



TOWN OF EDGARTOWN  
WATER DEPARTMENT  
58 KAVANAGH WAY • P. O. BOX 238  
EDGARTOWN, MASSACHUSETTS 02539

**\$1,000.00**

plus, cost for materials & labor billed after installation is complete. Additional cost for police detail if needed.

TELEPHONE  
(508) 627-4717  
FAX 627-9057

**APPLICATION FOR THE INSTALLATION OF A FIRE SPRINKLER  
DUCTICLE IRON SERVICE PIPE**

This application is for the installation of a fire sprinkler service pipe to a single residential, commercial or industrial property.

NAME OF APPLICANT: \_\_\_\_\_

NAME OF OWNER: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_

TELEPHONE NUMBER: (ISLAND) \_\_\_\_\_ (OFF-ISLAND) \_\_\_\_\_

STREET ADDRESS: \_\_\_\_\_

SERVICE LOCATION: Assessor's map # \_\_\_\_\_ Parcel # \_\_\_\_\_

DIAMETER OF FIRE SPRINKLER SERVICE PIPE: \_\_\_\_\_ inches.

As a condition for installing fire sprinkler service to the above location, ownership, maintenance and replacement of the property service pipe rests with the owner. Responsibility for the service pipe in the street rests with the Water Department.

There is a minimum of four weeks between the time the Water Department receives an application and the time at which the water pipe will be installed. It will be the applicant's responsibility to mark at the road/property line where it is desired that the water street service line be installed. This indication should be either a flagged stick or a spray painted mark on the road. If no indication is made, the Water Department will use its discretion with the placement of the line. No street service water pipe shall be installed within ten feet of any electrical transformer pad, handhold, telephone junction box, telephone pole, etc.

**The "On Property Service Line" is to be provided by the property owner. All the following requirements shall be complied with when installing a water service pipe on property. Fire sprinkler service will not be initiated if any of the following requirements are not met.**

1. Plot Plan or neat drawing to include: **EXAMPLE PROVIDED ON LAST PAGE**
  - a. House
  - b. Driveway
  - c. Septic system, leaching field and reserve area or the sewer lateral.
  - d. Proposed fire sprinkler service pipe placement.
  - e. Distance between proposed water service line and all other underground utilities including, but not limited to gas, cable, phone and electric services.
2. Service Lines:
  - a. The valve gate box (water shut-off) shall not be located in the driveway.

- b. Fire service pipe shall NOT be placed within five (5) feet of any other utility or within ten (10) feet of sanitary sewer drains, tanks or septic systems. When any part of the fire service line is located closer than 10 feet to any component of the septic system, leaching field or sewer lateral, it must be sleeved and inspected by a representative of the Water Department.
  - c. The fire sprinkler service shall maintain a minimum bury depth of 4 ½ feet and a maximum of 5 ½ feet in all directions. Sandy soil, NOT STONE, shall be placed around the pipe before back-filling.
  - d. **All new pipe installations must be inspected by the Water Department before backfilling the trench. A minimum of 24 hours notice is required for inspections. Appointments for trench inspections may be scheduled by calling the office of the Water Department.**
  - e. The design of the fire sprinkler line shall be that of a professional and qualified engineer and shall be a component of the fire sprinkler system's overall design.
  - f. Acceptable materials for fire sprinkler services shall include 200 p.s.i. polyethylene and class 52 ductile iron pipe.
3. All fire sprinkler system installations shall comply with Section 22 of the Drink Water Regulations of Massachusetts 310 CMR.
4. No connections to the sprinkler system other than fire sprinkler purposes are allowed.

No fire sprinkler service pipes will be installed in the following Town Ways between May 15<sup>th</sup> and September 15<sup>th</sup>: Main Street, Dock Street, South Water Street, South Summer Street, School Street, Church Street, North Summer Street, Robinson Road, Winter Street, Kelley Street, Mayhew Lane, North Water Street, Fuller Street, Morse Street, Daggett Street, Davis Lane, Cooke Street, Pease's Point Way (from Cottage Street to Katama Road).

As a condition for receiving fire sprinkler service, the owner agrees to pay the rates established, or as revised by the Water Department and to observe and be bound by its current rules and regulations or as amended. Billing for water service commences at the time of initiation of service, as posted on the Rate Schedule.

**PLEASE NOTE** once your application is received by the Water Department, you will be notified as to the approval/disapproval of said application. At such time, corrective details will be provided for application not meeting approval. **No construction is permitted until the applicant is notified of an approved application.**

THE UNDERSIGNED OWNER OR HIS/HER AGENT HAS READ, UNDERSTANDS AND AGREES TO THE TERMS OF THIS SERVICE APPLICATION.

