

RULES AND REGULATIONS
THE WEST NECK WATER DISTRICT
of the
TOWN OF SHELTER ISLAND
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I. INTRODUCTION

In parts of the West Neck and Stearns Point Road area of Shelter Island, mica in the soil interfered with the effective operation of private well pumps. Beginning in the late 1960s, William Payne, whose well on West Neck Road produced potable water, began to provide water to some of his neighbors. Over time, other families in the area took advantage of his generosity and he hooked them up to his growing system. By 1980, the Payne water was referred to as "town water," although the Town of Shelter Island had nothing to do with it. The number of customers had increased to 52 families and small businesses.

Early in the 1990s, as Bill Payne grew older and less inclined to suffer the rigors of repair and maintenance of the system, he made it known that he would like to divest himself of the water business. Various options were explored and considered by the customers of what was, by then, called West Neck Water. Principal among them was to have the system taken over by the Suffolk County Water Authority. The only viable alternative was for the Town of Shelter Island to facilitate the operation of the system which would be headed by a Board of Directors. These options were put to a vote. On November 8, 1994, Island residents rejected Suffolk County Water Authority and voted, rather, for "home rule." In July of 1994, the Town assumed responsibility for the operation of the system and created a special water district. On February 29, 1996, a 5-member Board was duly elected by West Neck Water customers. This Board included the Town Supervisor, John Hallman, an Island water expert, and three representatives of the customers. Subsequently, the Board make-up was modified and approved to be all five members representing the customers with Mr. Hallman as paid manager of the system and the Town Supervisor serving as the liaison to the Town Board.

It is understood that all operating costs of the West Neck Water District will be borne by the customers. The Town may facilitate the acquisition of loans or municipal bonds but the Town and its other residents will bear no financial burden or responsibility for West Neck Water or its customers.

These Rules and Regulations are designed to provide guidance to the District customers and for the efficient operation of the District so that the District may fairly serve the needs of its customers without prejudice to any and for the protection of all. These Rules and Regulations are also designed to foster respect for usage of water by customers understanding that conservation is a key to future sustainability.

II GENERAL INFORMATION

A. Definitions

1. **Rules and Regulations** - These Rules and Regulations shall be known and may be cited as the "Rules and Regulations of the West Neck Water District" or "Rules."
2. **District or Water District** - The words "District" or "Water District," whenever used with the Ordinances, shall refer to the West Neck Water District, Town of Shelter Island, Suffolk County, State of New York, established pursuant to Town Law, Section 198.
3. **Board and Town Board** - The word "Board" when used within these Ordinances shall be understood to refer to the West Neck Water District Advisory Board and the "Town Board" shall refer to the Town Board of the Town of Shelter Island, County of Suffolk, State of New York.
4. **Customer or Owner** - The words "customer" or "owner" shall refer to the owner of real property being serviced by the West Neck Water District.
5. **Permit** - The word "permit" means any grant of authority by the West Neck Water District or any other municipality or government agency having jurisdiction over any of the matters affecting the operation of the Water District or affecting any of the matters set forth herein.
6. **License.**— The word "license" shall be deemed to be all authorization or permission to exercise the right to perform any work within the West Neck Water District subject, however, to regulations of the Town of Shelter Island and the Rules and Regulations of the West Neck Water District and any other municipality having jurisdiction thereof.
7. **Temporary** - The words "temporary," "temporary installation," "temporary service," "temporary permit," or "temporary license" shall include any installation, service, permit or license not intended to be continued in operation for a period of more than twelve months.
8. **Permanent** - The words "permanent," "permanent installation," "permanent services," "permanent permits," or "permanent licenses" shall include all other installations, services and, permits or licenses authorized by the District that are not temporary in nature.
9. **Approved** - The words "approved," "approved equal," or "equal" shall mean all approved devices, methods, etc., that the District deems is in its best interest.
10. **Water Main** - The words "water main," "distribution main" or "main" shall refer to the water mains in the distribution system of the District which are generally located in the street or easements and utilized to transmit water to the fire hydrants and/or to the customers' water service lines.

11. **Water Service** — The words "customer water service line," "water service line," "service line," "water service pipe," "water service" or "service pipe" shall refer to the pipe running from the corporation stop, wet-cut or cut-in in the District distribution main, thence to the plumbing within the premises of the customer.
12. **Receiver of Taxes** — The words "Receiver of Taxes," or "Tax Receiver" may refer to the Receiver of Taxes of the Town of Shelter Island, P.O. Box 970, Shelter Island, New York, 11964.

