

REGULATIONS  
OF THE  
DEPARTMENT OF PUBLIC WORKS  
WATER DIVISION  
OF THE  
TOWN OF NEEDHAM, MASSACHUSETTS

JANUARY 14, 1986

The following regulations are a part of the contract between the Town of Needham and every person who uses water from the Town's water system, including Contractors/Developers involved in installing water systems. Every such person shall be considered as having expressed his consent to be bound thereby.

The Board of Selectmen of Needham, Massachusetts, may amend the regulations at any time without prior notice.

## **ARTICLE I**

### **Charges and Rates**

The charge for Water is per 100 cu. ft.

Customers normally using up to 100,000 cu. ft. per 6 month period are billed quarterly. A bill issued outside the normal cycle of billing at the customer's or his agent's request has a \$25.00 extra charge.

Installation, repair or maintenance work done by the Town, shall be charged as follows: The Town's payroll labor costs for the employee be charged as follows: the Town's payroll labor costs for the employee used, plus 75 percent to cover the cost of supervision, administration and fringe benefits; all material and equipment furnished by the Town shall be charged at its costs plus 20 percent, to cover the cost of handling and incidental expense.

The charge for installing or removing a temporary or seasonal meter is \$25.00; the charge for turning on or shutting off water is \$25.00, but not more than \$25.00 will be charged for both of these types of work on a single trip.

The charge for testing a reduced pressure backflow preventer or double check valve assembly is \$50.00 per test.

Any time that the Water Division is unable to obtain a meter reading for a bill that is part of a regular cycle of billing, or if a meter has stopped, an estimated bill will be prepared. Any non-routine bill must be based on a water meter reading by an employee of the Water Division.

Other charges are described hereinafter.

Whenever a bill remains outstanding after 45 days from the billing date an additional charge of 10 percent or \$5.00, whichever is greater, shall be added to the amount of the bill; and then, if the bill remains unpaid, it shall be added to the Real Estate tax bill as a water lien. Any bill that has been mailed through the U.S. Postal Service shall be considered to be rendered to the addressee.

## **ARTICLE II**

### **General Provisions**

#### 1. Permission to Use Water.

Except for use by Departments of the Town of Needham, water may be taken from the Needham water system only if the amount is metered by the Town meters, which shall be obtained by proper application to the Water Division, and if the provisions of these Regulations are followed.

2. Association with Owners.

The Owner of any real estate that has water delivered to it by the Water Division of the Town of Needham, shall be responsible for compliance with these rules and regulations and the payment of any fees or charges imposed.

3. Liability for Charges.

The Owner shall notify the Water Division in writing of any change in the Owner's address for billing as soon as the change occurs. All bills shall be rendered to the Owner and/or long term lessee of the property. Any amounts unpaid shall be added to the next tax bill as a lien against the property.

Except as otherwise provided herein, water service and charges will continue until the Water Division is notified that the Owner no longer wants water; then the water service shall be turned off and the meter shall be removed.

4. Conservation.

Any regulations for water conservation established by an agency supplying water to the Town or by State agency that are applicable to users shall be followed strictly by Town of Needham water users. Any leaks that develop shall be repaired as soon as practical. Water used for cooling air conditioners or water used in substantial quantities for cooling machinery or instruments shall be reused so that the only water required is that which evaporates.

5. Town to have Access to Premises.

No alterations shall be made in any of the pipes or fixtures owned by the Town except by its agents, who shall have reasonable access at all times to the premises supplied to ascertain the quantity of water used and the manner of its use. If such access has been denied, after reasonable notice, the water will be shut-off. The meter and its adjacent piping shall be kept clear of obstructions so that the meter can be read and easily removed.

6. Fires.

Whenever a fire occurs in the Town, it is the duty of consumers to discontinue, as far as practicable, all use of water.

7. Conditions Under Which Service is Furnished.

The Town does not guarantee constant pressure nor uninterrupted service, nor does it assure the users either a full volume of water or the required pressure per square inch necessary to effectively operate hydraulic elevators, sprinkler systems or other appliances, the same being subject to all the variable conditions that may take place in connection with water usage from the Town mains.

#### 8. No Liability for Interruption of Service.

No owner or user shall be entitled to damages, or to have 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 Division, such as excessive drought, 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.

When it comes necessary to shut off the water from any section of the Town because of an accident or for the purpose of making changes or repairs, the Division will endeavor to give timely notice to as many of the users affected thereby, as time of the repairs or the 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 Town responsible or liable for any damages that may result from the shutting off of the water or any coincident conditions.

