

**OFFICE OF
BUZZARDS BAY
WATER DISTRICT**

**15 Wallace Avenue
Buzzards Bay, MA 02532**

**WATER RULES
&
REGULATIONS**



www.buzzardsbaywaterdistrict.us

The following rules, regulations and procedures as hereby, established, or as may be hereafter altered or amended, shall be bound in agreement with every application or

consumer who takes water, and governs the relations between the Buzzards Bay Water District and its consumers, contractors and developers who install water systems.

Definitions

Consumer: The term, “Consumer”, shall mean the individual, firm, or corporation whose name is currently on record as the party who has applied for a water service or any individual, firm, or corporation who, in fact, uses the water supply from the Buzzards Bay Water District.

Main: A main is the supply pipe usually laid in the street from which service connections are made.

Service: A service line is the line (pipe) that comes from the water main to the lot line (approx.).

Consumer Service Line: The Consumer Service Line starts at the curb stop. This definition was adopted at a meeting of the Board of Commissioners on November 18, 1997. Any installations completed prior to that date may be deemed to have a consumer service line beginning at the property line by the Buzzards Bay Water District.

Cross Connection: Cross connection is when a foreign source, non-potable water or a device that is connected to the Public Buzzards Bay Water supply that can or has the potential to cause the contamination, pollution or health hazard to the water supply and residents of the Buzzards Bay Water District.

Application for Water Service / New or Renewal / Transfer of Ownership

- A. All applications for water service shall be made at the District Office, 15 Wallace Avenue, Buzzards Bay, by the owner of the property or their agent, on forms provided for that purpose. Billing is based on metered connections. The District holds the owner of the property liable and responsible for all bills. Upon making an application for water service, a System Development Fee will be paid at the time of application prior to obtaining your letter for the Board of Health or Building Inspector.
- B. RENEWAL OF SERVICE: Property owners requesting a renewal of service must contact the office regarding review of the property and service line. A System Development Fee and replacement of the service line may be required depending on the age and condition of the existing service line.
- C. Failure of owner to receive bill does not relieve him from the obligation of payment.
- D. Transfer of property ownership requires the filing of a new application by way of a NEW OWNER PACKET which is sent to the new owner upon our notification of a transfer of ownership. Completion and return of the packet is the new owner’s responsibility. Updating mailing address and phone contact number is also the responsibility of the property owner. Again, failure of the owner to receive the bill does not relieve them from obligation of payment.
- E. Unusual construction or connections: Owners of property desiring any unusual construction or connections, alterations, or attachments connected with the water supply must submit plans and specifications for the same to the Water District’s Superintendent for his inspection and review by the District’s engineers. The cost

will be paid by the applicant. Approval or disapproval will be made and determination as to whether the same are permissible. The Superintendent will determine the terms, charges and conditions under which their use will be allowed. Failure to comply with this section and if work or connections are made to the system to receive water without proper permission will result in the water service being discontinued immediately and all costs associated will be charged to the owner and service will not be restored until all fees and fines are paid. All “consumer services” in excess of 125’ (feet) long will require a meter pit installation at the street line. Depending on the circumstances, to protect the Buzzards Bay Water System, the Superintendent’s decision will prevail.

Installation of Water Service

- A. The customer must select an approved contractor to tap and install the service from the street to the building. The customer is responsible for entire cost of installation, including any expense incurred by disturbing paved or cemented area, special equipment and traffic officer if needed. All installations will require materials that are approved for use by the District. In unusual situations, if the District has to provide special fittings, the cost shall be billed to the owner. **“Sweat” type connections are not acceptable in the use of copper tubing underground.** All work will be done under the supervision of the District’s representatives or its agents. Fully installed and inspected services from the street to the house or meter pit shall be considered ready for activation and will be subject to billing, whereas water service is connected. New or renewed services are subject to a set fee for the inspection.
- B. Customer must call for a Trench Inspection at the site before the line is covered. After the approved trench inspection the customer will be billed the NEW SERVICE FEE and the account is deemed active. Customers can then call for meter placement at their convenience. Once the New Service Fee is paid, the customer will then be billed the Semi-Annual Base Charge for that period and receive regular billing from that point on.
- C. No new services shall be installed in public ways during November 15 to April 15 except in such cases that can be deemed emergencies. Applications must be received by November 1st and full pavement restoration is required by December 1st.
- D. **Consumer service lines** shall be installed in accordance with the Massachusetts State Plumbing Code, Section 14, “Water Supply and Distribution”, and Town of Bourne laws and codes.
- E. **Any single water service** shall feed **ONE** and only **ONE** building or dwelling, unless approved by the District. No consumer either domestic or commercial, will be allowed to supply water to other persons or properties unless special permission is granted by the District and subject to its supervision.
- F. **Meter locations** must be approved by District personnel before water is installed. Owners of facilities with no cellars or with a “crawl space” deemed to be an inadequate access by the District must have a meter pit installed according to District specifications at the owner’s expense. Meters shall be accessible for meter reading, repairs or removal. **No connections or additional fittings shall be made**

