

## **1. Applicability; Conformance Required**

These specifications shall apply to all the waterworks facilities of the Town of Pine Plains. Any and all work performed on those physical works, which is covered in these specifications, shall be included in all proposals and/or site plans and be performed in accordance therewith.

- A. The ensuing rules, regulations and specifications are adopted by the Town Board of the Town of Pine Plains, Dutchess County, New York, and shall be considered part of the contract with any individual, partnership, corporation, or other entity that is or shall be supplied with potable water within the bounds of the Town of Pine Plains. It is further the intent of this document to promote uniformity and standardization of materials and procedures used in the construction and installation of all public water supply facilities built within the bounds of the Town of Pine Plains,
- B. The construction standards presented herein include standards for appurtenances used in the installation of water service lines as well as major distribution system facilities. Any and all work performed on those physical works, which is covered in these specifications, shall be included in all proposals and/or site plans and be performed in accordance herewith, Source, treatment, and storage facilities are not covered herein.
- C. The Town of Pine Plains reserves the right to modify these regulations and construction standards as deemed necessary.

### **1-1. Definitions**

As used in this article, the following terms shall have the meanings ascribed to them:

- **OWNER OR CONSUMER** shall mean the Owner of the premises supplied or furnished with water.
- **SERVICE PIPE OR SERVICE MAIN** shall mean the pipe and attachments of every kind and nature appurtenant thereto connecting the street main with the house or building piping.
- **SUPERINTENDENT OF WATER** shall mean the superintendent of water of the Town as duly appointed the Board of Commissioners, or the operator of the water supply system under contract with the Water improvement area. Whenever the words "ordered", "directed", "required", "approved", or "accepted", or variations thereof are used, they shall refer to action by the Water Superintendent of the Town Water Department, or their designated representative(s), unless otherwise specified.
- **TOWN** shall mean a water improvement area, or improvement area, or department, agency, or individual of the Town which is authorized by the Town Board to operate, maintain and, in general terms, manage the water systems of

the improvement area or water improvement area.

- **WATER MAIN OR STREET MAIN** shall mean the pipe and attachments of every kind and nature conveying water along the streets of the Town.
- **ANSI** – The numbered specifications of the American National Standards Institute, as revised at the time work is to be performed.
- **AWWA** – The numbered specifications of the American Water Works Association, being the latest published specifications at the time work is to be performed.
- **BOARD or BOARD OF COMMISSIONERS** – The Supervisor and Town Board of the Town of Pine Plains, which persons are also the governing body of the Pine Plains water improvement area.
- **WATER IMPROVEMENT AREA** – The Town of Pine Plains Water improvement Area Nos. 1 and 2.
- **ENGINEER** – The Engineer for the water improvement area or his authorized deputy, agent, or representative.
- **OWNER** – The legal Owner of the real estate to be improved or to which water service is provided or to be provided or such person designated as his agent, in writing, to the water improvement area.
- **OWNER'S ENGINEER** – The Engineer of record with reference to the water system private modification proposed.

#### **1-2. Application and Contract for Service**

- A. Before water shall be turned on for the supply of any building or premises, application, therefore, shall be made in writing to the Town, which application shall be signed by the Owner and be upon a form supplied by the water department and filed with the water department and building inspector before any connection is made with the street main or the service main.
- B. The applicant shall be held responsible for all water rents and charges until due notice of change of ownership shall have been made by him in writing and delivered to the Town at least ten days before going into effect. Every Owner taking water, or permitting water to be taken for use on his premises, thereby, agrees to this article and agrees to be bound by it and by such other rules and regulations, as may thereafter, be established for the Town water improvement area.

- C. For residential services and commercial/industrial services less than 1" in diameter, payment for the water service shall be in the form of a processing fee. The processing fee includes administrative costs and Town inspection costs associated with the tap, water service, and water meter installation. The Town shall be responsible for the cost of material and installation of the meter. All other costs including, but not limited to, performing the tap into the Town water main, excavation, backfilling, compaction, and installation of corporation stops, curb stops, and water services shall be at the Owner's expense. All fees shall be paid in full prior to tapping the Town water system. The schedule of current fees is located in Town's fee schedule.

### **1-3. Excavation for Water Pipe in Public Ways; Permit Required**

- A. No street, sidewalk or other public ground shall be opened for the purpose of laying any water pipe or service pipe or doing any work whatsoever about any water main or pipe or service pipe or fixture, or for the purpose of making any connection with any water pipe or doing any work in connection therewith, unless a permit therefore shall be obtained from the Town Superintendent of Water, unless the work is to be done under contract with the Town,
- B. No permit required by Subsection A shall be granted to any person other than a plumber or Contractor approved by the Town to open up any street, sidewalk or other public ground for the purpose of laying, installing or repairing water pipes or fixtures. No Plumber or Contractor shall allow his name to be used by any other person or party, whether for the purpose of obtaining permits or doing any work in connection with the water mains or service mains.
- C. Before any permit required by Subsection A shall be granted, the Plumber or Contractor shall file a bond in the office of the Town Clerk in the sum to be determined by the Town Engineer, properly conditioned to indemnify the Town against any loss which the Town may sustain by reason of the negligence of such Plumber or Contractor, or his failure to comply with this article. The bond shall be approved by the Town Board as to its form and the sufficiency of the surety, before filing.
- D. In the opening of a street, sidewalk or other public ground for the introduction or repair of any water service pipe or connection under authority of a permit issued pursuant to this section by the Town Superintendent of Highways, the Plumber or Contractor and Owner shall be responsible for all damages resulting from such trench or opening, even though the work is performed by some other person; the permit for making the excavation or opening in the street, sidewalk or other public ground being to the Plumber or Contractor or Owner, and any person opening the street, sidewalk or other public ground under the permit does so as the agent of the Plumber or Contractor or Owner and by no other authority. The Plumber, Contractor and Owner shall duly regard public safety and convenience and such excavations shall be adequately guarded and proper lights displayed by him at night to warn and protect the public.