Persons having boilers or other appliances on their premises depending on the pressure in the pipes to keep them supplied with water are hereby warned that water may not always be available, and are required to provide at their own expense, suitable safety appliances to protect themselves against such danger. The Town of Needham will not be liable for any damage resulting from water having been shut off, either through accident or necessity.

#### 9. No Liability for User's Pipes.

The Town is not liable for conditions which exist in user's or owner's pipes and fittings which cause trouble coincident to or following the repairs of any main pipe, service pipe, meter or other appliance belonging to the owner or the Water Division. Ownership of service piping and appurtenances by the Town is limited to the portion within the limits of public and private streets. The Town owns the water meters required wherever located. All labor, materials and equipment attributable to the user's pipes and appurtenances shall be paid for by the owner of the property. The Town is not liable for damage resulting from defects in piping that is not owned by the Town.

#### 10. Pressure Problems Caused by Users.

Users shall conduct their operations so that no excess or inadequate pressures are transmitted to the Town's distribution system and the Water Division may require that the user install equipment that limits such pressure variations to reasonably acceptable limits. In no case shall pressure surges result in pressure in excess of 150 psi. No pumps shall be operated which can result in reducing the pressure in any main or service pipe below 20 psi.

#### 11. Conservation of Heat.

No water which has heat added or extracted on the user's premises shall be returned to the Municipal System.

## 12. Scheduling of Work.

Except for emergencies, such as frozen pipes or leaks, any work requested to be done by the Water Division shall be scheduled in advance by the Division as personnel, equipment, and materials are expected to become available. Requests for non-emergency work will be scheduled not less than one working day ahead of time. Performance of scheduled work may be delayed because of unforeseen circumstances, such as emergencies. Two days advance notice is required for a non-routine water bill.

## 13. Violations of Regulations.

Any violations of these regulations may result in penalties as prescribed by State law and Town ordinances or in shutting off the water supply to the violator's premises. When the water has been shut off for violations of regulations, or other offences, it will not be turned on again until the Division is satisfied that the violation has been corrected.

No person shall tamper with, work on, uncover, make connection with, or in any way alter or damage, any water main, hydrant, service pipe, meter, or appurtenance thereto without prior written permission of the Water Division. All devices illegally connected to the water system will be disconnected by the Water Division.

### **ARTICLE III Distribution System**

#### 1. Construction Work – General

In streets and extending into private property as far as the discharge side of the water meter, any and all piping, fittings and appurtenances (including the size and type of material used) connected to the water system and the positioning of the piping, fittings, and appurtenances shall all be as required by the Director of Public Works through the Superintendent of the Water Division.

No sweated joints may be used in this piping and fittings. The valve on the street side of the meter shall be readily removable. Except as otherwise provided herein, piping, materials, labor and equipment for this work may be furnished by the Division at the discretion of the Superintendent.

The owner of the property upon which the work is being done, shall provide the Superintendent with any information that he requests regarding street and property lines, finished grade, the location of utilities and structures, and the details of the buildings being connected to water, so that the water delivery facilities can be properly designed and installed.

Owners of property desiring any unusual construction, alterations or attachments affecting the water service must submit plans and specifications for the same to the Superintendent for inspection, approval, approval with changes, or disapproval.

### Construction Work – General - continued

All piping shall be inspected by the Superintendent or his designee; for buried piping the inspection shall be before the piping is buried. Adequate space shall be provided by the owner inside buildings and meter pits, to enable the valves and piping near the meter to be assembled and disassembled. No new service will be allowed between November 15 and April 15, if the Superintendent of Highways determines that installation will require road surface repairs that cannot be done satisfactorily.

#### 2. New Connections.

Applications for new service pipes, meters and water shall be made upon blank forms furnished by the Division, bearing the signature of the owner (or authorized agent) of the premises; and state fully the purposes for which the water is to be used. A list of plumbing fixtures shall be provided along with any special uses, such as manufacturing and lawn sprinkling systems.

All charges related to a new service shall be billed to and be the responsibility of the owner of the property to be supplied by said new service. The amount charged by the Town shall be paid before the water is turned on.

All work in connection with excavation, backfill and surface restoration for new services shall be the responsibility of the owner of the property to be served.

Billing for water consumption shall commence as soon as the water is turned on.