or added to a consumer service line from the curb stop to the first valve before the meter. The shutoff valve at the meter inlet shall be the first fitting inside the facility served and shall be a “ball valve” with appropriate pipe size thread on the outlet side to accommodate the “tail piece” to be installed to service the meter size being installed. Also, a “ball valve” shall be installed after the meter by the consumer at his expense, to permit meter removal without backflow from house pipes.

- G. **System Development fees** are charges for a connection to an existing water main. It also implies that any connection to an existing water service installed to the lot line during construction of subdivisions or inactive services as a result of abandonment and that service account number closed requiring a new number will require a system development fee paid to support the additional strain placed on the pumping system.
- H. **No person other than an employee of the District will be permitted at any time to open or close a gate valve, service line or consumer service line valve or curb stops. Unauthorized persons tampering with a service will be prosecuted and responsible for any charges or repairs. Services found to be altered by someone other than Water District personnel will be fitted with a LOCK BOX and the customer will be charged for rental of the lock box and for the Illegal Curb Act. All activity required to restore service will be billed to the property owner.**
- I. **Setting Curb and Gate Boxes:** All service boxes will be set to finish ground grade, and it is the responsibility of the owner to keep the top of the box accessible at ground surface. Persons planning to construct walks, driveways or other construction, should give notice to the District prior to commencing any work. The District is not liable for any damage or repairs made necessary by any service box being covered by pavement and requiring the pavement to be cut. If the box does get covered by any means and the District has to restore the box to proper grade level, all cost incurred will be billed to and be the responsibility of the owner for payment. **The District will not be held liable for any damages or cost resulting in not being able to turn the valves off in an emergency due to the inaccessibility of the covered or restricted access to the box.**
- J. **Any person that creates or converts to a “condominium” facility will require separate water services to EACH UNIT.** Failure to comply with this section by not installing separate services to each unit will result in the water service being discontinued until it comes into compliance and is inspected by the Water Superintendent and all costs are paid for such compliance. In cases where new units are being constructed from an approved plan, water will be withheld until satisfactory compliance is completed.
- K. **Any facility possessing or requesting a fire sprinkler system for “Residential” or “Commercial” use shall be required to have a separate service to accommodate the sprinkler system.** All Sprinkler systems shall conform to the most recent Department of Environmental Protection Regulations of “Backflow” and “Cross Connection Control”. All required devices shall be approved by D.E.P. and installed and tested prior to the system being permanently activated. A final inspection and approval of the system by the Superintendent of the Buzzards Bay

Water District and copies of approval and material of devices must be presented to the Superintendent prior to the water being turned on in accordance with the authority delegated in 310 CMR 22.22. Backflow Devices are subject to mandatory yearly or semi-annual testing as required by state and local regulation.

- L. **Any facility installing or maintaining a lawn or irrigation system** must comply with the most current regulations for “Cross Connections” and “Backflow Prevention” by the Department of Environmental Protection and all Water District requirements or water service will be terminated until such time as all requirements are met to the satisfaction of the Water Superintendent under authority delegated in 310 CMR 22.22.
- M. **ABANDONED ACCOUNTS: If the customer decides to renew service the account is then subject to Application for New Service procedures. The service line will be required to be updated and a System Development Fee will be required.**

MATERIAL SPECIFICATIONS

Installations must comply with the most recent specifications list.

