

# Town of ARLINGTON

## Water Service Ordinance

The provisions of this Ordinance shall serve as the legal basis for the operation, administration, and all decision making pertaining to the delivery of water to the inhabitants of Arlington and Sunderland Vermont.

This Ordinance is adopted under the Authority granted to the Arlington, Select board by 24 V.S.A. 3315.     ADOPTED – 06-02-2025

ARLINGTON water service is governed by the Arlington Water Commissioners who are the Arlington Selectboard who serve in a regulatory and policy making capacity. Administration, operations and policy implementation is also carried out by the Arlington Selectboard and the Water Department staff.

Information may be obtained as follows:

Permits and procedures, office of the Select board

802-375-6474

Billing and Accounts Payable, office of the Treasurer

802-375-1260

Operation and Technical Assistance

802-375-9531 AWD office

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## ARLINGTON WATER SYSTEM ORDINANCE

**1 Definitions:** Unless the context specifically indicates otherwise, the meaning of the terms used in this Policy shall be as follows:

- a) “Base Fee” shall mean a minimum water charge per business or residential unit over a specified time period that is assessed to the owner of each unit regardless of whether a meter exists for each unit or for several units.
- b) “Business Unit” shall mean an office, place where business is carried out or where employees are stationed: (a few examples not meant to be all inclusive) a store, beauty salon, gas station, restaurant, school, clinic or any other place of business that is not residential and is separately operated and distinguished from other businesses in the same building.
- c) “Cellar Stop” shall mean the valve installed on the service pipe after it enters the building and before the water meter.
- d) “Clerk” shall mean the duly appointed person who sends out water bills, receives payment for water charges and issues notices for disconnection of water.
- e) “Cold Weather Construction” shall mean non-emergency construction work during the period November 15 to April 15 on the water system, especially distribution mains or service lines.
- f) “Commercial” shall mean any building for use other than for residential, institutional or industrial purposes.
- g) “Commissioners” shall mean the Selectboard of the Town of Arlington.
- h) “Corporation” shall mean the water shut off valve attached to the saddle at the water main, to which the Service Line Municipal is attached; shall be brass ball valve style, MacDonald 4701 Series or approved equivalent.
- i) “Cross Connection” shall mean any direct or indirect pipe connection between the potable water supply and another supply of liquid or gas.
- j) “Curb Stop” shall mean the valve on the service line, typically at the edge of the Town highway right of way on the User’s property, which provides water service to the User.
- k) “Customer” shall mean any person, firm, corporation, or governmental subdivision who is granted water service or who is responsible for payment of water service.
- l) “Discontinuance of Water Service” shall mean deliberate interruption of water service by the Municipality to the User (for reason of delinquent payment, prevention of excessive water loss, to protect against contamination of the system or for tampering with water system).
- m) “Distribution Main” (“Water Main” or “Main”) shall mean the primary supply pipe from which service connections are made, to supply water to the User through service lines.
- n) “Emergency Termination of Water Service” shall mean execution of an immediate water service shut-off due to:

- 1. Water leakage between the curb stop and building

2. Discovery of a direct and unprotected cross connection
  3. Unauthorized excessive use of water
  4. Violation of special “restrictive use” orders issued by the governing body
  5. Any other situation that could contaminate or significantly deplete available water in the system
- o) “Extension of Water Main” shall mean any extension of distribution mains in accordance with the rules, regulations, standards and specifications of the Municipality.
- p) “Governing Body” means the Selectboard that represents the body politic.
- q) “Industrial Facility” shall mean any structure(s) used or intended for use as a business enterprise for manufacturing, processing, or assembling any product, commodity or article.
- r) “Institutional Facility” shall mean any individual self-contained facility deemed by the Selectboard to be important to the general health and well being of the community. Such facilities could include schools, municipal offices, care facilities, medical facilities, libraries, etc.
- s) “May” is permissive, indicating a choice. “Shall” is mandatory.
- t) “Municipality” means the Town of Arlington
- u) “Municipal Office” shall mean the place designated by the governing body to receive applications for service, receive payments of water bills and where public notices and notices of discontinuance of service are generated and posted, i.e. Arlington Town Hall.
- v) “Municipal Representative” means a member of the Selectboard or its representative, the clerk, the treasurer, the public works director or the operator.
- w) “Operator” means the person designated by the governing body to operate the water system.
- x) “Owner” means the person, firm, corporation, trusteeship, or governmental agency that has title to the property that is served and ultimately responsible for payment of all rates, fees and charges.
- y) “Person” means an individual person, owner, corporation, church, business, governmental agency, or estate.
- z) “Property Owner” shall mean that person(s) identified as owner of the property by recorded deed.
- aa) “Reasonable Hours” shall mean between 8:00am and 8:00 pm.
- bb) “Residential Unit” shall mean a livable abode, which includes as a minimum, a kitchen or kitchenette, bathroom, and bedroom or other room that serves as sleeping quarters.
- cc) “Saddle” shall mean the mechanism for attaching smaller service line to larger service line; a circular device bolted or otherwise attached to the water main through which a hole is drilled in the water main to supply water to the service line. For the purpose of this ordinance shall mean a Smith-Blair Series 317 or approved equivalent.
- dd) “Shall” is mandatory. “May” is permissive, indicating a choice.

