

REGULATIONS
of the
WATER COMMISSIONERS

of the
TOWN OF BELLINGHAM
MASSACHUSETTS

The Board of Water Commissioners was established at the Special Town Meeting of December 27, 1939. It was motioned and voted to have a three member board of water commissioners elected at the annual town election in accordance with and under the authority of Chapter 41, Section 69A, of the General Laws.

Originally drafted and instituted in or prior to 1969. Sections have been amended over time. See the date reference of any amendments listed with the section.

In 1994 the Town Charter dissolved the Water Commissioners and passed all Water Commissioners responsibilities to the Board of Selectmen. Any reference in this document to the Water Commissioners should be interpreted as Board of Selectmen. The Charter also dissolved the Water Department and Superintendent's Position and established a Department of Public Works and DPW Director. Any reference in this document to the Water Department or Water Superintendent should be interpreted as Department of Public Works and Department of Public Works Director respectively.

Latest Revision: August 24, 2017

WATER COMMISSIONERS

The following regulations are a part of the contract with every person who takes water, and govern the relations between the Water Department and consumers.

ARTICLE I - DEFINITIONS

1. Consumer:

The term “consumer” shall mean the individual, firm or cooperation whose name the Water Department has on its books as the party who has applied for water service or any individual, firm, or corporation who, in fact, uses the water service of the Town of Bellingham.

2. Main:

A main is the supply pipe laid in the street, from which house connection are made.

3. Service:

A service pipe is the pipe running from the main in the street to include the shut-off, usually inside the cellar wall.

ARTICLE II- GENERAL PROVISIONS

1. APPLICATION FOR WATER SERVICE:

All applications for introduction of the Town water to private premises shall be made at the office of Water Department by the owner of the property, or by his authorized agent. The application must be made upon the blank form furnished by the Department. A \$25.00 fee, must accompany application. Tapping and installation charges for other service applications will be set by the Water Commissioner’s or Superintendent after reviewing the specifications and the layout of the service application. TAPPING CHARGES: see page 10.

2. Responsibility for Charges:

Consumers of water will be charged with and held responsible for all water passing through their service pipe until such time as they notify the Water Department at its office or in writing that they no longer desire the use of water and in case of the sale of the property such notice shall give the name of the new Owner.

3. Status of New Owners

New owners of buildings shall have no right to the use of water until applications have been made for the same and previous charges paid in full.

4. Unusual Construction:

Owners of desiring any unusual construction, alterations or attachments connected with the water supply must submit plans and specifications for the to the Commissioners for their inspection and

approval or disapproval, and for their determination as to whether the same are permissible. The Commissioners will determine the terms, charges and conditions under which their use will be allowed.

5. Town to Have Free Access to Premises:

No alterations shall be made in any of the pipes or fixtures inserted by the Town except by its agents who shall have free access at all times to the premises supplied to ascertain the quantity of water used, the manner of its use and whether there has been any waste, and when such access is refused, the water will be shut-off.

6. Fires:

Whenever a fire occurs in the Town, it is the duty of all consumers to discontinue, as far as practicable, all use of water. It shall be the duty of the owner to notify the Water Department of any damages or breaks caused by fire.

7. Conditions Under Which Service is furnished:

The Town does not guarantee constant pressure nor uninterrupted service, nor does it assure the consumer either a full volume of water or the required pressure per square inch necessary to effectually operate hydraulic elevators, sprinkler systems, or other appliances, the same being subject to all the variable conditions that may take place in the use of water from the Town mains. Any other unforeseen reason such as: frozen lines, act of God, etc.

8. No Liability for Interruption of Service:

No consumer will be entitled to damages, or to have any portion of payment refunded, for any interruption of supply occasioned either by accident to any portion of the works, or by shutting off for the purpose of additions or repairs to the works, or by the stoppage or shortage of supply due to causes beyond the control of the Department such as excessive drought, frozen services, excessive use of and waste of water by other consumers, or by leaks or defects in the pipes or appliances owned by him or other consumers.