#### 3. Service Repairs and Renewals.

The piping between the street line and the water meter (or building wall in the case of fire services) shall be repaired or re-laid with new materials when the Superintendent considers such work to be necessary to reduce the chance of flooding the owner's property, to provide better service if the owner complains, or for the protection of the water supply; all charges for this work and restoration of the property shall be billed to and be the responsibility of the owner of the property supplied by the service. The Town assumes no responsibility for the continuing growth of vegetation effected by its work or for re-growth of grass after seed is planted.

#### 4. Meters.

A. The proper size, type and kind of water meter required for any given service shall be approved by the Water Division.

If in the opinion of the Water Superintendent a meter does not fit the conditions of the service installation, the Division has the right to change such meter. Such change, including any necessary piping changes, shall be made in accordance with current regulations and paid for by the property owner.

- B. The Water Division shall have the right and responsibility to remove, repair or replace any water meter at any time the Division deems necessary.

Any location where water cannot be shut off long enough during normal working hours to change the meter or, in the case of large meters, long enough to test and repair the meter in place, shall be equipped with valved tees before and after the meter so that the Water Division can install a temporary bypass while the meter is not in service. The arrangement of valves and tees shall be prescribed by the Water Superintendent and at the expense of the owner.

All meters shall be installed by the Water Division and shall not be moved or disturbed except by the Water Division. The owner of the property has the responsibility of supporting the meter and adjacent piping so there is no undue strain on the piping.

- C. The Water Division shall furnish meters except for large meters, which if required by the Division, shall be supplied by the property owner. Once they are installed, all meters and outside readers become and remain the property of the Water Division. For water meters 1" and larger the customer shall be charged for the difference in cost between a ¾" meter and the larger meter if supplied by the Town. The type and manufacturer of meter shall be approved by the Division.
- D. No meters will be furnished or read which record flow that has already been recorded by a meter; i.e., meters in series.
- E. It shall be the duty of all consumers to see that meters, wherever located, shall be readily accessible to the Water Division at all times. Failure to remove any obstruction which prevents access to the meter within seven days after being notified by the Water Division will cause the water to be shut off from the premises and it will not be turned on until all obstructions are removed, and all regulations complied with.
- F. The property owner and water user have the responsibility to protect the meter against damage and tampering. The cost of replacement, or repairs to meters damaged by freezing, hot water or external causes shall be charged to the property owner or user. The property owner or user shall promptly notify the Water Division of any damage to the meter or its connections. In locations where meters are damaged the Water Division may require that a satisfactory housing be supplied by the property owner as a condition of supplying water service. If a meter is found to be tampered with or if a seal installed by the Water Division is found to be removed or broken, The Water Division shall make adjustments to the meter readings to bring the water consumption to what the Water Division reasonably estimates should have been the correct reading if there had been no tampering with the meter and its seal.
- G. Any building where there is a history of not being able to gain access to read the meter during the normal Water Division working hours shall be equipped with a device that will enable the meter to be read from the outside.

- H. If there is any discrepancy between the outside reading device and the meter reading, the reading at the meter itself shall be used.
- I. The accuracy of a meter will be tested by the Water Division upon written request of the owner or user of the premises where the meter is installed. The request shall be on a form supplied by the Water Division. If from such test the meter is found to register (on the basis of the average of the rates of flow used for the test) over two percent more water than actually passes through it, the meter will be repaired or replaced and the water bill for the current period will be adjusted in accordance with the result of the test; if, however, it appears that the meter recorded less water than should have been charged for, the owner shall forthwith be charged with the proper additional amount and shall pay the same, together with the Town's expense of the test.

## 5. Hydrants

No water shall be taken from a public or private hydrant by anyone but an employee of the Needham Fire Department or Needham Department of Public Works, except with the written permission of the Water Superintendent.

Private Fire hydrants may be installed if approved by the Water Superintendent; such hydrants shall have a separate gate valve to isolate them and break-away upper section. Private fire hydrants shall be maintained and repaired by property owners.

Only employees of the Needham Department of Public Works and the Needham Fire Department may open hydrants or remove hydrant caps. When hydrants are opened notice must be sent immediately to the Water Division Superintendent.

## 6. Control of Backflow

Each owner or building occupant shall at all times provide the Water Division with access to all piping and water using devices so that the Division can survey for cross connections. Similar access shall be provided for inspection and testing of backflow prevention devices, as required by State regulations.

The Water Division will not supply water to any location where the Division has reason to believe that a cross connection exists without a valid permit. Once a cross connection is found, the design, application for approval, and installation of the required protective device shall occur as rapidly as possible, at least within any time frame established by the State. A copy of a valid State permit for each cross connection shall be delivered to the Water Division yearly as a pre-condition to continuation of supplying water to customers where such permits are required.

