

**Water Supply District of Acton
Acton, Massachusetts**

Rules, Regulations and Rates

The following Rules, Regulations and Rates, in addition to the applicable provisions of Massachusetts law, shall be considered a part of the Contract with every person using or seeking to use the water and binding on all water takers.

INTRODUCTION

All requests for water services may be made by application of the property owner or designee to the Water Supply District of Acton (hereinafter referred to as the "District") in a manner and form prescribed from time to time by the District. All applications for the use of water are available at the District office, 693 Massachusetts Avenue, Acton, MA 01720.

No person will connect, or cause to be connected, any service pipe with the main or any distributing pipes or appurtenances, except by order of the Water Commissioners made on such application for new or temporary service or alteration to an existing service. Wherever practicable, water mains will be installed on the public way.

Demand Charges, Costs and Service fees for new installation are shown in Appendix A and are subject to change by vote of the Water Commissioners.

Article I

The Commissioners will regulate the use of water in such manner as they deem to be in the best interest of the District, fix and collect prices and rates for the use thereof, and prescribe the time and manner of the payment of such prices and rates. The Commissioners will have exclusive charge and control of the District water system, subject to all by-laws, and subject to such instructions as the District may from time to time impose by its vote.

Installation

New Service

Demand Charges are payable prior to meter installation. Pipe size, materials and type of any installation will be determined by the District.

Costs of installation service based on time and materials will be charged to applicant separate of the Demand Charge.

All fees and costs for new service installations from the water must be paid for by the applicant before water will be turned on.

The District will have an inspector on sites where new water main and necessary fittings are installed in new developments, private roads, business and commercial sites. The Water District may charge \$50/hour to be paid to the Water District by the owner, contractor or developer. All materials used will meet the specifications of the District.

Any new water service or fire line from the water main to a dwelling, building or structure will be in a separate, underground trench. No other utility will be in the same trench unless the District determines that the conditions prevent a separate trench. In such cases, a suitable plan prepared by a registered Professional Engineer will be submitted to the District and Dig Safe for approval to insure safety and accessibility for repair, replacement or inspection of the lines located in the same trench.

Any person applying for water use having a design demand in excess of 2,500 gallons per day or a larger (over 2 inch) service line, or that requires an extension to or addition to the water system will provide to the District a *Water Impact Report* acceptable to the District. This report will contain the following: 1) estimated impact of the project on the District's water demand; 2) impact of the project on the District's existing supply system including the effect on water flow speed and direction through the water mains proximate to the new service line and on maintenance of adequate fire flow; 3) impact of the project on the District's Water Management Act withdrawal permit compliance, and 4) conditions and water conservation measures that will mitigate the effect of the project's impact (applicants should request from the District a list of possible mitigation measures)

The report will be reviewed and approved by the Water Commissioners. Costs associated with generating the report will be the responsibility of the applicant. A copy of this report will go to the Planning Department and Building Inspector.

Guidelines for the Water Impact Report are included in Appendix (A-2).

Cross-Connections

Any water supply attached to the District system may be required to install, at the service entrance and immediately downstream of the meter, a Reduced Pressure (RP) Back Flow Device. A survey of the property will determine the need for said device and the District Manager will make the determination of the needs for the device. The device must be approved by the District, and all costs will be paid by the owner/s, and or the person/s to which the bills are so assigned. All cross-connections must be made pursuant to the District's cross-connection control program.

Permanent Outside Irrigation Systems

Upon application to the District, permanent outside irrigation systems may be installed in conformance with following regulations:

1. All irrigation systems, connected to the public water supply, must be equipped with a timing device that can be set to make the system conform to the District's odd/even outdoor watering and other use restrictions.
2. All irrigation systems must be equipped with some type of moisture sensing device that will prevent the system from starting automatically when not needed.
3. All irrigation systems must be installed with an approved backflow prevention device and must be inspected initially by the plumbing inspector and may be inspected periodically after that by District.
4. Any person who now has, or who intends to install, an automatic lawn watering system must notify the District office of the existence of said system or of their intention to install a new system prior to the actual installation. All systems, those currently in existence, as well as any installed in the future, must comply with all the Rules and Regulations.
5. Any system not in conformance with the above criteria may be disconnected from the public water supply system.