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SIGNATURE

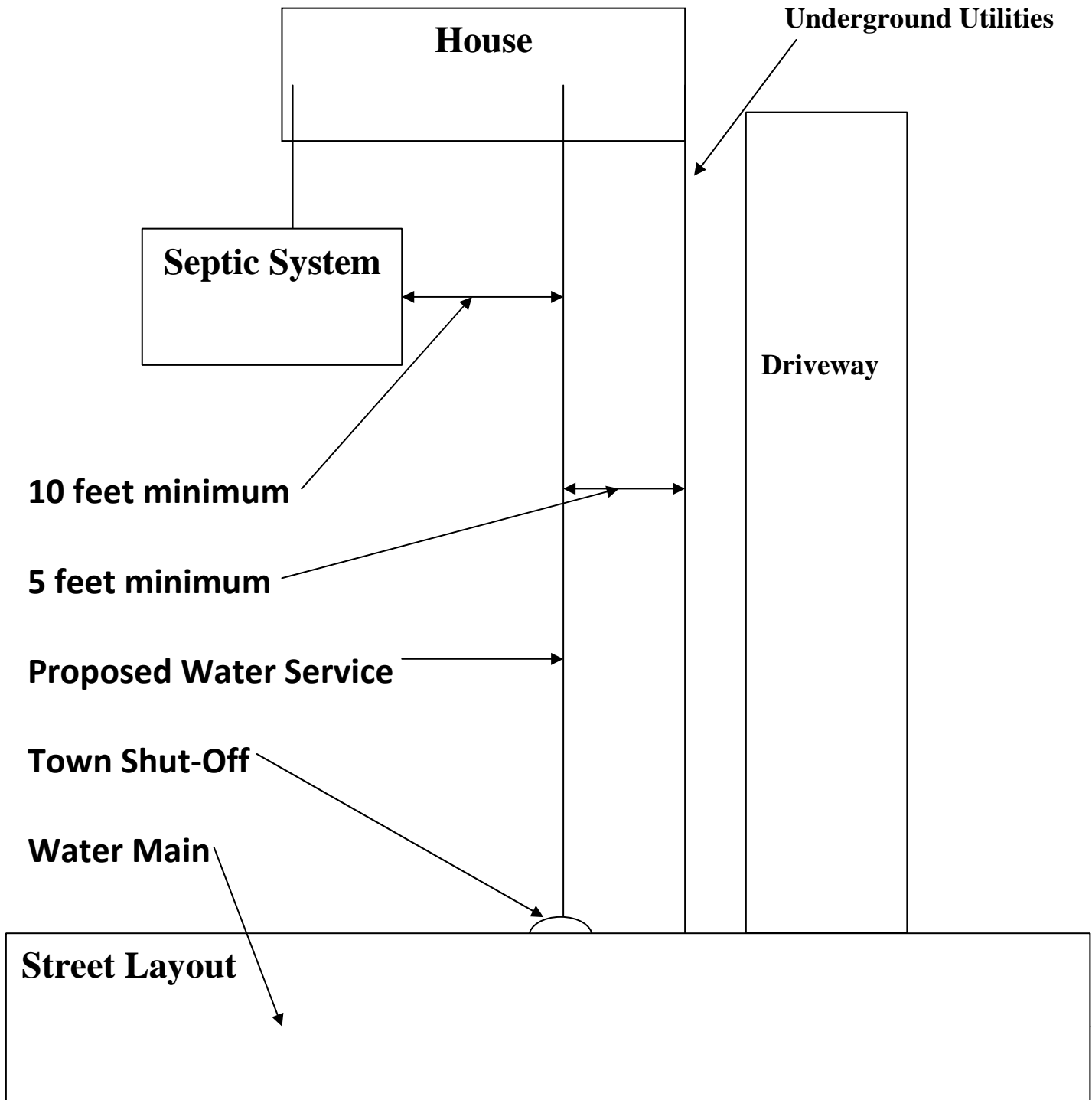
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DATE

Mail a check payable to Edgartown Water Department for \$1,000.00 to

P.O. Box 238 Edgartown, MA 02539.

## Town of Edgartown Proposed Water Service Plan (EXAMPLE)





TOWN OF EDGARTOWN  
WATER DEPARTMENT  
58 KAVANAGH WAY • P. O. BOX 238  
EDGARTOWN, MASSACHUSETTS 02539

TELEPHONE  
(508) 627-4717  
FAX 627-9057

My signature indicates that I have received, understand and will abide by these Rules and regulations in present form or as voted and approved by the Board of Water Commissioners at any future time.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## **RATES, RULES AND REGULATIONS**

ISSUED: August 19, 1981 (Edgartown Water Company)

EFFECTIVE: August 26, 1981 (Edgartown Water Company)

REVISED: September 1, 2002 (Edgartown Water Department)

REVISED: September 14, 2004 (Edgartown Water Department)

REVISED: January 11, 2005 (Edgartown Water Department)