EXCAVATION

- A. **Depth cover for water service lines and connections** must be a minimum of five (5') in all directions. Water service lines must be run in a trench at least five feet (5') away from drain, telephone, gas and electric lines and ten feet (10') away from sewer lines and systems except in Plymouth where the Board of Health requires 20' (feet).
- B. **The trench** must be smooth, free of stones, roots and debris and remain so when backfilled.
- C. The trench shall be exposed the entire length for inspection of materials and depth of pipe. All connections and valves must be exposed for leak test. (Inspection by appointment only). A standard fee is assessed by the District for all service inspections.

METERS

A. **All water services are to be metered** unless given written permission by the Water Superintendent for special purposes. The District will purchase and install all 5/8" x 3/4" meters. Meter sizes will be determined by the District and normally domestic services have 5/8" x 3/4" meters installed with remote readers where practical. Any requirement for a meter larger than 5/8" x 3/4" will be bought and paid for by the owner according to Water District specifications. All meters installed and supplied by the District, including the “remote reader” system are the property of the District. All meters and remote readers larger than 5/8" x 3/4" not owned by the District shall be paid for by the consumers including all repairs and/or costs to maintain the proper operation and accuracy set by Massachusetts State standards. This also includes the required testing by a qualified tester. Meters must be tested on a scheduled basis for meters over 5/8" x 3/4". Testers must be approved by the District and an employee of the District must be present during the test. **Test results must be in accordance with approved American Water Works Association and the**

tolerance limits of the Commonwealth 2% + or – or the meter must be rebuilt to the standards or replaced. A certified copy of test results and/or repairs shall be forwarded to the Water Superintendent. The consumer will be responsible for all incurred costs.

“SCHEDULE”

¾” to 1”	Test every five (5) years
1” to 2”	Test every four (4) years
3” & 4”	Test every two (2) years
6” and above	Test yearly

Once a meter is set, the customer is subject to regular billing.

METER SIZE & TYPE

- The proper size, type and kind of water meter required for any given service shall be approved by the District. Only approved meters will be allowed and used in the District.
- B. Upon written request to the Water District Office** by the property owner claiming an error in meter registration, the meter shall be removed and tested. If the test proves the meter to be correct, or under registering, the owner shall be charged a fee of \$3.00 for each test or examination, plus labor and travel time (Massachusetts General Laws, Chapter 40, Section 391). The above applies to 5/8” x ¾” meters. All other sizes are done on a contract basis with the customer responsible for all costs. If the test proves the meter to be over-registering, the meter shall be adjusted at no cost to the property owner and a rebate made for any overcharge within the current calendar year. A tolerance of 2% + or – is acceptable. If, however, it appears that the person has been charged with or has paid for less water than he should have been charged for, he shall forthwith be charged with the proper additional amount and shall pay the same together with the expense of the examination and test to the District supplying the water. (Massachusetts General Laws, Chapter 40, Section 391).
- C. When a meter fails to register or is out of order:** If a meter is out of order or fails to register, the consumer will be charged at the average daily consumption as shown by the meter when in order for the corresponding period of two years preceding.
- D.** No meter, remote reader or meter pit shall be disconnected, removed or disturbed except by a representative of the District. Unauthorized persons tampering with such will be prosecuted. Chapter 165, Section 11 of the Massachusetts General Laws states that **“anyone causing intentional injury to or interference with the proper recording of a water meter will be fined \$300.00 or face imprisonment for one year or both”**. Therefore, any meters that appear to have been tampered with or seals broken shall be reported to the District’s Counsel for appropriate action. Plumbers must report breaking of seals and reasons for doing so. **Services found to be altered by someone other than Water District personnel will be fitted with a LOCK BOX and the customer will be charged for rental of the lock box and for the Illegal Curb Act and any potential fines.**

- E. **The District will make periodic tests** and make all repairs to 5/8" x 3/4" domestic meters, and all meters owned by the District due to ordinary wear at no cost to the owner. All other size meters will be charged for.
- F. **All water passing through a consumer service line or meter** is charged for, whether it is used or wasted through leakage.
- G. **All water services shall have a shut-off valve** in good operating condition before the meter. It is required that a valve be installed after the meter. It is required that a valve be installed after the meter also to prevent backdraining. These valves are the property and responsibility of the owner.