An application for installation of a permanent outside irrigation system is included in the Appendix (A-3) to these Regulations.

Article II

Operations

Periodic inspection of pipes to the meter may be made by the District personnel. When equipment is found defective, all payment for the necessary repairs between the curb-stop and the meter will be assessed to the property owner.

Persons allowing their meter to be damaged by frost or otherwise will be held responsible for replacement costs. The District will keep meters periodically upgraded.

All apparatus and all places supplied with water must be accessible at all reasonable times for inspection by the District.

Any alteration made to any service within the District or any change in meter location may only be made by the District or under its direction.

Any change in meter location will be done under the direction of the District.

The fire department will have control of the hydrants in case of fires and for necessary practice. In no other case will any persons be allowed to handle hydrants or other waste apparatus without express permission of the District.

No water taker will be allowed to supply water to others, except by special permit from the Board of Water Commissioners, and anyone found doing so without a permit will be subject to shut off.

Article III

Conditions of Use of Service and Provision of Water

The District will not in any way, nor under any circumstances, be held liable or responsible to any person or persons for any loss or damage from any excess or deficiency in the pressure, volume or supply of water, due to any cause whatsoever. The District will undertake to use all reasonable care and diligence to avoid interruptions and fluctuations in the service, but cannot and does not guarantee that such will not occur.

The District will not be responsible for damages caused by discolored water resulting from natural causes or caused by the opening or closing of any gates, making repairs, the use of hydrants, or the breaking of any supply lines or any other reasons.

The District will endeavor to give due notice to as many of the consumers affected as time and character, of the work permit whenever, it may be necessary to shut off the supply from any section of the District to make repairs or changes or because of broken main, and will as far as practicable, use every effort to prevent damage or inconvenience; but failure to give such notice will not involve the District in any responsibility or liability for damage arising from the shutting off of any supply or any subsequent conditions arising therefrom.

The District reserves the right at any time without notice to shut off the water supply for purpose of making repairs, extensions, or other reasons, and all consumers having boilers or other appliances on their premises are hereby warned against danger of collapse from these sources and are urged to provide safety devices for their own protection. In any event the District expressly stipulates that there shall be no liability for damages resulting therefrom.

The District will not assume any liability for conditions in the consumer's plumbing or appliances which may be the cause of trouble, coincident with, or following repairs made to any part for the supply system by the District or a natural, wear and tear as result of use of the water.

Article IV

Termination of Water Service

Property owners should notify the District to shut off water if their building (or buildings) become(s) vacant. Water will be turned on again when the owner notifies the District, and upon the payment of twenty-five dollars for turn-on per building.

The District reserves the right to shut off water for the purpose of making alterations or repairs.

A water service may be shut off from any customer for non-compliance with the Rules and Regulations, for non-payment of the water rates and for any violation of Massachusetts General Laws relating to water supply. When water has been shut off because of disregard of rules or non-payment of rates it will be turned on again when the District is satisfied that there will be no further cause of complaint and on the payment of twenty-five dollars.

With the approval of the Department of Environmental Protection or pursuant to its directive (Chapter 40, Section 41A of the Massachusetts General Laws), the District reserves the right to restrict the use of water if necessary in any manner deemed appropriate.

Article V

Administration of Fees and Fines

All District charges on accounts must be paid in full within 30 days of the billing date.

The water may be turned off with proper notice when bills for water remain unpaid for fifteen days after they become due, thirty days from the date of issue. Interest will accrue at a rate and in the manner allowed by law.

Owners of the real property supplied with water will be held responsible for the water bills of their tenants. Unpaid water bills are a lien on real estate, and collections may be made on the sale of the property. G.L.c.49, sec. 42A.

Any person violating any order restricting water use imposed by the District or by mandate of any state or federal regulatory authority will be fined not more than \$200.00 for each offense, which will inure to the District for such uses as the Commissioners may direct. Fines will be recovered by the indictment or on a complaint before the District Court, or by non-criminal disposition in accordance with section 21D of Chapter 40 of the General Laws. Every day that such violation continues constitutes a separate offense.

If a meter is out of order and fails to register, the consumer will be charged at the average daily consumption as shown by the meter when in order. An average will be taken of the last three (3) corresponding readings.