9. No Liability for Dirty Water:

The Town will not be responsible for damages caused by dirty water resulting from the opening or closing of any gate for repairs, the use of any hydrant, or the breaking of any pipe or any bacterial dirt.

10. No Liability for Consumer's Pipes:

The Town assumes no liability for conditions, which exist in consumer's pipes and cause trouble coincident or following the repairs of any main pipe, service pipe, meter or other appliance belonging to the Water Department.

11. No Liability for Collapsed Boiler's etc.:

The Department reserves the right at any time, without notice, to shut off the water in the mains for

purpose of making repairs, extensions, or for the other necessary purposes. Persons having boilers or other appliances on their premises depending on the pressure in the pipes to keep them supplied with water are hereby cautioned against danger from these sources, and are required to provide, at their own expense, suitable appliances to protect themselves against such danger. In any event, it is expressly stipulated that the Department will not be liable for any damage resulting from water having been cut off, either through accident or necessity.

12. No Liability for Shutting off Water without Notice:

When it becomes necessary to shut off the water from any section of the town because of an accident or for the purposes of making changes or repairs, the Department will endeavor to give timely notice to as many of the consumers affected thereby as time and the character of the repairs or accident will permit, and will, so far as practicable, use its best efforts to prevent inconvenience and damage arising from any such cause but failure to give such notice will not render the Department responsible or liable for any damages that may result from the shutting off of the water or any coincident conditions.

13. Violation of Regulations: AMENDED 11/24/87

Any violation of these regulations may result in the Water Commissioners ordering the shutting off of water to the violator's premises. When the water has been shut off for violations of rules, non-payment of charges or other offense, it will not be turned on again until the Department is satisfied that there will be no further cause of complaint, and a sum of twenty dollars has been paid to cover the cost of shutting and turning on the water.

14. Cross Connections Prohibited – AMENDED 5/19/2008

No person shall cause a physical connection to be made between the Town water supply and any other unapproved water supply and any other water supply for commercial, domestic, sanitary, fire protection or boiler feed purpose, or for any other purpose whatsoever, unless the Town water supply system is protected from risk caused by said Cross Connection in accordance with Paragraph 15 Cross Connection noted below.

15. Cross Connections Regulations and Program – AMENDED 5/19/2008

A. PURPOSE

1. To protect the potable water supply served by the Bellingham Department of Public Works from the possibility of contamination or pollution by isolating within its customers' internal distribution system, such contaminants or pollutants which could backflow or back-siphon into the public water system.
2. To protect individuals in facilities by promoting the elimination or control of existing cross connections, actual or potential, internal to its customer's facilities between non-potable and potable water systems.
3. To provide for the maintenance of a continuing program of cross connection control which will effectively prevent the contamination or pollution of all potable water systems by cross connections.

B. AUTHORITY

1. The Federal Safe Drinking Water Act of 1974 authorized the United States Environmental Protection Agency (USEPA) to set national health-based standards for drinking water to protect against both naturally-occurring and man-made contaminants that may be found in drinking water. States are granted "primacy," the authority to implement SDWA within their jurisdictions, when they adopt standards at least as stringent as US EPA's and ensure water systems meet these standards. States make sure water systems test for contaminants, review plans for water system improvements, conduct on-site inspections and sanitary surveys, provide training and technical assistance, and take action against Public Water Systems (PWS) not meeting standards. Essential components of safe drinking water include protection and prevention.
2. The State of Massachusetts Department of Environmental Protection (MA DEP) has been granted Primacy by the US EPA. MA DEP adopted 310 CMR 22.22, and approves Cross Connection programs managed by Public Water Suppliers within the State of Massachusetts if they meet or exceed 310 CMR 22.22.
3. The Town of Bellingham (Town) acting thru its Department of Public Works is the Public Water Supplier for the Town of Bellingham, Massachusetts and has received approval from MA DEP of its Cross Connection Control Program. These sections of the Bellingham Water Use Regulations identify are an integral part of the Bellingham Cross Connection Control Program. The Town of Bellingham (Town) is responsible for the protection from contamination or pollution due to the backflow or back-siphonage of contaminants or pollutants through the water service connections to the last free flowing tap of its customers. The Town shall not permit a cross connection within the public water supply system unless it is properly protected with an approved backflow prevention device.
4. Massachusetts Plumbing 248 CMR 10.00 Uniform State Code Principle No. 1 All Occupied Premises Must Have Potable Water. All premises intended for human habitation, occupancy, or use must be provided with a supply of potable water. Such a water supply shall not be connected with unsafe or questionable water sources, nor shall it be subject to the hazards of backflow, backpressure, or back-siphonage.