REVISED: November 9, 2005 (Edgartown Water Department)

REVISED: August 7, 2006 (Edgartown Water Department)

REVISED: January 8, 2008 (Edgartown Water Department)

REVISED: September 22, 2009 (Edgartown Water Department)

REVISED: September 11, 2012 (Edgartown Water Department)

REVISED: May 21, 2014 (Edgartown Water Department)

REVISED: July 12, 2016 (Edgartown Water Department)

REVISED: August 9, 2016 (Edgartown Water Department)

REVISED: March 21, 2017 (Edgartown Water Department)

REVISED: April 11, 2017 (Edgartown Water Department)

REVISED: May 9, 2017 (Edgartown Water Department)

REVISED: June 13, 2017 (Edgartown Water Department)

REVISED: March 10, 2020 (Edgartown Water Department)

REVISED: November 8, 2022 (Edgartown Water Department)

REVISED: January 10, 2023 (Edgartown Water Department)

**EDGARTOWN WATER DEPARTMENT  
BOARD OF WATER COMMISSIONERS**

**DAVID BURKE  
JAMES E. KELLEHER  
SCOTT ELLIS**

## **RULES AND REGULATIONS**

### **APPLICATION FOR SERVICE**

1. All applications for water service must be made in writing and on a form provided by the Water Department. The application for service must be made by or on behalf of the property owner. Application is to include a sketch of the property including the house, proposed water service line (including appurtenances), all other utilities, driveway and all components of the sanitary sewer or collection system. The signature of the applicant must appear on the sketch. All applications must be reviewed and approved by the Water Superintendent or the Water Superintendent's designee.
2. No agreement will be entered into by the Department with any applicant until all arrears and charges due by the applicant at any premises now and heretofore occupied by them shall have been paid.
3. When accepted by the Department, the application shall constitute a contract between the Department and the applicant, obligating both parties to comply with the Rules and Regulations, and the rates in effect or as revised, approved and voted by the Board of Water Commissioners at any future time.
4. Applications for service installations will be accepted subject to there being an existing main in a street or right-of-way abutting the premises to be served. The contract in no way obligates the Department to extend its mains to service the premises under consideration.
5. When a prospective customer has made application for new service, or has applied for the reinstatement of an existing service, damage caused by any deficiency in the plumbing which the service will supply will be at the risk of the customer. The Department will be liable only for damages caused by its own negligence.
6. A System Connection Charge and Installation Charge for new service provided to commercial or residential premises shall be charged by the Department in accordance with the following schedule:

<u>Service Line Size and Installation</u>		(If required by the Department)
1" line	\$1,650.00	Plus additional cost for police detail or meter pit if required.
2" line (1" meter)	\$3,300.00	Plus additional cost for police detail or meter pit if required.
2" line (1 ½" meter)	\$3,600.00	Plus additional cost for police detail or meter pit if required.
(Includes connection charge)		

#### System Connection Charge (New existing service lines previously installed)

5/8 x ¾" meter	\$ 650.00
1" meter	\$1,200.00
1 ½" meter	\$1,500.00

## **SERVICE CONNECTIONS:**

7. Original service pipe and connections from the main to the customer's property shall be installed by the Department or under its designation at the expense of the customer. All service pipes shall have a minimum cover of four and one-half feet in all directions and a minimum diameter of one-inch copper tube size polyethylene rated at 200 p.s.i. All water service lines shall maintain a minimum separation from any other underground utility of five feet in all directions. All water service lines shall maintain a minimum separation of ten feet in all directions of any component of a sanitary sewer system. If a crossing situation should occur, the water service line shall pass over the sewer service, provided that a proper bury depth may be maintained. If the water service must pass under the sewer lateral, the water service shall be sleeved for a minimum of ten feet of the crossing point. Water service line shall not pass through leaching fields or reserve areas. If the water service line must lie within ten feet of any component of a sanitary sewer, the water service line shall be sleeved a minimum of ten feet from the encroachment. Where appropriate, water service shall pass through a sleeve installed in the foundation. To the extent not prescribed by State and Municipal regulations, materials and methods of construction shall be approved by the Department, and if the service has not been installed in accordance with the Department's reasonable requirements, water will not be turned on until the defects have been remedied.

8. The portion of the service pipe from main to curb valve shall be maintained or replaced as necessary by the Department at the Department's expense. Service pipe from the property line to the customer's premises will be maintained by the customer at their expense and in a manner satisfactory to the Department. No water service line shall be altered, replaced or modified without the advance notice to, and approval of the Department. Prior to approval the customer must provide a sketch of the property including the house, proposed water service line (including appurtenances), all other utilities, driveway and all components of the sanitary sewer or collection system. The signature of the applicant must appear on the sketch. All water service alterations must be reviewed and approved by the Water Superintendent or the Water Superintendent's designee.