Any and all penalties for violations of these regulations or arrearages for non-payment of water rates or charges may be collected as authorized by law in a civil action.

Insufficient fund checks will be charged as provided by Section 69 of Chapter 44 of the Massachusetts General Laws, and these Rules and Regulations.

Article VI

Prohibited Uses

Any person who shall remove, change, alter or willfully damage or injure any water meter, accessory or any water apparatus will be liable for all repair costs and other damages as determined by the District.

No person will turn on or tamper with a water main or hydrant or other device used for water supply. Any person violating said section will be fined not more than \$1,000.00 for each offense, which will inure to the District or 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 Massachusetts General Laws, Every day that such violation continues will constitute a separate offense. This section will not curtail the fire department or District in the normal course of providing fire protection or water supply.

Article VII

Protection of the Public Water Supply

Service pipes or fixtures of any description that are connected to the District's water mains will not under any circumstances be connected with any other sources of water supply.

No person may connect to the District's water system between the curb-stop and the water meter except by order and direction of the District.

Acton Water District Regulations for Volatile Organic Chemicals (VOCs)

In order to ensure that the District provides the highest quality drinking water possible, the Acton Water District has enacted stringent regulations to limit the amount of Volatile Organic Chemicals (VOCs) in water delivered from all our wells. Although the Safe Drinking Water Act and 310 CMR 22.00 (Massachusetts Drinking Water Regulations) have established maximum contaminant levels (MCLs) for these chemicals, we feel confident that we can consistently provide water that is virtually free of VOCs.

This regulation has two parts, adoption of Action Levels (ALs), and adoption of a timeline and set of procedure that we will follow should any VOC exceed an AL for a specified period of time, Both parts of this regulation would be substantially more protective of public health than those required by either the state or EPA.

Acton Water District VOC Action Levels

For all regulated VOCs (the 22 types that have MCLs specified by Massachusetts DEP or EPA) the District has set an Action Level of one part per billion (ppb) and a total of five parts per billion for a total of all VOCs. These 22 VOCs currently have MCLs that range from 2 ppb to 10,000 ppb, depending upon their health effects. The methodology for VOC analysis requires detection levels of 0.5 ppb or less, so any certified laboratory could accurately report a level of 1 ppb.

If at any time the DEP or EPA sets a new MCL for any VOC, that VOC would automatically fall under these regulations. If at any time the DEP or EPA sets an MCL for a VOC that is lower than 1 ppb, the lower standard will prevail and become a revised standard for the Acton Water District.

The detection of any VOC at or above state or federal MCLs would require the Acton Water District to follow, in addition to these regulations, all applicable requirements of 310 CMR 22.00.

Action Level Detection: Follow Up Procedures

If at any time *one* of the attached VOCs is detected at or above 1 ppb or above 5 ppb for a total of *all* VOCs, the District will conduct follow-up testing within 10 days of receipt of original results to confirm the test results. If the follow-up testing results are confirmed to be greater than 1 ppb, the data will be presented at the next Water Commissioner's meeting. Unless the Commissioners decide that immediate action is warranted, the District will continue to monitor the well for three additional quarters. If the testing result at the end of the three quarters period is greater than the Action Level, the District shall develop a Plan of Action.

Action Level Exceedance: Follow-Up Procedures

Development of Draft Plan of Action

Within 30 days of discovering an Action Level exceedance, the Water District will develop a draft plan of action that includes:

1. Detailed list of all detections of VOCs for the source(s) in question
2. Anticipated and possible health effects
3. Plans to investigate source of VOCs
4. If multiple VOCs present, anticipated interactive effects
5. Source of VOCs, if known
6. Remediation options with estimated costs/timeframes of each option
7. Recommended option/timeframes, with rationale for recommendation

Development of Final Plan of Action

The draft plan will be presented at special (publicized) Water Commissioner's Meeting where input from registered town voters will be solicited. A copy will be sent to the Board of Health. The plan will then be finalized within 30 days of receipt of comments, and described in the District's next *Water Words*, in a *Beacon* article, and posted on the District's web site.

Article VIII

RATE STRUCTURE

The District will confer with the owner to establish the number of residential units, measured by a given meter, to which the following rate structure will apply. The break points of the inclining block rate structure will then be multiplied by the number of units to determine the appropriate charges.

