

WATER AUTHORITY OF GREAT NECK NORTH
RULES & REGULATIONS

As Re-adopted February 3, 2025
Revised June 17, 2024

GENERAL INFORMATION

I. TERRITORY TO WHICH REGULATIONS APPLY:

1. The Water Authority of Great Neck North shall embrace that portion of the area that is within the Union Free School District No. 7, Great Neck, Town of North Hempstead, County of Nassau, lying northerly of the north line of the Manhasset-Lakeville Water District.
2. It is noted that the Authority purchased the entire water supply system from Citizens Water Supply Company effective December 28, 1989, and in turn all previous agreements, deposits, etc., were transferred to the Authority on that date. These Rules and Regulations shall govern over all existing customers and future applicants for the Authority's service.

II. DEFINITIONS AND ABBREVIATIONS OF TERMS USED IN THIS SCHEDULE:

1. The term "AUTHORITY" means the WATER AUTHORITY OF GREAT NECK NORTH.
2. The term "CUSTOMER" includes both an existing customer of and an applicant for the Authority's service.
3. The term "METER" means the device inserted into the direct flow of water from one pipe to another to measure the amount of water passing through such pipes.
4. The term "REGISTER" means the remote device that is electronically connected to a meter to permit obtaining the reading on that meter when, because of its location, access to that meter is not always conveniently obtained.
5. The terms "permanent underground lawn sprinkler system" and "sprinkler system" mean any sprinkler system installed on or under the surface of a customer's lawn, having jets or sprinkler heads or soaker hoses attached thereto which will permit a customer's lawn to be sprinkled only when the valve(s) on the sprinkler system are opened, thus releasing the water pressure to the open jets or sprinklerheads.
6. The term "sprinkler system(s) heretofore installed" means sprinkler system(s) installed prior to the effective date hereof and includes sprinkler system(s) which do not have a service connection separate from the service pipe supplying water for other purposes.
7. The term "sprinkler system(s) hereafter installed" means sprinkler system(s) installed after the effective date hereof; and includes sprinkler system(s) proposed to be installed with respect to which the prospective customer thereof, prior to such effective date, had applied for water service thereto.

REVISED JUNE 2009

8. The term "time clock" means an automatic time clock mechanism including a clock and necessary valves and appurtenances, which when connected to a sprinkler system will regulate, control and limit the use and operation of the sprinkler system to the days or nights and to the period of time during such days or nights for which the time clock shall have been set.
9. The term "pressure regulator" means an automatic valve or device for converting a high fluctuating inlet water pressure to a lower constant outlet pressure.
10. The term "cost" means the outlay or expenditure made to achieve an object; to require expenditure or payment.
11. The term "suitable" means appropriate and approved by the Authority.

III. APPLICATION FOR WATER SERVICE:

1. WRITTEN APPLICATION REQUIRED:

- a. All applications for the use of water must be made in writing at the office of the Authority, 50 Watermill Lane, Great Neck, New York, signed by the applicant, on a form provided by the Authority.
- b. As to commercial and residential accounts: REVISED JULY 2018
 - i. Tenants may contract with the Authority directly, upon the condition that the owner of the premises signs the application acknowledging that it will be responsible for any unpaid charges.
 - ii. Owners may contract with the Authority directly.
 - iii. Owners or tenants may request water service be terminated, even if tenant contracted directly with the Authority.
- c. The Authority shall have the right to determine the size of the meter and the size of the service pipe for all purposes. REVISED JULY 2018

2. APPLICATION ACCEPTED SUBJECT TO EXISTING MAIN:

Applications for service will be accepted subject to there being an existing main of suitable size in a street or right-of-way abutting on premises to be served. The application in no way obligates the Authority to extend its mains to service the premises under consideration except in accordance with Section V.

3. DEPOSITS - WHEN REQUIRED:

- a. As to commercial and residential accounts: REVISED JULY 2018
 - i. If the contract is with the tenant, the Tenant will be required to make a 3-month deposit. For new accounts, the deposit shall be made at the time the account is opened. For

existing accounts, the deposit shall be made within 60 days of notice from the Authority. The Authority reserves the right to adjust the required deposit if there is a 20% increase in usage over a 12-month period. A report query will be processed on an annual basis to determine if the deposit is adequate or needs to be increased. The tenant will be notified, in writing, if additional money is required.

- ii. If the contract is with the owner, the Owner will be required to make a 3-month deposit. For new accounts, the deposit shall be made at the time the account is opened. For existing accounts, the deposit shall be made within 60 days of notice from the Authority. The Authority reserves the right to adjust the required deposit if there is a 20% increase in usage over a 12-month period. A report query will be processed on an annual basis to determine if the deposit is adequate or needs to be increased. The owner will be notified, in writing, if additional money is required. In lieu of a deposit from the owner, the Water Authority will accept a property lien in recordable form, subject to the approval of counsel to the Water Authority, which will be at the owner's expense for all filing and legal fees.
 - iii. If the required deposit exceeds \$1,000 for any tenant or owner whose account is in existence on August 20, 2012, such tenant or owner shall have the option of paying such amounts in excess of \$1,000 in three equal consecutive monthly payments.
 - iv. Commercial and Residential Tenant Deposits shall not be returned until the account is closed and all money due and owing to the Authority on the account, or otherwise from such party, has been paid. REVISED JULY 2018 AND AUGUST 2012
- b. Applicants whose credit is not established with the Authority or customers who are delinquent in payment of bills may be required to make a deposit equal to the estimated charges for two (2) billing periods at the rates provided for in the appropriate rate schedules, for which a receipt will be given.
 - c. Customers shall be deemed delinquent when any bill remains unpaid after thirty (30) days from the date such bill is rendered.
 - d. In cases where a customer's service has been disconnected for non-payment of bills, the Authority may require the aforesaid deposit to be made before service is resumed.
 - e. A residential owner will be considered to have established credit with the Authority when no bill has been delinquent for three (3) years, after the end of which period the deposit will be returned, upon written request within 90 days. REVISED JULY 2018
 - f. No deposit shall be required of a residential customer who transfers residences within the Authority's service area and continues service with the Authority if the residential customer was not required to post a security deposit or had a security deposit returned.
 - g. When service is disconnected and all bills are paid, the deposit, without interest, will be returned upon written request within 90 days.
 - h. In lieu of an administration fee, no interest shall be paid on any deposits.

- i. In the event that the applicant desires service for a trailer or other non-permanent structure, they shall place an estimated sum with the Authority for all costs of the connection of such service. At the completion of each job, the Authority will reconcile all costs and either refund the difference of costs, if less than amount collected, or bill for any extra amount over the original estimated costs collected. REVISED AUGUST 2006

4. APPLICATION NOT ACCEPTED FROM APPLICANTS OR WITH REGARD TO PREMISES THAT ARE IN ARREARS: REVISED JULY 2018

No agreement for water services will be entered into by the Authority with any applicant or with regard to any premises, until all arrears and charges due the Authority from the applicant (and if the applicant is a tenant, also the owner) or with regard to those premises until all arrears and charges due the Authority, if any, for water or services for that applicant or for those premises have been paid.