9. Curb valves will not be used by the customer or their agent for turning on or shutting off the water supply. The customer's control of water supply shall be by means of a separate valve, located on the owner's property. Curb valves are for the exclusive right and use of the Department.

10. No service pipe shall be laid in the same trench with gas pipe, sewer pipe, electric or telephone wires or any other facility of a public service company, nor within 10 feet of any open excavation, tank, cesspool or vault.

11. On new installations or reinstallations of service lines, only one premise will be supplied through one service pipe. As used in the Rules and Regulations, the word "premise shall mean:

- a. A building under one roof owned by one customer and is occupied as a residence or place of business;
- b. A building or structure on a common parcel of land in addition to the primary premise that has a bedroom, bathroom and kitchen facilities;
- c. A building owned by one customer having a number of apartments, offices or lofts which are rented to tenants, and using in common one hall and one or more entrances, or
- d. A condominium association serving one or a combination of buildings in one common enclosure.

## METERED SERVICE

General. The Water Department owns and maintains all meters (with exception of additional meters as referred to in Rules and Regulations #13). For the purpose of these Rules and Regulations, the term “meter” shall include, but not be limited to, the meter, its registers, related wiring and / or any other related appurtenances. All services are required to be metered. The property owner shall be held responsible for damages to the water meter as a result of freezing, hot water or other external causes. When damage occurs, the Water Department will furnish and set another meter or repair the damaged meter. The cost of such repairs or replacement shall be charged to the owner on the basis of cost of materials and labor.

12. All water services shall be metered, and for each service the meter shall be of a design and size approved by the Water Superintendent or his designee. Meters shall read in gallons and shall have a radio read unit attached. The Water Department reserves the right to increase or decrease the size of the meter at any time, based on flow requirements. With the exception of additional meters as referred to in Rules and Regulations #13, ownership of the meter shall be at all times in the Department, and subject to the provisions of Section 15 hereof, the Department shall be responsible for maintenance of each meter at its own expense, except when damage is done through neglect or malice, or by freezing, steam, frost or hot water. In these cases, the cost of such repair or replacement will be borne to the property owner.

13. If any meter is required within the premises and in addition to the Department’s entrance meter, it shall be installed, maintained and read by and at the expense of the customer. Meter pit installations, if required, for irrigation sprinkler systems, swimming pools, additional buildings or other water using fixtures will be at the expense of the customer. The water customer at their expense may change existing plumbing to accommodate a single entrance meter, therefore eliminating the need for a meter pit installation. If an existing, single line services more than one existing dwelling, each dwelling is required to have its own entrance meter and will be invoiced accordingly as an individual account.

14. The quantity of water recorded by the meter shall be accepted as conclusive by both the customer and the Department, except when the meter has been found to be registering inaccurately, or has ceased to register. In any such case, the quantity may be determined by the average registration of the meter in a corresponding past three periods.

15. The Department reserves the right to remove and to test any meter at any time and to substitute another meter in its place. In the case of a disputed account involving a question as to the accuracy of the meter, such meter will be tested by the Department upon the request of the applicant. The fee for testing such meter will be at the actual cost or a minimum of ten dollars for meters one inch and smaller. Larger meters will be tested for cost, payable in advance of the test. In the event that the meter so tested is found to have an error to the detriment of the customer in excess of two percent at any rate of flow within normal test flow limits, the fee advanced for the testing will be refunded, and the current bill rendered based on the last reading of such meter shall be corrected accordingly.

16. Subject to the provisions of Section 13 hereof, the customer shall permit no one other than an agent of the Department to remove, inspect, replace, or tamper with the meter. As soon as it comes to their knowledge, the customer shall notify the Department of any injury to or malfunction of the meter. The property owner shall be responsible for free access to the meter by Water Department personnel within 72 hours. Failure to remove any obstructions preventing access, or refusing access to the meter within 72 hours shall constitute cause for termination of service until access is gained, and the meter restored to normal working order. An exception to this rule is in the specific case of a meter being drained for a seasonal customer. In this case, only a licensed plumber may remove and reinstall the water meter. Meters found to be installed incorrectly will be restored to normal working order by the Department. The Department will invoice the customer a service charge of \$50.00 to correct an inappropriately installed water meter.

17. A person who unlawfully and intentionally harms a meter; or hinders its proper operation; or attaches a pipe to a main or pipe belonging to the Town; or otherwise uses, or lets someone else use, Town water that does not pass through a meter *without the consent of the Town* can be fined up to \$100 and/or be imprisoned for up to a year, as provided for in Massachusetts General Laws Chapter 165, Section 11, “Intentional injury to or interference with meter; penalty”.



18. All meters are to have a ball valve immediately after the meter. Only meter setters provided by the Department may be used for meter installations. Meter setters are to be installed by a licensed plumber in a horizontal position, prior to any other plumbing fittings.

