

Ordinances of the Plainview Water District
Town of Oyster Bay, Nassau County, New York

GENERAL INFORMATION
FOR WATER CONSUMERS
RULES AND REGULATIONS

1. The Rules and Regulations of the Board of Water Commissioners and the Ordinances are part of the contract for water supply; therefore, you should read them carefully and preserve them for reference.
2. All installations, repairs and additions to the water supply system must be performed by a duly licensed plumber in New York, and the Town of Oyster Bay. A list of licensed plumbers is available at the Town of Oyster Bay, New York.
3. All meter readers and inspectors employed by the District are to be given immediate access to the water supply system on any premises. All meter readers and inspectors will carry with them proper identification; however, if you have any doubt as to their identity, they should be required to identify your meter number. In addition, you may call the District office at (516) 931-6469 for further identification.
4. All residential consumers maintain ownership of their water service lines from the water main to the consumer's structure in its entirety except as specifically stated within the Ordinances and/or Rules and Regulations of the Plainview Water District.

All commercial consumers maintain ownership of their water and fire service lines from the water main to the consumer's structure in its entirety except as specifically stated within the Ordinances and/or Rules and Regulations of the Plainview Water District.
5. The owners of real property are liable for the rents and water charges for all water consumed thereon. These rents and charges become a lien upon the property in the event that they are not paid promptly.
6. It is the policy of the Water District to protect the public water system by containing potential contamination within the premises of the user. Consumers are required to follow the applicable provisions of Chapter I, Title 10, New York State Sanitary Code, Part 5, Drinking Water Supplied, 5-1.31, Cross Connection Control which requires that a supplier of water shall protect the public water system in accordance with acceptable procedures by containing potential contamination within the premises of the user. For more detailed information please see Article VII on page 16 of these Ordinances in the following manner
7. The District assumes no responsibility for the freezing of mains or water supply systems or for leakages occurring therein nor will it assume any liability for damages resulting therefrom.
8. All consumers are asked to promptly notify in writing the office of the Plainview Water District of any change of ownership or address to which bills are to be sent.
9. All new accounts and charges to existing accounts shall be subject to fees as required by the Board of Commissioners.

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10. Except at the discretion of the Board of Commissioners, no refund for overcharges resulting from errors in billing will be made unless the error is called to the attention of the District at the time of payment.
11. In regards to penalties, the District cannot waive any penalty once placed on an account pursuant to Article VIII, Section 1 of the NY Constitution that states that it is an impermissible gift of public funds.
12. Consumers and property owners are requested not to build fences or to plant shrubbery or to place any other obstructions 18” of either side directly above any water service lines or meter pit located on their property.
13. The Board of Commissioners will hold its regular public meeting at 10 Manetto Hill Road, Plainview, New York every Tuesday at 5:30 pm (unless noted otherwise) and will hold in addition thereto such other executive meetings as may be required and deemed necessary by the Board.
14. The District assumes no responsibility or liability for damages or injury that may result from changes of pressure within the water system.
15. Suggestions for the improvement of the facilities or other service of the District are welcome.
16. If the plumbing within your premises (or in case of the service line from the water main to the consumer’s structure in its entirety) is in proper condition no damage should occur from turning the water off or on in the mains without notice and the Water District is not liable for any damage caused thereby.
17. Established rates, service charges, penalties, etc., are on file at the District Office and are available upon request or can be viewed on the District website at www.plainviewwater.org.

The Board of Water Commissioners of the Plainview Water District, Town of Oyster Bay, County of Nassau, State of New York at a regular meeting held on the ___ Day of _____, 2012, upon due notice, a majority of said Board being present and voting, and after a public hearing held on February 14, 2012 in order to provide for the regulation of the affairs of the Plainview Water District, the management of its business, the preservation of good order, business, health, safety, and welfare of the inhabitants of the Plainview Water District, does hereby ordain and enact the following Ordinances by unanimous vote:

Ordinances of the Plainview Water District
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ARTICLE I

DEFINITIONS

Section 1.1. SHORT TITLE

These Ordinances shall be known and may be cited as the “Ordinances of the Plainview Water District”.

Section 1.2 DEFINITIONS

The word “**District**” whenever used in the within Ordinances shall refer to the Plainview Water District, Town of Oyster Bay, County of Nassau, State of New York.

The word “**Board**” or “**Board of Commissioners**” whenever used in the Ordinances shall refer to the Board of Commissioners of the Plainview Water District, Town of Oyster Bay, County of Nassau and State of New York.

The words **Water Main**, as used throughout these Ordinances to mean all District laid distribution mains up to the corporation stop or wet cut.

The words **Consumer Water Service Line** (Water service, new service, service pipe, connection to the main, service line installation, new installation) to mean that pipe running from the corporation stop or wet cut in the District distribution mains thence to the plumbing of the Consumer or as specifically noted within the Ordinances of the Plainview Water District.

The words **Temporary Installation**, also known as “temporary service, temporary permit or temporary license” shall include all installations, services, permits or licenses which shall be authorized pursuant to these Ordinances or any installation, service, permit or license not intended to be continued in operation for a period of more than twelve months.

The words **Permanent Installation** also known as “permanent installation, permanent services, permanent permits or permanent licenses” shall include all other installations, services, permits or licenses authorized by the Board.

ARTICLE II

APPLICATION FOR WATER SERVICE

Section 2.1 APPLICATIONS AND ACCEPTANCE

All applications for the use of water or for the use of the water facilities of the District or for the introduction of water into any premises or for the extension of any pipe or main for the conveyance of such water must be made in writing on a form to be provided by the District and signed by the owner of the property on which the installation is to be made or his legally authorized agent.