5. SEPARATE APPLICATION FOR EACH PREMISES: REVISED JANUARY 2020

- a. A separate application must be made and a separate service installed for each premises. The word "premises" as used herein shall be restricted to the following:
 - i. A building under one roof owned by one customer, and occupied as one residence or one place of business; or REVISED APRIL 2012
 - ii. A combination of buildings owned by one customer, in one common enclosure occupied by one family, or one corporation or firm, as a residence or place of business; REVISED APRIL 2012
 - iii. Each unit of a multiple house or building separated by a solid vertical partition wall occupied by one family, or one firm, as a residence or place of business; or
 - iv. A building owned by one customer having a number of apartments, offices or lofts which are rented to tenants and using in common one hall and one or more means of entrance; or REVISED APRIL 2012
 - v. A permanent underground lawn sprinkler system; swimming pool, or tennis court. MAY 2013
 - vi. A farm, garden, golf course, playground, not connected to or drawing water from a service pipe supplying water for other purposes to the same customer. REVISED MAY 2013
- b. Except as provided subsection c below, unless expressly permitted by the Authority, under no circumstance will more than one tap or service pipe be allowed to supply more than one premises. With the permission of the Authority, a T-off from one tap or service pipe may serve other uses within the premises at the same address. However, the Authority will require that the Tee Connection have separate shut offs and meters. Under no circumstances will the Authority allow two separate addresses to share the same tap or service pipe. REVISED AUGUST 2017
- c. If, prior to April 15, 1996, a permanent underground lawn sprinkler system, swimming pool, or tennis court ("system, pool, or court") has been combined in one service, no separate service shall be required for such system, pool, or court so long as no substantial change in the system, pool, or court has occurred, and no such exception shall apply to any new system, pool, or court. A "substantial change" as used in this provision shall mean a change of 25% of the system, pool, or court within any 5-year period. REVISED AUGUST 2017

- d. All water service to a premises shall be through one meter, for which the owner shall be responsible. At the request of an owner, submeters on the owner's side of the meter, to allow an owner to pass on the Authority's water charges to its tenants based upon their water usage, shall be at the discretion of the Authority. Under no circumstances however, shall such submetering limit the responsibility of the owner for the water that passes through the meter to the premises. REVISED MAY 2013, SUBSECTION DESIGNATION CHANGED AUGUST 2017
- e. Notwithstanding anything within this Part 5 to the contrary, the following shall apply to all buildings that are used in whole or in part for non-residential purposes: REVISED JANUARY 2020
- i. Whenever a building has tenants whose water services are all served through one meter, even if on the owner's side there are submeters to allow the owner to pass on the Authority's water charges to its tenants based upon their water usage, all of the water charges related to that meter to the building will be billed to the owner of the building, who will be primarily responsible to the Authority for payment.
 - ii. No new water services will be provided to separate premises within one building.
 - iii. It shall be the responsibility of the owner of the building, at its cost and expense, to provide a service adequate for the water needs of the building both initially and as those needs may change from time to time.
 - iv. It shall be the responsibility of the owner of the building, at its cost and expense, to abandon all existing services when a new service to the building is required or otherwise provided.
 - v. All new buildings shall have only one meter for the water service to the building.
 - vi. As to all existing buildings that have more than one meter, if the building hereafter
 - (a) is substantially expanded, reconstructed, or otherwise modified, or
 - (b) has a substantial change in its use, the owner of the building, at its cost and expense, shall abandon all existing services and provide one new service to the building.

As to condominiums, the term "owner," as used in this section e, shall mean the board of managers of the condominium and the term "tenants" includes condominium unit owners.

The determination of substantiality shall be made by the Superintendent. In the event an owner disagrees with the Superintendent's determination, the owner may appeal to the Board of Directors, whose determination shall be final.

6. THIRD-PARTY COSTS – SEE GENERAL RULES

IV. INSTALLATION OF MAINS, SERVICES, CONNECTIONS AND FACILITIES:

1. OWNERSHIP OF TAPS AND CONNECTIONS:

Corporation cocks or taps, wet connections including sleeves and valves, except shut off valves on either side of the customers' meters, are owned and maintained by the Authority and shall not be interfered with by the customers.

2. SERVICE PIPE MATERIALS:

For all new construction and substantial remodeling:

- a. All service pipes 2 inches or less in diameter shall be of seamless copper United States Government Type "K".
- b. Copper pipe, meters, curb stops, valves and fittings shall be of a type approved by the Authority, and service pipes in no case shall be less than 1-inch in diameter.
- c. All copper service pipes shall have an excess of 3 feet of pipe formed into a gooseneck at the connection to the tap and laid to the right hand facing the tap.
- d. A curb valve located at the property line and fitted with suitable iron rod and protected by a cast iron box with cover at the ground level will be placed upon the service pipes of 1-1/2 inches or less diameter.
- e. On every service pipe over 1-1/2 diameter, a suitable valve box will be placed at the location designated by the Authority.

"Substantial remodeling" as used herein with regard to residential buildings shall mean an increase of 25% of the living area within any 5-year period. REVISED JANUARY 2020

The determination of substantiality shall be made by the Superintendent. In the event an owner disagrees with the Superintendent's determination, the owner may appeal to the Board of Directors, whose determination shall be final. REVISED JANUARY 2020

3. DEPTH OF SERVICE PIPE:

Where the covering over the main is less than 5 feet, all taps shall be installed on the side of the main and the service pipe shall in no case have less covering than the main. Otherwise the service pipe must be at least 4 feet below the surface of the ground.

4. SERVICE PIPE LOCATION:

Each new service pipe shall be laid in a straight line from the main to the building and within the building boundary at right angles to the street main to which it is connected, except that when the subsurface conditions make it impracticable, the service pipe may be otherwise laid upon the approval of the Authority of plans submitted a licensed architect or engineer showing the proposed location of the new pipe. After the installation, a licensed architect or engineer shall furnish the Authority with a copy of "as built" plans of the location of the new pipe. REVISED MAY 2013

5. INSTALLATION OF METERS:

An individual meter shall be required for each premise and for each separate service connection. The Authority shall supply the meter to be used. The customer will install the meter in a suitable location, in an upright position after the house control valve in the service pipe close to its point of entry and so set that it will be readily accessible for inspection, reading testing or repairs by the Authority's authorized representative at all reasonable hours. The customer shall pay for the original meter and for any new meters required because of a change in the service or because of any damage to the meter caused by the customer, its family members, agents, contractors, or employees, or its failure to properly protect the meter. The Authority shall pay for all meter replacements that are not required because of a change in the service or because of any damage to the meter caused by the customer, its family members, agents, contractors, or employees, or its failure to properly protect the meter.

REVISED MAY 2013

6. VALVE BEFORE AND AFTER METER:

Each service pipe shall have installed and maintained in good working order therein a house control ball valve of suitable pattern inside the building wall and placed before the meter in the service pipe within 2 feet of the point of its entry in the building and also a suitable ball valve after the meter.

7. OUTDOOR METER SETTING:

When a meter must necessarily be set out-of-doors, the owner of the premises or the applicant for the service connection shall provide therefore a pit and cover approved by the Authority, of suitable size to permit access for removal, repairs and tests and suitably lined to prevent the earth from caving in, and shall install a ball valve on the service pipe within the pit at each side of the meter. Such pits must be kept dry, clean and maintained by the customer.

