 - b. Members of the Royalton Volunteer Fire Department or other Fire Departments, and then only in connection with providing fire services or in preparation or training for the provision thereof.

Article XII - Access by the Royalton Fire District#1

- Sec. 1 The Superintendent and other duly authorized representatives of the Water Department bearing proper credentials shall be permitted to enter all private properties for the purpose of but not limited to, inspection, observation, measurement, sampling, testing, repair and maintenance in accordance with the provisions of this Ordinance. No person shall deny access to an agent, employee or representative of the Water Department during normal working hours or times of emergency while such persons are in performance of their duties.
- Sec. 2 While performing the necessary work on properties referred to in Section 1 of this Article, the Superintendent or duly authorized representatives or agents of the RFD#1 shall observe all safety rules applicable to the premises established by the RFD#1. The RFD#1 shall be held harmless for injury or death to the RFD#1 representatives and the RFD#1 shall indemnify the RFD#1 against loss or damage to its property by RFD#1 representatives and against liability claims and demands for personal injury or property damage asserted against the RFD#1 and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company, its agents or employees, to maintain safe premises or conditions, as applicable.
- Sec. 3 The Superintendent and other duly authorized representatives of the RFD#1 bearing proper credentials and identification shall be permitted to enter all private properties through which the RFD#1 holds a duly negotiated easement for the purpose of, but not limited to, inspection, observation, measurement, sampling, testing, repair and maintenance of any portion of the water works lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.
- Sec. 4 The RFD#1 shall have the authority to inquire into any processes including metallurgical, chemical, oil, refining, ceramic, paper or other uses beyond the cellar stop that may have direct bearing on providing safe, potable water to its Owner (ratepayer)s.

Sec. 5 The Water Department may open the ground in any streets, avenues, highways and public grounds for the purpose of laying down, and repairing pipes, aqueducts, reservoirs, and appurtenances, as may be necessary for conducting the water and effectuating the purposes of this Ordinance. Such streets, lanes, avenues, highways and public grounds shall not be injured, but shall be left in as good condition as before the laying of such pipes, aqueducts, reservoirs and appurtenances.

Article XIII — Protection from Physical Damage

Sec. 1 If any person diverts the water or part there of any of the artesian wells, ponds, springs, streams, aqueducts, water courses or reservoirs, which shall be taken, used or constructed by the RFD#1, or shall corrupt the same, or make it impure, or commit any nuisance therein, or shall bathe therein, or within the limits, that may be taken or prescribed by the RFD#1, or injure or destroy any artesian well, dam, embankment, aqueduct, pipe, reservoir, conduit, hydrant, structure pump, machinery, appurtenance, equipment, or other property held, owned or used by the RFD#1, such person shall be liable to the RFD#1 in treble damages therefore, to be recovered in a civil action, and any such person on conviction of a violation hereunder shall be fined not exceeding one hundred (\$100.00) or committed to the commissioner of corrections not more than six months, or both.

Sec. 2 It shall be a violation of this Ordinance for any Owner (ratepayer) to violate the RFD#1s conservation notice or order.

Article X1V — Penalties

Sec. 1 This is a civil Ordinance and shall be enforced by the Superintendent, RFD#1's attorney, or other duly authorized designee of the Prudential Committee in accordance with 24 V.S.A. § 1974a et seq. Any violation of this Ordinance shall be punishable by a fine of not more than five hundred dollars (\$500.00). Each week the violation continues shall constitute a separate offense. RFD#1 reserves the right to institute any action for damages and declaratory and injunctive relief; whenever it deems such action to be appropriate. In any action for damages or injunctive relief against a Owner (ratepayer) in which the RFD#1 obtains judgment, the Owner (ratepayer) shall pay the RFD#1's court costs and attorney's fees, and such amount shall be added to any such judgment.

Sec. 2 In addition to any other remedies, the RFD#1 shall be empowered to disconnect water service to a Owner (ratepayer), after notice when payment of a valid bill or charge is delinquent as provided by 24 V.S.A Chapter 129. The RFD#1 shall administer the Articles of 24 V.S.A Chapter 129 as it deems in the best interest of the water system and its operation.

Article XV — Amendments

Sec. 1 The RFD#1, acting by and through its Prudential Committee or, in appropriate cases acting by and through its authorized representatives, may make amendments to the Ordinance in force that appear in their judgment to be necessary or in the best interest of the drinking water system and/or the RFD#1. If a petition is filed under 24 V.S.A. § 1973, that statute shall govern the taking effect of any amendments to this Ordinance.

Article XVI — Severability Clause

Sec. 1 If any section of this Ordinance is held by a court of competent jurisdiction to be invalid, such finding shall not invalidate any other part of this Ordinance.

Article XVII — Conflict

Sec. I If there is a conflict between the terms of this Ordinance and any other applicable regulation, bylaw, or ordinance, the stricter shall apply.

Article XVIII — Ordinance in Effect

Sec. 1 This Ordinance shall become effective sixty (60) days from the date of its adoption by the Board. If a petition is filed under 24 V.S.A. 1973, that statute shall govern the taking effect of this Ordinance duly enacted and ordained this _____ day of _____ by the RFD#1 of the Town of Royalton, County of Windsor, State of Vermont, at a duly called and duly held meeting of said Commissioners.

Addendum to the Public Drinking Water System Rules and Regulations:

Dual [2 water systems] in one unit shall not be allowed.

All building service lines shall have a hose bib with shutoff just after the meter to facilitate meter testing.

All curb stops shall be located off the road way, as well as the side walk area, at or above ground level for access. If this is not possible a gate valve riser and color coded cover shall be used with the curb stop riser inside. This alleviates the problem caused by frost lifting the curb stop and snow plows cleaning off the covers. This expense will normally be borne by the developer.

Higher than “Normal” water use [leaking toilets etc.] shall be the responsibility of the owner. In case of Meter dispute [accuracy] meter will be tested locally or sent to an outside certified tester to be checked for accuracy. If a meter in question is proven to be slow in accuracy, the owner’s bill may be adjusted accordingly, and the cost for testing will be borne by the requestor. If a meter in question is shown to be higher in accuracy, testing will be paid by R.F.D.#1 and the owner’s bill may be adjusted accordingly.

ATTESTED BY:

_____ Clerk

Royalton Fire District #1
Prudential Committee

_____ Chair

_____ Board
Member

_____ Board
Member

_____ Board
Member

_____ Board
Member

Resolution to Adopt the Royalton Fire District #1 Public Drinking Water System Construction Standards and Specifications on this _____ day of the construction standards and specifications contained in this document are hereby adopted by the Royalton Fire District #1, Prudential Board.

_____ Chair

_____ Board
Member

_____ Board
Member

_____ Board
Member_

_____ Board Member