19. The property owner shall pay for all water passed through a meter for any reason. Under this section, the property owner may request a one-time abatement for relief from paying the full amount assessed by sending a written request for such abatement within sixty days of receipt of the invoice to the Board of Water Commissioners. Said request is to outline the specific circumstances and mitigating factors. The Board shall consider all requests for abatement on a case-by-case basis, with the abatement being calculated as follows:

- 1 Calculate the average of the three previous, similar billing cycles.
- 2 Subtract the value in step 1 from the total consumption of the present billing cycle. The remaining value is what is attributed to the leak / problem.
- 3 Abate 50% of the value calculated in step 2.
- 4 Calculate the new and adjusted amount and invoice the customer accordingly.
- 5 Delete the contested (original) invoice from customer and accounting files.

## **PAYMENT FOR SERVICE**

20. Bills for service will be rendered periodically in accordance with the "Term of Payment" noted on the Rate Schedules, and are payable at the office of the Department upon presentation.

21. All services physically connected to the water system with water supplied to the property line shall be considered "active" and assessed at the current billing rate, whether water is used or not. Minimum base charges will be assessed to all active accounts. Accounts may be made inactive after the demolition of the structure served. Should a customer wish to reactivate an account, they shall make application to the Department and pay the current connection fee.

22. Each bill for service will be rendered to the property owner of record (Town of Edgartown Assessor's and Collector's records), who will be held responsible for the payment of all invoices applied to the account.

23. If payment for water service in full is not made within forty-five days after the bill is received by the customer, the Department reserves the right to discontinue service in accordance with Water Department procedures. Bills for water merchandise and appliances and for water jobbing and repair work shall be rendered to the customer promptly after the merchandise and appliances are delivered or the jobbing and repair work has been completed. Such bills shall be due and payable when rendered; but if any such bills are not paid within forty-five days of the date rendered, the Department may charge interest on the amount thereof at an annual rate of 18%.

24. Whenever the customer desires to have their water service discontinued, they shall notify the Department in written form and pay a service charge of \$1,250.00 plus labor, materials and any other related expenses. Until the Department receives such notice, the customer shall be responsible for payment for service rendered by the Department, or as specified in Rules and Regulations # 21. The Department shall be allowed a reasonable amount of time after receipt of such notice to take a final reading and discontinue service. With the exception of any outstanding balances, the customer will not receive any further invoices. The service will be disconnected from the distribution system. Should the customer wish to restore water service to the property, they shall make application to the Department for a new water service and pay all applicable fees and charges.

## GENERAL

25. The Department is not liable for damages or inconveniences caused by the disruption in water service for unforeseen reasons or for reasons out of the control of the Department.
26. The Department is not liable for damages or inconveniences caused by discolored, rusty, tainted or cloudy water as a result of unforeseen reasons or for reasons out of the control of the Department.
27. All requests to present an issue to the Board of Water Commissioners must be in writing, include contact information and be received at the office of the Water Department no less than ten business days prior to the next, regularly scheduled Board of Water Commissioner's meeting. Requests to appear before the Board of Water Commissioners will be responded to in writing, indicating the date at time to appear.
28. All questions regarding legal issues of projects shall be directed to the Water Superintendent. The Water Superintendent shall provide the necessary information, or advise the proponent that the issue will be forwarded to Town Counsel for review and comment. Town Counsel shall not be directly contacted without the knowledge of the Water Superintendent. All legal fees incurred by this Department pertaining to the application for water service, water main extensions or construction projects will be assessed to the proponent and shall be collected in full prior to the activation of any water services or connections to the water system.
29. The property owner must keep pipes and fixtures in good repair at his/her expense; and further, the property owner shall be held liable for any damage resulting from failure to do so, including but not limited to damage resulting from neglect or malice, or by freezing, steam, frost or hot water.
30. Water service may be disconnected upon reasonable notice for any one of the following reasons:
- a) Willful waste of water.
  - b) Tampering with meters or meter seals.
  - c) Property vacant, furnishings removed and whereabouts of the owner are unknown.
  - d) Cross-connecting Water Department service with any other supply source.
  - e) Refusal of reasonable access to property or to meter.
  - f) Failure to correct leakage within 10 days of being notified by the Department.
31. When water has been turned off for the reasons as outlined in Rules and Regulations # 26, or because of an unpaid bill, or upon the order of the customer, a charge will be made for restoring service in the amount of the actual cost of turning on the water; provided that there shall be a minimum restoration charge of twenty-five dollars.
32. The Department will not permit its mains or service pipes to be connected with any other source of supply, nor will the Department permit its mains or service pipes to be connected in any way to any pipes, tanks, vats or other apparatus which contains liquid chemicals or other pollution which can flow back into the Department's mains and consequently endanger the Town's water supply.
33. Any authorized agent of the Department shall have the right of access at all reasonable hours to the premises supplied with water for the purpose of reading meters, examining fixtures and pipes, observing the manner of using water, or for any other Department business.
34. The Department shall have the right to cut off the water supply to make repairs, changes or connections to its mains and other equipment. The Department will use reasonable efforts to notify the customers in advance of such discontinuance of service but in time of emergency may not be able to do so.
35. The use of running water without permission to prevent freezing will not be permitted unless approved by the Department.