8. METER COUPLINGS:

All meters must be connected with the couplings furnished with same.

9. METER OWNERSHIP:

- a. Meters shall initially be purchased from the Authority, furnished and installed by the customer at his own cost. Replacement meters shall be furnished and installed by the Authority at its own cost and shall thereafter remain the property of the Authority, provided that such replacement shall be necessitated by ordinary wear and tear to the meter and not where the customer shall have been deemed responsible for such replacement due to his own negligence.
- b. (See General Rules - METER REPAIRS). If the customer so elects, the Authority may accept the customer's meter so replaced and will pay to the customer, or credit against the customer's account for water service, the trade-in value of the replaced meter according to the schedule of allowance established by the meter manufacturers.

10. AUTHORITY CHARGES FOR METERS:

Meter Couplings and Outside Meter Register:

- a. Meters, 1-inch or smaller, with outside register and couplings, will be furnished to the customer by the Authority at cost.
- b. Meters 1-1/2 inches or larger with outside register and flanges, will be furnished to the customer by the Authority at cost.

11. OUTSIDE METER REGISTER:

- a. All meters installed inside of buildings shall have an outside register. The Authority will furnish and install an outside meter register on all existing installations at the Authority's cost.
- b. The outside meter register shall remain the property of the Authority. The register shall be suitably located for access of reading by the Authority.

V. RULES AND REGULATIONS RELATING TO THE INSTALLATION AND MAINTENANCE OF MAINS, SERVICES, SYSTEMS, CONNECTIONS, AND FACILITIES:

1. MAINTENANCE AND REPLACEMENT:

Within the Authority District, the Authority will operate and maintain and, in its discretion, when appropriate, replace, at its own cost, all mains, fire hydrants, service pipes, service lines, service connections, systems, and other related facilities, hereinafter, within this Article V, all together referred to as "Facilities", within any street, avenue, road, or other public way under the jurisdiction of, or offered for dedication to, the legislative body of any village, the Town of North Hempstead, the County of Nassau, or the State of New York, or within any other public place open to the general public for highway purposes, hereinafter, all together, referred to as "Public Ways," and upon any other property up to and including the Authority's shut off curb valve, provided that all necessary easements are furnished to the Authority without cost to the Authority, and the Authority is not required to replace any groundcover, bushes, trees, or other landscaping, other than reseeding with common grass, and is not required to replace any fence, statuary, buildings, or other structures other than to restore the Public Way.

2 ABANDONMENT OF EXISTING SERVICE:

Following the written application from a premises owner or premises owner's authorized representative, the Authority shall abandon the existing water service to a premises. The cost of abandonment of a water service to a premises is \$500 per service line at each premises plus the cost of restoration of the premises, roadway, and/or nearby areas that were disturbed during the abandonment, if appropriate. Examples that would require abandonment of an existing water service, include, but are not limited to: demolition of a dwelling, an increase in the square footage of the premises, an addition of water use fixtures, and any construction that is deemed by the Authority to create a potential risk to the service line or to the public it serves. Once abandoned, the water service will be physically disconnected from the Authority's water distribution system. An abandoned water service will no longer be considered an existing water service and cannot thereafter be used to supply water to a premises. Any future water service to a premises that previously had been utilizing an abandoned water service will require an application for a new water service as provided in Section III.

3. NEW FIRE SUPPRESSION SYSTEM SERVICE LINES:

- a. At the request of a property owner, the Authority shall install a new fire suppression system service line within the Public Way.
- b. The cost of the new service line shall be paid by the owner of the property.
- c. If the service line is 2 inches or less in diameter, the Authority shall use Authority personnel to install the service.
- d. The procedure for the application for such installation shall be as set forth in paragraph 5 below, except, in the event the service line is to be 2 inches or less in diameter, the property owner shall have the option of paying the cost of the project as set forth in said paragraph 5 or by paying the cost of the project over a five year period, in equal quarterly payments, with interest at the rate of 7-1/2% per annum, on a self amortizing basis. The first quarterly payment shall be made upon the execution and delivery of the agreement by the property owner.

4. NEW IRRIGATION SYSTEM SERVICE LINES:

- a. Any property owner requesting an irrigation system service line shall be required to pay the sum of \$500.00 plus the requisite Tapping Fee and Meter Fee based upon diameter of the pipe.
- b. Upon the payment of said sums, the Authority shall install the service line within the Public Way.

5. ALL OTHER NEW MAINS, SERVICES, SYSTEMS, CONNECTIONS, AND FACILITIES WITHIN A PUBLIC WAY:

- a. Whenever an owner requests or is required by the Authority to provide a new or larger capacity Facility, the cost of providing the new Facility shall be paid by the owner of the property or properties to be served in a pro rata manner as determined by the Authority. The procedure for the application for such installation shall be as set forth in paragraph 5 below. Examples that would require a new or larger service line, include, but are not limited to: increase in the square footage of premises, addition of water use fixtures, existing service lines less than 1" in diameter, and any construction that is deemed by the Authority to create a potential risk to the service line or to the public it serves. REVISED MAY 2013
- b. Any new or larger capacity Facility that is based upon the Authority's determination that such is required as general maintenance or to enhance the transmission system of the Authority as a whole, shall be paid by the Authority.

6. PROCEDURE FOR APPLICATIONS:

- a. Any property owner who seeks or is required to install a new or larger capacity Facility, shall make written application to the Authority, specifying the location of the property, the nature of the Facility requested, and the reason for the Facility, and such other information as may be

requested by the Authority or its Consulting Engineer to assure that the Authority has the requisite information to properly evaluate the request and design the appropriate system for the use contemplated. REVISED MAY 2013

- b. Upon receipt of the application, the Authority may obtain from the Authority's Consulting Engineer, a proposal, on an hourly basis with a guaranteed not to exceed maximum price, for designing the requested Facility.
- c. Upon receipt of the proposal for the design, the Authority shall inform the applicant of said guaranteed not to exceed maximum price. No further action shall be taken by the Authority with regard to the application unless the applicant deposits a sum equal to said guaranteed not to exceed maximum price with the Authority. Upon such deposit being made, the Authority shall direct the Consulting Engineer to provide the Authority with the design for the Facility, together with the appropriate form of contract for the installation of the Facility and a bid package, if appropriate. Upon the completion of the design, form of contract, and bid package, the Authority shall pay the Consulting Engineer for its services in accordance with its proposal, and refund the balance, if any, to the applicant.
- d. Upon receipt of the design, form of contract, and bid package, the Authority shall notify the applicant and determine whether the applicant still wishes to proceed with the installation. If the applicant wishes to proceed, the Authority shall determine if it is going to use Authority personnel or an independent contractor to perform the installation.
 - i. If the Authority is going to use its own personnel to perform the installation:
 - (a) The Authority shall make an estimate of the Cost of the Project and notify the applicant of such cost.
 - (b) If the applicant still wishes to proceed with the installation, the applicant shall:
 - (1) Execute and deliver an agreement, in a form approved by counsel to the Authority, agreeing to reimburse the Authority for the actual Cost of the Project.
 - (2) Execute and deliver all easements, in a form approved by counsel to the Authority, as may be required by the Authority's personnel to complete the project.
 - (3) Deposit with the Authority a sum equal to 110 percent of the Authority's estimate of the Cost of the Project.
 - (4) No further action shall be taken by the Authority until such agreement, easements, and sum have been deposited by the applicant with the Authority.
 - (5) Upon receiving such agreement, easements, and sum, the Authority shall promptly perform the installation of the Facility.

