

Chapter 248

WATER DEPARTMENT

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GENERAL REFERENCES

Plumbing – See Ch. 154.

Water – See Ch.195.

Public Works Department – See Ch. 229.

Sewer Department – See Ch. 235.

Subdivision of Land – See Ch. 241.

Article I

Department Operation

§ 248-1. General

- A. In order to provide safe drinking water and adequate volume and pressure for fire protection, and the proper operation of the public water system within the Town of Lee and to provide an adequate record of water mains, tie ins, appurtenances and connections thereto, the following regulations are enacted by the Town of Lee under the authority of Chapter 9 of the Acts of 1945.
- B. Refer to the current Town of Lee Department of Public Works Construction Standards for Roads and Municipal Utilities in **§229**. Work performed under this Chapter shall be completed in accordance with the referenced document.

§ 248-2. Service Lines

- A. The service line for each single house shall connect directly to the street water main.
- B. The service line to a single house shall use three-fourths-inch (alternative: one-inch) Type K copper tubing between the main and the service line curb cock.
- C. Double houses or apartment buildings may be supplied by one service line from the main into the building, provided that accommodations are made for shutting off the water to individual apartments without affecting water service to any other apartment.

- D. The service line from the street main into business buildings or large apartment buildings shall use size and type as required by Massachusetts Plumbing Code and as approved by the Board of Public Works.
- E. Water meters of approved design and as specified by the Board of Public Works shall be installed in all new water services.
- F. A leak in a service line which could cause structural damage, must be repaired within 30 days of knowledge of said leak. Failure to repair the line will result in shutoff of water services.

§ 248-3. Ownership

- A. The Town of Lee shall be considered to own:
 - 1. All water mains, regardless of size, that were in existence on March 31, 1946, with the exception of the mains to the Eagle, Columbia and Niagara Mills.
 - 2. All water mains constructed by the Water Department or by authority of the Water Department since March 31, 1946.
 - 3. Water mains constructed by developers since March 31, 1946 of which there is a record of acceptance by the Board of Public Works, or of acceptance by the town's voters at the Annual Town Meeting.
 - 4. All hydrants connected directly to mains owned by the Water Department.
 - 5. All water meters connected to water service lines one inch in diameter or less.
- B. Water mains constructed by developers since March 31, 1946 for which there is no record of acceptance in the Water Department's records, shall be considered as privately owned.
- C. All service lines from the connection to the Water Department's water main shall be considered as owned by the property owner served by such lines.

§ 248-4. Control

- A. The Department of Public Works shall have complete control of:
 - 1. All valves in all water mains owned by the Town of Lee.
 - 2. The valve which supplies water to a private water main.
 - 3. The curb stop and box and/or the corporation that supplies water to a service line connected to a Town owned water main.
 - 4. The valve in a Town owned hydrant branch. The hydrant valve itself shall be jointly controlled by the Water Department and the Lee Fire Department. The Water Department shall have control over private hydrants to the extent that use other than for extinguishing fires may be stopped or restricted if, in the opinion of the Board of Public Works, it is necessary to do so.

- B. Only Town authorized persons shall operate any valve in a Town owned water main or the curb stop or corporation in a service line connected to a Town owned water main or the valve in a Town owned branch or hydrant.

§ 248-5. Responsibility

- A. The Department of Public Works shall be responsible for the maintenance, repair and replacement of all Town owned water mains as defined in §248-3.A.1, 2, and 3. The term “maintenance” shall include thawing of frozen water mains.
- B. The Department of Public Works shall be responsible for the maintenance, repair and replacement of all Town owned hydrants. The term “maintenance” shall include flushing, painting and snow removal.
- C. The property owner shall be responsible for the repair, replacement and thawing out of service lines in their entirety, unless the Department causes the condition.
- D. The property owner shall be responsible for maintenance, repair and replacement of a private hydrant.
- E. The property owner or developer or owners in common of a private water main shall be responsible for the maintenance, repair and replacement of a privately owned water main. The term “maintenance” shall include thawing of frozen private water mains.
- F. The property owner shall be responsible to furnish and install a pressure-reducing or pressure-regulating device to control the pressure within the piping system of his or her property. It is expected that the private property owner shall determine from the Water Department the approximate pressure in the street main at the property location, and the property owner shall then furnish and install a pressure-reducing or pressure-regulating device if he or she is of the opinion that such a device is needed to protect the property piping system and the property itself.
- G. Customers with larger than one-inch service lines are obligated to install their own water meters that meet the standards established by the Board of Public Works and are compatible with the electronic reading devices employed by the Water Department.
- H. The property owner shall provide reasonable access to the Water Department or delegates to install and maintain water meters and to test backflow preventors.
- I. All customers with service lines greater than one inch shall have their water meters tested and calibrated in accordance with the meter regulations contained herein.
- J. In the event of a state-declared drought, the provisions of Chapter 195 Town By-law governing water use restrictions shall govern.
- K. The Department of Public Works shall discontinue service to customers that are delinquent in the payment of their water bills.
1. A bill shall be considered delinquent if unpaid, 30 days after it is rendered.