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Proof of Section, Block and Lot Numbers must be tendered at the time application is made, either by means of the building permit or previous tax bill. Developers must submit 2 copies of their plan, same to be placed on file in the District office, and said plan may be used to meet the application requirements aforementioned. No water shall be used for any purpose other than that represented in the application.

Upon the acceptance by the Board of Commissioners of such application, the said application shall constitute a contract between the applicant and the District, obligating the applicant to pay to the District the established rate or rates as the same shall from time to time be fixed by the Board of Commissioners, and shall constitute an agreement to comply with and be bound by the Ordinances, Rules and Regulations of the Plainview Water District and amendments thereto.

Such applications shall also constitute a consent by the applicant and consumer for all commissioners, agents, officers or employees of the District to enter upon any property owned or leased by the applicant or consumer for the purposes of installing, inspecting, repairing or removing any or all meters, valves, pipes or other property of the Plainview Water District located thereon or for the purpose of examining, inspecting or testing the plumbing facilities on such property and the manner in which the water or services of the District are being used.

Section 2.2 APPLICANTS ARREARAGES TO BE PAID

No application for the use or installation of water or the facilities of the Plainview Water District will be approved nor will any permit or license be granted, nor will any contract or agreement be entered into with any person until all charges or arrearages due from such persons to the Water District shall have been paid.

Section 2.3 FEES, DEPOSITS AND INSTALLATION CHARGES TO BE PAID IN ADVANCE

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

Section 2.4 TEMPORARY OR EXTRAORDINARY SERVICE PERMITS

Applications for temporary service or for service of an extraordinary nature will be accepted at the discretion of the Board of Water Commissioners or its designated representative. Written applications will be accepted, and temporary or extraordinary water service will be supplied provided it does not interfere with the use of water for fire protection and for general purposes. Applicants requiring temporary or extraordinary water service shall reimburse the District for all expenses incurred by the District in connection with providing the said temporary or extraordinary service.

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ARTICLE III

BILLING

Section 3.1 BILLS PAYABLE AT DISTRICT OFFICE

All bills for water or water facilities used, or services performed by the District shall be paid to the District at its business office, 10 Manetto Hill Road, Plainview, Town of Oyster Bay, Nassau County, New York 11803, or at any other office designated by the District. All checks in payment of bill shall be received subject to collection. Checks returned by bank uncollected shall be subject to a handling charge.

Section 3.2 NEW SERVICE BILLING

For new services installed at any time during the billing period, the minimum charge will be applied.

Section 3.3 BILLING SCHEDULES AND PROCEDURES

Meters will be read on a quarterly basis. No bills will be rendered or payment accepted for less than the minimum charges. The minimum gallonage allowed per billing period shall be non-cumulative. A District employee must visually read each and every meter at least once every five years. The District is in the process of installing radio-read meters which can be read remotely which eliminates the need for an employee to physically enter the premise unless the meter malfunctions or to obtain the required five-year reading. Self-readings are acceptable for inside meter setting for each of the interim years until such time as the remote radio read meter is installed. Outside meters will be read by District employees quarterly. The consumer as per Section 5.8 must maintain access to all meters.

If the District is unable to obtain an actual meter reading or does not receive a completed self-reading card within 30 days of the quarterly billing periods to comply with the schedule set forth above, an estimated bill will be rendered plus a surcharge as established from time to time by the Board of Commissioners. The estimated bill will be based on prior usage. If the District is unable to read the meter once every five years or a self-reading card is not submitted in any 2-year period, the District may discontinue service. Any costs associated with discontinuance of services such as excavation and installation of a new service box and valve will be billed to the consumer. In lieu of discontinuance, the District at its' option, may estimate the bill with a surcharge as established from time to time by the Board of Commissioners.

Section 3.4 DISCONTINUANCE OF SERVICE

Any resident consumer may affect a discontinuance of service upon written request to the District. A nonresident owner may affect a discontinuance of service providing the District is satisfied that there are no tenants currently in residence. No allowance will be made for the discontinuance of service for the unexpired portion of any billing period.

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Section 3.5 PENALTIES FOR NON-PAYMENT AND ARREARAGES

All bills are due and payable when rendered. A penalty up to ten percent (10%) of the amount due may be added to all unpaid water and service charges which are in arrears for thirty days or longer. In addition to the ten percent (10%) penalty of the amount due and unpaid for thirty days or longer, a minimum penalty, as established by the Board of Commissioners, will be added on all such past due accounts.

If such water and service charges are not paid within sixty days from the due date, the water supply may be cut off and discontinued. Such water supply shall not be resumed or turned on until all charges and penalties are paid and an additional service charge shall have been paid.

All water and service charges by the District shall be a lien upon the real property in connection with such water and/or service where used.

Section 3.6 AFTER NORMAL HOURS CALLS

The field forces' normal workweek shall be from 8 A.M. to 4:30 P.M., Monday through Friday. Any service calls including "Turn On", "Shut Off", or "Meter Reading", that are answered at other than these hours shall be charged to the consumer as per the established rates.

ARTICLE IV

DEPOSITS, FEES, RATES AND MINIMUM CHARGES

Section 4.1 FEES, CHARGES AND DEPOSITS TO BE PREPAID

No person or corporation shall take water of the District or otherwise utilize the facilities of the District for any purpose without the permission of the District obtained upon written application and upon payment of all fees, charges and deposits required in connection therewith.

Section 4.2 RATES AND OTHER CHARGES

The Board of Commissioners may establish water rates, fees, and other charges from time to time pursuant to the authority vested in them by the Town Law of the State of New York. A listing of same will be posted at the District and are available upon request.

Section 4.3 MINIMUM BILLING CHARGE

The Board of Commissioners from time to time shall fix minimum annual charges pursuant to the authority vested in them by the Town Law of the State of New York.