#### **1-4. Connections with Mains**

- A. No person shall tap any street main or make any connection therewith, except authorized personnel of the Town, unless the tapping is made as, and adjunct to, a contract with the Town for the installation of the street mains on which such tap is being made. The cost of the tap made by the Town shall have fixed prices which shall be paid in advance. The Town shall tap all mains, except as provided in this section, and shall approve the setting of all meters. No one shall turn on any water service, not shut off any water service except with the knowledge of, and permission of the Town.
- B. Service taps shall be made under the direction and supervision of the Town using materials, methods and specialized persons or firms acceptable to the Town. Costs for such taps are not included in the fixed fee schedule, but shall be borne in their entirety by the applicant for water service.
- C. No person shall lay any service main or make any attachment thereto or any alternations or repairs to the service main or appurtenances, thereto, except a Plumber or Contractor approved by the Town who has obtained a permit, therefore, as prescribed in this article or the Town or persons or firms working under contract with the Town for such work.
- D. There shall be no tap, provision for a tap, plugged tee or other such fitting in the service main between the street main and the meter inside the building. Any yard hydrant, fountain or hose must be connected on the building side of the meter. In cases where water would be used for fire prevention, or for filling fire service tanks only, a tee before the meter could be permitted.
- E. All service pipe shall be of the best grade and weight, standard type K copper tubing for sizes through two (2) inches meeting AWWA specification 7S-CR. All fitting utilized on copper services shall be compression type fittings. Service pipe over two (2) inches may be cast iron, or ductile iron meeting ANNA specifications C 106-62 and C 151-65 respectively. All pipe shall be rated for service of one hundred fifty (150) pounds per square inch or greater. No service shall be less than three-fourths (3/4) of an inch. All meters shall be those specified by the Town.
- F. Service pipe shall be laid not less than four and one-half (4 1/2) feet below the surface of grade and its vertical and horizontal alignment in relation to any sewer or other parallel pipe shall conform to health department standards and to the requirements of the Town. in areas where rock is encountered, the excavation shall be made an additional six (6) inches below the depth of the service, and six (6) inches of clean sand, properly compacted, shall be installed on which the service line shall be placed. Clean sand, properly compacted, shall be used as backfill material around service lines to a height of 12 inches above the top of the service.

- G. The entire expense, both in labor and material, of installing the service from the curb stop at the street line to the gate valve at the meter shall be borne by the Owner of the premises to be served. In those instances where service pipe from the street main to the curb stop at a property line was not provided by intent, the entire expense, both in labor and material, of installing the service from the corporation stop in the main to the gate valve at the meter, both inclusive, shall be borne by the Owner of the premises and the street surface and walks and other surface elements replaced as they were found at the Property Owner's expense. In those cases where the size of the service already installed from the street main to the curb stop is not suitable to the Property Owner for his intended use, the Property Owner may, upon application for and issuance of a permit, install a suitable service from the tap to the meter at his own expense. The Property Owner shall be responsible for repairs to service lines and attached equipment not originally furnished and installed by the water improvement area.
- H. Only one (1) property or property unit shall be supplied through a single service pipe. Should repairs to the service main, or its appurtenances and fixtures become necessary to prevent water or to maintain service, the repair and the cost of such repair will be made by, and at the expense of, the water improvement area if the defect is located between the street main and the curb stop. If the defect is between the curb stop and the building, the repair and full cost of the repair shall be the responsibility of the Owner of the premises. Failure to immediately repair such defect shall cause the Town to turn off the water at the curb stop.
- I. Every service main shall have a corporation stop or other approved valved tap in the main, an inverted key stopcock or other approved valve with a metal protecting box at the curb or property line, and a gate valve or other approved valve just before the meter. It shall be the duty and responsibility of the Property Owner to keep the curb box in good repair, above ground and accessible at all times.
- J. No person, except Town personnel, or those acting with permission of Town officials, shall open or close any valve on the street mains or services or any cocks in any curb box, or molest or interfere with same in any way whatsoever.
- K. Personnel authorized by the Town Board may, at any time, enter a building or upon premises where water is used from supply pipes connected to the street mains for purposes of examining such pipes and materials which have been installed.
- L. The Property Owner shall be allowed a maximum of 48 hours to contact for repair of any leak that exists. Failure to do so shall allow the water improvement area to make the needed repairs and to bill the Owner for the full cost of such service.
- M. Standard fittings at the inside building line shall be a good quality gate valve immediately upon entering the building and a good quality double-check valve immediately after the gate valve.

- N. No service may be altered or extended beyond the provisions of the original approved application without specific written permission from the water department. Such permission grants the water improvement area the right to adjust the water rate for such altered service.
- O. The water improvement area, through its duly appointed representative, may order the correction of any service faults by ordering a new tap be made in the regular manner.
- P. The Owner is obligated to assure the Town that no water service shall extend from one dwelling unit to another dwelling unit and that no unmetered water shall be expended. Special approval may be granted to service more than one dwelling unit. This may be done if such special approval is granted in writing by the Town Water Department,
- Q. At the time of the installation, or prior to, the Owner shall disconnect any pipe carrying water from any other source (e.g., a water well) or piping of any other kind as stipulated in the State Sanitary Code Part 5, Section 5-1.31. The connection of any pipe or conduit servicing the supply of water of the Town of Pine Plains is strictly prohibited.
- R. During the construction of the water service line, the Owner shall, at all times, be responsible for the trench in which the pipe is placed and any alleged damages resulting from this installation. All restoration work in public rights-of-way shall be completed by the Owner to the satisfaction of the Town Water Department.

**1-5. Tapping of Mains; Conditions; Application; Permit; Fee**

- A. The Water improvement area shall supply water service only for properties which are located within the established water improvement area boundaries and boarder and existing or proposed Town road or easement where a water main exists with the road right-of-way or easement and passes in front of the property for which a tapping permit is being sought.
- B. An applicant whose property meets the criteria set forth in Subsection A above shall make application to the water improvement area for a tapping permit on approved forms, The application shall be signed by the Property Owner, or his agent, who has been authorized, in writing, to sign and submit such application. The proper fee shall accompany the application.
- C. A tapping permit, issued by the Water improvement, area becomes a permit for water service and, as such, shall become a contract and shall remain in force until it is canceled by either party.
- D. Application forms may be obtained from the Town Clerk and must be approved by the Board of Commissioners or its duly appointed agent.
- E. A single tap is to supply a single building and may not be altered or extended without permission specifically stated, in writing, in the application for water service,

- F. All tapping of mains will be made or be contracted to be made by the water improvement area under the supervision of the Superintendent.
- G. The applicant shall be responsible for all arrangements, labor and material and costs for installation of all service taps. A single user's residential service taps shall include a three-fourths (3/4) inch tap of the main, install the curb stop and box, install the service line from the main to the curb stop where said distance does not exceed 30 feet and install the water meter in a setting provided by the applicant. If the distance from the main to the curb box exceeds 30 feet, the applicant shall furnish the service line in a single unjointed length.
- H. The applicant shall perform all excavating, all backfilling, obtain all required permits for opening streets or highways and assume all responsibilities and liabilities for said operations.
- I. Fees may be adjusted to compensate for material or labor costs when deemed necessary by the water improvement area.
- J. At least fourteen (14) calendar days prior to connecting into the Town water main, the Town Water Department shall be notified as to the intent of the individual desiring the tap. It shall be that individual's responsibility to arrange a meeting to discuss the connection with the Town Water Department. Prior to this meeting, a water supply application and engineering drawings/specifications, if required, shall be submitted to the Town Water Department.