B. Rules and Regulations

1. The following are the **Rules and Regulations** established pursuant to law by the West Neck Water District, a municipal water district, created and administered by the Town Board of the Town of Shelter Island, Suffolk County, New York, and said Rules and Regulations are considered a part of the contract with persons, corporations or other consumers taking and using water furnished by the District. These Rules and Regulations should be read carefully and preserved for future reference.
2. **Registered Plumbers** - All installation, repairs and additions to the water supply system must be performed by plumbers duly registered by Suffolk County and the Town of Shelter Island.
3. **District Employees**
 - a. **Access** - All meter readers and plant operators will be granted reasonable access to meters which are located on customer property.
 - b. **Qualified Employees** - The District employs water treatment operators and maintenance men to work on its properties. All water treatment operators are certified by the New York State Department of Health. These operators must attend and successfully complete various courses every four (4) years to maintain their certification. Loss of certification is loss of their job. The District is an active participant in the Long Island Water Conference and the American Water Works Association, in an effort to maintain its employees' skills.
4. **Water Charges** — Owners of premises where water is used shall be held responsible for the water charges which they or their tenants incur. Billing and charges shall be as set forth in section VII. *Water Charges, Fees, Assessments and Penalties*. In cases where property is conveyed or transferred, the new owner shall be responsible for all unpaid water charges of the former owner or tenants.
5. **Conveyance of Property** — West Neck Water requires that it be notified by the owner of property within the District when there is an intent to convey and, subsequently, to be notified of such conveyance with the name and address of the party to whom the property

is conveyed. At that time, the change in ownership shall be noted in the records of the District.

6. **Customers Responsibility** — Customers must keep their own water pipes, including service pipes and fixtures connected therewith, in good repair and protected from frost at their own expense. Damage to water meters due to freezing shall be repaired by the district at the owner's expense. Should a situation arise when the Board suspects uncontrolled water usage, either from leaks in the system on Customer property or from flagrant over-use of water, the Board may require the customer to show evidence of correcting the situation or be subject to discontinuance of the provision of water until said situation has been remedied and proof of same provided. The same fees to turn off the water and turn it on again from *Section VII.C.* will apply.
7. **District Work on Mains** - It is the intention of the District to notify the customers when the water mains affecting such customers are to be turned off, but it may be impossible or impractical to do so. If the building's plumbing is in proper condition, no damage should occur from turning the water off or on without notice. In any event, the District is not liable for any damage that may be caused by such turning off or on of the water.
8. **Suggestions** - The District will at all times be pleased to receive any suggestions which might tend to better the service and will appreciate being advised of any conditions which require the attention of the District or its employees.

C. Unlawful Interference

Any person who, willfully, with intent to injure or defraud:

1. Breaks or defaces, or causes to be broken or defaced, the water meter; or
2. Obstructs, alters, injures, prevents or causes to be obstructed, altered, injured or prevented, the action of any such meter or other instrument used to measure or register or control the quantity of water supplied to or consumed by any person, corporation or company or
3. Makes or causes to be made any connection by means of pipe, conduit or otherwise with the water main or service pipe of any person, corporation or company furnishing water to customers, in such manner as to take water from said main or service pipe without its passing through the meter or other instrument provided for registering or measuring the amount or quantity of water taken from said main or service pipe; or
4. Makes any connection or reconnection with the water main or service pipe or any person, corporation or company furnishing water to customers, or turns on or off, or in any manner interfered with any valve, stopcock or other appliance belonging to said person, corporation or company, without obtaining from such person, corporation or company a written permit to make such connection or reconnection or to turn or otherwise interfere with said valve, stopcock or other appliance; or

5. Prevents, by the erection of any device or construction or by any other means, free access to any such meter by the person, corporation or company furnishing such water, or interferes, obstructs or prevents, by any means, the reading or inspection of such meter, is guilty of a misdemeanor.