Section 4.4 RATES OUTSIDE OF DISTRICT

The Board may establish a different or other rate for any water or service furnished outside the geographical boundaries of the Plainview Water District.

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Section 4.5 AUTOMATIC FIRE SPRINKLER SYSTEMS

Consumers requiring fire sprinkler service shall pay fees for same pursuant to the schedule established and maintained by the Board of Commissioners.

Section 4.6 NEW INSTALLATION CHARGE

An installation charge as established by the Board of Commissioners shall be made for each premise into which water shall be introduced for consumption. This charge shall include the materials and services required for installation, tap and inspection. The material will be installed by the applicant or consumer/owner at his own expense.

Section 4.7 TEMPORARY HYDRANT PERMITS

When permission is given to take water from a fire hydrant for road construction or repair, etc., a charge as set by the Board of Commissioners shall be paid in advance. Hydrant permits shall run for a period determined by the Superintendent upon review of the intended use. The Superintendent may cancel such permits where water is being wasted, hydrants damaged or improperly used, or the good of the District requires such cancellation. In the event that a permit is cancelled there will be no refund of the fees paid.

The District may also require that all water used through hydrants shall be metered and charged for at the rate established for water consumption in the Plainview Water District.

The applicant shall deposit with the District a sum as established from time to time by the Board of Commissioners for each meter as security against damage or destruction to the meter or hydrant so used.

Section 4.8 PLUMBER'S PERMITS AND PERFORMANCE BONDS

Plumber's permits will be issued to persons who establish their qualification to the satisfaction of the Board. Every plumber shall file with the Board or its authorized representative a performance bond in the penal sum as established from time to time by the Board of Commissioners for a twelve (12) month period. Such bond shall be placed with one or more sureties acceptable to the Board and shall be conditional that the licensee will pay to the District the amount of all fines or other expenses imposed by the Board in connection with the performance of the work of the licensee upon any facility owned by or which at any time in the future may be owned by the District, and further conditional that the licensee will indemnify and save the District, the Board and the Employees thereof harmless from liabilities and all damages and injuries resulting directly or indirectly from an installation, repair, extension or improvements of the facilities of the District performed by him, and further conditioned that the licensee will replace and restore to the satisfaction and approval of the appropriate government authority all streets and pavement removed by the licensee in connection with the work performed by him. Such performance bond is to cover and insure the District against defective material or workmanship of such installations, repair or improvements for a period of one year from the date of inspection by the Plainview Water District as herein provided.

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Section 4.9 RESTORATION OR DISCONTINUED SERVICE

Whenever it shall be necessary for the District to turn on the water supply of any consumer at the consumer's request, during the normal workweek, a charge as set by the Board of Commissioners shall be made.

Section 4.10 TESTING METERS

A consumer's meter will be tested upon receipt of his written request and upon payment of a charge as established from time to time by the Board of Commissioners. In the event that the meter is found to be within the legal limits of registration as referenced in the American Water Works Association (AWWA) Manual M6, Water Meters- Selection, Installation, Testing and Maintenance, latest revision, the payment shall be forfeited as a testing charge. If the meter is found to be over-registering, the deposit shall be returned and an adjusted bill shall be rendered for the last billing period.

ARTICLE V

INSTALLATIONS

Section 5.1 WATER NOT TO BE SUBMETERED

No more than one premises, store or building shall be supplied through any single tap, nor may any District water be sub-metered, without the prior written approval of the Board. In all installations, separate and distinct stopcocks and meters shall be provided for each building, store or premises.

Section 5.2 WATER TO BE METERED

Except as otherwise provided herein, all water service shall be rendered and supplied through meters of a make and type approved and furnished by the Plainview Water District and shall be of such size as the Board shall deem proper.

Section 5.3 PLUMBERS TO BE REGISTERED

No person shall make any attachment to or connection with the pipes or mains of the District or make any repairs, additions, extensions or alterations to the facilities of the District unless they are an authorized employee or contractor of the District or a duly licensed plumber in New York, and the Town of Oyster Bay. The issuance of permits to plumbers shall be at the discretion of the Board and may be revoked at any time.

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Section 5.4 TAPPING TO BE PERFORMED BY DISTRICT REPRESENTATIVE

An authorized employee of the District shall perform all tapping of the District mains. No plumber or other person shall, without specific authorization by the Board, tap or otherwise connect, disconnect or repair any pipe, valve or other appurtenances to any facility of the District, except that a duly registered plumber may make installations and repairs of water lines and appurtenances, provided that the said installation or repair shall in all respects comply with the specifications and requirements as may be established by these Ordinances and by the Board of Commissioners.

Where a person other than an employee or officer of the District shall be authorized by the Board to tap mains and install or set water meters, he shall post a surety performance bond covering his workmanship and material in an amount that shall be satisfactory to the Board.

Section 5.5 RULES GOVERNING TAPPING

A notice of at least 14-days is required between the date of application and request for tapping service. Tapping shall be performed on such days and at such time as the Superintendent of the District shall prescribe.

Size of tap and meter is to be prescribed by the District. The corporation stop, when connected with the main, shall become and remain the property of the Water District. The District reserves the right to inspect all tubing and all connections made by the plumber.

The plumber is to make every effort to prevent any accident occurring while a District employee is inserting the tap in the main. He is to provide pumps and shoring when necessary. Tap holes should be a minimum of 4 feet wide by 4 feet in length, excavated to the main, to the depth necessary to allow proper attachment for the chain of the tapping machine.

No District employee shall be required to enter an excavation that may be construed as hazardous.

Section 5.6 SEALING OF NEW INSTALLATIONS

No water shall be introduced into private pipe lines upon any premises until and unless the meter shall have been installed and said meter officially sealed by the District. Thereafter, if the meter seal is broken and or removed by anyone other than a District employee there shall be a charge as established from time to time by the Board of Commissioners.