## **2. Meters**

- A. Every water service shall be supplied through a meter. Only one (1) meter shall be set in any service main. If more than one (1) meter is desired or required for a building or premises, a separate service must be run to the street main for *each* and every additional meter. When exceptional conditions warrant deviation from this rule, a special permit may be issued, therefore, by the Town Board. Every such special permit shall, however, be revocable at the discretion of the Town Board.
- B. Separate water service lines designed and installed exclusively for fire-fighting purposes (i.e., sprinkler systems, etc.) and from which there are no connections or tees or taps from which water may be drawn and used for purposes other than fire fighting and protection need not be metered.
- C. All water meters of one (1) inch size or less shall be furnished and installed by the Town at the Town's expense. The meter shall be the property of the Town water improvement area. Larger meters shall be provided by, and at the expense of, the Owner of the premises requiring the meter and shall be of the size and type acceptable to the Town. Meters shall be set at the expense of the Property Owner in such location, position and manner as to be readily accessible for reading and repair, kept free from obstruction and fully protected from freezing and damage at the Property Owner's expense. Remote-reading heads

shall be installed and maintained by the Owner at locations on the outside surfaces of building, suitable to the water department. Cables or wires connecting remote-reading heads with the meters shall be protected from damage by the Property Owner. A penalty will be imposed when a meter is damaged by freezing or other negligence on the part of the Owner or when a remote-reading cable or head is damaged by the Property Owner's negligence, which penalty shall be a lien against the property. All meters, cables, remote-reading heads and all other equipment accessory to the meters shall be under exclusive control of the water improvement area and subject to inspection at all times by the Town. The Town may require replacement of a meter if the Town determines replacement is necessary.

- D. All water passing through a meter will be charged for, whether used or wasted. Meters will be tested at the Consumer's request, and if the meter is found to be accurate, the Consumer shall bear the expense of the test. Any meter may be tested for accuracy at the discretion of the Town. Should a meter of size greater than one (1) inch be found to be inaccurate, the Consumer shall, upon written notification, have the meter repaired within forty-five (45) days of the notice at his expense. Meters will be considered accurate if registering within two (2) per cent plus or minus. If a meter is out of order and fails to register correctly, the Consumer will be charged the average daily consumption as previously shown by the meter when in accurate working condition.
- E. No person shall interfere or tamper in any way with the meter or meter accessories or the valves and fittings connected thereto. Any person violating this subsection shall forfeit as a penalty for such violation.
- F. All meters shall be sealed. The seal may be broken only by the authorized agent of the Town Board. Should the seal be broken in any other manner, the Property Owner will be held responsible and the Town Board reserves the right to order the meter removed for test at the expense of the Property Owner.

### **3. Mains and Appurtenances**

#### **3-1. Permits Required**

The Owner shall obtain such permits, as are necessary, for the opening of streets, building permits and such others, as are required by local law. These shall be obtained prior to the start of construction and at no cost to the water improvement area. The Owner shall be responsible for payment of all fees required by such local laws.

#### **3-2. Notice of Construction**

The Engineer shall be notified at least seven (7) working days in advance of the start of construction.



### **3-3. Quality of Materials**

All materials becoming a part of the permanent construction, as called for on the approved drawings and in the specifications, shall be first-class in every respect and subject to the approval of the Engineer who shall be the sole judge of their quality and suitability for the purposes that they are to be used. If any material, brought on the site for use in the work, is condemned by the Engineer, after arrival at the site, as unsuitable, or not in conformity with the specifications, the Owner shall immediately remove such materials from the construction site.

### **3-4. Approved Drawings**

Approved drawings shall consist of a set of plans and profiles prepared by the Owner's Engineer and submitted to the basic municipal water supply system plan and the specifications. The Engineer's approval shall be affixed to the drawings and a copy of such approved drawings shall be on the construction site at all times. No deviation shall be made from the line and grade shown on the approved drawings, except by written authorization of the Engineer.

### **3-5. As-Built Drawings**

The Owner's Engineer shall provide the Engineer with a revised set of permanent reproducible drawings showing the as-built location, sizes and elevations of waterlines, valves, hydrants, building connections, water main and service terminations and easements, together with such legal descriptions, as are required for proper recording of such easements, together with such legal descriptions, as are required for proper recording of such easements.

### **3-6. Water main sizes.**

All water mains shall be no smaller than eight inches in diameter. Written requests for exceptions shall be submitted to the Engineer for approval. The Engineer may require the installation of water mains of greater size than eight inches in diameter if, in his judgment, service conditions so require.

### **3-7. Specifications**

#### **A. General**

1. All components of the water system shall comply with the latest edition of the Recommended Standards for Water Works, as adopted by the Great Lakes - Upper Mississippi River Board of State Public Health and Environmental Managers and the requirements of the New York State Department of Health
2. These specifications apply to all water mains, valves, hydrants, and services installed on public or private properties that are connected directly or indirectly to the Town of Pine Plains Water System.
3. Town standard detail sheets shall be considered an integral part hereof and are found at the end of this document.

4. All components of the water system materials shall be forged or made in North America unless otherwise allowed by the Superintendent and Town Engineer,

B. Ductile Iron Pipe

1. All pipe for water mains 6" through 16" in diameter and water services 3" in diameter and larger shall be ductile iron pipe. All ductile iron pipe 3" in diameter and larger shall be furnished in 18 or 20 feet nominal laying lengths.
2. All ductile iron pipes shall be centrifugally cast in metal molds or sandlined molds with all details of manufacture and supply in conformance with the latest version of ANSI/AWWA C151/A21.51. All ductile iron pipes shall be designed and selected in accordance with the latest version of ANSI/AVVWA C150/A21.50. All ductile iron pipes shall be minimum pipe wall thickness Class 52 per the latest version of ANSI/AWWA C150/A21.50.
3. All buried pipe shall have push-on joints in complete conformance with the latest version of ANSI/AVVWA C111/A21.11. The pipe manufacturer shall furnish the required rubber joint gaskets with each length of pipe.
4. All ductile iron pipe for hydrant connections shall be a minimum size of 6" in diameter and conform to the same specifications as given previously for ductile iron pipe; except that hydrant connection pipe shall have mechanical joints in conformance with the latest version of ANSI/AWWA C111/A21.11. The pipe manufacturer shall furnish the required joint accessories consisting of ductile retainer iron glands, high-strength low-alloy steel tee bolts and nuts, plain rubber gaskets, and required joint lubricant.

C. Joints.

1. Mechanical joints shall meet the requirements of ANSI Specifications A21.11- (AVVWA 0110) and shall have the same pressure rating as the pipe of which it is a part. Assembly of mechanical joint fitting shall be completed with a torque wrench. Torque to be applied to each bolt shall be between 60 pounds and 90 pounds. After all pipe and fitting joints have been completed, there shall be inserted in each joint two bronze wedges as furnished by the pipe manufacturer. They shall be firmly driven between the outside surface of the pipe and the inside surface of the socket. The wedges shall be placed 180 apart on the horizontal axis.
2. Except as necessary to connect into existing pipe, rubber ring-type gaskets shall be used with bell and spigot pipe, mechanical joints or push-on joints, which gaskets shall be equal to Fastite, as made by the American Cast Iron Pipe Company, or Tyton, as made by the United States Cast Iron Pipe Company.