III. APPLICATION FOR WATER SERVICE

A. Application Procedure

1. **Written Application** - No prospective customer shall connect to or use the water of the District for any purpose without having first obtained permission from the District on a written application therefore, and having first paid any charges required. All applications for the introduction of water to any premises or for the extension of any pipe for the conveyance of water shall be made upon a form furnished by the District for the purpose, signed by the owner of the property or a legally authorized agent thereof. Such application shall include a statement of all uses for which the water is desired. Applications are available upon request.
2. **Renovations** – Changes to existing premises, properties or water line conveyances must be made known to and approved by the District Manager. Documentation as requested by the Manager showing pre-existing water lines must be supplied prior to any work commencing.
3. **Evidence of Ownership** - Evidence of ownership and a legal description of the property shall be submitted with the application. Tenants may not apply for service.
4. **Water Use** - No water shall be used for any purpose other than that represented in the application, No irrigation or automatic sprinkler systems are allowed other than hand-held. Swimming pools or garden ponds must be filled with water trucked in from off Island. Water shall not be kept running when it is not in actual use. Additional restrictions may be imposed when needed due to drought or other conditions that may warrant such restrictions. (See *Section VI. F.*)
5. **Outdoor Showers or Hose Bibs** – Any shower or hose bib adjunct to premises where meter is located does not require a separate water line. Showers, hose bibs and any other water conveyance lines which are not adjunct to metered buildings must have a separate water line and meter.
6. **Contract Between District and Customer** - Acceptance by the District of such application shall constitute a contract between the Customer and the District, obligating the applicant to pay the District the established rate or rates as the same shall, from time to time, be fixed by the District and to agree to comply with and be bound by the Rules and Regulations of the West Neck Water District and amendments thereto. Such application shall also constitute consent by the applicant and customer for all agents,

officers or employees of the District to enter upon any property owned or leased by the applicant or customer for the purpose of installing, inspecting or removing any meters for repairs.

B. Applicants Arrearages To Be Paid

No application for installation of water or use of the facilities of the West Neck Water District will be approved, nor will any permit or license be granted, nor will any contract or agreement be entered into with any property owner until all charges and arrearages which have been placed by the Water District on such property shall have been paid in full.

C. Fees To Be Paid in Advance

Applications or contracts for the use or installation of water or water facilities of the District shall not be acted upon, approved or accepted by the District until and unless the full amount of all advance fees, deposits and installation charges, as the same shall from time to time be fixed by these Ordinances or by the District for the use of such water or water facilities, shall have been paid to the District.

IV. INSTALLATION AND MAINTENANCE OF SERVICES AND MAIN

A. Plumbers

Plumbers who hook up to District pipes and mains shall be registered with the District. No person, including the property owner, shall make an attachment to or connection with the pipes of the District or make any repairs, addition or alterations to the service pipes unless he/she is an employee of the District or a plumber registered with the District. A list of plumbers registered by the District may be examined at the office of the District.

B. Tapping of (Hook-ups to) District Mains

1. **Performed by District Employees** - All tapping shall be performed by an employee of the District or by such other person as the District may designate. No plumber shall be permitted to tap a main or make any connection with the water system without specific permission and until after application has been made to the Board and a written permit issued. Tapping shall be performed only during normal working hours of the District.
2. **Tap Locations** No tap shall be made without proper survey markings or curb locations, readily identifiable so that District employees may locate all mains, services, stops, etc. to perform a safe installation.
3. **Tapping Fee** - A non-refundable tapping fee set by the West Neck Water Board of Directors shall be paid to the West Neck Water District when filing an application.

C. Street Openings and Excavations

No street or public grounds shall be opened by any applicant or agent for the purpose of making a connection with the mains or for laying any water pipes or fixtures, unless he/she shall have secured a permit to make such opening from the proper public authority.

Whenever any street or public grounds shall be opened for the purpose of making a connection with the mains, or for laying any water pipes or fixtures, the applicant shall duly regard public safety and convenience, and the street or public place shall be restored by him/her to its original condition as soon as possible, and whenever a trench is opened, bridges for the safety and convenience of the public shall, as necessary, be provided by him/her. If left open at night, such excavations and bridges shall be guarded with barricades, proper lights shall be displayed to warn and protect the public, and the District may require the customer to have insurance against any injury that may result.