Section 5.7 NEW INSTALLATIONS

Except where authorized by the Board of Water Commissioners, all meters for permanent installation shall be installed in pit settings at the front property line.

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All installation equipment, devices, material and supplies (except the K-copper) shall be purchased from the Plainview Water District, as per the established fees, and except as otherwise provided in these Ordinances, installed by the consumer at his or her own expense and shall conform in all respects to the requirements and specifications established by the Board of Commissioners and by these Ordinances. Meters shall be purchased by the consumer from the District and shall remain the property of the Plainview Water District.

All installations must be equipped with a stop and waste cock located inside the building wall on the outlet side of the meter and the pipes shall be sloped and arranged so as to permit all water to be drained therefrom.

Section 5.8 ACCESS TO METERS

All meters shall be set in an accessible manner in a place approved by the Board and shall not be obstructed in any manner that will interfere with the prompt reading, repairing, testing or inspecting thereof.

Section 5.9 ENTRY UPON PREMISES

The Board of Commissioners, its authorized employees and agents are authorized to come upon the premises of the consumer at all times for the purpose of reading, inspecting, repairing, maintaining, removing, or testing the water facilities, meters and appurtenances through which water of the District is supplied.

Section 5.10 SETTING OF METERS

Meters shall be set with the inlet and the outlet in a horizontal plane with the register on top.

No outlet through which water may be taken shall be installed in any line between the main and the meter.

Section 5.11 VALVE IN BUILDINGS

A ball valve, as approved by the District, shall be installed within the building at the closest practicable point where the service line enters the building. Wherever the meter shall be located within the building, a ball valve shall be located on both the inlet and outlet side of the meter.

Section 5.12 PROTECTION OF METERS

No hot water lines or other unit's capable or producing heat shall be located within one foot of the meter.

No red or white lead or joint compound shall be used on joints between the main and the water.

All meters shall be protected from freezing and is the responsibility of the consumer.

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Section 5.13 LEAKAGE

All leaks in any service line or appurtenance through which District water is supplied shall be repaired immediately at the expense of the consumer except that service line leaks in the street or paved area up to the curb or paving line will be repaired by the District at no charge to the consumer.

In the interest of conservation, the District may discontinue service if service line leaks on the consumer/owners property are not promptly repaired within seven calendar days of written notification. Any expense incurred by the District in discontinuing service shall be borne by the owner/consumer.

Section 5.14 REPAIR AND REPLACEMENT OF METERS

Meters shall not be tampered with or disturbed by any unauthorized persons.

In the event that any meter fails to register or otherwise becomes out of order, the consumer shall notify the District immediately.

All repair or replacement of residential meters will be made by an authorized employee or agent of the District and the cost thereof will be charged to the consumer at rates as established by the Board of Commissioners.

All repair or replacement of non-residential meters will be made by a duly licensed plumber in New York, and the Town of Oyster Bay and the cost thereof will be borne by the consumer as well as any District charges as established by the Board of Commissioners.

All meters that in the opinion of the Board have become unsuitable for further use shall be replaced by another meter at the expense of the consumer.

Where in the opinion of the Board, any meter that has been made inaccessible or has been obstructed in any manner; or where repair, maintenance or replacement of a meter has been refused or access denied by any owner or person in possession of the premises where such meter is located, then the Water District may deem same abandoned and promptly install a new meter outside the subject premises and immediately charge all expenses of same to the consumer.

All new residents shall be charged a meter hookup fee that must be paid, according to a schedule maintained by the Board of Commissioners, prior to the activation of water service.

Section 5.15 SERVICE PIPES, FITTINGS AND MAINS

Service pipes, fittings, corporation stops, curb stops, curb boxes and meters shall be of such size, make and construction as the District shall deem proper. Service pipes up to two inches in diameter shall be of pure seamless copper tubing with bronze fittings of a type and make approved by the Board. All copper tubing shall be of the following dimensions and gauge:

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Outside Dimensions	Gauge (BWG)
7/8 inch	16
1-1/8 inches	16
1-3/8 inches	16
1-5/8 inches	15
2-1/8 inches	14

The connection to the main in cases of services over 2” is to be made by means of a “wet cut tapping sleeve” with valve attached, by a competent water main contractor, or as approved by the District. Said contractor is to lay all pipes from the main to the meter, and provide the necessary valve box with cover. All pipes used shall be “class 150” or better.

In cases of meter sizes requested beyond the standard of 1”, applicant shall notify the District office in advance of the work in order that the necessary meter and appurtenances will be available on the date of installation.

Lead Goosenecks shall not be used.

Section 5.16 PROXIMITY OF MAIN TO SEWAGE AND DRAIN

No water main or service pipe shall be laid in a sewer or drain trench, nor will any sewer or drain be permitted in any water main or service pipe trench. No service pipe will be permitted to pass within ten (10) feet of any cesspool, leaching field, septic tank or other sewage unit.

Section 5.17 LOCATION OF CURB STOP

The curb stop shall be installed between curb and sidewalk where such exists or at property line where there is none.

Section 5.18 PROTECTION OF FACILITIES

All water pipes, service pipes and appurtenances are the property of the owner/consumer and shall be maintained in good repair and shall be protected from frost and heat, at the expense of the owner/consumer.

Section 5.19 DEPTH OF INSTALLATION

All service pipes shall be laid at least four and one-half feet below the surface of the ground.

Section 5.20 CHANGES IN GROUND ELEVATION

In the event that a change in ground elevation shall leave any service pipe inadequately buried or result in a curb box, meter pit or other appurtenance of the water facilities being projected above the ground or being covered with earth, the consumer shall at his own expense have such service pipe, curb box, or meter pit raised or lowered as the case may be as to conform with all of the requirements of the District, this work to be performed by authorized persons only.