PROTECTION OF CONSUMER SERVICE LINES AND METERS

- A. All persons taking water shall at their own expense keep their consumer service lines in good repair and protected from frost, freezing, hot water backing from house boilers or tanks and any other cause. **The cost to thaw lines, repair frozen meters or meters damaged from hot water, negligence or illegal tampering will be paid by the owner.**
- B. In freezing weather, if the loss of water is noticed, it shall be the responsibility of the owner to notify the Buzzards Bay Water District or the Bourne Police or Fire Departments immediately. Delay causes the service line to freeze between the curb stop and the water main as well. If the water is not frozen at the curb stop it will be the owner's responsibility to have his consumer service line thawed. **The entire cost to thaw the line and any excavating resulting therefrom shall be paid by the owner.** Information on how to prevent a service line from freezing may be obtained at the District office.
- C. If it is found that a consumer service line from the curb stop to the consumer's shut-off valve is in need of repair due to breaks or leaks, the water may be shut off immediately to avoid excessive waste. Within 5 days of notification such repairs shall be completed. Upon completion of the repairs an inspection will be made by a representative of the District and, if satisfactory, the water will be turned on. **The repair is the responsibility of the owner.**

RIGHT OF ACCESS

- A. As defined in Chapter 165 of the Massachusetts General Laws and 310 CMR 22.22, (2b), employees of the Buzzards Bay Water District shall have access to the premises of any water taker at all reasonable times:
 1. To examine pipes and fixtures.
 2. To determine the quantity of water used and the manner of its use.
 3. To read, repair or test water meters and the connecting fixtures.
 4. To inspect for leaks upon request.
 5. To inspect for actual or potential cross connections connected to the water system of the Buzzards Bay Water District.
 6. For the testing of devices installed for the purpose of preventing cross connections or backflow.
- B. It shall be the duty of all consumers to see that meters on service connections where located shall be readily accessible at all times to the Buzzards Bay Water District. As defined in Section A and Section B of Right of Access, **if within 3**

days after notification from the District, obstructions are not removed, or entry is denied, the water will be shut off to the premises. Water will not be turned on until all obstructions are removed, entry is gained for original purpose, all regulations are complied with and all expenses for shutting water off and turning on are paid.

FEES AND CHARGES

A. The Semi-Annual Base Charge will be billed in January and July of each year, due and payable within thirty (30) days of the date of billing. Property owners are responsible for the payment of all water bills. The property owner shall be responsible for ensuring that the most current water billing address is on file with the District. The District will not be bound by water bills rendered under mistake of fact. Failure of the property owner to receive a water bill or demand notice does not relieve the owner in any way from liability for payment. Customers making partial payments are not exempt from the demand charge and shut-off for non-payment if the full balance is not paid by the demand charge date and the shut off date. After the shut off notice has been issued, all payments must be made by cash, credit card, money order or certified bank check. All connected services are assessed the base charge whether or not the water is used. A Second Request for Payment is sent 45 days after the date of billing. A Certified Shut Off Notice, which includes notice of a \$25.00 Demand Charge, is sent to unpaid customers 60 days after the date of billing. If payment is not made by the date specified on the Certified Shut Off Notice, the property is then tagged with a SHUT OFF NOTICE which specifies to the Customer that water service will be discontinued as of a specific date unless payment is made. Water services may be discontinued to any property when water bills remain unpaid for more than sixty (60) days after the date of billing, unless prior arrangements have been made. A water lien may be placed on the property and the Tax Assessors Office so notified in accordance with M.G.L. Chapter 487, and Chapter 40, Sections 39-42I, Chapter 165, Sec. 11A.

Water allowances go with the property and are not adjusted upon sale. If, upon sale, an account is in excess (the 15,000 gallon allowance is used) the account remains in excess until the beginning of the next billing period.

B. 1. Date of consumers liability to pay:

The Semi-Annual Base Charge will be assessed for water service from the date the complete service line is installed, whether the water was used or not.

2. Collection of miscellaneous water charges:

All bills for materials or labor on consumer's property and charges for turning on and turning off water will be subject to the same conditions as bills for water.