C. DEFINITIONS

1. Approved Device: Accepted by the Town as meeting an applicable specification stated or cited in this regulation or as suitable for the proposed use and approved by the MA DEP.
2. Authorized Installer/Maintainer: Usually a plumber licensed by the State of Massachusetts to install and repair backflow prevention devices.
3. Authorized Tester: Person Licensed by the State of Massachusetts to test backflow prevention devices.

4. **Auxiliary Water System:** Any water supply on or available to the premises other than the Town's approved public potable water supply.
5. **Backflow:** The flow of water or other liquids, mixtures or substances under pressure into a potable water supply system from any source other than its intended source.
6. **Backflow Preventer:** A device or means designed to prevent backflow or back-siphonage. Most commonly categorized as:
 - a. **AIR GAP:** A physical separation sufficient to prevent backflow between the free-flowing discharge end of the potable water system and any other system. Physically defined as a distance equal to twice the diameter of the supply side pipe diameter but never less than one inch.
 - b. **ATMOSPHERIC VACUUM BREAKER:** A device which prevents back-siphonage by creating an atmospheric vent when there is either a negative pressure or a sub-atmospheric pressure in a water system.
 - c. **BAROMETRIC LOOP:** A fabricated piping arrangement rising at least thirty feet in the air having a "U" bend at the top and returning to the point of origin. It is utilized in water supply systems to protect against back-siphonage.
 - d. **DOUBLE CHECK VALVE ASSEMBLY:** An assembly of two independently operating spring loaded check valves with tightly closing shut-off valves on each side of the check valves, and properly located test cocks for the testing of each check valve, and shall be tested no less than once a year.
 - e. **DOUBLE CHECK VALVE WITH INTERMEDIATE CLOSING ATMOSPHERIC VENT:** An assembly of two independently operating spring loaded check valves with tightly closing shut-off valves on each side of the check valves, properly located test cocks for the testing of each check valve, and the check valves are separated by an atmospheric vent chamber, and shall be tested no less than once a year.
 - f. **HOSE BIB VACUUM BREAKER:** A device permanently attached to a hose bib which acts as an atmospheric vacuum breaker. Does not operate properly if there is back pressure from elevated hose or a valve/nozzle on the hose.
 - g. **PRESSURE VACUUM BREAKER SYSTEM:** A device containing one or two independently operating spring-loaded check valves and an independently operated spring-loaded air inlet valve located on the discharge side of the check or checks. Device includes tightly closing shut-off valves on each side of the check valves and properly located test cocks for testing of the check valve(s).
 - h. **REDUCED PRESSURE PRINCIPLE BACKFLOW DEVICE:** An assembly consisting of two independently operating approved check valves with an automatically operating differential relief valve located between the two check valves, tightly closing shut-off valves on each side of the check valves, plus properly located test cocks for the testing of check valves and the relief valve, and shall be tested no less than twice a year at roughly six month intervals.
 - i. **RESIDENTIAL DUAL CHECK:** An assembly of two spring loaded independently operating check valves without tightly closing shut-off valves and test cocks. Generally employed immediately downstream of the water meter to act as a containment device.
7. **Backpressure:** A condition in which the Owner's system pressure is greater than the

supply system pressure.