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Section 5.21 STREET OPENINGS AND EXCAVATIONS

No street or public ground shall be opened or excavated by any consumer or applicant for water service until and unless said applicant shall have been granted all permits required by the governmental authorities or agencies affected or having a right to pass upon such opening or excavation, nor until all performance bonds or other securities and insurance policies that may be required shall have been obtained and are in force.

The consumer or applicant making such street opening or excavations shall take all precautions for the safety and convenience of the public and shall assume all responsibility and liability for injury or damage resulting therefrom and agrees to save and hold the District, the Board, its agents and employees harmless from all liability for injury or damage resulting therefrom and agrees to save and hold the District, the Board, its agents and employees harmless from all liability for damages or injuries resulting therefrom, as well as concomitant legal and engineering fees.

Section 5.22 BACKFILLING EXCAVATIONS

Under no circumstances will any excavation containing water mains, appurtenances of facilities belonging to the District, be backfilled or covered until and unless such water mains, appurtenances or facilities have been inspected by a duly authorized employee or officer of the District.

Section 5.23 NOTICE OF COMPLETION

The consumer, applicant or owner shall file within the District a written report of the completion of all attachments, connections, alterations and extensions of water pipe lines and appurtenances within twenty-four hours after such completion, specifying the nature, location and type of attachment, connection, alteration or extension.

Section 5.24 INSPECTION AND APPROVAL OF NEW INSTALLATIONS

Except as hereinafter provided, no curb stops shall be opened and no water shall be introduced into or permitted to run into any premises after a new connection with the street mains has been made or new extension or attachment has been made unless and until the pipe lines, extensions and attachments have been inspected and approved by the District.

In any occupied premises wherein the introduction of water shall have been authorized or approved by the Board and which shall not have been disconnected or cut off by the District, it is not required that the water be cut off or disconnected where minor extensions, as determined by the District, or attachments are made provided; however, that the District shall be notified of such minor extensions or attachment within twenty-four hours of the making thereof. The District reserves the right, however, to require that the consumer remove any attachments or extensions which do not meet the requirements or specifications established by these Ordinances and by the Board of Commissioners.

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Section 5.25 LIABILITY FOR DAMAGES

The District, its officers and employees assume no responsibility or liability for any damages, injuries or leakages that may result from an increase or decrease of pressure, discolored water, or a discontinuance of the supply of water, and said supply may be cut off, discontinued or pressure increased or decreased at any time without notice to the consumer.

Section 5.26 REMOVAL OF DEFECTIVE INSTALLATIONS

Whenever it shall be found that a service installation has been made in any manner other than that approved by the Board, the meter may be removed and the service discontinued. Water shall not again be introduced into the premises until the service installation is properly made and approved and all expenses, charges and deposits paid by the consumer or owner of the premises.

Section 5.27 UNDERGROUND SPRINKLER SYSTEMS

A prior approval must be obtained from the Water District for the installation of any type of underground sprinkler system.

A Double Check Valve approved by the New York State Department of Health must be installed on all underground sprinkler systems that may be subject to backpressure from pumps or elevated piping, or where compressed air is used to winterize the system and where no chemical injection takes place. The device must be installed inside the building and may be installed on the branch for the sprinkler system provided no other hazards such as an auxiliary water supply exist.

A Reduced Pressure Zone Device approved by New York State Department of Health must be installed on the main line as containment on those installations where an auxiliary water supply exists or means to inject chemicals exists.

The sprinkler system cannot be branched from a meter pit without specific approval from the District.

The final installation is subject to inspection by the Superintendent or his duly authorized representative.

Section 5.28 FIREMATIC SPRINKLER SYSTEMS

No firematic sprinkler system, designed to use water supplied by the District, shall be operated, installed, continued or maintained without the approval of the Superintendent of the Water District or his duly authorized representative and full compliance with all of the Ordinances, Rules and Regulations hereinafter set forth and established. The consumer maintains ownership of the entire firematic sprinkler system supply including the water supply service from the Districts water main to the consumers building.

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All applications for installation of sprinkler systems shall be made to the Superintendent of the Water District and shall contain the name of the contractor making the installation, the beginning and completion dates, and a statement as to whether the plans submitted have been approved by the Insurance Service Organization and shall be accompanied by a set of plans prepared by a person duly qualified therefore.

All installations shall be equipped with a Double Check Valve approved by the New York State Department of Health. Wet-pipe systems utilizing antifreeze, corrosion control additives or any other foreign substance, or are located near an alternative source of supply (canals, ponds, etc.) shall be equipped with an approved Reduced Pressure Zone Device.

No installation will be permitted where the size of the proposed main will materially interfere with the supply of water to other consumers.

Installation of service lines shall be made by a contractor bonded with the District and shall be a wet-cut installation with no interruption of normal service or as approved by the District.

All permits for installation of sprinkler systems shall be issued by the Superintendent of the Water District only after full compliance with this ordinance.

Section 5.29 PLANTING OF TREES, BUSHES, ETC.

Planting of trees, bushes, etc., must clear an existing fire hydrant by a minimum measurement of 8 feet.

Section 5.30 AIR CONDITIONING/REFRIGERATION SYSTEMS

Air Conditioning/Refrigeration systems may be connected to the District water service provided it meets all the criteria of backflow prevention as defined in Section 6.6. Contact the District for specifics if required.

Section 5.31 DEMOLITION: TEMPORARY SERVICE LINE

Whenever an owner, seeking a demolition permit pursuant to Town of Oyster Bay requirements, applies to the Water District for a temporary service line shut off in lieu of a disconnection at the water main to be accomplished at a later date, a Cash Bond in the form and amount to be established by the Board of Commissioners must be furnished to the Water District prior to the temporary service line shut off and the issuance of a letter to that effect. If a proper disconnection at the water main is not completed within nine (9) months of the aforementioned letter issuance then such bond will be forfeited to the Water District and the water service at the subject premises disconnected.