3. Claims for adjustments on bills:

All claims for adjustments of bills shall be made within 60 days of the date of billing.

4. **Payment Plans:** Customers who desire a payment plan *must call* and request a payment plan as soon as they receive their bill. Payment will be spread over a period of 3-5 months, depending on the amount due. Payment plans do exempt a customer from demand charges. Customers will receive a typed payment plan. They must return a signed copy for the plan to be in effect. Customers must provide a contact number. If a payment is missed by a customer, an attempt will be made to contact the customer. If no payment is received within seven (7) days and an effort has been made to contact the customer, the property will be posted for shut off within a twenty-four (24) hour period. Then, if requested by the customer, a meeting will be scheduled with the Board. Payment plans are a courtesy offered by the District. Failure to make payments will result in inability to qualify for a payment plan in the future.
5. **PROTECTION FROM SHUT OFF:** If a customer claims protection from shut off for one of the following reasons, procedures are put on hold for 72 hours in order for the customer to provide the required documentation.

Serious Illness

Notice must be received within seven (7) days from the date of the claim for protection from shut off at the District Office by a registered physician or the Board of Health stating there is serious illness. This notice must include the following:

1. Name and address of the seriously ill person.
2. Nature of the illness.
3. Business address and telephone number of the physician or Board of Health.

Serious illness certification shall be renewed monthly except where illness is certified as chronic, the certification shall be renewed quarterly.

Child Under Twelve (12) Months of Age

Notice must be received within seven (7) days from the date of the claim for protection from shut off at the District Office by means of a birth certificate or letter or official document issued by a registered physician, Board of Health, Hospital, Department of Public Welfare, clergyman or religious institution containing the following information:

1. Name of the child under twelve (12) months of age;
2. Birthdate of the child;
3. Domicile of the Child.

Certification shall remain in effect without renewal until the child reaches twelve (12) months of age.

Service Providing Heat Customers are protected from SHUT OFF between November 15th and March 15th, if the service provides heat or operates the heating system.

Financial Hardship

If a customer claims financial hardship, the District must receive, within seven (7) days from the date of the claim for protection from shut off at the District Office, a signed statement by the customer showing that hi/her income falls within the financial hardship guidelines as set forth in 220 CMR 25.01 (2) (f). The customer shall be given time to apply for assistance for the current winter season. Minimal payments are accepted. Customers are urged to take advantage of the Payment Plan policy.

All Residents Sixty-Five (65) Years of Age or Older

The customer must submit proof of age of all property residents. This protection does not free the customer of their obligation to pay. Minimal payments are accepted and payment plans are offered.

TENANTS

Payment of water bills is the responsibility of the property owner. Property with tenants is subject to shut off for non-payment. Property owners may take advantage of the Payment Plan policy.

- C. Items having fees, rates and charges: All activities and services provided by the District have set fees, rates and charges. A complete list may be obtained through the District office or on our website, www.buzzardsbaywaterdistrict.us.**

MISCELLANEOUS SERVICES

- A. Hydrant taps or temporary water service may be supplied for construction or special use with all costs to be paid by the applicant.
- B. Filling of swimming pools from District hydrants is prohibited.
- C. Persons requesting water service to a sprinkler system, to a new subdivision or area where water mains are not now installed shall submit all requests to the Buzzards Bay Water District for approval and confirmation, prior to any excavation. Persons doing so will be responsible for all costs and will comply with all rules and regulations in effect.
- D. Buzzards Bay Water District will assist with fire flow tests when requested in writing, stating locations and required number of hydrants to be flowed. Costs cover labor, paperwork for report, required minimum plus set fee per each hydrant used. Only employees of the Buzzards Bay Water District are allowed to operate hydrants except Fire Department personnel in the line of fire fighting.

- E. As required in 310 CMR 22.22, any facilities having a “Backflow Prevention” device that is tested is required to have it tested annually with a copy of the results sent to the Buzzards Bay Water District. Appointments can be made for backflow testing by a certified tester.

