

## CHAPTER 14: WATER SYSTEM MANAGEMENT AND USE

**SECTION 1401: APPLICABILITY.** Any person obtaining water from the Village of Essex Junction shall agree to the following regulations and such other regulations as the Village may establish to manage the water system.

### **SECTION 1402: APPLICATIONS**

A. The applicant must state fully and truly the purposes for which the water shall be required, and shall agree to conform to these regulations. No person supplied with water from the Village mains will be entitled to use it for any purpose other than those stated on the application. Application for any other water use shall require a separate permit application.

B. The owner of record shall be responsible for any permit issued or work completed under the provisions of this Chapter. The owner shall keep the Village advised of the address to which bills, notices, and other communications are to be delivered. The owner of the premises shall be held responsible for all water payments. A change of tenants or premises will not relieve the owners from the payment of a back bill.

**SECTION 1403: METER REQUIREMENTS.** Under no circumstances are plumbers or persons other than those authorized by the Village permitted to turn water on or off at the meter. The water will not in any instance be turned on to any premises for use until a meter has been suitably attached as provided herein.

### **SECTION 1404: WATER DAMAGE.**

A. All persons taking water must keep the fixtures and service pipe within their own premises in good repair and fully protected from frost and must prevent unnecessary leakage of water. The Village shall not be liable for leakage of hydrants, pipes or fixtures upon the premises of the consumer, nor from any obstructions therein by freezing or otherwise, nor for damages resulting from any of the foregoing causes. All leaks that are on the building side of the curb stop will be repaired at the private owners' cost.

B. The Village shall not be liable for any injury, loss or damage of whatever nature occasioned by the failure to maintain a constant or uniform pressure in the water mains, or for damages occasioned by or growing out of a stoppage of said water by frost or other cause, 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.

**SECTION 1405: DISCONTINUATION.** When the owner desires to discontinue the use of water, notice must be given to the Village. Water rates will be collected for all water used until the water is shut off at the curb stop.

**SECTION 1406: ABATEMENT.** No abatement of water rates will be allowed by reason of disuse or diminished use, or vacancy of premises, unless notice is given to the Village previous to the change. No refunds or abatements shall be made for any of the reasons specified in Section 1404.

**SECTION 1407: WATER USAGE.** No person shall give away or use water for any purpose other than that for which payment has been made. No person shall, in any way, pollute the waters of any collecting basin, or reservoir, or in any way interfere or meddle with, or obstruct access to any stopcocks or hydrants or other appurtenances of the Village water system.

**SECTION 1408: FIRE HYDRANTS.** The Village shall, from time to time, examine Village fire hydrants. Except when shut off for repairs, all hydrants shall be kept in working order, and all defective hydrants shall be repaired without unnecessary delay. No person shall open any hydrant or draw water there from except the Village or persons under their direction or the officers of the Fire Department and members of the fire companies under their direction for fire purposes.

**SECTION 1409: WATER METERS.** All residential meters shall be furnished by the Village and the meters shall be placed in a manner as may be satisfactory to the Village. The type, make and size of the meters shall be as the Village may prescribe and approve. The costs of any damage to the meters by frost, hot water, improper usage or neglect shall be paid by the property owners including removal and reinstallation. In no case shall the Village furnish water through any meter of which they do not have exclusive control.

**SECTION 1410: MULTIPLE USE OF METERS.** If different parties occupy the same building or premises and are supplied from the same service pipe or meter, all the occupants will have the water cut off for the failure of any one of the consumers to pay their bill. There shall not be two or more services on one meter except where permitted by the Village.

**SECTION 1411: METER FAILURES.** If, from any cause, a meter fails to register the amount of water passing through it, the consumer will be charged the average daily rate as shown by the meter when in working order.

**SECTION 1412: WATER METER CONNECTIONS.** Users of meters must connect all water-using fixtures on their premises with their meters in such a manner that all water used will be measured. All water passing through meters must be paid for, whether used or wasted. All meters must be set under the direction of the Village and shall not be moved or disturbed without permission. The use of water through a meter so that the meter will not, in the opinion of the Village, accurately measure water usage will not be allowed. In such cases the Village shall cause the meter or meters to be placed on such service to accurately measure water usage.