- (6) In the event that during the project, from time to time, it is determined by the Authority that an additional sum or sums will be needed to complete the project in excess of the deposit, the applicant shall, upon notice, immediately deposit such additional sum or sums with the Authority. The failure of the applicant to immediately make such additional deposit or deposits shall be a basis for the Authority to discontinue all further work on the project other than to restore the Public Way.
 - (7) Upon completion of the project and the payment of the full Cost of the Project to the Authority, the balance of the deposit, if any, shall be returned to the applicant.
- ii. If the Authority is not going to use its own personnel to perform the installation:
 - (a) The applicant shall be required to deposit with the Authority a new sum as shall be determined by the Authority, based upon the nature of the installation, to reimburse the Authority for its costs for engineering and attorney's fees, publication costs, if applicable, and all such other costs as may be incurred by the Authority in obtaining a bid for a contract for the construction and related work for the installation of the Facility.
 - (b) Once an acceptable bid for the project has been received, the Authority shall make an estimate of the Cost of the Project and notify the applicant of such cost.
 - (c) If the applicant still wishes to proceed with the installation, the applicant shall:
 - (1) Execute and deliver an agreement, in a form approved by counsel to the Authority, agreeing to reimburse the Authority for the actual Cost of the Project.
 - (2) Execute and deliver all easements, in a form approved by counsel to the Authority, as may be required by the Authority's personnel to complete the project.
 - (3) Deposit with the Authority a sum equal to 110 percent of the Authority's estimate of the Cost of the Project.
 - (4) No further action shall be taken by the Authority until such agreement, easements, and sum have been deposited by the applicant with the Authority.
 - (5) Upon receiving such deposit, the Authority shall promptly execute the contract with the contractor to perform the installation of the Facility and use its best efforts to have the contractor promptly perform the installation of the Facility.
 - (6) In the event that during the project from time to time, it is determined by the Authority that an additional sum or sums will be needed to complete the

project in excess of the deposit, the applicant shall, upon notice, immediately deposit such additional sum or sums with the Authority. The failure of the applicant to immediately make such additional deposit or deposits shall be a basis for the Authority to discontinue all further work on the project other than to restore the Public Way.

(7) Upon completion of the project, the balance of the deposit, if any, shall be returned to the applicant.

- iii. The "Cost of the Project" shall include, but not be limited to: the actual construction cost for opening the Public Way, installing and connecting the Facility, filling, grading, paving, seeding, and otherwise restoring the Public Way as may be appropriate; engineering and legal fees; publication costs; amounts paid to governmental authorities for permits to perform the construction; and all other usual, customary, and/or foreseeable expenses connected with the project.
- iv. All such deposits shall be by certified or bank checks drawn on a bank doing business within the State of New York.

7. ALL MAINS, SERVICES, SYSTEMS, CONNECTIONS, AND FACILITIES THAT ARE NOT WITHIN A PUBLIC WAY:

- a. All Facilities that are not within a Public Way after the Authority's shut off curb valve shall be constructed and maintained at the cost of the property owner.
- b. All Facilities that are not within a Public Way after the Authority's shut off curb valve, shall be constructed, used and maintained in accordance with the rules and regulations of the Authority.

8. COSTS SET FORTH HEREIN ARE IN ADDITION TO RATE SCHEDULE CHARGES:

All of the costs set forth herein are in addition to, and not in lieu of, the charges set forth in the rate schedule.

VI. RULES AND REGULATIONS FOR THE CONSERVATION OF WATER:

1. DEFINITIONS:

- a. "Automatic Irrigation System" - An Irrigation System with any type of device which automatically turns the system on and/or off.
- b. "District" - Water Authority of Great Neck North District.
- c. "Irrigation System" - tube, pipe, or hose, or any combination thereof, and all accessory valves, sprinklers and other devices, if any, which are used to transport and release water for the purpose of irrigation, except for the watering of tennis courts.

- d. "Person" - any individual, firm, partnership, association, corporation or other organization of any kind, including municipal districts, corporations and public authorities.
- e. "Sensor" - a rain or soil moisture sensor capable of interrupting the operation of an Irrigation System when watering is not required by virtue of rain or soil moisture, as determined by the sensor in accordance with the following suggested criteria:
 - i. The rain sensor shall be of a type capable of detecting a minimum of one-eighth inch of rainfall and automatically interrupting and preventing the Irrigation System from operating. It shall further be capable of allowing the rainfall to evaporate and when sufficient evaporation has occurred, to automatically reset and allow continuation of normal irrigation in accordance with the programmed schedule. The sensor shall be set to interrupt and prevent the Irrigation System from operating at a measure of rainfall no greater than 1/4 inches.
 - ii. The moisture sensor shall be of a type capable of detecting the moisture content of the soil in which it is used and automatically interrupting and preventing the Irrigation System from operating when the moisture content of the soil reaches a present level.
- f. "Water" - any water obtained from either (i) the Authority, or (ii) an underground source within the District.

2. APPLICATION OF REGULATIONS:

- a. These conservation regulations shall apply to all persons using Water in the District regardless of whether or not such person using Water shall have a contract in its own name for Water service from the Authority.
- b. In any prosecution of any violation of these conservation regulations, it shall be an affirmative defense that the alleged violation did not involve the use of Water obtained from either (1) the Authority, or (ii) an underground source within the District.

3. LIMITATION OF IRRIGATION SYSTEMS:

- a. No Irrigation System shall be used on or between 10:00 a.m. and 4:00 p.m.
- b. In no event shall any Irrigation System be used on more than three days in any one calendar week
- c. No Irrigation System shall be used prior to April 15 or after November 1 of any year.
- d. Automatic Irrigation by The Day of The Week

No Automatic Irrigation System shall be used on any day except the days indicated below, depending upon the number address of the premises where the Automatic Irrigation System is located:

- i. Premises with odd number addresses are permitted to irrigate only on Monday, Wednesday and Friday.
 - ii. Premises with even number addresses are permitted to irrigate only on Sunday, Tuesday and Thursday.
 - iii. Premises with no number or multiple number addresses including odd and even numbers (for example: 1,2,3, & 4 Smith St.) are permitted to irrigate only on Sunday, Tuesday and Thursday.
- e. The owner or tenant of any premises where a Permanent Underground Lawn Sprinkler System which on April 15, 1996, was equipped with a Time Clock which could not be set to automatically irrigate by the Day of the Week system may apply for an exemption from The Day of the Week system for so long as said Time Clock continues to be used, and may, instead, water on an Odd/Even Day of The Month System as set forth herein.
- i. Odd/Even Day of the Month System:
 - (a) No Automatic Irrigation System shall be used on any day except the days indicated below, depending upon the number of the premises where the irrigation system is located:
 - (1) Premises with odd number addresses are permitted to irrigate only on odd calendar days.
 - (2) Premises with even number addresses are permitted to irrigate only on even calendar days.
 - (3) Premises with no number or multiple number addresses including odd and even numbers (for example 1,2,3, & 4 Smith St.) are permitted to irrigate only on even calendar days.
 - (b) Notwithstanding the foregoing, in no event shall any Irrigation System be used more than three days in any one calendar week.
 - ii. Any owner or tenant of any premises who seeks to apply for an exemption from The Day Of The Week system shall be exempted on the following conditions:
 - (a) Such owner or tenant shall file a signed written application, certifying the following:
 - (1) The address of the premises.
 - (2) The manufacturer, model or other specific identification of the Time Clock, to the extent known.