USE OF FIRE HYDRANTS

- A. All persons are forbidden to open or close a fire hydrant, District or private, except members of the Fire Department and employees of the Buzzards Bay Water District. Other persons may use the fire hydrants only with specific permission of the Water Superintendent. **Unauthorized use of hydrants may be subject to a fine of \$100.00 and a charge for the estimated use of water, whether used or wasted.**

RIGHT TO PROHIBIT AND LIMITS OF LIABILITY

- A. **Right to prohibit:**
The right is reserved to limit or prohibit the use of water as the public health, safety and interest may require. The Board of Water Commissioners, upon approval of the Department of Environmental Protection, has the right to restrict the use of water during dry seasons or under any other emergency conditions. Any person who violates such restriction or ban, imposed in accordance with M.G.L., Chapter 21G, Sections 15 & 16, will be punished by a fine not to exceed \$150.00.
- B. **No liability for Interruptions of Service:**
No consumer shall be entitled to damages or to have payment refunded for any interruption of water supply occasioned either by accident to any portion of the District system or by shutting off for the purpose of additions or repairs to the District system, or by the stoppage or shortage of supply due to causes beyond the control of the district, 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.
- C. **Waiver of Rights:**
Any omission or delay on the part of the Board of Water Commissioners or its agents in exercising the rights reserved under law, rules or regulations shall not constitute or be construed as a waiver of such rights.
- D. **No Liability for shutting off water without notice:**
The Board of Water Commissioners or its agents shall shut off water when it becomes necessary to do so from any section of the District because of an accident or for the purpose of making changes or repairs or anything relative thereto. The District will endeavor to give timely notice to as many of the consumers affected thereby as time and the character of the repairs or the accident will permit and will, so far as practical, use its best efforts to prevent inconvenience and damage arising from any such cause, but failure to give such notice will not render the District responsible or liable for any damage that may result from the shutting off of water or any coincident conditions.
- E. No liability for dirty water:

The District will not be held responsible for damages caused by dirty water resulting from opening or closing of any gate, hydrant, or repairs to any pipes or appenditures. The District, whenever possible or feasible, will notify the affected consumers as best as possible that there may be an occurrence of dirty water. This information will also be posted on the Web site, www.buzzardsbaywaterdistrict.us, and customers can access information regarding problems in the District through the office phone system.

F. No liability for collapsed boilers, etc.:

The District reserves the right, at any time and without notice, to shut off water in the mains for purposes of making repairs, extensions or for other necessary reasons as well as during fire fighting when water pressure drops to extremely low pressure. 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. Consumers are required to provide, at their own expense, suitable safety appliances and devices as required by the State Plumbing Code, to protect themselves against such danger. Failure to provide these devices can result in serious and costly damages to hot water tanks and heating systems. In case of danger, open hot water faucets and let them remain open until the water supply returns and all air in the system has escaped. In any event, it is expressly stipulated that the District will not be liable for any damage resulting from having the water turned off, either by fire fighting or through accident or necessity.**

G. No Liability for consumers pipes:

The District assumes no liability for conditions which exist in consumers pipes and cause trouble coincident to or following the repairs of any main pipe, service line, consumer service line, meter or other appliance belonging to the District.

H. No liability for treatment:

The District accepts no responsibility or liability for any treatment added to the water supplied by the District by any customer installing water enhancement devices after it leaves the Buzzards Bay Water Pumping Stations. **A word of CAUTION**, the Department of Environmental Protection states that any person that installs or maintains water enhancement devices that service at least 25 persons daily at least 60 days of the year is considered a **PUBLIC WATER SUPPLY** and falls under the rules and regulations of the Department of Environmental Protection.

CROSS CONNECTION CONTROL

A. Regulatory Authority:

The Buzzards Bay Water District servicing customer premises, must comply with all provisions as provided for in the Federal Safe Drinking Water Act of 1974 (Public Law 93-523), Amended 1986, M.G.L. Chapter 111, Section 160A and the Drinking Water Regulation of Massachusetts (310) CMR, 22.22). Also, the following apply; M.G.L., Chapter 165, Chapter 40, Sections 39, 41, 42A-1, Chapter 487, Chapter 21G, Sec. 13-17. It is the responsibility

of the Massachusetts Certified Operator holding the license to comply and enforce all of the above and any other requirements imposed by state authority and the Buzzards Bay Water District.