In case of damages resulting from cross connections the cost of the damages to the Town shall be the responsibility of the person, persons or organizations that establish the cross connection.



## 7. Mains - General

Water mains shall be of size; materials; construction, including disinfection and testing; and location as approved by the Superintendent of the Water Division. Water mains supplying any building shall be extended the full street frontage of the lot on which the building is situated if there is any reasonable possibility that the main may be extended in the future. Dead end mains shall be avoided whenever possible, but where they cannot be avoided a hydrant shall be installed at the dead end; such a hydrant may be moved further on if the main is extended, providing that the hydrant spacing is not excessive.

Inspection fees for Town personnel shall be paid by the owner or owners of the property who desire the main.

Except for filling and flushing after construction, no new main shall have an open connection to the water system until the new main is fully accepted by the Water Division. A new main and appurtenances shall be operated by the Town as an integral part of the water system as soon as it is accepted by the Division.

## 8. Mains in Public Ways

Extensions of water mains within the limits of any Public Way shall be made only when deemed by the Board of Selectmen to be in the interest of the Town. The applicant for the main extension may either pay the entire cost of the extension or his application shall be accompanied by a written agreement which will guarantee annual revenue from such extensions equal to 10% of the total cost. Receipts for water sold from such extension shall be credited to the party making the guaranty until such time as the water rates shall equal the amount of the guaranty or the guaranty terminates.

## 9. Mains in Private Ways

The installation of new mains or the extension of existing mains in all private ways shall be made to three classes of property owners as follows:

- A. Owners of new developments approved by the Planning Board subsequent to the Town Meeting of March 19, 1945, shall bear the entire cost of installing new mains or extending existing mains in private ways in said development. Liability of the owner for said costs shall be included in the bond provided for under Article III, Section 3, of the Town's General By-laws.
- B. The Town will provide for water mains in old developments, whose layouts existed and had legal validity, or whose layouts were approved by the Planning Board, prior, in each case, to the Town Meeting of March 19, 1945.

The total cost of labor and materials, computed on the basis of an eight inch main, will be apportioned to all the owners of land abutting that part of the private way in which such installation or extension is made, in proportion to the front width of the respective lots.

Mains in Private Ways - continued

No charge will be apportioned to the owner of a lot at a corner where a new main is connected to an existing water main, unless such lot has a frontage on the street where the new pipe is laid which exceeds 125 feet, or the owner of said lot requests connection to the new pipe. If such frontage exceeds 125 feet, such excess shall bear its proportionate share of the total cost of installing or extending said main; and if the owner of such corner lot requests connection to the new pipe, all of the frontage of such owner on the street where the new pipe is laid shall bear its proportionate share of the total cost. When a new water main passes a corner lot where a charge has already been made against the owner for a previously laid pipe on an intersecting street, no second charge will be made, unless the frontage on such lot on the street where the new main is laid exceeds 125 feet, in which case the excess of such frontage over 125 feet shall bear its proportionate share of the total cost.

The proportionate charge made to the owner of each lot as provided hereinbefore shall be known as a connecting fee, which shall be paid when a house is built on said lot and a water connection is requested.

- C. Where undue hardship, either to the Town or to an owner may result from a strict application of the rules under Section A or B, above, as in the case where abnormal terrain exists, or where an owner requests a water connection to a house situated a long distance from an existing main, or where the amount chargeable to the owner on the basis of land frontage would be so great as to be unduly onerous, the Board of Selectmen may in its discretion refuse to make any connection, or may determine that the connecting fee to be charged against such owner shall be larger or smaller than provided for under Section B above.

Extensions of the water main through private ways or grounds shall in no case be made unless the owners thereof execute a proper guaranty and waiver that the Town shall have the right of permanent occupation, free from all damages and acts of interference, and securing to the Water Division the right of entrance at all times for purposes of inspections and maintenance.

It shall be agreed that no person or corporation shall interfere with hydrants, valves or other structures installed or maintained as appurtenant to said water main and that upon the acceptance of the street as a town way all rights and title in the ownership of such water main installed therein shall pass to the Town of Needham without further action and without payment to the owners of the fee in such street.

APPROVED BY: BOARD OF SELECTMEN

H. PHILLIP GARRITY  
SALLY B. DAVIS  
NORMAN P. JACQUES  
MARCIA M. CARLETON  
DAVID F. ELDRIDGE JR.