36. The Department shall not be liable for any damage or inconvenience suffered by the customer as a result of damage done by the property owner through neglect or malice, or by freezing, steam, frost or hot water. The cost of such repair will be borne by the property owner. And further, the Department shall not be liable for any damage or inconvenience suffered by the customer as a result of any cause beyond the Department's control. The Department shall have the right to reserve a sufficient supply of water at all times to provide for fire or any other emergencies, and may restrict or regulate the use of water by its customers in case of scarcity or whenever the public welfare may require it.

37. The Edgartown Water Department will accept only 8-inch, 12-inch or 16-inch water main for hydrants and other appurtenances, with the only exceptions being in the case of granting of a variance both approved by the Water Superintendent and duly voted by the Board of Water Commissioners.

38. The Edgartown Water Department will accept only 1 – inch or 2 – inch copper tubing size (CTS) polyethylene water service lines without exception. Service line material shall be 200 p.s.i. rating.

39. When a plumber, agent or customer misses a scheduled appointment, the customer will be charged \$45.00 for each missed appointment.

#### **FIRE HYDRANT SERVICE:**

40. The cost of relocation of fire hydrants shall be borne by the individual requesting the relocation. The Department will review each individual request and approve the relocation if it is determined that the water system will not be compromised. The Department reserves the right to relocate fire hydrants at any time and for any reason it determines the relocation is in the best interest of the water system.

41. Water from fire hydrants or other fire protection systems shall be used only for fire protection purposes, except that water from public fire hydrants may be used in a reasonable amount and at such times as the Department may permit, for the purpose of testing fire hydrants and firefighting apparatus. Such tests to be conducted only by the properly authorized agents or employees of the municipality served and after consent of the Department has been obtained. Without specific permission from the Department, no pumps will be permitted to be connected with water pipes so as to draw water except for firefighting purposes.

#### **SERVICE TO NEW AREAS AND SUBSEQUENT USERS:**

42. The developer of a real estate subdivision shall pay the cost of a new water main to reach a subdivision from an existing main and for the main and fire hydrants necessary to service the subdivision internally. An individual will likewise be required to pay the cost of extending an existing main to reach their property. Unless determined otherwise by the Department, the extension shall terminate with a fire hydrant, extend to the furthest property line of the proponent and conform to all applicable water main extension procedures in place. The design of all water main extensions shall be required to meet the approval of the Department. Title to such extension will vest with the Department; the Department reserves the right to interconnect these connections with any other main and to supply any other customer.

43. All proposed water main construction projects that are on property owned by the Town of Edgartown or within the confines of a layout of a road accepted and owned by the Town of Edgartown shall be performed by the Department unless the Department determines otherwise.

44. Recorded easements are required to be provided to the Department prior to the construction of the continuation of the municipal water system encroaching on or through any private property or properties. Easements are to conform specifically to the approved format of the Department.

## **Definitions:**

The following terms, as used in the Regulations, shall have the following meanings:

- a. “Department”, Edgartown Water Department.
- b. “Customer”, any user of water who is also the owner of the property receiving the service.
- c. “Residential Customer”, any user of water whose property is used exclusively as a dwelling place with three or less rental units therein. Apartment units within an apartment building or attached to a commercial customer shall be considered separate residential units.
- d. “Commercial Customer”, any user of water whose property is used for commerce, trade, or profit-making purposes, including those properties which have greater than three rental units therein.

## **CROSS CONNECTION BYLAW**

No cross connection shall be installed, maintained, permitted or otherwise authorized between the Town of Edgartown Water Supply System and/or any unapproved source or system, unless such connection has been approved by the Edgartown Water Department and/or the Massachusetts Department of Environmental Protection. When necessary, a backflow prevention device approved by the Edgartown Water Department and/or the Massachusetts Department of Environmental Protection, shall be installed. Failure to comply with orders issued by the Edgartown Water Department and/or the Massachusetts Department of Environmental Protection to abate cross connections will result in termination of water service. No treatment shall be added to the water supplied by the Town unless authorized by the Edgartown Water Department.