D. Fittings.

1. All pipe fittings shall be ductile iron compact fittings in conformance with the latest version of ANSI/AVVVA C153/A21.53. The pipe manufacturer shall furnish the required joint accessories consisting of ductile iron retainer glands, high-strength low-alloy steel tee bolts and nuts, plain rubber gaskets, and required joint lubricant.
2. All ductile iron pipe and fittings shall be cement mortar lined in conformance with the latest version of ANSI/AWWA C104/A21.4. The thickness of the lining shall be twice the standard and shall be not less than 1/6' thick.
3. All buried ductile iron pipe and fittings shall be furnished with a standard bitumastic coating in conformance with ANSI 21.51.
4. For new water main installation, the Contractor shall verify the corrosivity of the soil with the Ductile Iron Pipe Research Authority (DIPRA). If the soil is determined to be corrosive, the water main shall be encased in polyethylene conforming to the requirements of ASTM D4976 and AWWA 0105. Installation shall be in accordance with AWWA 0105.
5. Retainer glands shall be utilized on all ductile iron fittings. Retainer glands shall be ductile iron with T-head bolts and gaskets conforming to ANSI/AWWA C111/A21.11. Retainer glands shall be Meg-a-lug 3000 for use with mechanical joint ductile pipe and fittings.

**3-8. Excavation and Installation**

- A. Trench Width. The trench width may vary with and depend upon the depth of the trench and the nature of the excavated material encountered; but, in any case, shall *be* of ample width to permit the pipe to be laid and jointed properly and the backfill to *be* placed and compacted properly.
- B. Sheet piling and Bracing, Sheet piling and bracing shall be used as required, or ordered, by the Engineer to support the sides of trenches or other excavation. Such sheet piling and bracing shall be removed as the trench or excavation is backfilled unless the Engineer shall order the same left in place.
- C. Selected Backfill. All backfill under, around and to a depth of one foot over the top of all pipes and valves shall be made with a selected material thoroughly tamped. The material to be used for selected backfill embedment shall be a natural run-of-bank material graded from *fine* to coarse, not lumpy or frozen and free from slag, cinders, ashes, rubbish or other deleterious or objectionable material, It shall not contain a total of more than 5% by weight of loam and clay, containing no stones larger than two inches in size and subject to approval by the Engineer. Limestone screenings, sand, bank-run gravel and approved excavated material may be utilized with the approval of the Engineer.

D. Earth Backfill.

1. Only after the backfill, previously mentioned, has been satisfactorily compacted may work proceed in placing and remaining backfill, which must be carefully placed and compacted by tamping, puddling or rolling. All precautions must be taken to eliminate future settlement. Where pavements, driveways, curbing and sidewalks are to be placed, or are to be replaced, all backfill placed over the pipe shall be compacted with the use of approved vibratory or flat-faced mechanical tampers in layers not more than 12 inches thick, loose measurements, to a density satisfactory to the Engineer or his authorized representative.
2. Backfilling shall not be done in freezing weather, except by permission of the Engineer, and it shall not be made with frozen material, nor shall any fill be made where the material already in the ditch is frozen.
3. All backfill above a plane one foot above the top of all pipes may be made with material excavated from the trenches, provided that the same is satisfactory to the Engineer. If, in the opinion of the Engineer, the material excavated is unsatisfactory, other material suitable for backfill shall be used. All backfill shall be free from slag, cinders, rubbish and other objectionable material.

E. Pipelaying.

1. Pipe, couplings, and fittings shall be handled and installed in accordance with the recommendations of the pipe manufacturer. Proper and suitable tools and appliances for the safe and convenient handling and laying of the pipes and fittings shall be used. Under no circumstances shall pipe or accessories be dropped or dumped into the trench or bumped while handling.
2. Great care shall be taken to prevent the pipe coating from being damaged, particularly on the inside of the pipes and fittings, and any such damage shall require replacement of the item in question. All pipes and fittings shall be carefully examined for defects just before laying and no pipe or fitting shall be laid which is known to be defective. Pipes shall be laid only in properly prepared trenches and on compacted sand cradle, true to line and grade and with no dips or rises except as required by the design.
3. All pipes and fittings shall be thoroughly cleaned before they are laid, shall be kept clean until they are used in the completed work and, when laid, shall conform to the lines and grades of the design. Open ends of pipe shall be kept plugged with a bulkhead during construction.
4. Pipe laid in a trench shall be laid to a firm and even bearing in material for its full length. No pipe shall be laid in wet trench conditions which preclude proper bedding as specified or on a frozen trench bottom or when, in the opinion of the Engineer, the trench conditions or weather are unsuitable for proper installation.

5. it is the intention of these specifications to secure first-class workmanship in the placing of the pipe and accessories.
- F. Nonstandard Deflections. Wherever changes in line and grades of the main are not standard fitting deflections, combinations of standard ductile iron fittings and small deflections in the adjoining lengths of pipe will be permitted, subject to the following limitations:
1. For ductile iron bell and spigot pipe, the maximum deflection at each joint shall be 3.
  2. For ductile iron mechanical joint pipe, the above deflection shall be limited to 5.
- G. Trench Width. The minimum width of unsheeted trench shall be at least 18 inches larger than the outside diameter of the pipe, except by consent of the Engineer; the maximum clear width of a trench shall be not more than two feet greater than the outside pipe diameter. When sheeting and bracing are used, the trench width shall be increased accordingly.
- H. Pipe Cover. Minimum width cover over the top of water mains shall be five feet zero inches measured from the established grade of the street. Cover in excess of five feet zero inches shall be approved by the Engineer.
- I. Bedding.
1. The trench bottom, when unsatisfactory, shall be excavated at least six inches below the bottom of the pipe and bottom brought back to grade by thoroughly compacting selected backfill which meets the requirements of Subsection D.
  2. When the uncovered trench bottom at subgrade is soft and, in the opinion of the Engineer, cannot support the pipe, a further depth and/or width shall be excavated and refilled to pipe foundation grade with slag, stone or other approved material to secure a firm foundation for the pipe.
  3. Ledge rock, boulders, large stones and shale shall be removed to provide a clearance of at least six inches below all parts of the pipe, valves or fittings, and a clear width of nine inches on each side of all pipe shall be provided.
  4. Bell holes of ample dimensions shall be dug at each joint to permit the jointing to be made properly. Adequate clearance for properly jointing pipe laid in rock shall be provided at bell holes.
- J. Blocking and Anchorages. Concrete reaction, or thrust blocking, shall be provided for all valves, hydrants, bends, dead ends and wherever else as may be determined by the Engineer.