- (3) Permission for a representative of the Authority to confirm that the Time Clock cannot be set to automatically irrigate by The Day of The Week system.
- (b) Such exemption shall continue for two years or until the Time Clock is removed or replaced, and may be renewed for so long as such Time Clock continues to be used at those premises. However, when said Time Clock is removed or replaced, it shall be replaced with a Time Clock that can be set to automatically irrigate by the Day of The Week system. The removal or replacement of the Time Clock, by or on behalf of the owner or tenant shall automatically void any waiver previously issued by the Authority and said owner or tenant shall immediately notify the Authority and the local municipality (village or town) within which the premises are located of the removal or replacement of the time Clock. "Removal", as used herein, shall not include the temporary removal for repair.
- iii. Upon receipt of said exemption, a copy of the exemption received from the Authority shall be filed by the owner or tenant with the local municipality (village or town) within which the premises are located.

4. SENSORS REQUIRED:

- a. As of April 15, 1994, no person shall use an Automatic Irrigation System unless such Irrigation System is controlled by a properly working Sensor.
- b. In the event that the Authority has reasonable cause to believe that an Automatic Irrigation System is not controlled by a properly working Sensor, notice by registered or certified mail, return receipt requested, and regular mail, shall be given to the owner and/or tenant of the premises, where such Automatic Irrigation System is located, or to the person under whose name the account for such water is listed with the Authority requiring that the owner, tenant, and/or person under whose name the account is listed, submit a certification, in a form supplied by the Authority, that the Automatic Irrigation System on the premises is controlled by a properly working Sensor. The failure of such owner, tenant, and/or person under whose name the account is listed, to submit the required certification within fifteen days of the mailing of said notice shall be a violation of these conservation regulations. A false statement in such certification shall be punishable as provided in the Penal Law for a false statement made under oath.

5. PENALTIES:

- a. It shall be unlawful for any person that owns, leases, or uses any premises in the District to allow, tolerate or permit any violation of these conservation regulations on such premises.
- b. Any person that violates any provision of the conservation regulations shall be punishable by a fine not to exceed fifty dollars or thirty (30) days in jail or both. Each violation of each provision of these conservation regulations shall be deemed a separate offense and each such offense subject to a maximum fine of fifty dollars or thirty (30) days in jail or both. Each day that a violation of the same provisions of these conservation regulations continues shall be

deemed a separate offense and each such offense subject to a maximum fine of fifty dollars or thirty (30) days in jail or both.

6. PERSISTENT VIOLATORS: REVISED MAY 2019; EFFECTIVE JULY 1, 2019

Any person who the Superintendent finds to have violated the provision of these conservation regulations with regard to such person's use of a fixed, in place, Irrigation System, on three separate days within any eighteen month period, by resolution of the Board of Directors of the Authority:

- a. may be required, at such person's sole cost and expense, to install a separate Water line and water meter for such system; and/or
- b. have the water service to their irrigation system discontinued for a period not to exceed thirty days.

7. VACANT PREMISES:

The Water Authority will, without charge, monitor radio metered accounts up to twice per billing cycle if notified by the owner that the property is substantially vacant and/or abandoned, to determine if water is running from that property. Notice from the owner must be in writing and signed, and may be sent via email, fax, or mail. REVISED AUGUST 2012

VII. PAYMENT FOR WATER SERVICE:

1. All commercial accounts shall be billed on a monthly basis. Such bills only will be sent to the contracting party. REVISED AUGUST 2012
2. All bills will be rendered and will be payable in accordance with the provisions of the applicable service classification. In case any bills for water charges provided for in and by these rules shall not be paid when due, the Authority may after complying with the requirements of the law, shut off the water from the premises, or from the hydrant for which the charge is made until said bill is fully paid together with the restoration of service charge. In the event that a customer has an account for more than one premises, the Authority may shut off the water from one or more of such premises until the bill is fully paid together with the restoration of service charge. REVISED JUNE 2024
3. Under no circumstances can a customer's account be adjusted without first preparing an adjustment memo for the superintendent's approval. In addition, no adjustments will be made unless the meter is found to be faulty and/or not registering properly.
4. Any credit applied to a customer's account must have approval by the Superintendent or designee.
5. In the event that a customer has more than one account, and one or more of such accounts has not been paid when due, the Authority may allocate all or any part of a payment received from the customer to any of such accounts that were not paid when due without notice to the customer and notwithstanding any limitation on the check or other instructions received by the Authority with the payment. REVISED JUNE 2024

VIII. DISCONTINUANCE AND RESTORATION OF SERVICE:

1. Water service may be discontinued by the customer upon written notice in accordance with the provisions of the Service Classification under which the service is furnished.
Pursuant to such notice, the Authority will cancel the customer's contract for the premises or the hydrants stated therein, and will discontinue the service. All liability for charges after the discontinuance of service as above provided shall cease, and the Authority will adjust, prorata, any minimum charges payable in arrears, and will refund any difference.
2. Upon written notice from a customer, the service line will be shut off during non-occupancy of the premises stated in the notice and the inlet valve will be sealed. Charges for water service will not accrue for or during the period of such shutoff, but no allowance will be made for non-occupied premises unless such notice is given.
3. Once water has been terminated to a property for non-payment it will not be turned back on until the account and required deposit are fully paid. The requirement for full payment will not be altered by a change of property owner or tenant. REVISED AUGUST 2012
4. The Authority reserves the right at all times upon giving notice, if required by law, to shut off the water for violation of or refusal to comply with the Rules and Regulations of the Authority. Water Service may be discontinued for any one of the following reasons. In the event that a customer has more than one account, the Authority may shut off one or more of such accounts until the violation has been rectified satisfactorily to the Authority. REVISED JUNE 2024
 - a. For use of water other than as represented in the application.
 - b. For willful waste or use of water, through improper or imperfect pipes or for unreasonable delay in repairing customer's leaking service, pipes or otherwise.
 - c. For disturbing, tampering or interfering with any meter or any service pipe, seal, curb box, curb stop or any other appliance of the Authority.
 - d. For non-payment of bills for water or services rendered by the Authority.
 - e. If the unpaid bills for water exceed the deposit amount held by the Authority. REV AUG 2012
 - f. For cross connecting pipes carrying water supplied by the Authority with any other source of supply or with any apparatus which may endanger the quality of the Authority's water supply.
 - g. For refusal of reasonable access to the customer's property for the purpose of inspecting fixtures or piping or for reading, repairing, testing or removing meters.
 - h. For failure to sign an application for service in the event that the customer has not already done so.