8. **Back-Siphonage:** The flow of water or other liquids, mixtures or substances into the distribution pipes of a potable water supply system from any source other than its intended source caused by the sudden reduction of pressure in the potable water system.
9. **Certified Surveyor:** Person Licensed by the State of Massachusetts to survey premises for cross connections.
10. **Containment:** A method of backflow prevention which requires a backflow prevention device at the water meter or at the location where the water service pipe first enters a heated building.
11. **Contaminant:** A substance which impairs water quality to a degree it creates a serious health hazard to the public leading to poisoning or the spread of disease.
12. **Cross Connection:** Any actual or potential connection between the potable water supply and a source of contamination or pollution.
13. **Department:** The Massachusetts Department of Environmental Protection.
14. **Fixture Isolation:** A method of backflow prevention in which a backflow preventer is located to correct a cross connection at an in-plant location. This will be in addition to and downstream of the Containment Backflow Preventer and intended to protect the water supply within the Owner's premises.
15. **Owner:** Any person who has legal title to property upon which a cross connection inspection is to be made or upon which a cross connection is present. (Gender referenced as single male to minimize text.)
16. **Person:** Any individual or partnership, company, public or private corporation, political subdivision or agency of the State Department, agency or instrumentality of the United States or any other legal entity.
17. **Pollutant:** A foreign substance, which will not create a health hazard, but may constitute a nuisance or be aesthetically objectionable if introduced into the potable water supply.
18. **Regulations:** The State of Massachusetts Department of Environmental Protection (MA DEP) 310 CMR 22.22, Massachusetts Plumbing 248 CMR 10.00, and the Bellingham Water Use Regulations.
19. **Town:** The Town of Bellingham, Department of Public Works and Building Department, or their designee.
20. **Water Service Entrance:** That point in the owner's water system beyond the sanitary control of the Town, generally at the water meter or at the location where the water service pipe first enters a heated building but before any point of use.

D. AMINISTRATION AND RESPONSIBILITIES

1. TOWN

The Town shall:

- (a) Operate a cross connection control program, as part of the effort to protect the public water supply. The program will include keeping of necessary records, which fulfills the requirements of the Regulations.
- (b) Require cross connection protection by Containment. This means that all premises with cross connections must also have an acceptable and operational backflow prevention device at Water Service Entrance.
- (c) Protect the Owner's premises to the last free flowing tap. This means that Backflow Preventers that provide Fixture Isolation may be required where there is a potential hazard to the Town or Owner's premises water supply system.
- (d) Make every effort to maintain Department approval of the cross connection control program
- (e) Have on its staff, or have available through contracted agreement, at least one Authorized Tester and at least one Certified Surveyor.
- (f) Not allow any cross connection to exist unless it is protected by an approved Backflow Preventer for which an approval has been granted and which will be regularly tested to insure satisfactory operation.
- (g) Perform on-site evaluation and/or inspection of plans by a Certified Surveyor in order to determine if there is a cross connection, and if so the level of hazard and the type Backflow Preventers required. All Commercial, Industrial and Institutional buildings connected to the Town water system must be surveyed.
- (h) Issue approvals, and perform inspections and testing on all testable Backflow Preventers in the system.
- (i) Inform the Owner, verbally and in writing, of each and every cross connection detected on the Owner's premises. The written notice will indicate the location of the cross connection, the level of hazard, and recommend the manner of cross connection protection.
- (j) Allow fourteen (14) calendar days from the date of the written notice for the Owner to provide protection of the cross connection, unless a serious threat to the public health exists in which case Paragraph (o) below shall apply.
- (k) Inform the Owner, verbally and in writing, of any failure to comply with any requirements of this program.
- (l) Allow fourteen (14) calendar days from the date of the written notice for the Owner to return to compliance with the program, unless a serious threat to the public health exists in which case Paragraph (o) below.
- (m) Entertain requests for time extensions in the event that the Owner informs the Town in writing of extenuating circumstances, as to why the correction has not or cannot be made within the required time frame. In no case will time extensions exceed an additional fourteen (14) calendar days.
- (n) Inform the Owner, verbally and issue a written Water Termination Notice, that the water service to the Owner's premises will be terminated if the Owner fails to complete necessary corrective action within a period not to exceed five (5) days of the date of the Water Termination Notice.
- (o) Immediately terminate the water service to a building, if the Town determines at any time

that a serious threat to the public health exists. Water service to said building will only be reactivated once the serious threat is eliminated.