D. Service Lines

1. Specifications - The following specifications shall apply for all water services:

- a. **Materials** — All excavation and materials shall be provided by the contractor. Ball-type corporation stop and angle valves shall be by Mueller or an approved equal. Curb stop shall be inverted key type, with box; for services larger than one (1") inch, a Mueller gate valve, O-ring type shall be installed.
- b. **Tap** — Request for tap requires an application by the District, issuance of a permit at least 24 hours notice to the District before tap is made. The service line shall be installed and inspected by the District Manager prior to backfill.
- c. **Minimum Service size** — The minimum diameter of all new services shall be three-quarter (3/4") inch. Where unique situations exist, the District may require a larger service. The District shall assume no responsibility for adequacy of the service lines size; however, 1-1/4 " or larger services are not permitted.
- d. **Curb Stops** — Curb stops shall be installed not more than 5 feet inside the property and not less than 5 feet outside driveways or parking areas.
- e. **Water Service** — Water service shall be installed in a separate trench at a minimum of 10 (ten) feet from sewers and cesspools and 5 (five) feet from electric, telephone or gas service, and at a depth of 4 (four) feet 6 (six) inches. Water service shall be located a minimum of 5 (five) feet off of all side property lines (see b. above). The District Manager will have the discretion to alter the above specifications as is deemed necessary.
- f. **Water Service**—Soft type K copper tubing No. 1, 6 B.W.G. and PR200 poly pipe, pure seamless annealed and rated for a minimum working pressure of 160 P.S.I.,

shall be used with flare connections, or pack-joint connections. No couplings or fitting shall be permitted between the water main and the meter valve installation for lines up to 1 (one) inch except for installation of the curb stop. Copper tubing and/or poly up to and including 1 (one) inch inside diameter shall be connected directly to the corporation stop. An approved sleeve shall be installed under all roadways as required by the District.

- g. No Lead Joints- No red or white lead shall be used on any joints in the service line. Solder, where used, must conform to New York State Building Code Regulations.
- h. Meters Permanent water service shall be supplied through meters only. Meters must be installed by the District Manager. If in a meter pit, it must have a frost cover, or in a cellar, and if the building is not to remain occupied, water must be shut off at the curb stop. Meters will be provided by the District.
- i. Meter Pit - The meter, pit shall be provided by the District. The meter pit cover and yoke shall be either Ford or Mueller. Ball valves properly located on each side of the meter must be provided on all new installations and replacement of service lines.
- j. Back Flow Preventers must be approved by District.
- k. Uniformity of Equipment - All equipment and materials required by these ordinances shall be only as specified in order to ensure quality of service and to minimize the cost of maintaining multiple replacement supplies.

2. Water Service Connections - Installation must meet the District's specifications and be inspected and approved before water service is supplied.

E. Changes in Ground Elevation

In the event that a change in ground elevation leaves a service pipe insufficiently buried, or results in the curb box or meter pit cover projecting above the ground or being covered with earth, the customer must promptly lower or raise the service pipe, curb box or meter pit cover to conform to the new ground elevation. In case the customer fails or neglects to make such alteration promptly, the supply of water shall be shut off until the alterations are completed, and charge will be made to cover the labor and expense by the District resulting from the customer's failure or neglect to comply with this requirement.

F. Protection of Facilities of the District

The Water District shall maintain properly installed and approved water service

pipes in the public right-of-way from the water main to the property line at the expense of the District. The District will maintain corporation stop, valve, box, meter and valve on the water main side of the meter. All equipment maintained, by the District shall be the property of the District.

G. Protection of Facilities of the Customer

1. **Customer's Responsibility** - All water pipes, fixtures and accessories within the private property lines shall be maintained by the property owner. This includes the meter pit, curb stop and box, pit cover and valve on both sides of the meter.
2. **Leaks** - Leaks on the customer's side of the property line are the customer's responsibility. The District will assume no responsibility for locating leaks on private property or the repair of same; however, if requested, the District Manager will aid the customer in locating leaks only during normal working hours and at a fee to be agreed upon.
3. **Closing of Buildings** - In the event any building is to be closed temporarily, especially during cold weather, the owner or the plumber representing the owner shall notify the District in writing in order that the meter may be read and the curb stop closed. In case of failure to give such notice and in the event of the bursting of pipes or meter freezing or other cause for water to be lost, the customer shall pay for all such water, the amount to be estimated by the District and added to the next bill and paid in like manner as the regular meter charges together with an additional sum to cover the labor, materials and expense by the District resulting from customer's failure to comply with this requirement. A fee shall be charged for turning the service off or on, during normal working hours. (*See VII.*)
4. **Frozen Water Service** — The District will assume no responsibility in thawing service on private property.