## **WATER RESTRICTION BYLAW**

### **Section 1 Authority**

This By-law is adopted by the Town of Edgartown under its police powers pursuant to the Home Rule Amendment of the Massachusetts Constitution, Article LXXXIX, to protect public health and welfare and its powers pursuant to M.G.L. c. 40, §§21 et seq. and implements the Town’s authority to regulate water use pursuant to M.G.L. c. 41, §69 B. This By-law also implements the Town’s authority under M.G.L. c. 40, §41A, conditioned upon a declaration of water supply emergency issued by the Department of Environmental Protection.

### **Section 2 Purpose**

The purpose of this by-law is to protect, preserve and maintain the public health, safety and welfare whenever there is in force a State of Water Supply Conservation or State of Water Supply Emergency by providing for enforcement of any duly imposed restrictions, requirements, provisions or conditions imposed by the Edgartown Water Department or by the Department of Environmental Protection.

### **Section 3 Definitions**

Agriculture shall mean farming in all its branches and agriculture, as defined at M.G.L. c. 128, §1A.

Outdoor watering shall mean any residential, municipal, industrial or commercial watering of decorative lawns, trees and shrubbery.

Person shall mean any individual, corporation trust, partnership, association, agency or authority, or other entity and any officer, employee, group or agent of such persons.

State of Water Supply Emergency shall mean a State of Water Supply Emergency declared by the Department of Environmental Protection under M.G.L. c. 21G, §15 – 17.

State of Water Supply Conservation shall mean a State of Water Supply Conservation declared by the Edgartown Water Department pursuant to section 4 of this by-law.

Water users or Water Consumers shall mean all persons using water from the Town’s public water source irrespective of that person’s responsibility for billing purposed for the use of water.

#### **Section 4 Declaration of a State of Water Supply Conservation**

The Town, through its Board of Water Commissioners, may declare a State of Water Supply Conservation upon a determination by a majority vote of the Board that a shortage of water exists of such a degree that conservation measures are appropriate to ensure an adequate supply of water to all after consumers. Public notice of a State of Water Supply Conservation shall be given under section 6 of this by-law before it may be enforced.

#### **Section 5 Restricted Water Uses**

A declaration of a State of Water Supply Conservation shall include one or more of the following restrictions, conditions or requirements limiting the use of water as necessary to protect the water supply except as provided in Section 11. The applicable restrictions, conditions or requirements shall be included in the public notice required under Section 6.

a) Odd / Even Day Outdoor Watering: Outdoor watering on property having an odd numbered address is restricted to odd numbered days. Outdoor water on property having an even numbered address is restricted to even numbered days.

Or

Off-Peak outdoor Watering: Outdoor watering is limited to between the hours of 4:00 a.m. to 7:00 a.m. Monday, Tuesday, Wednesday, Thursday and Friday.

b) Outdoor Watering Method Restriction: Outdoor watering is restricted to bucket, can or handheld hose watering with automatic shutoff nozzle.

c) Outdoor Watering Ban: Outdoor watering is prohibited.

d) Outdoor Watering Hours: Outdoor watering is permitted only during daily periods of low demand, to be specified in the declaration of a State of Water Supply Conservation and public notice thereof.

e) Swimming Pools: Filling and topping off of swimming pools is prohibited.

f) Automatic Sprinkler Use: The use of automatic sprinkler systems is prohibited.

g) Car Washing: Car or vehicle washing is prohibited.

#### **Section 6 Public Notification of a State of Water Supply Conservation and State of Water Supply Emergency; Notification of MassDEP.**

Notification of any provision, including any restriction, requirement or condition imposed by the Edgartown Water Department as part of a State of Water Supply Conservation shall be published in a newspaper of general circulation within the Town, or by such other means reasonably calculated to reach and inform all users of water of the State of Water Supply Conservation. Notification of a State of Water Supply Emergency declared by the Edgartown Water Department shall be provided by furnishing a copy of the Notice to radio and television stations serving the area served by the public water system as soon as possible, but no later than 48 hours after the public water system receives notice of the Water Department's declaration. Any restriction imposed under section 5 or in the Department declaration of emergency or Order shall not be effective until such notification is provided. Notification of the State of Water Supply Conservation shall also be provided to the Massachusetts Department of Environmental Protection at the same time that notification is given.

#### **Section 7 Termination of a State of Water Supply Conservation; Notice**

A State of Water Supply Conservation may be terminated by a majority vote of the Board of Water Commissioners upon a determination that the water supply shortage no longer exists. Public notification of the termination for a State of Water Supply Conservation shall be given in the same manner as is required for notice of the Town's declaration of its State of Water Supply Conservation.

### **Section 8 State of Water Supply Emergency; Compliance with MassDEP Orders**

Upon notification to the public that a declaration of a State of Water Supply Emergency has been issued by the Department of Environmental Protection, no person shall violate any provision, restriction, requirement, condition of any order approved or issued by the Department for the purpose of bringing about an end to the State of Water Supply Emergency. The notice prescribed by this section shall be in writing and shall be published once in a newspaper of general circulation within the town where it is to be effective. Such notice shall summarize the provisions of the Declaration of Water Supply Emergency and the requirements and conditions thereof. Notice as prescribed by this section shall be sufficient for enforcement of the requirements of such Declaration on and after the date following newspaper publication.