- K. Operating Valves. The operation of all gate valves on existing mains for making connections, tests or for any other cause, shall be done by the water improvement area, and sufficient notice shall be given to the water improvement area by the Contractor so that the work may be done with a minimum of inconvenience to the public and delay to the Contractor.
- L. Main Taps. All taps to the main line are to be made by the water improvement area under the direct supervision of the water improvement area Water Superintendent or his representative.
- M. Plastic Marker. The Contractor shall place polyethylene runners to facilitate later location of the pipeline, approximately 12 inches wide, a minimum of one foot above the crown of the pipe, throughout the project. For waterlines, the plastic will be translucent.

#### **4. Hydrostatic and Bacteriological Testing**

##### **A. Testing**

1. After the pipe is laid and after partial backfilling, the entire length of the water main shall be tested under static pressure of 150 pounds per square inch of 1 1/2 times the working pressure, whichever is greater. The section of pipe to be tested shall be filled with water for a minimum period of 24 hours and then subjected to the test.
2. Tests shall be under the direction of the Engineer or his designate. The Contractor shall furnish a pressure gauge for measuring the pressure on the water main and shall also furnish a suitable pump, pipes and all appliances, labor, fuel and other appurtenances necessary to make these tests. The test pressure shall be maintained for a sufficient length of time to allow for a thorough examination of leakage where necessary. In no case shall the length of the test be less than two hours.
3. If any breaks or leaks develop or are discovered during the test, the Contractor shall repair the main at his own expense. No line will be accepted until it has successfully passed the pressure and leakage tests to the satisfaction of the Engineer.

##### **B. Disinfecting Mains**

1. Water mains shall be disinfected to the satisfaction of the Engineer and the Outchess County Department of Health in accordance with AWWA 0601 (excepting 116-14) prior to being placed into service. Disinfected water must lay in mains for a minimum of 24 hours before being thoroughly flushed for usage.

2. The Contractor shall furnish the necessary labor, equipment and material required for such chlorination. The Contractor shall furnish the necessary labor for excavating and backfilling which will be required for the chlorination work. Bacteriological examination of water samples, collected after disinfection, shall be made by the Health Department. If the test results show that the water is unfit for consumption, the disinfection process shall continue (at the Contractor's expense) until a potable sample is achieved.
3. Following chlorination, all treated water shall be thoroughly flushed from the newly laid pipe at its extremities until the replacement water throughout its length shall, upon test, both chemically and bacteriologically, be proven equal to the water quality served the public from the existing water supply system.

## **5. Valves**

### **A. Gate Valves**

1. All gate valves shall conform to the AWWA Specifications for Water Valves, designated 0509, except as herein modified. Gate valves three inches and larger in size shall be equal to AWWA gate valves Model A-2360 as manufactured by the Mueller Corporation, or equal.
2. All gate valves three inches and larger in shall be of the iron-body bronze-mounted, resilient wedge type, with non-rising bronze stem. All valves (gate) shall be of the same size as the water main in which they are to be installed.
3. All gate valves shall have a working pressure of 250 pounds per square inch (psi). Valves shall be tested and certified to ANSI/NSF 61. Each valve seat shall be factory tested at 250 psi and each valve shell shall be factory tested at 500 psi.
4. All gate valves shall have non-rising stems. Stem shall be bronze rolled bar stock with forged thrust collar. Valves shall open left.
5. Non-rising stem gate valves shall open left with a standard 2" square operating nut. All valves shall be furnished with mechanical joint ends complete with ductile iron retainer glands, high-strength low-alloy steel tee bolts and nuts, rubber gaskets and required joint lubricant. Mechanical joint ends shall conform to the latest version of ANSI A21.11.
6. The body and bonnet of all gate valves shall have a wall thickness conforming to AWWA 0509. Valves with a reduced wall thickness are not acceptable. Bonnets shall have Type 304 stainless steel nuts and bolts.
7. All gate valves shall be resilient wedge type, and be UL listed and FM approved.

B. Tapping Sleeves and Valves

1. Tapping sleeves and valves shall be used for all connections six inches and larger in size to any existing main where 10 or more domestic services would be shut off if a tee or other connection were to be made.
2. The tapping sleeves shall be properly sized to fit the existing mains to which connections are to be made.
3. The sleeves shall be of the bolted type or rugged ductile iron construction of ample strength for the service intended and shall be caulked with lead the full length of the sleeve after attachment to the existing main. The existing pipe shall be thoroughly cleaned prior to installation of the tapping sleeve.
4. Tapping valves shall be not less than one size smaller than the diameter of the existing main to which connection is to be made unless otherwise permitted by the Engineer.
5. The tapping valves shall meet AWWA Specifications for Gate Valves, except that oversized seat rings shall be provided to permit the use of full-sized cutters through the face and drilled to ANSI one-hundred-twenty-five-pound standards. The valves shall be nut-operated and shall open by turning to the left. Tapping valves shall be installed and open vertically.

C. Valve Boxes and Covers. Valve boxes and covers shall be installed over each vertically set, buried valve and elsewhere as directed. Valve box and covers shall be of the adjustable type and shall be equal to standard valve box No. F2450, of the required length, as manufactured by the Clow Company. Valve box covers shall be of the stay-put-type (Clow F-2494) with the word "water" cast, thereon, in raised block capital letters. Base size and extension piece length shall be, as required, for each individual size and depth of bury.

D. Corporation Stops. A corporation stop shall be installed at each service connection. All connections from corporation stops to copper water services shall be made with compression fittings. Corporation stops shall be as manufactured by the Mueller Company, Figure H-15008 or equal, with Mueller inlet thread and outlet for CTS O.D. tubing. Service clamps (tapping Saddles) shall be installed for all corporation stops over one inch in size. Corporation stops shall be installed on the upper half of the pipe either at the ten o'clock or the two o'clock position of the main. When more than one corporation stop must be installed in a specific location, the corporation stops shall be installed at least 12 inches apart. Only approved tapping equipment and experienced operators shall be used.

E. Curb Stops and Valve Boxes. A Mueller Company H-1504-2 Oriseal III or equal, curb valve with extension-type curb box H-10316 is to be provided for each service. The curb valve and box shall be installed within the road right-of-way outside of any pavement area.



## 6. Hydrants

The location and number of hydrants shall be approved by the Engineer. A.