2. OWNER

The Owner shall:

- (a) Allow his premises to be inspected by the Town at reasonable times, and shall be responsible for the elimination of, or protection of, all cross connections on his premises.
- (b) Install any and all Backflow Preventers on his premises if directed by the Town in writing of the need to protect against backflow at any cross connection, unless elimination of the cross connection is possible. The installation shall be at the Owners expense and must be completed within the timeframe noted in Paragraph D.1.(j) above.
- (c) Maintain at his expense any and all Backflow Preventers installed in his premises.
- (d) Pay all costs associated with the periodical testing of any and all Backflow Preventers installed on his premises.
- (e) Maintain a stock of spare parts, repair tools, or a replacement device for each Backflow Preventer on his premises.
- (f) Correct any malfunction of the Backflow Preventer which is revealed by periodic testing within the timeframe noted in Paragraph D.1.(l) above, whether the correction can be accomplished by repair or replacement.
- (g) Inform the Town immediately upon completion of the repair or replacement of any Backflow Preventer.
- (h) Inform the Town of any proposed modification to a cross connections.
- (i) Inform the Town of any existing potential cross connections of which the Owner is aware but has yet to be identified by the Town.
- (j) Not install a bypass around any Backflow Preventer unless there is a Backflow Preventer of the same type on the bypass. Owners who cannot shut down water use for testing of the Backflow Preventers must supply additional devices on a parallel water line necessary to allow testing to take place without shut down.
- (k) Install Backflow Preventer(s) in a manner approved by the Town.
- (l) Install only Backflow Preventers that are approved by the Department.
- (m) Not connect water systems from their private well or other private water source to the Town system.
- (n) Comply with the State Plumbing code for any modification to his existing plumbing systems, including installation, repair, and replacement of Backflow Preventers on the plumbing system.
- (o) Not install plumbing to provide potable water for domestic purposes which is on the supply side of the backflow preventer, such plumbing must have its own backflow preventer installed.
- (p) Pay all fees for permits, site inspections, device testing, re-testing and re-inspection in compliance with the Town or Department requirements.
- (q) Either provide access at scheduled times for the Town to test Backflow Preventers or hire a private Authorized Tester to complete said tests. If an Owner chooses to hire a private Authorized Tester, copies of all test reports must be delivered to the Town within seven (7) calendar days of the completion of the test. Failure to deliver copies within the noted timeframe shall be equivalent to establishing an unprotected cross connection and subject to water supply termination.
- (r) Provide the Town with current and updated contact information (Emergency Phone

number and Legal Mailing Address of Owner) such that notices can be promptly and properly delivered to the Owner.

E. DEGREE OF HAZARD

The Town recognizes the threat to the public water system arising from cross connections. All cross connections classified as high hazard will require the elimination of the cross connection or installation of approved Reduced Pressure Principle Backflow Devices. Cross connections not classified as high hazard must be protected as well; however, a Backflow Preventer other than Reduced Pressure Principle Backflow Devices may be allowed. The Town will recommend the type of device that is suitable for the level of threat created by the cross connection.

Any existing Backflow Preventer shall be allowed by the Town to continue in service unless the degree of hazard is such as to supersede the effectiveness of the present Backflow Preventer or results in unreasonable risk to the public health. Where the degree of hazard has increased, as in the case of a residential installation converting to a business establishment, any existing Backflow Preventer must be upgraded to a Reduced Pressure Principle Device, or a Reduced Pressure Principle Device must be installed in the event that no backflow device was present.