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ARTICLE VI

TAMPERING WITH MAINS, HYDRANTS
AND FACILITIES-PENALTIES

Section 6.1 CANCELLATION OR SUSPENSION OF PERMITS

All permits issued by the Plainview Water District for the consumption or use of water and the use of the facilities of the District are subject to cancellation, revocation or suspension by the Board of Commissioners without notice.

In the event of such cancellation, revocation or suspension, the District may enter upon any property whereon any of its facilities or property shall be located and in its discretion remove the same therefrom.

Section 6.2 OPENING OF HYDRANTS

No person shall open or interfere with any fire hydrant or draw water therefrom without the consent and approval of the Board except that a Chief of the Fire Department or their authorized assistants may open or direct the opening of any fire hydrants in the event of a fire or for fire drill or tournament purposes. Whenever a hydrant has been used and it is determined to be inoperable or in need of repair, the Fire Department shall promptly notify the District of that fact.

Section 6.3 RESTORATION OR DISCONTINUANCE OF SERVICE

In the event that the supply of water to any premises shall be turned off for any reason, it shall not be turned on thereafter without the consent and approval of the Board or its authorized representative. In such event, the water may be turned on only by a duly authorized representative of the District after all charges, fees and penalties have been paid.

Section 6.4 EMERGENCY CURTAILMENT OF USE-PENALTY FOR FAILURE OR REFUSAL TO COMPLY

In the event of an emergency or whenever in the opinion of the Board of Commissioners the water pressure or the supply of the water shall be reduced or is likely to be reduced so that the general welfare, health or safety is affected or is likely to be reduced so that the general welfare, health or safety is affected or is likely to be affected, the Commissioners may order and direct such curtailment of the use of water or facilities of the District as they may deem necessary. Notice of such order or direction curtailing the use of water may be given personally by an officer or employee of the District or by mail. Publication of such order or direction in a local newspaper by the District on one occasion shall be deemed due notice to all consumers of the District.

In the event that any consumer shall fail or refuse to comply with such order or direction after any of the notices heretofore provided shall have been given; he or she shall be subject to a civil penalty, not to exceed the sum as delineated on a schedule maintained by the District that shall comply with the Town law, for each violation, payable to the District, and the water supply

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furnished to any such violating consumer may be discontinued until such penalty, together with all other charges, fees and deposits shall have been paid.

Section 6.5 VIOLATION OF ORDINANCES

A violation of the terms and provisions of these Ordinances, Rules and Regulations or amendments thereto or the directions or requirements of the Board relating to the use of the supply of water may result in the imposition of civil penalty under the Nassau County Civil Divisions Act not to exceed the sum of Two Hundred Fifty (\$250.00) Dollars for each violation.

In the event that such person shall be a consumer, all service may be terminated and shall not be restored until such penalty together with all other costs, charges and deposits shall have been paid.

ARTICLE VII

CONTROL OF BACKFLOW AND CROSS-CONNECTIONS

Section 7.1 STATEMENT OF POLICY

It is the policy of the Water District to protect the public water system by containing potential contamination within the premises of the user. Consumers are required to follow the applicable provisions of the New York State Sanitary Code, as well as the requirements set forth in the Department's Cross Connection Control Handbook and all applicable federal, state and local regulatory requirements.

Section 7.2 STATUTORY AUTHORITY

Chapter I, Title 10, New York State Sanitary Code, Part 5, Drinking Water Supplied, 5-1.31, Cross Connection Control requires that a supplier of water shall protect the public water system in accordance with acceptable procedures by containing potential contamination within the premises of the user in the following manner:

By requiring an acceptable air gap, double check valve assembly, reduced pressure zone device or equivalent protective device acceptable and consistent with the degree of hazard posed by the premises served by the connection.

By requiring the users of such connections to submit plans for the installation of protective devices to the supplier of water and the Nassau County Department of Health for approval; and

By assuring that all protective devices installed be tested at least annually.

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Section 7.3 RESPONSIBILITY OF THE DISTRICT

The Board of Commissioners, Superintendent or their designated agent shall inspect plumbing in every building or premises in the Plainview Water District as frequently as in their judgment may be necessary to ensure that such plumbing has been installed in such a manner as to prevent the possibility of pollution of the water supply of the District by the plumbing. The Board of Commissioners shall notify or cause to be notified in writing the owner or authorized agent of the owner of any such building or premises, to correct, within a reasonable time set by the Board of Commissioners, any plumbing installed or existing contrary to or in violation of the rules and regulations and which in their judgment, may, therefore, permit the pollution of the District's water supply, or otherwise adversely affect the public health.

The Board of Commissioners, or their designated agent, shall have the right of entry into any building, during reasonable hours, for the purpose of making inspection of the plumbing systems installed in such building or premises provided that with respect to the inspection of any single family dwelling, consent to such inspection shall first be obtained from a person of suitable age and discretion therein or in control thereof. This Section is particularly applicable to lawn sprinklers, air conditioning, refrigeration, and aspirating equipment installations.

Section 7.3.1 Inspection

The District shall cause a routine inspection of all premises served which are not already provided with the approved backflow prevention devices. Such inspections shall be conducted at an interval of no longer than one (1) year for non-residential services and five (5) years for residential services. For the purpose of this ordinance, a multiple dwelling and a residence used in part for business purposes shall be considered to be non-residential. Once it has been determined that a premises requires a backflow prevention device, the owner of said premises shall be notified and required to install and maintain an approved double check valve (DCV), reduced pressure zone (RPZ) device or equivalent protective device as appropriate in accordance with the requirements of this ordinance.