Size and type,

1. All hydrants shall be 5 1/2 inches in size, with six-inch mechanical joint inlet connection, and shall be equal to Mueller Super Centurion 200 Hydrant No. A423 as manufactured by the Mueller Company.
2. Each hydrant shall have the name and maker and the year when made and the size of the main valve opening cast upon it in raised letters.
3. Unless otherwise directed by the Engineer, each hydrant shall be fitted with one four-and-one-fourth-inch National Standard thread steamer nozzle and two two-and-one-half-inch National Standard thread hose nozzles.
4. The main valve shall open by turning the counter in a clockwise direction and shall open against the pressure. This valve shall be faced with rubber which shall seat against an accurately machined bronze seat.
5. The top cap of the hydrant shall be provided with a waste or drip to prevent the cap from filling with water.
6. The hydrants shall be provided with automatically operated drainage valves to permit drainage of the hydrant when the main valve is in the closed position.
7. The head of the revolving nut, or operating nut and nozzle cap nuts shall be of the exact dimensions of those in use in the water improvement area.
8. The nozzle caps shall be secured to hydrants by means of galvanized or cadmium-plated steel chain of not less than one-eighth-inch diameter links.
9. The hydrant bottom, connecting pipe, head, packing dome, date, nozzle cap and umbrella operating nub shall be made of cast iron.
10. All bolts and nuts shall be of the best quality of wrought iron or steel, rustproof; the heads, nuts and threads shall be of standard size. All joints shall be faced true and smooth so as to make a perfectly watertight joint.
11. All castings, whether of iron or bronze, shall be of uniform thickness in their several parts and shall be sound and smooth, without cold shuts, sand holes or other defects of any description. All materials shall conform to those as required by AWWA Specifications C502-64.

**B. Cleaning and Painting**

1. All iron parts of the hydrant, inside and outside, shall be thoroughly cleaned, and thereafter, all surfaces, inside and outside, except the exterior portion above ground line, shall be shop painted with two coats asphalt varnish conforming to the requirements of Federal Specification T1-V-51A or Army-Navy Specification JAN-P-450. The first coat shall be allowed to dry thoroughly before the second coat is applied.
2. The outside of the hydrant above the finished ground line shall be thoroughly cleaned and, thereafter, painted in the shop with two coats of paint of a durable and weatherproof composition conforming to Federal Specification TT-P-86A (Type IV). The color or colors of finish paint above the ground line shall be as required by the water improvement area.

**C. Hydrostatic Test**

1. After completion of fabrication, each hydrant shall be tested at the shop, by hydraulic pressure, as follows: A pressure of 300 pounds per square inch shall be applied to the body of the hydrant before the protection case is put on; after the hydrant is assembled complete, with a test elbow, a pressure of 300 pounds per square inch shall be applied below the compression valve and 200 pounds per square inch above the valve.
2. Any hydrant showing a sweating of the metal under any of these tests or leaking at the valve or stuffing boxes or showing any other defects shall be rejected.

**D. Hydrant Connection.** The connection from the water main to the hydrant shall be six-inch diameter ductile iron and shall be provided with a six-inch gate valve and adjustable valve box and cover. The gate valve serving the hydrant shall be installed within three feet of the water main.

**E. Installation.** Hydrants shall be set plumb on a poured concrete base six inches thick, extending across the full width of the trench and affording buttress support against the end wall of the trench. Weep hole drainage shall be provided by means of one trench. Weep hole drainage shall be provided by means of one cubic foot of coarse gravel or crushed stone mixed with coarse sand. Hydrant installation shall conform in all respects with AWWA Standard C600-64, Sections 11 and 12.

**7. Inspections**

**A. Inspection and Tests.** All material and workmanship shall be subject to inspection, examination and test by the Engineer or authorized water improvement area representative. The Contractor shall submit manufacturer's certifications, standards, fabrications, and working drawings as required. Requests for changes in types of materials and specifications must be submitted to the Engineer, in writing.

- B. Final Inspection. Final inspection and acceptance of the facilities by the Water improvement area shall be one year after completion of construction. During the probationary period of one year, the Contractor is to remedy, at his expense, all defects in the work as may become evident or as may be required by the water improvement area Engineer.

## **8. Penalties for Offenses**

Any noncompliance with the provisions of this chapter shall be deemed a violation punishable, upon conviction, to a fine as set forth in the Town's fee schedule, or to imprisonment for not more than 15 days or both.

## **9. Payment of Rentals Generally**

- A. The rents for the use of water, and all charges in connections therewith, shall be due and payable quarterly on schedules established by the water and sewer billing department. Fractional parts of a quarter will be computed from the day the meter is installed to the day of the quarterly reading. No abatement of the minimum charge for water rent shall be made unless water is shut off at the curb box.
- B. All water rents and other lawful charges in connection with the water system shall be a lien upon the real estate where such water is supplied. All penalties for the violation of any rules and regulations adopted, if not paid when imposed, shall constitute a lien upon the real property and premises in like manner as unpaid water rents.
- C. All water rents, penalties and other lawful charges remaining due and unpaid at the time the annual tax roll of the water improvement area is made up shall be included therein and levied against the real property on which the water shall have been used, and shall be collected with, and in the same manner as, other town taxes with the additional fees, charges, and penalties incident to the collection of such taxes.
- D. If requested by the Property Owner in writing, the Water improvement area will send bills and notices to agents or tenants in the Owner's name. While such bills and notices may be sent to agents and tenants, the Owner of the property shall be responsible for all water rents, charges and penalties even though water at the request of the Owner is billed to the agent or tenant. All charges and penalties are a lien upon the property where the water is supplied and Property Owners are responsible for payment thereof

## **10. Rates, Charges and Billing**

- A. The minimum rent per quarter, which includes rental of a water meter if any, shall be established by separate resolution of the Town.

- B. All water shall be billed at the rate per one thousand (1,000) gallons.
- C. The fee for permission to open streets, lanes, walkways and other public grounds for the purpose of installing mains, services and other appurtenances shall be subject to permission and fee as set *by* the Town Superintendent of Highways,
- D. The charge for taps of three-fourths of an inch and one inch size shall be established by resolution of the Town.
- E. All water rents, charges and penalties which are not paid *by* the due date shall be subject to a penalty of ten (10) percent of the amount due.
- F. If all water rents, charges and penalties are not paid within sixty (60) days after the due date, the Town shall mail to the Owner, and if previously directed to send bills and notices to an agent or tenant, then to such agent or tenant, a notice of the arrearage containing the total amount then due with notice and stating that unless paid within five (5) days after the date of mailing the notice, service will be discontinued, and service shall not be restored until all charges and penalties shall have been paid and further sum as set by resolution shall have been paid for the restoration of service. The Owner shall be responsible for all water rents, charges and penalties even though water at the request of the Owner is billed to an agent or tenant.

#### **11. Delinquent Payment.**

Water user charges which are not paid on or before January 31 shall bear a penalty of 10% per annum. if such amount remains unpaid on the first day of February, the Town Clerk-Treasurer shall certify the amount due and payable to the Town Board, which shall levy the same as taxes and add such water user charge and penalties to the succeeding tax roll of the Town. Such tax shall be collected and enforced in the same manner and at the same time as provided for the collection and enforcement of Town taxes, and it shall be the duty of the Town Clerk-Treasurer to charge and collect interest thereon at the same rate specified for the collection of Town taxes. Such water user charge shall constitute a lien upon the real property served by such waterworks, and such lien shall be prior and superior to any other lien or claim except the lien of an existing tax, assessment or other lawful charge.