F. PERIODIC TESTING

1. The Town will perform all periodic testing of Backflow Preventers and invoice the Owner per fee schedule approved by the Board of Selectmen. The testing shall be conducted during the Town's regular business hours. Device testing outside of the Town's regular business hours may be request by the Owner; however, additional charges may be applied to cover the increased costs of overtime.
2. All Reduced Pressure Principle Backflow Devices shall be tested and inspected no less than twice a year at roughly six month intervals.
3. All other testable Backflow Preventers shall be tested and inspected no less than once a year at roughly twelve month intervals.
4. The Town may require that Backflow Preventers be tested more frequently than noted above if the degree of hazard involved warrants closer scrutiny. Costs of additional tests will be borne by the Owner.
5. Any backflow prevention device which fails during a periodic test must retested immediately after the completion of repairs or replacement.
6. Should periodic testing indicate that a Backflow Preventer on a high hazard cross connection has failed and cannot be repaired immediately, the water service to the cross connection will be immediately terminated.
7. The Owner may hire an Authorized Tester to test Backflow Preventers on his premises rather than using the Town's Authorized Tester. (See Paragraph D.2.(q) above.)

G. RECORDS AND REPORTS

1. RECORDS

The Town will initiate and maintain the following:

- (a) Master files on customer cross connection tests and/or inspections.
- (b) Copies of permits and permit applications.
- (c) Copies of lists and summaries supplied to the Department.

2. REPORTS

The Town will submit the following to the Department as part of the Annual Statistical Report:

- (a) Initial testing of low hazard cross connections.
- (b) Initial testing of high hazard cross connections.
- (c) Annual update lists of Items #1 and #2 above.
- (d) Annual summary of cross connection inspections.

H. VIOLATION OF THIS SECTION

No person shall directly or knowingly permit an employee, agent or servant to violate any of the provisions of this section.

16. Obstructing Fire Hydrants:

No person shall obstruct the access to any fire hydrant by placing or permitting any debris, building material or other obstruction to remain on or about the hydrant, which will in any manner interfere with its immediate use.

Use of Hydrants:

Public fire hydrants are installed for the sole purpose of fire protection; for the legitimate purpose of extinguishing fires, no other use of such hydrants shall be made without the written consent of the Water Commissioners.

17. Winter Installations:

No new services or mains shall be installed on any Town Property commencing December 1, through March 31, of any year except in such cases as the Water Commissioners shall be deem emergencies.

ARTICLE III - CHARGES

1. Collections of Miscellaneous Water Charges:

All bills for labor or materials on Consumer's property and charges for shutting off or turning on

water will be subject to the same conditions as bills for water will be shut off for failure to pay all such bills under the same procedure as for non payment of water bills.

1A. Service Charges:

A service call charge will be a fee set by the Superintendent for various items of work. The fee will not be more than the Hourly pay rate for the pipe fitters –foreman plus 20%. Throughout these regulations, whenever the words “service charge” appears, it will refer to the fee set by the Superintendent. The Superintendent must have approval of the Board of Water/Sewer Commissioners for any rate increase.

2. Charges for Turning on or off Water:

A service charge will be applied for turning on or shutting off of water. Charges will be applied for each trip.

3. No Business With Delinquents:

No person who owes an overdue bill for water charges shall be entitled to the further use of water at the same or any other premises until such water charges are paid in full, together with costs.

4. Request for Assistance:

Any time an owner requests the assistance of the Water Department and upon responding to such a call by the Water Department employee, a charge shall be forthcoming

5. Overtime Charges, after hour calls:

Any calls answered after normal working hours, holidays, or Sundays, a charge of time and a half apply with guarantee of four hours pay unless otherwise stated by the Superintendent.

6. Claims for Charges:

Any charges, which are made by the Water Department and are questionable an appeal can be made in writing days on monthly or quarterly bills.

7. Claims for Adjustments on bills:

All claims for adjustments of water bills shall be made within sixty days in the case of semi-annual bills and within days on monthly or quarterly bills.

8. Frozen Meters Charges:

Any meter, which is frozen, becomes the responsibility of the owner. A fee set by the Superintendent not to exceed 20% of the cost of materials and labor needed to repair the meter, will be charged provided that the meter is repairable. If the meter must be replaced, the charge for a new meter will be applied. A service charge along with the amount of the repair for the meter shall be billed to the owner.