2. The Town Collector will send by regular mail a second notice to customers of record who have not paid in full within 30 days of the rendered bill. This notice shall request payment in full within 15 days of the date of the second notice and warn that failure to comply will result in the scheduling of service termination. The Town Collector will send by regular mail, a third notice to those customers of record whose water accounts are not paid in full to the Collector by the deadline stated in the second notice. This third notice will state the date after which water service will be terminated if the account is not paid in full. In cases where the affected service location serves inhabitants other than the customer of record the Town will attempt to notify other households or businesses within the building where water service is scheduled for termination, by mailing, or hand delivering a copy of the third notice or by hanging door "tags". The Board of Public Works reserves the right to publish or post a list of delinquent accounts.
3. The Collector shall provide the Public Works Superintendent a list of all scheduled service terminations, including the name of the customer of record and the service address. Termination of water service shall not be scheduled on any of the following days and times: Before 8:00 AM or after 5:00 PM on any day, before Monday or after Thursday during any calendar week, on a holiday or the day before a holiday. The service shall not be restored to the premises until the Collector notifies the Superintendent that the account has been paid in full. The service will be restored during normal working hours and the customer of record will be charged the actual cost of providing such service.
4. The Collector may consider the acceptance of partial payments toward the overdue balance on a regular schedule in lieu of immediate full payment under special circumstances. However, the unpaid balance will be added as liens to real estate taxes due each November. Examples of such circumstances are: all occupants of the household are 65 or older, there is an infant in the household age 12 months or less, there is a serious illness in the household or a serious financial hardship exists. Those who wish to establish a payment plan for overdue balances in lieu of immediate full payment will be responsible to provide documentation of their special circumstances to the satisfaction of the Collector. The Collector's determination of the validity of the claim or adequacy of the documentation shall be final.
5. To those customers without a DPW curb stop and box, one will be provided at the customer's expense. The customer will be notified as to the time and cost of installation by the Department. . Any customer, individual or business that has a tampered meter or bypassed piping will be subject to discontinuance of water services.

§ 248-6. Water Service; fee

- A. A property owner desiring to use available water service shall apply in person at the Department of Public Works office, complete and sign an application form and pay a fee for each application in accordance with the current "Fee Schedule". The fee for a new tie in connection, reuse or as an addition to an existing building will be based on Massachusetts Title 5 flow estimates, or professionally engineered estimate where Title 5 does not apply.
- B. Only the owner of a property or his or her legal representative may sign an application form for water service.

- C. All application forms for water taps shall be approved by The Board of Public Works. Taps up to one inch will be performed by the Water Department. Taps larger than one inch are the responsibility of the customer. All work shall be supervised and inspected by the Water Department. Only the Water Department or an authorized representative shall do tapping of a water main.
- D. The property owner's signature on the application form shall be considered as an expressed consent of the property owner to be bound by the rules and regulations of the Water Department.
- E. Owner responsibilities:
1. The property owner shall furnish, at his or her expense, all labor and material for a service line, except that the Water Department shall furnish and install one three-fourths-inch (alternative: one-inch) corporation in the water main and furnish, but not install, one three-fourths-inch (alternative: one-inch) curb stop and box.
 2. The property owner shall locate the curb stop and box at the property line and shall use Type K copper tubing between the water main and the curb stop and box. The Board of Public Works also recommends the use of copper tubing between the curb stop and box and the house valve.
 3. Installation and maintenance of backflow preventors where required by the Board of Health, MADEP or other regulating agencies.
- F. The Water Department Supervisor shall notify the Department of Public Works Superintendent as soon as water has been turned on in a new service line.
- G. The Water Department Supervisor (except as required of a developer) shall provide the Department of Public Works Superintendent with the location measurements for the curb stop and box location.
- H. Bill for facilities.
1. As soon as water has been turned on in a new service line, an account number shall be assigned, in the property owner's name, and a bill sent for water service. The amount of the bill shall be based on the water meter readings and the current **Table of Rates**.
 2. All users shall request permission from the Board of Public Works before expansion of facilities, which would require more water usage.
- I. Employees of the Water Department shall have free access to property served, at all reasonable times, to ascertain the amount of water passing through a service, the manner of its use and the possibility of waste and to shut off water for nonpayment of water charges or violation of Water Department rules and regulations.
- J. Meter Regulations:
1. All new construction of buildings with a water line that is one inch or less in diameter shall comply with the 1991 town bylaw requiring the building to be fully pre-plumbed for