#### **12. Fees for Turning Water On and Off**

Water service shall not be turned on or off except by the Water Department or its representative. No other person or persons shall be permitted to turn any water service on or off at the curb or main without his specific permission. There will be no charge for the first turning on of the water, but should the Town Board or its agent turn it off because of any delinquency on the part of the Consumer, the water will not be turned on again until all the charges and a fee has been paid by the delinquent Owner. Service turned on shall be considered to be in use and subject to regular billing rates until turned off in accord with the provisions stated in the preceding regulation, Service may be discontinued by either party for any reason upon 30 days' written notice. Service will not be turned on until the Superintendent has arranged for the correct name and address of the customer for billing purposes. A service charge may be levied for turning on or off

service at the request of the Property Owner or by the water improvement area. When water is turned off at the request of a Consumer, no charge will be made for turning water off, but a charge shall be made for turning on the supply again. While so shut off at the curb box, no minimum charge for water will be made. Such charges shall be established by resolution of the Town.

### **13. Interruption of Service**

- A. The Town reserves the right to suspend or discontinue, when the public interest shall require it, the use of any water service, including street mains, and also to shut off the water for repairs or alterations of the street mains or service mains or for other purposes and to keep it shut off as long as may be necessary.
- B. Neither the Town nor any of its officers or agents, nor the Town water improvement area, shall be held responsible or be responsible to Consumers for any damages which may result from or be caused by shutting off the water, even when no notice is given, and no deduction from water bills shall be in consequence thereof. No claim shall be made against the Town or the improvement area for any damages arising from the bursting or breaking of any street main or service pipe, or any fixture or attachment thereto wherever situated, or from the failure to diminution of the water supply, whatever the cause thereof.

### **14. Cross-Connections with Non-Potable Water Supplies**

- A. If an Owner has any source of water other than from the town public water system, such source will be considered not-potable. The NYSDOH requires a physical disconnection from existing individual water wells to the piping connecting to a public water supply system. The purpose of this requirement is the elimination of potential backsiphonage and possible contamination of the public water supply.
- B. Under no circumstances, including valving, check valves, vacuum breakers and other devices, shall a direct connection be made, or permitted, between a privately owned water well and the public water supply. Before making any service connection between the town public water supply and a Consumer's premises, it may be required that all connections between individual wells, or other outside sources of supply, physically be disconnected from the Consumer's plumbing fixtures which are connected to the town potable water supply.
- C. Inspections shall be made by the Town Water Department to assure that this requirement has been carried out. Violators of this requirement shall be immediately shut-off at the curb stop. Service to violators shall not be returned until compliance with this section has been met.

**D. Other Potential Contaminants**

1. The Town shall require protection against the possibility of backsiphonage in any area deemed appropriate. This shall include, but not limited to, cross or interconnections with sewers, areas where hazardous chemicals are used, manufacturing plants, and any other contaminant considered to be a potential threat to the public water supply.
2. The degree of protection required shall be contingent upon the severity of the situation and may require an air gap, reduced pressure zone device, double check valve assembly or other measure and shall be consistent with the requirements of the NYSDOH.

**15. Obstruction of Fixtures.**

No person shall obstruct access to any fire hydrant, stopcock or curb box connected with the water mains or service mains or pipes in any street by placing thereon any building materials, rubbish or other hindrances.

**16. Damage to be Rectified**

Any damage to the corporation valve, service line, curb valve, curb box or water meter installation, occurring prior to completion of construction, grading and permanent occupancy, shall at the direction of the Engineer, be repaired, replaced or paid for by the Owner or Builder before water service to the premises is permanently turned on.

**17. Water Used for Construction Purposes**

Water used for building purposes shall be charged to the Owner of the property. The amount consumed shall be metered or estimated by the Town or its duly authorized representative, at its option.

**18. Permanent Service.**

Water turned on for purposes other than occupancy or construction, such as maintaining a heating system, etc., shall be considered as permanent service and subject to existing rate and billing-payment schedules.

**19. Service Outside Improvement Area**

- A. No water main shall be tapped, nor any service main extended, outside the boundaries of any water improvement area, except on special application therefore filed with the Town and a special permit therefore granted and issued by the Town. The Town shall impose such conditions upon the granting of the permit, as shall be deemed fitting and proper by it, and shall impose and collect such water rents and charges for such water service as it deems appropriate.

- B. Each outside user will be subject to a minimum connection fee as per the Town's fee schedule, which is to be paid in full prior to the Town issuing approval and/or building permit. All additional costs associated with Town review of the application, approval of the design drawings and specifications by the Town Engineer, and attorney fees shall be paid for by the Owner. All costs associated with connecting to the Town system will be paid for by the Owner.
- C. Extending water service outside of the Town water service area is not guaranteed and each application will be handled on a case-by-case basis. The Town will review each application with regards to the impact on the existing system.
- D. Additional charges or donations may be collected as deemed in the best interest of the Town based on determination of the Town Board.

## **20. Determination by Town Board**

The Town Board shall determine, after consulting with the Town Water and Sewer Superintendent, if a condition of water shortage exists with those portions of the Town whose water is provided through a Town water improvement area. Upon such determination, the Town shall, at a regular or special meeting, declare by resolution, a water shortage and impose a prohibition of water usage. The prohibition shall continue until further resolution of the Town Board.

## **21. Restrictions on Water Usage**

- A. The use of water at any premises or facility shall be consistent with the generally understood intent for use. Water used for the prevention of freezing in piping shall generally be discouraged, but may be permitted provided that the Town Water Superintendent agrees to the concept and all water run for this purpose is metered.
- B. Water used to flush sewers or soil pipes shall be done only under direct supervision of the Town Water Department and shall be performed in a manner acceptable to the Town Water Department and so as not to provide a cross connection or interconnection of any kind.
- C. No water shall be used from any public main unless the same is metered, (except for fire fighting usage), without the knowledge and permission of the Town Water Department. Arrangements shall be made to accurately ascertain the amount used. Payment for same, if required, shall be made based upon such determination.