H. Notice of Completion

All plumbers shall, within twenty-four hours after completing any attachment, connection or alteration, notify the District Manager for approval of said attachment, connection or alteration so that the District Manager may inspect and approve the work. Should the work not meet with the District Manager's approval, it shall be redone at no cost to the District.

I. Inspection and Approval of New Installation

No plumber shall leave the curb stop open nor allow the water to run on the premises after making any new connection with the street mains, or after making any new extension or attachments in unoccupied premises, but where the work is a simple extension or additional attachments on the customer's side of the meter, in places where the meter is then in use, the District, on notification that the work is complete, will cause the work to be examined and if found satisfactory will have the meter read and

the water turned on. Pipes and connections between the main and the meter shall not be covered until they have been examined and approved by the District Manager or his representative.

J. Removal of Defective Installations

Whenever it shall be found that a service installation has been made in any other manner than that approved by the District, the water meter will be removed by the District. Water shall not be supplied again until the service installation is properly made and all expenses and damages resulting from the improper installation shall be paid by the owner of the property to the District.

K. Repair of Faulty Meters

Meters shall not be tampered with or disturbed by any unauthorized person. In case a meter fails to register or otherwise becomes out of order, the customer shall notify the District immediately. If it is found necessary to remove the meter, another meter may be installed by the District for use during the time required for testing and repairs. Such repairs as are found necessary will be made by the District; when, in the opinion of the District, a meter has become unsuitable for further use, it will be replaced by the District. If this meter has not been tampered with or disturbed, no charge will be made for testing. Testing and repair of meters when such meters have been duly reported to the District as being out of order and are found to be out of order or not registered except that should such a test discover that such meter is registering within 2% of accuracy and is otherwise in good order, a charge will be imposed for making such a test, when such test is made at the request of the customer. In the event a meter is found to be out of order or not registering and such condition has been reported to the District, the District shall estimate the quantity of water used for the period of non-registering and will bill the customer accordingly.

L. Multiple Users on One Meter

Each dwelling or building shall, at the option of the District, have a separate meter. If more than one dwelling or building (common owner) is supplied through a single meter, the minimum charge shall not be less than the regular minimum rate multiplied by the number of dwelling or buildings supplied and the quantities of water allowed shall also be similarly multiplied

M. Prohibition of Interconnections and Cross Connections

1. **Cross Connections** - Interconnections, cross-connections or any other means whereby water from other sources except those of the Districts well, may be introduced into the District's main, are strictly prohibited, except for emergency interconnections with other public water suppliers when authorized by the Board and the local public health authority.
2. **Cross Connection Control** - In many situations where there is a potential for water back flow, cross-connections shall be equipped with back flow prevention devices,

approved by the District and installed in accordance with requirements of the New York State Plumbing Code and the County of Suffolk Health Department Regulations.

3. **Acceptable Methods of Cross-connection Control** - In all public, industrial and commercial buildings, the District shall require an approved cross-connection control device on the water service when, in the District's opinion, the danger of contamination of the District's water supply exists. If the owner does not comply with the decision of the District, the District reserves the right to discontinue water service until such compliance is met. All methods of cross connection control shall be in conformance with the Cross-connection Control Manuals of the US. Environmental Protection Agency and the N.Y.S. Department of Health, latest editions. All devices shall be inspected and tested upon installation and annually by a duly certified technician in conformance with manufacturer's recommendations. The results of this inspection will be forwarded to the District in writing within 10 (ten) days of completion.
4. **Testing of Cross Connection Control Devices** — The initial testing of any new device shall be done by the District. Should the device fail, a charge shall be imposed (See *Section VII*) for each additional test. Annual testing shall be performed by testers certified by the New York State Department of Health. Failure to comply with these requirements will be cause for the District to discontinue water service.
5. **Heating, Air conditioning, Refrigeration Equipment and Ice Making Equipment** - No HVAC, refrigeration system or ice machine unless re-circulating type and approved by the Board shall be connected to the District water system.

N. Discontinuance of Service — Customers wishing to discontinue the use of water service may do so only with written approval from the District Board and the Suffolk County Health Department including proof of there having been an operating well on the property prior to connection to District water service. Should such approval be given, the District Manager shall, at the customer's expense, uncover the corporation stop at the main so that such service may be disconnected at the main and the corporation stop closed. Such discontinuance of service shall not exempt the owner within the District from annual access fees imposed by the District (See *Section VII*) so that a reconnection may be made in the future, if desired by the current or future owner.