**SECTION 1413: PAYMENT.** Payment shall be due within (30) thirty days of the mailing date.

**SECTION 1414: DELINQUENT PAYMENTS.** If payment is not received within (30) days from the due date, they are subject a (5) five percent penalty. Disconnections shall be pursuant to VSA Title 24 Chapter 129, Uniform Water and Sewer Disconnect.

**SECTION 1415: OTHER VILLAGE RIGHTS.** The Village is granted the following right:

A. To permit water to run in exposed places at such times and in such quantities as they may direct.

- B. To shut off the water for repairs at any time.
- C. To change the regulations and rates.
- D. To adopt temporary regulations as needed for emergencies.

#### **SECTION 1416: WATER SUPPLY**

A. Off-Site. All new development (residential, commercial and industrial) must be directly connected to a public water main. The developer is required to provide such facilities as may be necessary. The developer may be required by the Planning Commission to provide or to have installed at his/her expense, larger water lines, meters, and other facilities outside the development, if the water service would otherwise be inadequate.

B. Exception. An exception may be granted by Village Trustees for the development of one single-family residence, commercial or light industrial use if the applicant meets all of the following requirements:

1. The lot to be developed is more than 1,000' from an existing public water line having capacity to serve those lots, or that there are unique physical conditions that prohibit or severely restrict the connection to a public sewer; for example, class one or two wetlands, steep slopes in excess of 20%, ledge material.
2. Each lot has a minimum area of 3 acres.
3. Facilities will be designed and installed as specified in all applicable Village and State regulations and standards.

Whenever an existing private water supply fails, as determined by the Health Officer, the property owner(s), at their expense, will be required to connect to the public water main within 90 days, unless the property owner receives an exception from the Trustees and complies with all of the following requirements:

1. The lot is more than 300 feet from a public right of way with an existing public water main having capacity to serve the use in question, or that there are unique physical conditions that prohibit or severely restrict the connection to a public sewer, for example, class one or two wetlands, steep slope in excess of 20%, ledge material; and
2. Facilities will be designed and installed as specified in all applicable Village and State regulations and standards.

C. Private Water Lines. Private water lines may be approved and connections to existing private water lines may be approved, if the following conditions are met:

1. A private water line shall serve no more than three (3) separate users. A homeowners association can be considered one user if proper documentation is submitted and approved by the Village for the maintenance of the private water line.
2. The private water line shall be located within an easement granted to the Village providing access to the line and absolving the Village of all maintenance responsibilities.
3. Curb stops shall be provided for each user connection.
4. A water meter shall be installed at each user structure by the Village in conformance with this Chapter.

5. Written permission for the new connection is obtained from all property owners connected to the line.
6. The water line shall be designed by a professional engineer licensed to practice in Vermont.
7. The engineer shall provide plans showing the accurate location of the existing main, all laterals, and the size and type of piping. The engineer shall certify that the existing private water line can provide sufficient water at adequate pressure to all current and proposed connections to the line. After construction of the line, pressure and disinfection testing records shall be submitted to the Village along with the design Engineer's certification that the work was completed in accordance with the approved plans.
8. The Village will have the authority to require any necessary repairs to private water lines (including the connection to the Village main). All lines from the main to the building are private. If the private owner refuses to repair the line when requested to do so by the Village Engineer, the Village can contract for these repairs and bill the private owner for all actual costs. These charges will become part of the water bill.

D. Construction Drawings and Technical Specifications. Details of proposed connections with the existing public system or adequate provisions for an on-site water system shall be submitted. If an on-site water system is proposed, the locations and results of tests to ascertain subsurface soils, rock and groundwater conditions shall be provided. All tests and design criteria shall conform to applicable State and local regulations or standards.

**SECTION 1417: PENALTIES.** Any person violating any of the above rules will be liable for a fine. Any person convicted of vandalism to property under this Chapter shall pay treble damage costs.