- B.** Any persons connecting or attaching to or from the Buzzards Bay Water District water supply system in any manner, temporarily or permanently, any device which constitutes a cross connection as listed under Chapter 111, Section 160A and 310 CMR, 22.22 or the decision of the Water Superintendent shall comply with all pertinent laws and regulations in effect prior to obtaining water for its use. Whoever maintains a cross connection without a permit, or after revocation of the permit to maintain a cross connection, without installing the appropriate backflow prevention device required by these regulations and by the reviewing authority or Water Superintendent, **shall be subject to a fine of not more than \$500.00 or imprisonment for not more than one year or both.**

Any violation of these regulations shall be subject to administrative penalty provisions of 310 CMR 5.00.

- C.** **Point of entry - point of use devices:** Any cross connection device installed immediately after the meter shall be regarded as a “Point of Entry” or “Containment device” and **will not** always be the only device required to achieve compliance.

Point of Use devices only protect against cross connection for the particular appliance it serves and NOT the entire water system. Therefore,, more than one cross connection device may be required to be installed on the premises. The Water Superintendent has the authority under 310 CMR, 22.22 to require not only the mandatory devices required but any additional devices he feels best protects the Buzzards Bay Water District water supply system against contamination, pollution, backflow or backsiphonage, **whether it is actual or potential.** The Department of Environmental Protection and/or the Water Superintendent’s decision shall prevail.

The following is extracted from the Federal Safe Drinking Water Act.

“Tampering with Public Water Systems”

“Section 1432. (a) **TAMPERING** – Any person who tampers with a public water system shall be imprisoned for not more than 5 years, or fined in accordance with title 18 of the United States Code, or both.

(b) **ATTEMPT OR THREAT** – Any person who attempts to tamper, or makes a threat to tamper, with a public drinking water system will be imprisoned for not more than 3 years, or fined in accordance with title 18 of the United States Code, or both.

(c) **CIVIL PENALTY** – The Administrator may bring a civil action in the appropriate United States district court (as determined under the provisions of title 28 of the United States Code) against any person who tampers, attempts to tamper, or makes a threat to tamper with a public water system. The court may impose on such person a civil

penalty of not more than \$50,000 for such tampering or not more than \$20,000 for such attempt or threat.

(d) **DEFINITION OF “TAMPER”** – For purposes of this section, the term “tamper” means -

(1) to introduce a contaminant into a public water system with the intention of harming persons; or

(2) to otherwise interfere with the operation of a public water system with the intention of harming persons.

All remittances and correspondence should be addressed to:

Buzzards Bay Water District
P.O. Box 243
Buzzards Bay, MA 02532
(508) 759 – 4631
FAX (508) 759 – 1866

Located at 15 Wallace Avenue, Buzzards Bay, MA 02532
Hours of Operation – Monday through Friday:
8:00am –4:00pm
Closed Saturdays, Sundays and Holidays

These rules and regulations, revised, shall become effective January 1, 1991, except for provisions of:

1. Installation of Services, par.I, which was voted on and accepted at the regular meeting 6/23/89, retroactive to 1/1/89.
2. Installation of Services, par.J, which was voted on and accepted at its regular meeting of 2/2/90.
3. Fees & Charges which was voted on and accepted at its regular meeting of 3/6/90 to impose a fee for insufficient funds checks to the District. At the same meeting, a fee was set for the testing of Cross Connection Devices. At the regular meeting of 6/6/90, it was voted to set a fee for sending a certified letter for arrears.
4. At the regular meeting held 3/2/88, a “Cross Connection Control” Ordinance was voted on and accepted as a part of the Bylaws and Rules and Regulations.
5. At the regular meeting held 11/18/97, a general revision and update of these Rules & Regulations was completed.
6. At the regular meeting held on 08/18/10, a general revision and update of these Rules and Regulation was completed.
7. At the regular meeting held on 06/13/2012, a general revision and update of these Rules & Regulations was completed.

Board of Water Commissioners:
 Rickie Tellier / Chairman
 Joseph J. Carrara, Sr. / Commissioner
 Robert M. Ethier / Commissioner

This is an Equal Opportunity Water District. Discrimination is prohibited by Federal Law. Complaints of discrimination may be filed with the Secretary of Agriculture, Washington, DC, 20250.