Section 7.3.2 Right of Entry

The District, or their authorized agent, shall have the right of entry into any premises during reasonable hours for the purpose of making an evaluation of the premises provided that with respect to the inspection of any single family dwelling under this Article consent to such inspection shall first be obtained from a person of suitable age and discretion therein, or in control thereof.

Section 7.3.3 Multiple Dwellings and Commercial and Industrial Buildings

The District, or its designated agent, may require the owner of any multiple dwelling, commercial or industrial building to designate some qualified person to be in charge of the water supply for that building.

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Section 7.4: DEFINITIONS

When used in this Article, unless otherwise indicated, the following words shall have the following meanings:

APPROVED BACKFLOW PREVENTION DEVICE is an air gap, reduced pressure zone device, double check valve assembly or equivalent protective device, as applicable and approved by the New York State Department of Health, to contain existing or potential contamination within a customer's facility.

AESTHETICALLY OBJECTIONABLE FACILITY is one in which substances are present which, if introduced into the public water supply system, could be a nuisance to other water customers, but would not adversely affect human health.

Typical examples of such substances are: food grade dyes, hot water, stagnant water from fire lines in which no chemical additives are used, etc.

AIR GAP means the unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or faucet supplying water to a tank-plumbing fixture or other device and the flood level rim of the receptacle. The differential distance shall be at least double the inside diameter of the supply pipe. In no case shall the air gap be less than one (1") inch.

BACKFLOW means a flow condition, induced by a differential in pressure that causes the flow of water or other liquids and/or gases into the distribution pipes of a public water supply from any source other than the intended source.

BACKPRESSURE means the resulting backflow of water from a plumbing fixture or other customer source(s) into a public water supply system due to a greater pressure within the customer's water system.

BACKSIPHONAGE means the backflow of water from a plumbing fixture or other customer source(s) into a public water supply system main due to a temporary negative or sub-atmospheric pressure within the public water supply system.

CERTIFIED BACKFLOW PREVENTION DEVICE TESTER is a person having completed the required training course and holding a current certification issued by the New York State Department of Health.

CONTAINMENT means cross-connection control that isolates the consumer's entire facility from the public water system so as to provide the protection necessary to prevent contamination of the public water supply in the event of backflow from the consumer's facility.

CROSS-CONNECTION means a physical connection through which a water supply could be contaminated.

DEGREE OF HAZARD means whether a facility is rated as hazardous, aesthetically objectionable or non-hazardous.

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DOUBLE-CHECK VALVE (DCV) ASSEMBLY means two single independently acting check valves, including tightly closing shutoff valves located at each end of the assembly and suitable connections for testing the water tightness of each valve.

HAZARDOUS FACILITY is one in which substances may be present which, if introduced into the public water system, would or may endanger or have an adverse effect on the health of other water customers. Typical examples are laboratories, sewage treatment plants, hospitals, and mortuaries.

INTERCONNECTION is a joining of two independently operated public water distribution systems.

LOCAL HEALTH DEPARTMENT ENGINEER is the Nassau County Health Department Engineer.

NON-HAZARDOUS FACILITY is one, which does not require the installation of an acceptable backflow prevention device.

OUTLET is the open end of the water supply pipe through which the water is discharged.

POTABLE WATER is that which complies with the drinking water quality provisions of the State Sanitary Code, Part 5, Drinking Water Supplies.

REDUCED PRESSURE ZONE (RPZ) DEVICE means a minimum of two (2) independently acting check valves, together with an automatically operated pressure differential relief valve located between the two (2) check valves. During normal flow and at the cessation of normal flow, the pressure between these two (2) checks shall be less than upstream (supply) pressure. In case of leakage of either check valve, the differential relief valve, by discharging to the atmosphere, shall operate to maintain the pressure between the checks at less than the supply pressure. The unit must include tightly closing shutoff valves located at each end of the device and each device shall be fitted with properly located test cocks.

INDIVIDUAL WATER SUPPLY means any water source or system other than the Plainview Water District supply, which may be available in the building or on the premises.

Section 7.5 CROSS CONNECTIONS

Cross-connections between the customer's water system in premises served by the District, which are rated aesthetically objectionable and/or hazardous, are prohibited except where an approved backflow prevention device has been installed to prevent contamination of the potable system. The District shall determine the degree of hazard posed by the service connection to the premises and shall determine the type of backflow prevention device that is required to be installed. In each instance where a condition, device or practice has a potential for a cross connection with the water supply, an approved air gap, reduced pressure zone device, a double check valve assembly or equivalent protective device must be installed commensurate with the degree of hazard encountered.

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Individual Water Supply Cross-connections between an individual water supply (i.e. private well) and the potable water supply of the District shall not be made unless specifically approved by the Board of Commissioners and the New York State Department of Health.

Section 7.6 INTERCONNECTIONS

Interconnections are prohibited except for emergency interconnections with other public water purveyors.

Section 7.7 DISTRICT REQUIRED BACKFLOW DEVICES

- a) All new residential services must be equipped with, at the very least, an approved double check valve assembly (DCVA).
- b) All non-residential services must be equipped with an approved reduced pressure zone (RPZ) device.
- c) All fire service and by-pass lines must be equipped with an approved DCVA.
- d) Where underground sprinkler systems employ chemicals, an approved RPZ device shall be required.
- e) Services with a private well that is interconnected or has the potential to be interconnected with the public water supply must be equipped with an approved RPZ device.
- f) All underground sprinkler systems and swimming pools with direct fill capability, must have installed a minimum of a DCVA.
- g) All wet-pipe systems utilizing antifreeze, corrosion control additives or any other foreign substance, or which are located near an alternative source of supply (canals, ponds, etc.) shall be equipped with an approved RPZ device.