- meter installation. The Town will provide one water meter, two valves and one radio transponder at the Town's expense.
2. All installations of water meters shall follow the regulations as set forth by the Department of Public Works, including the positioning of the meter and its proximity to heat or moisture, the valving and the material used for installation, proper grounding during and after installation.
 3. All new construction with a water line that is greater than one inch in diameter shall include water meters and radio transponders at the expense of the property owner. Water meters must be sized to handle the flow and be accurate at all expected ranges of use.
 4. The Superintendent of Public Works must approve all meters and installation designs for customers with service lines that are greater than one inch in diameter. A design plan for the water meter, (and pit if used) shall be submitted to the Superintendent, which is stamped by a Registered Professional Engineer.
 5. Following installation, the customer shall provide to the Water Department the service and billing address, location of the meter within the building, the radio number for the transponder and the name and telephone number of the contact person who will provide access for inspection.
 6. A certified tester must calibrate the meter to current AWWA standards, and a copy of the tester's report indicating the accuracy at the observed flow level must be submitted to the Department of Public Works.
 7. All water meters on lines greater than one inch shall be calibrated periodically on a schedule based on meter size and use, using the following guidelines: Over one inch and up to two inches = every 5 years: Over two inches and up to four inches = every three years: over four inches = every year.
 8. Any meters not accurate at observed flow due to meter size will be replaced with suitable metering devices such as compound or multiple meters.

§ 248-7. Water Charges

- A. The property owner shall be responsible for the payment of water bills.
- B. Property owners charged a flat rate for water service (not metered) shall be billed for such service on Jan. 1, April 1, July 1 and October 1.
- C. The charge for a facility shall be in accordance with the Town of Lee, Massachusetts Rates
- D. Charges for water service to a new account shall start when water is turned on in the new service.
- E. Consumers using metered service shall be billed for the water used. In the case of meter failure, water charges shall be based upon previous registration for a like period.
- F. Should the customer question the accuracy of the water meter, the Department of Public Works will verify the accuracy of the meter. If the customer disputes it, the customer may

retain the services of a third party, acceptable to the town, to run further tests on the meter, at the customer's expense. If the third party determines that the meter is inaccurate, the Board of Public Works may abate the disputed amount and the costs of the third party upon written request.

§ 248-8. Abatements

- A. The Board of Public Works may allow an abatement when extraordinary circumstances warrant such an action.
- B. The applicant shall submit an abatement request form to the Department of Public Works. All requests shall contain the account number, the amount to be abated, the period for the abatement and the reason for the request.
- C. Swimming Pool filling may be abated, if not already on a sub meter, for sewer use charges under the following requirements:
 - 1. The Board is notified of the intent to fill prior to the act of filling for a liner replacement or initial fill.
 - 2. Documentation of the pool liner replacement or pool construction with volume is provided to the Board.
 - 3. Initial fill or liner replacement abatement is limited to once per year.
- D. No abatement shall be allowed until the Board of Public Works approves it.

§ 248-9. Subdivision of Land Developments

- A. These instructions are supplemental to **§229**, Town of Lee Department of Public Works Construction Standards for Roads and Municipal Utilities, current version.
- B. The builder shall meet with the Board of Public Works to discuss the plan. The builder shall have a drawing showing street lines and lot lines for the proposed development.
- C. During construction, the Board of Public Works shall have the right to inspect the work at any time or to have a representative present during any part of the work.
- D. The builder shall arrange with the Water Department Supervisor to have Water Department personnel present when connecting to existing water mains, pressure testing lines and all critical phases of construction.
- E. The developer's consultant shall notify the Department of Public Works upon completion of the work and request the Board of Public Works to accept the water mains. Upon approval by the Board of Public Works, the builder shall be sent a written notice of acceptance. This notice shall automatically transfer ownership from the builder to the Water Department, at no cost to the Town, of all water mains and hydrant branches in their entirety.
- F. For a period of one year from the date on the letter of acceptance the builder shall be responsible for all liabilities, cost and repair work resulting from poor workmanship and/or the use of improper or defective equipment.

The builder shall file a record plan of the installation in accordance with **§229**.