9. Damages of Water Flow:

In the event of a frozen meter, frozen line, or any rupture of a service, any damage from the flow of water becomes the responsibility of the owner. The Town assumes no liability to damages which may incur. The consumer’s service is the owner’s responsibility. His responsibility is from the building to curb box or Town land.

10. Repeat Calls for Frozen Services:

Any repeat call of frozen services shall then become the expense of the owner serviced. The fees

forthcoming shall be charged for work done by Water Department employee and/or sub-contractor.

11. Water Meter Testing Rate:

Any person desiring water meter testing will be billed at a rate of three times the service charge. The three charges are to cover removing the meter, testing the meter and reinstalling the meter.

12. All Metered Water to be Paid For:

All water passing through a meter must be paid for whether used or wasted.

13. When Meter is Out of Order:

If a meter gets out of orders or fails to register, the consumer will be charged at the average consumption as shown by the meter when in order, and under similar conditions.

14. Estimated Bills: – AMENDED 8/24/2017

Estimated water and sewer bills will be sent to any customer that has been notified in writing that the meter in their building is in need of recycling, testing, or repair and have not contacted the Town to schedule the meter recycling or repair within fourteen days of the date of the written notice.

The estimated volume shall be at the discretion of the Town.

All such estimated water and sewer bills will also include a penalty charge as follows:

- Residential Customers will be charged \$200.00 for the second estimated reading and each subsequent estimate reading shall include a penalty charge that increases by \$200 per reading (i.e. second estimated reading \$400, third estimated reading \$600, etc.)
- Non-Residential Customers will be charge \$200.00 for the second estimated reading and each subsequent estimate reading shall include a penalty charge that increases by \$200 per reading. In addition, the second estimated reading will initiate termination in accordance with Article II. Section 13. No terminated service will be reactivated until meter recycling, testing, or repair has been completed and all sums due and owing to the Town of Bellingham are paid in full.

All Penalty charges will be automatically abated once the meter is recycled, tested, or repaired but only if those penalty charges were applied before the fifth estimated reading.

15. Tampering with Meters or Intentionally Damaged Meters: (Revised 1/3/2011)

Tampering with, hindering, altering or intentionally damaging water meters are offenses subject to fines and penalties under Mass General Law Chapter 165 Section 11, as amended by Chapter 374 of the Acts of 2010 along with the authority provided under G.L. c. 40, §39G.

Any meter that is damaged, altered or damaged in a manner prohibited under G.L. c 165, §11 shall be considered a tampered with meter for the purposes of this regulation.

A. Meter Tampering First Offense

1. Upon DPW identification of a first offense of meter tampering, a hearing shall be held before the Meter Tampering Review Committee (DPW Director, Town Administrator, Police Chief,

and member of the Board of Selectmen, if available to attend). At least forty-eight (48) hours written notice shall be provided to the subject property's owner, who shall be invited to attend.

2. If a majority of the Meter Tampering Review Committee votes that tampering has occurred; the fine shall be triple the amount of any damages that the Committee determines have been suffered as a result of such tampering or \$1,000.00, whichever is greater. Damages shall include the cost of damaged equipment, labor costs incurred in repairs and the value of repair.
3. The Meter Tampering Review Committee shall not recommend imprisonment or other criminal charges for a first offense.

B. Meter Tampering Second Offense

1. The Committee shall hold a hearing as required Section A.1 above, and if it determines that tampering has occurred, shall impose the fines delineated in Section A.2, above.
2. In addition to such fines, the Meter Tampering Committee may recommend criminal prosecution and imprisonment as allowed under G.L. c. 165, §11.

16. Meter Reading Rules:

A. All meter readers for the Town of Bellingham will have proper identification for the reading of meters.

B. In the event a reader is unable to gain admittance, a card will be left with proper instructions stated. The card should be filled in and returned in 5 days, delays or cards not returned, estimated bills will be sent.

ARTICLE IV - METERS

1. Meter Installation:

An approved stop valve shall be installed near the outlet of the meter by the consumer, at his expense, to permit removal of the meter without back flow from the house pipes.