There is a minimum charge of \$25.00 for closing costs on property transfers where there has been no water use from the date of the last actual water bill.

Water rates, demand charges, rental fees, hydrants and sprinklers and other charges imposed by the District will be determined by vote of the Commissioners at a regular or special meeting of the Commissioners.

Water Rates and Demand Charges are attached in the Appendix (A-1).

A-1

WATER RATES AND DEMAND CHARGES

The following inclining block rate structure was adopted effective March 2010.

Meters will be read in March, July, September and December and water bills will be mailed as soon as reading is complete. A quarterly service charge of \$15.00 per unit will be applied to all accounts.

Summer rates (\$) (July & September billing)

All units measured and billed per cubic foot.

0 – 2,000 cu. ft.	Billed at .036 per cu. ft.
2,001 – 4,000 cu. ft.	Billed at .042 per cu. ft.
4,001 – 6,000 cu. ft.	Billed at .053 per cu. ft.
6,001 and greater cu. ft.	Billed at .063 per cu. ft.

Winter rates (December & March billing)

0 – 2,000 cu. ft.	Billed at .030 per cu. ft.
2,001 – 4,000 cu. ft.	Billed at .033 per cu. ft.
4,001 – 6,000 cu. ft.	Billed at .045 per cu. ft.
6,001 and greater cu. ft.	Billed at .054 per cu. ft.

Demand charge schedule is set forth as follows:

PIPE SIZE	DEMAND CHARGE (\$)
1 inch	5,040.00
1 1/2 inch	15,624.00
2 inch	31,248.00
3 inch	85,680.00
4 inch	191,520.00
6 inch	569,520.00
Multi-dwelling (per apt. or each living unit)	2,400.00

SPRINKLER DEMAND CHARGES.

Buildings up to 20,000 square feet	1,000.00
Buildings between 20,000 and 40,000 square feet	2,000.00
Buildings between 40,000 and 60,000 square feet	3,000.00
Buildings between 60,000 and 80,000 square feet	4,000.00
Buildings over 80,000 square feet	5,000.00

A-2 Water Impact Report Guidance

Per Acton Water District *Rules and Regulations*, any person applying for water use having a design demand greater than 2,500 gallons per day (gpd), or a service line over 2 inches in diameter must provide a Water Impact Report to the Acton Water District, for approval by the Board of Water Commissioners.

This report must include the following:

- Project name, applicant, and contact information
- Number of units
- Estimated project start/end dates including dates for any project phases, if applicable
- Estimated average day water demand and maximum day demand
- Expected impact of the project of the District's existing supply system, including effect on water flow speed and direction through water mains proximate to the new service or services, maintenance of adequate fire flows and impact of the project on the District's Water Management Act Withdrawal Permit compliance.
- Conditions and water conservation measures that will mitigate the effect of the project's impact (see menu below for suggestions.)

Possible water conservation techniques for new developments/upgraded services that fall under Water Impact Report regulation.

Outdoor Conservation Action	Est. water savings/yr for avg. 4 person household
Natural Lawn and landscape (no supplemental irrigation)	81,600 gallons*
Utilize captured rainwater for irrigation needs	Depends
Drip irrigation only	Depends
Maximum total turf area of 4,000 sq. ft. (approx. 1/10 acre)	48,960 gallons*
Minimum 6 inches 10% organic soil added to landscaped/turf areas	Depends
Fix all outdoor leaks (does not apply to new developments)	Depends
Use pool cover	400 gallons
Devices to increase efficiency of irrigation system	Depends
Indoor Conservation Action	
Replace all old toilets with ultra-low flow toilets (1.6 gpf) (does not apply to new developments)	Depends

Horizontal axis washing machines	7,300 gallons
Use EPA Water Sense Labeled Fixtures (new development)	Depends
Use high efficiency spray nozzles and dishwashers	Depends
Low flow aerators (1.2 gpm) on all faucets (does not apply to new developments)	5,200
All showerheads flow-restricted (2.5 gpm) (does not apply to new developments)	4,000 gallons
Fix all leaks (does not apply to new developments)	Depends

* Assumed baseline: ¼ acre irrigated 1 inch per week for 3 months