### **Section 9 Penalties**

The Town, through its water commissioners, water superintendent, building inspector or local police may enforce this by-law. Any person violating this by-law shall be liable to the Edgartown Water Department in the amount of \$50.00 for the first violation and \$100.00 for each subsequent. Fines shall be recovered by indictment, or on complaint before the District Court, or by non-criminal disposition in accordance with section 21D of chapter 40 of the general laws. Any person with more than 4 continuous repeated violations of this by-law shall have the water terminated and be liable to the Edgartown Water Department in the amount of \$300.00 for such infraction before water service can be reinstated.

### **Section 10 Severability**

The invalidity of any portion or provision of this by-law shall not invalidate any other portion or provision thereof.

### **Section 11 Exemptions**

The water use restrictions adopted under this by-law shall not apply to the specific uses outlined below provided the user meets any applicable eligibility criteria. The Department suggests that municipalities develop a specific procedure for granting those exemptions:

- a. Commercial agriculture;
- b. Water to sustain animal life;
- c. Swimming pools used as a primary means of exercise, therapy or rehabilitation located at a medical or rehabilitation facility;

In granting exemptions, the Edgartown Water Commissioners shall determine whether the user being granted the exemption is using the water efficiently. The Water Commissioners may condition exemptions to include specific conservation measures.

## **RATE A**

### **METERED RATE**

**AVAILABLE** for each premise for residential, industrial, commercial and municipal use without time limitation.

### **RATES:**

1 to 50,000 gallons	\$2.10 per thousand gallons
over 50,000 gallons	\$2.36 per thousand gallons

### **MINIMUM CHARGE (BASED ON METER SIZE):**

5/8" x 3/4" meter	\$150.00 semi-annual
3/4" x 3/4" meter	\$187.50 semi-annual
1" meter	\$375.00 semi-annual
1 1/2" meter	\$750.00 semi-annual

### **CONTRACTOR:**

Contractors requiring water service shall pay all costs of making hydrants or other connections to the water system, including the cost of installing a water meter. The Department reserves the right to collect estimated cost and the minimum charge for one quarter before turning on the water.

### **METERS:**

Except as provided otherwise contractors, one meter will be furnished, set, removed and stored at the Department's expense. Additional meters will be furnished and handled at the customer's expense.

### **PIPING:**

Any piping necessary on the customer's property will be done at the customer's expense.

### **BILLING DATE:**

Meters will be read semi-annually. Bills will be due and payable on October 15<sup>th</sup> and April 15<sup>th</sup> for the water usage of the previous six months. However, the Water Department reserves the right to bill at its option quarterly or semi-annually.

**TERMS AND CONDITIONS** of service as provided in sheets 1 through 7.

## **RATE B**

### **PRIVATE FIRE PROTECTION**

**AVAILABLE** for all customers requiring private hydrants or sprinkler heads located on their premises.

#### **RATES:**

Fire hydrants owned by the customer and directly connected to the mains of the Department (each)	\$326.50 per year
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#### **FIRE HYDRANTS OR SPRINKLER HEADS:**

On each 1" fire service	\$81.63 per year
On each 2" fire service	\$163.25 per year
On each 4" fire service	\$326.50 per year
On each 6" fire service	\$653.00 per year
On each 8" fire service	\$1306.00 per year

#### **BILLING DATE:**

Bills will be due and payable on October 15<sup>th</sup> and April 15<sup>th</sup> for service of the previous six months. However, the Water Department reserves the right to bill at its option quarterly or semi-annually.

**TERMS AND CONDITIONS** of service as provided in sheets 1 through 7.



## **RATE C**

### **PUBLIC FIRE PROTECTION**

#### **RATES:**

For each public fire hydrant owned by the Department and for each inch-foot of the Department's transmission and distribution mains of a size 6 inches and larger rendering public fire protection service, the following charges shall apply:

For each public fire hydrant	\$65.00	per year
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For each inch-foot of transmission and distribution

Main of a size 6 inches and larger	\$ .028199	per year
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#### **BILLING DATE:**

Bills will be rendered semi-annually in arrears and will be due and payable when presented. However, the Department reserves the right to bill at its option quarterly in arrears.

**TERMS AND CONDITIONS** of service as provided in sheets 1 through 7.

The contents of these Rules and Regulations may be revised, amended, expanded or omitted at any time, in part or in whole, subject to the majority vote of the Board of Water Commissioners, and shall be in effect as the motion carries and shall supersede any and all preceding Rules and Regulations.