- D. The Town reserves the right to limit the amount of water furnished to any customer should circumstances warrant such action without prior agreement or may discontinue or interrupt water used for manufacturing, water-cooled equipment, lawn sprinkling, or gardening purposes.
- E. Commercial and Industrial usage shall be subject to review and limitation according to usage requirements and the availability of water with the existing supply, storage, and transmission facilities.
- F. Interruptions in service caused by emergencies will occur from time to time. Prior notification of such interruptions will be attempted, but shall not be the responsibility of the Town and the right is reserved by the Town to repair mains as needed.
- G. When there has been a declaration of water shortage pursuant to the procedures outlined above, it shall be unlawful for any person to use water obtained from a water improvement area system within the Town for any of the following purposes:
  - 1. The use of hoses, sprinklers or other means for sprinkling or watering of shrubbery, trees, lawns or grass.
  - 2. The use of water for washing automobiles, trucks, trailers, trailer houses, or any other type of mobile equipment.
  - 3. The washing of streets, sidewalks, driveways, parking lots or service station aprons.
  - 4. The use of water for filling swimming pools or wading pools.
  - 5. The use of water from fire hydrants or any purpose other than fire suppression.
  - 6. Any other use of water for outdoor recreational purposes.
  - 7. Such other nonessential uses as determined by the Town Board by resolution and published in the following.

## **22. Publication of Notice**

Notice of the declaration of water shortage and prohibited uses shall be published twice in two newspapers of general circulation within the Town within 14 days following the declaration. The restrictions on water usage shall become effective at 12:01 a.m. of the day following the last required publication pursuant to this section.



**23. Release from Responsibility**

**A. Fluctuation in Pressure**

The Town shall not be held responsible for any damages done due to fluctuation in the pressure within the distribution system.

**B. Disruption in Water Service**

Notification to customers of water outages, due to routine construction or other scheduled or planned work, will be made by the Town Water Department whenever possible. Emergencies must be repaired immediately, and do not require notification. The Town assumes no responsibility to provide water under emergency conditions. Emergencies include outages due to a break in a water main, pumping equipment failure, war, and acts of god.

**24. Obligation of User for Access**

It shall be the obligation of the Owner to allow ready access within reasonable hours for the Town Water Department to make routine inspections, perform functions related to the water service, read meters, etc., to all premises being supplied with water.

**25. Use of Hydrants, Valves, and Other Facilities**

**A. No water may be used from any fire hydrants or fire standpipes by other than duly authorized fire company personnel in connection with their fire company activities without the express permission of the Water Superintendent.**

**B. No hydrant, valve, or other property of the Town shall be used without permission of the Town Water Department. The use, and manner of use, shall be described to the Town Water Department in writing. The use of the facility shall be limited to that usage approved.**

**26. Penalties for Offenses.**

**A. A violation of this chapter is an offense punishable by fine not exceeding \$350 or imprisonment for a period not to exceed 15 days, or both, for conviction of a first offense. Commission of a second offense committed within five (5) years of the first offense is punishable by a fine not less than \$350, nor more than \$700, or imprisonment for a period not to exceed 15 days or both. Conviction of a third offense committed within a period of five (5) years is punishable by a fine not less than \$700, nor more than \$1,000, or imprisonment for a period not to exceed 15 days, or both. Each week's continued violation shall constitute a separate additional violation.**

**B. In addition, any person who violates any provision of these Rules and Regulations or who fails to do any act required thereby shall, for each and every**

such violation, pay a civil penalty of not more than \$250. When a violation of any of the provisions of the Rules and Regulations is continuous, each day thereof shall continue a separate and distinct violation subjecting the offender to an additional civil penalty.

- C. The imposition of penalties for any violation of these Rules and Regulations shall not excuse the violation nor permit it to continue. The application of the above penalties or prosecution for a violation of any provision of these Rules and Regulations shall not prevent the abatement of a violation pursuant to §27, Enforcement. The expenses of the Town in enforcing such removal, including legal fees, may be chargeable (in addition to the criminal and civil penalties) to the offender and may be recovered in a civil court of appropriate jurisdiction.

## **27. Enforcement.**

- A. In order to determine compliance with these Rules and Regulations, the Superintendent of Water and/or the Town Building Inspector, and/or any other official appointed by the Town Board (hereinafter "Enforcement Officer") to enforce these Rules and Regulations is authorized to the extent permitted by law to enter, inspect and examine any building structure, place, premise or use in the Town of Pine Plains.
- B. Upon finding any construction, improvements or use to be in violation of these Rules and Regulations, the Enforcement Officer shall send a written Notice of Violation by registered or certified mail to the property owner and, if applicable, to the tenants of the property on which the alleged violation occurs describing the alleged violation. A copy of the Notice shall be sent to the Town Clerk. The notice shall be deemed to be properly given if addressed to the owner of the property at the address for the property owners appearing on the then current tax rolls for the Town of Pine Plains and to the tenants of the property at the property address. The Notice of Violation shall require an answer or correction of the alleged violation to the satisfaction of the Enforcement Officer within a reasonable time period set by the Enforcement Officer. The Notice shall state that failure to reply or to correct the alleged violation to the satisfaction of the Enforcement Officer within the prescribed time limit shall constitute an admission of the violation of these Rules and Regulations. The Notice shall further state that upon request of those to whom it is directed, technical determinations of the nature and extent of the violation as alleged will be made and that if a violation as alleged is found, costs of such determinations will be charged against those responsible, in addition to such other penalties as may be prescribed by these Rules and Regulations and, if it is determined that no violation exists, the cost of such determination will be borne by the Town.
- C. If within the time period prescribed there is no reply, but the alleged violation is corrected to the satisfaction of the Enforcement Officer, the notation "Violation Corrected" shall be made on the Enforcement Officer's official copy of the Notice.

- D. If there is no reply within the time period set (thus establishing admission of a violation of these Rules and Regulations); and the alleged violation is not corrected to the satisfaction of the Enforcement Officer within the time period prescribed, the Enforcement Officer shall take action in accordance with provisions set forth hereinafter.
- E. A permanent record of all Notices of Violation and their disposition shall be kept in the offices of the Enforcement Officer.
- F. The Enforcement Officer may issue a "Stop Work" or "Decease and Desist Order" Order and/or institute appropriate legal action or proceedings to prevent, restrain, correct and/or abate any violation of these Rules and Regulations to prevent the occupancy of the premises or to prevent any activity, business or use that violates these Rules and Regulations. Such legal action may include the issuance of an appearance ticket pursuant to the Criminal Procedure Law Subsection 150.20, as the same may be amended.
- G. The Town Board may authorize the Town Attorney or Attorney to the Town to institute appropriate civil proceedings for injunctive relief or abatement of the violation in the Supreme Court, Dutchess County.

**28. Amendments to this Article; Special Agreements.**

The Town reserves the right to change, modify, supplement or amend this local law and by resolution, the rates and charges for the use of water from time to time.

**29. Severability.**

If any part or portion of this local law is determined to be invalid, such invalidity shall not affect any portion not determined to be invalid.

**30. Supersession.**

The provisions of this Law shall supersede the provisions of Local Law No. 5 of 1991, and shall, to the extent inconsistent with the provisions of this Law, supersede Town Law §§130, 135 and 189 and General Municipal Law §50-e.

**31. Effective Date.**

The local law shall take effect upon filing with the Secretary of State.