- i. For violation or non-compliance with any applicable provisions, rule, regulation, term of condition of this Rate Schedule.
- 5. Written notice of discontinuance of service will be given except in those instances where a public health hazard exists.
- 6. No discontinuance of the supply of water for non-payment of bills rendered for service or failure to post a required deposit will be made until either:
 - a. If a bill is unpaid for 30 days, an urgent notice will be mailed to the customer advising that payment has not been received and if payment is not received within 18 days, a notice will be sent to the customer advising the customer that service will be discontinued if payment is not received within 15 days ("red card notice") and a \$30 processing fee will be imposed when the red card notice is sent. REVISED JANUARY 2022
 - b. In the event that a governmental body with jurisdiction shall adopt additional notice requirements prior to the discontinuance of service, such additional notice shall be provided. REV JAN. 2022
 - c. At least 15 days after written notice has been hand delivered to the address; or
 - d. At least 15 days after written notice has been delivered electronically by email to the authorized email address for customers in the eBill Program; or REVISED SEPT. 2021
 - e. At least 18 days after mailing written notices in postpaid wrapper to the address of such person or persons; or
 - f. At least 15 days after the proper person or persons has either signed for or refused a registered letter containing written notice, mailed to the address of such proper persons or persons.
 - g. The term "proper person or persons" means: 1. either the premises where service is rendered or in lieu thereof, the person, firm or corporation to whom or which the last preceding bill has been rendered and from whom or which the Authority has received payment thereof; and 2. the superintendent or other person in charge of the building or premises where service is rendered, if it can be readily ascertained that there is such superintendent or other person in charge.
 - h. The term "address of such proper person or persons" as that term relates to the persons indicated in items b. and c. of this section, means the address where service is rendered, except that if the proper person has specified to the Authority in writing an alternate address for billing purposes, such term shall refer to such alternate address.
- 7. Every notice indicating discontinuance of service shall:
 - a. Clearly indicate in non-technical language:
 - i. The reason for service discontinuance;

- ii. The total amount required to be paid by the customer to avoid discontinuance of service, indicating the amount for which the customer's account is in arrears or the required deposit if any, which must be posted by the customer or both;
 - iii. A method whereby the customer may tender payment of the full sum due and owing, including any required deposit, to avoid the discontinuance of his service;
 - iv. The Authority address and telephone number which the customer may contact in reference to his account; and
 - v. The earliest date on which discontinuance may be attempted.
- b. Have printed on the face thereof in a type size capable of attracting immediate attention to the following:
"THIS IS A FINAL DISCONNECT NOTICE. TO AVOID INCONVENIENCE, BRING THIS NOTICE TO THE ATTENTION OF THE AUTHORITY WHEN PAYING THIS BILL."
- 8. The Authority shall not discontinue service for non-payment of bills rendered or for failure to post a required deposit, unless it has verified that payment has not been received at the office of the Authority, or at any office of an authorized collection agent through the end of the notice period required by this Part.
- 9. The Authority shall take reasonable steps to establish procedures to insure that any payments made in response to notices of discontinuance, when the customer brings the fact that such a notice has been issued to the attention of the Authority or its collection agents, shall either:
 - a. Be posted to the customer's account on the day payment is received; or
 - b. Be processed in some manner so that discontinuance will not occur.
- 10. The Authority shall not discontinue service to any person for non-payment of bills or for failure to post a required deposit on a Saturday, Sunday, Public Holiday, or day on which the main business office of the Authority is not open for business. Public Holiday shall refer to those holidays enumerated in the General Construction Law.
- 11. Receipt of a subsequently dishonored negotiable instrument in response to a notice of discontinuance shall not constitute payment of the customer's account, and the Authority shall not be required to issue additional notice prior to discontinuance.
- 12. The Authority shall not discontinue service to an entire multiple dwelling (as defined in the Multiple Dwelling Law of the Multiple Residence Law) without giving the notice required, except that where any of the notices required under that section are mailed in a postpaid wrapper, there shall be no discontinuance of service until at least 18 days after the mailing of such notices.
- 13. Upon the discontinuance of service, as herein provided for, the Authority shall promptly refund to the

customer the prorata amount of every advance payment for any service after said discontinuance, said refund to be based upon the relation of the period after the discontinuance of service to the entire period for which said advance payment was made, after deducting the proper charge for any water consumed.

14. Charges for turning off and turning on water service:

a. Charges for turning off water service: REVISED MAY 2019; EFFECTIVE JULY 1, 2019

- i. Unless an appointment is made 48 hours in advance, or in what appears to the Authority to be an emergency situation or upon the request of a municipal official, a police officer, the fire department, or other emergency personnel, when water service is turned off on non-holiday weekdays during the normal business hours of the Authority, the customer shall pay a charge of \$50.00.
- ii. When water service is turned off by request of the customer or in what appears to the Authority to be an emergency situation or upon the request of a municipal official, a police officer, the fire department, or other emergency personnel on other than a Sunday or on Christmas, the customer shall pay a charge of \$300.00.
- iii. When water service is turned off by request of the customer or in what appears to the Authority to be an emergency situation or upon the request of a municipal official, a police officer, the fire department, or other emergency personnel, on a Sunday or on Christmas, the customer shall pay a charge of \$400.00.
- iv. Notwithstanding the foregoing, if, by the willful and wrongful (other than for nonpayment) acts of a customer, it was necessary to turn off water service, the charge to the customer shall be the greater of the foregoing or the actual cost incurred by the Authority to implement the turn off.
- v. Charges for turning on water service: Unless an appointment is made 48 hours in advance, or in what appears to the Authority to be an emergency situation or upon the request of a municipal official, a police officer, the fire department, or other emergency personnel, when water service is turned on on non-holiday weekdays during the normal business hours of the Authority, the customer shall pay a charge of \$50.00.
- vi. When water service is turned on by request of the customer or in what appears to the Authority to be an emergency situation or upon the request of a municipal official, a police officer, the fire department, or other emergency personnel on other than a Sunday or on Christmas, the customer shall pay a charge of \$300.00.
- vii. When water service is turned on by request of the customer or in what appears to the Authority to be an emergency situation or upon the request of a municipal official, a police officer, the fire department, or other emergency personnel on a Sunday or on Christmas, the customer shall pay a charge of \$400.00.

- viii. Notwithstanding the foregoing, if, by the willful and wrongful (other than for nonpayment) acts of a customer, it was necessary to turn on water service, the charge to the customer shall be the greater of the foregoing or the actual cost incurred by the Authority to implement the turn on.

IX. GENERAL RULES:

1. FAILURE TO SUPPLY

The Authority undertakes to use reasonable care and diligence to provide a constant supply of water at a reasonable pressure, but reserves the right, at any time, after due notice (unless an emergency occurs) to shut off the water in its mains for the purpose of making repairs and extensions or for other purposes; and it is expressly agreed that the Authority shall not be liable for a deficiency or failure in supply of water or in the pressure for any cause whatsoever, nor for any damage caused thereby, or by the bursting or breaking of any main or service pipe or any attachment to the Authority's property. All applicants, having boilers upon their premises depending upon the pressure in the Authority's pipes to keep them supplied are cautioned against danger of collapse and all such damage must be borne exclusively by the applicant.