V. COMMERCIAL ESTABLISHMENTS & HIGH VOLUME WATER USE

A. Commercial establishments and customers using in excess of 1,000 gallons of water per day during any seven (7) day period will be required to install and maintain the following water related storage and equipment.

1. **Storage Tank** - sufficient storage for a one (1) day supply of water for domestic use plus any additional storage capacity mandated by the proper authority for fire protection.
2. **Pumps** - separate pumps for domestic water supply and fire protection.

3. **Backflow Prevention** -double check valve or RPZ device as specified by the Water District.
4. **Timing Device** - a properly secured flow restrictor with access only by the water company personnel to fill the storage tank during low usage times (i.e. 2:00 am to 6:00 am)
5. Customers will be required to meet all Department of Health Services requirements for water storage.

VI. TAMPERING WITH MAINS & FACILITIES

A. Resale of Water Prohibited

The resale of District water, under any conditions or circumstances is prohibited.

B. Penalty for Tampering with Mains, Meters, etc.

Every person who shall willfully do any injury to any water main, or who shall break the seal or remove a meter for any cause whatever, shall in addition to being liable for the actual damage cause, shall be liable for an additional penalty as set forth in VII.

C. Cancellation, or Suspension of Permits

All permits issued by the District for the consumption or use of water and use of the facilities of the District are subject to cancellation, revocation or suspension by the District with due notice. In the event of such cancellation or suspension, the District may enter upon any property whereon any of its facilities or property shall be located and in its discretion remove the same from there.

D. Damage to Mains, Services and Appurtenances

Any contractor, plumber, municipality or public utility constructing or installing facilities along or under any road or highway within the boundaries of the West Neck Water District causing damage to any water main, service line or appurtenance belonging to the District must, at their own expense, have the same repaired and replaced with new materials by an approved water main contractor or Water District in accordance with District standards and specifications.

E. Unauthorized Reconnection

In the event that the supply of water to any premises shall be turned off for any reason, it shall not be turned on thereafter without the consent and approval of the District or its

authorized representative. In such event, the water may be turned on only by a duly authorized representative of the District after all charges, fees and penalties, if any, have been paid. If the water has been turned off without permission, the customer shall pay a penalty set by the District. (See *Section VII*).

F. Emergency Curtailment of Use

In the event of an emergency or whenever, in the opinion of the District, the water pressure or the supply of water shall be reduced, or is likely to be reduced so that the general welfare, health or safety is affected or is likely to be affected, the District may order and direct such curtailment or the use of water or facilities of the District as they may deem necessary. Notice of such order or direction curtailing the use of water may be given by any officer of the District, in person or by mail or public notice. In the event that any customer shall fail or refuse to comply with such order or directions after any notice heretofore provided shall have been given, he/she shall be subject to a civil penalty as set forth in *Section VII* for each violation, payable to the District, and the water supply furnished to any such violating customer may be discontinued until; such penalty, together with all other charges, fees and deposits shall have been paid.

G. Violation of Ordinances

Any person violating these ordinances or any section hereof shall be liable to a penalty as set forth in *Section VII* and the customer shall have his/her water shut off until such penalty is paid, and such violation is corrected.

H. Booster Pumps

Any water distribution system connected to the District system, if equipped with a booster pump or other device which could create pressure levels in the District system of less than 20 (twenty) pounds per square inch shall be equipped with a pressure control system on the District side of such pump or device. Such systems shall have an approved reduce pressure zone back flow prevention device installed.

VII. WATER CHARGES, FEES, ASSESSMENTS & PENALTIES

A. Water Charges

Invoices for metered water use shall be made up and mailed on the first work day of every quarter. The water charges shall be as follows:

Less than 14,999 gallons used in the quarter shall be \$5.50 per 1000 gallons
15,000 - 29,999 gallons used shall be billed at \$7.25 per 1000 gallon

More than 30,000 gallons used shall be billed at \$9.50 per 1000 gallons.

Payment is expected within a thirty day grace period. Statements shall be mailed monthly and will include interest on unpaid balances of 1-1/2% per month after the grace period. These charges will be subject to change and notification will be made public.

B. Other Amounts

In the event of burst pipes in winter or faulty meter readings or unmeasured water lost to other causes, the customer will pay for all water that may be thus lost, the amount estimated by the District, and added to the subsequent bill in like manner as the regular meter charges.