Section 7.8 APPROVALS, PROCEDURES AND INSTALLATIONS OF BACKFLOW DEVICES

Applications and instructions for the installation of backflow devices are available at the District. Applications are subject to review and approval by the District. If a device is installed on a 2" or larger service line, a separate application must be made to the Nassau County Department of Health for their approval. Although there is no fee associated with the District's review, the Nassau County Department of Health does charge for their review of plans in accordance with their latest fee schedule.

In order to insure full containment, backflow devices must be installed immediately after the water meter. No connections shall be made between the meter and the backflow device. All installations shall be made by a duly licensed plumber of the Town of Oyster Bay.

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A New York State certified tester must test Backflow devices at least once a year. Records of such tests must be filed with the District as required by New York State law.

The approval procedure is as follows:

a. For Devices Less Than 2”:

The applicant must file with the District an application on the current New York State Health Department form, together with plans and specifications for the installation of the proposed backflow prevention device. Copies of the form, typical plans previously approved by the Nassau County Department of Health, and specifications for the installation of the backflow devices, as well as a list of devices acceptable to the New York State Department of Health for containment control are available from the District.

b. For Devices 2” and Larger:

A separate application must be made to the Nassau County Department of Health and a copy filed with the District. After approval is obtained from the Department of Health, the customer shall have the backflow prevention device installed in accordance with the plans and specifications.

Certification that the device was installed in accordance with the approved plan shall be made to the District by the installer. At the completion of the installation, and within forty-five (45) days, the device shall be tested by a Certified Backflow Prevention Device Tester. A report of the results of the test shall be submitted to the District within thirty (30) days of the test.

Section 7.9 TECHNICAL REQUIREMENTS

a) New Water Supply Connections

1. Residential – An approved reduced pressure zone (RPZ) backflow prevention device or double-check valve (DCV) shall be installed in an appropriate meter pit or other approved location on all new water supply connections supplying water to any residential premises.
2. Commercial, industrial or other non-residential structure connected to the potable water system of the District shall have an RPZ backflow prevention device.

b) Existing Water Supply Connections

Retroactive hereto, an approved backflow prevention device shall be retrofitted in an appropriate meter pit or location as approved by the District for all existing water supply systems or services, which include but are not limited to:

1. An Irrigation system;
2. A private well that is interconnected or has the potential to be interconnected with the public water supply;

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3. A solar heating system; and
4. Any system rated aesthetically objectionable and/or hazardous by the Nassau County Department of Health or the District.

The same retrofit requirements apply to all industrial, commercial and other nonresidential structures.

c) Maintenance Requirements

1. General Requirements

It shall be the responsibility of the building and premises owners to perform required testing and to maintain all backflow prevention devices within their building or on their premises in good working order and to make no piping or other arrangements for the purpose of bypassing the backflow devices. The owner at his sole cost and expense is responsible for complying with the New York State and Nassau County Department of Health's Rules and Regulations for control of backflow and cross-connections.

2. Testing and Repair of Backflow Prevention Devices

Backflow prevention devices installed for the purpose of containment shall be tested annually (when required) starting from the date of the initial test performed at the time of installation. A New York State Department of Health Certified Backflow Prevention Device Tester shall conduct testing. Each backflow device tested shall bear an inspection certificate tag indicating the date of the latest test and the name and address of the Certified Tester who conducted the test. The owner or tester shall file a report of the test on the appropriate Department of Health form with the District within thirty (30) days of conducting the test. Any device, which fails a test, shall be repaired and retested within thirty (30) days.

ARTICLE VIII

LAWN IRRIGATION AND CONSERVATION

Section 8.1 STATEMENT OF POLICY

It has always been the policy of the Plainview Water District to preserve the quantity and quality of our potable water supply and to encourage conservation by District consumers. In order to implement this policy, the Board of Commissioners has enacted the following Water Conservation Ordinances:

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Section 8.2 LAWN SPRINKLING

Lawn/shrubbery/garden watering restrictions for the Plainview Water District are as follows:

1. No watering between 10 a.m. and 4 p.m. on any day.
2. Odd numbered addresses may water on odd numbered days of the months except as defined in (1) above.
3. Even numbered addresses may water on even numbered days of the month except as defined in (1) above.

Wash down of driveways and sidewalks with garden hoses are prohibited.

Car washing is permissible at any time providing that there is a shutoff valve at the discharge end to allow shutoff between wash and rinse.

These restrictions apply to and control private wells.

Note: These are year-round restrictions.

Section 8.3 OUTDOOR FOUNTAINS, SPRAY PONDS, ETC.

The use of water is PROHIBITED in outdoor fountains, spray ponds and similar facilities when re-circulating in excess of five-gallons per minute.

Section 8.4 SOIL COMPACTION

Jetting, puddling and other methods of soil compaction that use water are PROHIBITED.

Section 8.5 CAR AND FLEET VEHICLE WASHES

All car and fleet vehicle wash establishments must be equipped with recirculating facilities as specified by the County of Nassau.

If any provision of this Ordinance or the application of such provision to any person or circumstance shall be held unconstitutional or invalid, the constitutionality or validity of the remainder of this Ordinance and the applicability of such provision to other persons or circumstances shall not be affected thereby.

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ARTICLE IX

AMENDMENTS AND EFFECTIVE DATE

Section 9.1 AMENDMENTS

The right is reserved to change or amend these Ordinances at any time in a manner provided by law.

Section 9.2 REVOCATION OF PREVIOUS ORDINANCES

All Ordinances, rules, regulations, resolutions, orders and directions heretofore issued by the Board of Commissioners are hereby revoked, cancelled and annulled insofar as they shall be inconsistent with any of the within Ordinances.

Section 9.3 EFFECTIVE DATE

The foregoing Ordinances of the Plainview Water District duly adopted by the Board of Commissioners of the District on the ____ day of _____, 2012.