2. RESTRICTION ON USE OF WATER:

There may be times when, in the opinion of the Authority, it may be necessary to restrict the use of water to definite periods or to prohibit it entirely, for certain purposes. In this event, all customers using water for any such purposes will be notified. If such notice is given, all customers affected thereby shall observe the restriction or the prohibition and failure to do so will be deemed a violation of the Authority's Rules and Regulations.

3. MAINTENANCE OF CUSTOMER'S SERVICE PIPE:

Customers must keep that portion of their service pipe on their side of the Authority's shut off curb valve and all house piping and fixtures connected therewith in good repair and protected from frost at their own cost, and have the pipes so arranged that the customer can draw the water there from wherever and whenever there is danger of freezing. The Authority reserves the right to shut off the supply of water if a customer does not promptly repair any leaks in his portion of the service pipe. Reasonable time will be given the customer in which to complete the necessary repairs before service is discontinued. When service is so discontinued the water will not be turned on until the repairs have been made and the restoration of service charge has been paid (customer is responsible from property line to building).

4. FROZEN SERVICES:

In cases where services are frozen, the Authority will at its own cost, thaw out the service pipe within the territorial limits of any street, avenue, road or public way, as defined in paragraph V.1. The thawing of the service pipe not within the territorial limits of any such street, avenue, road or public way shall be done at the cost of the customer. To avoid a recurrence of freezing, the Authority may order an examination of the customer's service pipe, and if the same is not at a depth

of 4 feet, as required, the Authority reserves the right to require it to be so located before service is resumed.

5. NON-REGISTERING METERS:

- a. The reading of a duly installed meter showing the amount of water consumed shall be used for all metered billing purposes except where it appears that the meter has ceased to register or has registered inaccurately.
- b. In cases where it is found that a meter has ceased to register or has registered inaccurately and it cannot be determined by reasonable test the percentage of inaccuracy, and estimated billing period immediately preceding the date when such meter was found defective and for the period from said date to the date of replacement of the meter, may be rendered to the consumer, but the right to render an estimated bill is strictly limited to such periods and for all other periods, the bill shall be the minimum rate provided in the applicable rate schedule. The estimated bill shall be based upon the amount of water consumed in the corresponding period in prior years, except where it appears that there has been a change in the occupancy of the premises or in the use of water, in which case an equitable adjustment shall be made.
- c. When failure to bill at an earlier time was due to a meter ceasing to register or registering inaccurately, the Authority shall not bill a customer for service rendered more than 36 months before the Authority actually became aware of the under billing, unless the Authority can demonstrate that the customer knew or reasonably should have known that the original billing was incorrect.

6. PAYMENT OF BILLS FOR NON REGISTERING REMOTE REGISTERS: REVISED SEPT 2012

- a. For all properties, other than owner occupied single-family dwellings, the total of such bills shall be due and payable within thirty (30) days from when the bill is mailed or emailed for customers in the eBill Program. REVISED SEPTEMBER 2021
- b. For owner occupied single-family dwellings:
 - i. Time for payment:
 - (a) When the sum of such bills is \$500 or less, payment shall be due and payable within thirty (30) days from when the bill is mailed.
 - (b) When the sum exceeds \$500, the customer may elect to pay over a period of time no greater, and for no lesser amounts per quarter annually, then as follows:
 - (1) When the sum exceeds \$500, but is less than \$2,000, the sum shall be paid on a consecutive quarter annual basis of \$500 each quarter, or the remaining balance if it is less than \$500, until the balance is paid in full.
 - (2) When the sum is \$2,000 or more, but is less than \$5,000, the sum shall be paid over a 3-year period in equal quarter annual payments.
 - (3) When the sum is \$5,000 or more, but is less than \$10,000, the sum shall

be paid over a 4-year period in equal quarter annual payments.

(4) When the sum exceeds \$10,000, the sum shall be paid over a 5-year period in equal quarter annual payments.

(c) At the option of any customer who elects to pay such sum in more than one payment, any remaining balance may be paid before it is due.

(d) In any event, the remaining balance shall be due and payable immediately upon the sale of the property.

ii. In the event that a customer elects to make payments pursuant to the above provisions that will continue for a period of more than 3 quarters of a year, the customer shall execute and deliver an agreement and promissory note in a form prepared by counsel for the Authority within 15 days of the making of such election or 10 days after such documents are mailed to the customer at the property, the later to occur. If the customer does not execute and deliver such documents within the time specified or such additional time is granted by the Superintendent, not to exceed thirty days, the customer shall be deemed not to have made an election to pay in installments.

c. The nonpayment of any bill sent pursuant to this section shall be treated the same as any other failure to pay a bill for water service and serve as a basis for discontinuing the water service to such property as otherwise provided by the Authority's Rules and Regulations. REV MARCH 2012

7. TESTING OF METERS: REVISED JULY 2021

The Authority can and will test meters periodically. In the case of a disputed account involving the accuracy of a meter, such meter will be tested by the Authority upon the request of the customer. There will be no charge for testing of the meter. However, all subsequent meter tests performed within one year of the free meter test will cost the customer fifty dollars for each additional test, payable in advance to the Authority.

In the event that the meter is found to over-register in excess of one and a half (1.5) percent, the fee advanced for testing will be refunded to the customer, otherwise, it will be retained by the Authority. Adjustment in bills for over-registration of the meter will be made when the over-registration is beyond 1.5 percent.

METER REPAIRS:

Meters will be maintained, so far as ordinary wear and tear is concerned by the Authority, at the Authority's cost. In case of the damage to the meter by freezing or hot water or by accident or design, the actual cost of repairs shall be borne by the customer. The Authority recommends the installation by the customer of suitable equipment, properly located and installed to prevent backflow of hot water that may cause damage to the meter or other damage to the customer's plumbing.

8. BYPASSED:

All water consumed on a premises must pass through the meter and bypasses around the meter shall

in no case be made, unless required by the Authority for testing purposes.

9. DISCONNECTING METER:

A meter once set shall not be disconnected except by an employee of the Authority or its authorized agents.

10. SEALING OF METER:

No seal placed by the Authority for the protection of any meter, valve, fitting, or other water connection shall be tampered with or defaced. It shall not be broken except on authorization from the Authority. Where the seal is broken, the Authority reserves the right to order the meter removed for testing at the cost of the customer.

11. ACCESS TO CUSTOMER'S PREMISES:

The authorized representatives of the Authority shall have free access to the premises of any customer who is supplied with water, at all reasonable hours of the day depending upon the circumstances (24 hours a day in the event of an emergency or to otherwise protect life and property) to examine the meter, pipes, and fixtures, the quantity of water consumed, the manner of its use and for all necessary purposes connected with the supply of water to the premises and to make repairs or replacements of Authority facilities.

12. CHANGE OF OCCUPANCY:

In the event of change of occupancy, the customer shall notify the Authority, in writing, and furnish it with the name of the new occupant. No adjustment of bills will be made between different customers, unless due notice of change of occupancy has been given to the Authority.