C. Fees

1. Turn off and Reconnection Fees

Customers who are over 90 days in arrears after the grace period will be notified that their service will be turned off. The fee for turning the *water off is \$25.00 and the fee for restoring service is \$75.00*. The total of \$100 along with the amount required to bring the account current, is payable prior to restoration of service. Once a customer has, by non-payment of the bill within the 120 day period from the date of the billing for the quarter, demonstrated willful disregard of their responsibility to the District, said customer will be considered chronically delinquent and the following rule shall apply to all future billing:

a. The customer will be expected to pay the bill in full within the allotted 30-day period. If they do not pay within the grace period, they will be notified that their water service will be turned off in 30 days, or approximately 60 days from receipt of the bill. All the fees noted in C. above shall apply. At the discretion of the Board, delinquent customers may also be turned over to Small Claims Court.

2. Access Fee

An annual Access Fee of \$325.00, billed and payable in two equal installments with the first and third billings of the calendar year, will be charged all residential customers. The annual Access Fee for commercial customers whose annual usage for the previous year is under 75,000 gallons shall be \$650.00, also billed twice yearly. The Access Fee for customers with usage between 75,000 and 200,000 gallons during the previous year will be \$1,000 and the Fee for usage over 200,000 gallons during the previous year will be \$2,500, both billed twice annually.

3. Hook Up Fee

For new hook-ups, in compliance with the foregoing Rules and Regulations, a fee of \$3,300 shall be due and payable after approval of the application for new service by the Board and, prior to the hook-up connections being made.

4. Repair and Testing Fee

Should the customer request the District to locate leaks on his or her property, the customer will be billed at the prevailing hourly rate. (*Section IV.G.2*)

Should, by negligence of the customer, the water service need to be turned off for a period for repair or replacement of a part, the customer shall be charged a fee of \$500.00 plus an additional sum to cover labor, materials and expenses by the District resulting from said negligence. (*See Section IV.G.3*)

If testing is required for a cross connection control device, the customer will be billed at the prevailing hourly rate. (*See Section IV.M.4*).

5. Insufficient Funds Fee

A fee of \$35 will be charged for checks returned for insufficient funds.

D. Assessments

The Board may, from time to time, require an assessment to be paid to cover an emergency or unexpected situation. Such assessment shall be proposed by the Board and approved by the Town Board. Assessment shall be added to the customers' billing in like manner as the regular charges.

E. Penalties

If any person is found to have willfully tampered with mains or meters or any other part of the District's property, said person shall be subject to a penalty of \$500.00 (*See Section VI.B*)

In the event emergency curtailment of use is violated by a customer after having been given due notice, as set forth in *Section VI.F*, he shall be subject to a civil penalty of \$500.00 for each violation.

It is necessary for new construction and/or renovations to receive written permission from the District, non-compliance will incur a penalty of \$500.00 (*See Section VI.E.*)

If, after due notice, any of these rules and regulations are violated, the person or customer shall be liable for a penalty of \$500.00. (*See Sections III.A.3 and VI.G*)

F. Lien for Unpaid Water Charges

Pursuant to Section 198 of the Town Law of the State of New York, unpaid water charges

shall constitute a lien against the real property upon which or in connection with which the water is used. Where title of real property is conveyed, the grantee or new owners shall be liable for payment of all unpaid water charges, fees and assessments against the grantor or former owner. All owners of real property shall be deemed liable for unpaid water charges incurred by occupants or tenants of the premises.

G. Modification or Alterations

The above charges, fees, assessments and penalties may be modified or changed by a vote of the Board and approval of the Town Board.

VI. AMENDMENTS AND EFFECTIVE DATE

A. Amendments

The Board reserves the right to alter, amend, add to, repeal or otherwise change these Rules and Regulations at any time in a manner provided by law.

B. Special Rates and Contracts

The Board reserves the right to make special rates or contracts where proper, at its discretion.

C. Separability of Rules and Regulations

If any section, paragraph, subdivision, clause of phrase or provision of these Rules and Regulations or amendments thereto shall be judged invalid or held unconstitutional, the same shall not affect the validity of these Rules and Regulations as a whole or any part or provision thereof other than the part so decided or held to be invalid or unconstitutional.

D. Effective Date

The foregoing Rules and Regulations of the West Neck Water District as amended were duly adopted by the Town Board of the Town of Shelter Island:

Adopted June 15, 2010

Effective July 1, 2010