2. Consumers to Pay for Meter Repairs:

All repairs of injuries to meters from freezing hot water, or external causes shall be charged to the consumers. No sale or other transfer of title of property in the Town of Bellingham shall operate to bar the Water Department in the collection of any balance due for meter repairs.

3. The Size of Meters Specified by the Water Department

The proper size, type and kind of meter required for any given service shall be specified by Water Department.

4. Meter not to be moved:

All meters shall be set by an employee of the Water Department, and shall not be moved or

disturbed except by the same.

5. Payment for Meter Boxes or Pits:

Installation of meter box shall be at the consumer's expense, if a trailer is involved, meters are to be put in a pit at least 5' deep and insulated.

6. Town's Right to Change Meters:

If in the opinion of the Commissioners, a meter does not fit the conditions of the service installation, the Department has the right to change such meter. Such change shall be made in accordance with currently regulations.

7. Check Valve:

It, in the judgement of the Water Commissioners, the installation of an approved check-valve on the property side of a meter of any consumer is considered necessary for the safety of the water system such approved check-valve shall immediately installed at the expense of the consumer after due notice in writing has been given to the consumer by said Water Commissioners.

8. Auxiliary Meters:

Where the supply of water through a service is covered by a single meter the Department will read and maintain but this one-meter. If addition or auxiliary meters are wanted for showing sub-divisions of such supply, they be furnished and installed at the expense of the consumer, who must assume all responsibility of reading and maintaining the same.

9. Repairing Meters:

The Department will have the right to remove, repair, or replace any meter at any time it sees fit. All meter installations on services which cannot be shut off for meter repairs shall be equipped with a by-pass at the expense of the consumer. Meters which are ten years old or older shall be recycled with a new and/or re-conditioned meter. Any consumer not allowing for the installation thereof shall be penalized \$10.00 per six-month billing period.

10. Access to Meters:

It shall be the duty of all consumers to see that meters on service connections wherever located shall be readily accessible at all times to the Water Commissioners or their duly authorized agents. Failure to remove any obstruction which prevents access to the meter within three days after being notified by the Department will cause the water to be shut off from the premises and it will not again be turned on until all obstructions are removed and all regulations complied with and all expense for shutting off and turning on the water paid.

11. Removal of Meter:

Any water service frozen on owner's property, the water meter will not be removed and freezing becomes owners responsibility only under special circumstances will removal be allowed.

12. Un-metered Property:

Any property supplied with water by the Town, except for summer takers must be equipped with a meter. Failure to install a meter will result in a \$100.00 per 6 months charge, unless in the opinion of the Board of Water Commissioners it would be more of a liability than an asset to the Town to install the meter.

ARTICLE V - SERVICE PIPES AND FIXTURES

1. Water Waste:

Consumers must keep their water pipes and fixtures in good repair and protected from frost at their own expense, and they will be held responsible for any damage resulting from their failure to do so. They shall prevent any waste of water.

2. All Service Pipes to be inspected:

All new service pipes must be inspected by the Water Department before covering the trench. All pipe and trench shall meet the approval of the Water Department. The Board of Water Commissioners or its duly authorized agent shall reserve the right to inspect any underground water installation from the street to a meter and/or a meter pit and beyond to any dwelling or building.

3. Right to Repair Service Pipes-Paid by Consumer to the Main:

All service pipes between the main line and the cellar wall may be repaired or re-laid by the Department when it deems necessary for the protection of the supply or the giving of satisfactory water service and the cost of the same charged to the consumer.

4. Temporary Service from Adjacent Premises:

Temporary service from an adjacent customer will only be allowed when permission is granted by the DPW Director.

5. Ownership of Water Service

In accordance with the procedure used since the water system was constructed:

The Customer owns all pipes, valves (pumps and tanks if applicable) and meters located on his or her premises. In order to maintain the integrity of the water system and insure proper billing of consumption, all construction, changes, repairs or improvements to the service pipes between the customer's property line and the downstream side of the water meter will be performed by the DPW or inspected and approved by the DPW. The customer is responsible for all DPW cost associated with materials installed, work performed (including inspection) on a customer's private property.