13. CURB STOP OBSTRUCTION

No person shall obstruct access to a curb stop connected with a water pipe by placing thereon stone, brick, cement, lumber, dirt or any other materials.

14. SHUTOFF OF JOINT SERVICES

Where two or more premises are supplied with water through one service pipe under the control of one curb stop, if any of the parties so supplied shall violate any of these rules, the Authority reserves the right to shut off the joint service line, except that such action will not be taken until the customer who is not in violation of the Authority's rules has been given a reasonable opportunity to attach his pipes to a separately controlled service connection.

15. WATER FOR BUILDING PURPOSES:

Water for building construction purposes and for sidewalks, curbs, gutters and road construction purposes and water drawn from hydrants for purposes other than fire protection must be applied for

and will be furnished only under Service Classification #8 of the water rate schedule. All costs of making a temporary service connection for any such purpose shall be paid for by the customer.

16. ADVANCE PAYMENT FOR BUILDING CONSTRUCTION:

Where a connection is made to the Authority's mains before the building to be connected is completed, an advance payment of the estimated cost of water to be used for building and other purposes before the building is occupied, plus fifty dollars may be required at the option of the Authority for each building. On receipt of such payment and of the Authority's charge for the meter and meter couplings or flanges and valve, the Authority will insert the tap, install the service pipe from the street main to the property line, with curb stop and box except in private streets, and supply the meter and valve. When the building is occupied, the balance of said advance payment remaining after deducting the water charges then accrued will be refunded to the person who made the advance payment.

17. CROSS CONNECTION CONTROL:

The following provisions are intended to implement the Authority's general right to protect its water supply from contamination and more specifically, to implement the cross connection control responsibilities imposed on the Authority by the Public Health Law and the New York State Sanitary Code. A cross connection means a physical connection through which a water supply could be contaminated via the intrusion of a contaminant from the customer's premises as a result of backflow. Backflow is a reversal in the normal or intended flow of water because of a differential in pressure that causes the flow of water into the distribution system from any source other than its intended source.

- a. Upon determination of the Authority or the New York State Commissioner of Health or when duly authorized, a local health department, that a potential for contamination exists and that a backflow prevention device is required by provisions then in force under the State Sanitary Code or under guidelines issued by the State Commissioner of Health in force at such time, such device will be provided by and installed at the cost of the customer. The State Sanitary Code essentially provides that in such event, the customer shall submit plans prepared by a professional engineer (or architect), licensed and registered in New York State. Such plans are to be approved by the State Health Department after review by the Authority. The State Sanitary Code also provides that the customer shall have the protective device tested annually. The customer will be responsible for all plan submissions, maintenance, testing and reporting procedures required for the device in accordance with the State Sanitary Code. (SEE BACKFLOW AMENDMENT "A")
- b. The New York State Health Department guidelines regarding cross connection control, including a list of typical establishments requiring devices, are available to the customer upon request. Details of the Authority's cross connection program are also available to the customer upon request.
- c. If the customer disagrees with a finding for the need of a backflow prevention device, the type of device or the amount of time given to submit plans or to install the device, the customer has the right to appeal to the State Commissioner of Health within thirty (30) days of the notification of the need for the device. The determination of such appeal by the State Commissioner of Health shall be conclusive.

- d. The Authority may discontinue service to a customer who fails to comply with the requirements of the State Sanitary Code or the Public Health Law pertaining to cross connections or the finding and/or determination referred to in the preceding paragraph.
- e. The Authority, through its properly authorized agents and assistants, may request and, upon the consent of the customer, may enter the premises of any customer who is supplied with water to examine the pipes and fixtures, backflow prevention devices, the quantity of water used, the manner and nature of the water used, types of stored materials, supplies and products, processes, private wells, swimming pools, underground lawn irrigation systems, fire sprinkler systems, solar heating systems, or any other products or processes which may endanger the quality of the Authority's water supply. Alternatively, the customer may have such an inspection performed by a professional engineer (or architect) licensed and registered in New York State who would certify the results of the inspection to the Authority. Certification by non-Authority inspectors must be to the Authority's satisfaction.
- f. Water Service may be discontinued by the Authority for refusal to grant access for the aforementioned purposes: (a) where the Authority has a reasonable basis to believe, from the nature of use of such premises, that a determination should be made as to the existence, non-existence or degree of contamination hazard; or (b) where the activities there are comparable or similar to those of typical establishments listed in the State Department of Health guidelines as requiring protective devices. However, the customer will not be subject to discontinuance if, upon the refusal to provide access, he provides a certification by a professional engineer or architect licensed and registered in New York State, that a backflow prevention device that meets the requirements of the Authority and the State Department of Health has been properly installed; or, in the alternative, the customer provides a certification by a professional engineer or architect licensed and registered in New York State that such device is unnecessary at the premises. Such certification must be to the satisfaction of the Authority.
- g. The Authority may discontinue service to a customer's premises forthwith in the event of an actual or imminent contamination, pending its abatement, where such contamination threatens the health or safety of persons or the Authority's water supply.
- h. Please see the Control of Backflow and Cross Connection Policy for clarification of the Rules & Regulation Policy regarding Backflow. REVISED JANUARY 2018

18. THIRD-PARTY COSTS:

- a. The Authority will not charge any third-party costs to local fire companies, village police departments, and municipalities served by the Authority, since those costs would ultimately have to be paid by the Authority's customers. REVISED FEBRUARY 2022

X. PROVISIONS HEREOF SUBJECT TO TERMINATION, CHANGE OR MODIFICATION:

This Rate Schedule and the Service Classifications, rates, general information, rules, regulations, terms and conditions, forms of application and other provisions contained or referred to in this Rate Schedule and in any

revised page thereof, including agreements for service, are subject to termination, change or modification, at any time. The Authority reserves the right, in any manner permitted by law and at any time to terminate, change or modify this Rate Schedule and any of the service classifications, rates, general information, rules, regulations, terms and conditions, forms of application and other provisions contained in this Rate Schedule and in any revised page thereof including agreements for service.

XI. MISCELLANEOUS FEES:

1. Non-Negotiable Payment. To defray the costs incurred for handling, a fee will be added to any account when payment on that account is returned by the banking system as a non-negotiable check. Such fee is \$35.00.
2. Unauthorized Hydrant Use Fee. There shall be a fee for any use or attachment to any unprotected, un-metered fire hydrant for other than firefighting purposes. Such fee is \$1,000.00.
3. Unauthorized Service Use Fee. There shall be a fee for any plumbing or service alterations, additions, or removals that result in an un-metered water supply. Such fee is \$1,000.00.
4. Red card processing fee. There shall be a fee for the preparation & delivery of "FINAL" shut-off notices. Such fee is \$30.00.
5. Failure to be present for scheduled appointment. There shall be a fee if a customer is not present for a scheduled appointment to which that customer agreed to allow an Authority employee to perform such employee's duties if the absence of such customer prevents the employee from performing those duties. Such fee shall be \$50.

XII. PENALTIES:

Pursuant to subdivision 20 of Section 1197-e of the Public Authorities Law, any violation of the rules and regulations set forth herein shall be punishable by fine not exceeding Fifty (\$50.00) dollars or by imprisonment for no longer than thirty (30) days or both.