ee) “SLB” = “Service Line-Building” shall mean the water pipe connected on one end to the curb stop and the other end terminating just inside the User’s building, at the water meter including the connection to the water meter, to provide water service.

ff) “SLM” = “Service Line-Municipal” shall mean the pipe running from the distribution main to and including the curb stop at the property line of the User or to the edge of the right-of-way.

gg) “Subdivision” shall mean the division of any land, parcel, or area of land into two or more lots or parcels for the purpose of conveyance, transfer, improvement or sale, which may include appurtenant roads, streets, lanes, alleys and ways, dedicated or intended to be dedicated to public use.

hh) “Superintendent” shall mean the Appointee of the Governing Body designated as responsible for management and operation of the public water system.

ii) “Tap” shall mean any connection of a service line or distribution main or extended main to the main.

jj) “Unconnected Properties” shall mean those properties, which do not receive water service.

kk) “Unit” shall mean any building or specific portion thereof which is separately identifiable as:

1.Residential: Self-contained housekeeping facility for individual or single- family (house, duplex, apartment, condominium).

2.Commercial: Individual, self-contained facility or business such as a store, motel, hotel, garage. A meter will be required for each building in a hotel/motel complex.

3.Industrial: Individual self-contained facility for use in manufacturing or industry.

4.Institutional: Individual self-contained facility deemed by the Selectboard to be important to the general health and well being of the community. Such facilities could include schools, municipal offices, care facilities, medical facilities, libraries, etc.

All unit designations shall be as determined by the Selectboard.

ll) “User” shall mean any person who is a customer and who receives water from the municipality through a pipe connection.

mm) “Water Shut-Off” shall mean discontinuance of service.

nn) “Water System-Public” shall mean the potable water system owned and operated by the municipality. This system includes all sources, pipes, storage and treatment facilities that convey potable water between the source and the curb stop.

oo) “Water System-Private” shall mean any water system located on the customer’s premises or property not supplied by the public water system. The system may be potable or non-potable.

pp) “Water System-Secondary” shall mean any distribution system not owned by the parent municipal water system but served by the municipal water system.

## **2. Mandatory Connection to Municipal Water System**

All units receiving construction approval (building permit, site plan approval or final plat approval) subsequent to the adoption of this policy, situated within the Town of Arlington and abutting on any street, alley or right-of-way in which there is located an adequate municipal water line as determined by the Public Works Department is hereby required at his/her own expense to connect directly to the municipal water system in accordance with the provisions of this ordinance. Said connection is mandated unless undue hardship would result, in which case the property owner should request in writing a deferral of this requirement.

## **3. Application for Service**

Application for service shall be made in writing to the Selectboard, on forms furnished by the municipality (see Appendix B – Water Service Application). The owner of the premises who shall be responsible for payment of the connection fee and subsequent water charges shall make such application.

## **4. Shut-Off, and Restoration of Service**

Collection fees, disconnection fees and reconnection fees regarding non-payment of water rates shall be assessed in accordance with 24 V.S.A. Chapter 129. The governing board may shut off water service for violation of special “restriction of water use” notices, to eliminate a public health hazard, or for continued violation of these regulations. Any shut-off by the governing board may necessitate a shut-off charge to the customer. After correction of the cause for water shut-off by the customer and on request by the customer for restoration of service, a turn-on fee plus any other unpaid fees shall be due and payable before service will be restored.

## **5. Connection Fees**

A connection fee shall be due and payable to the clerk of the municipality before a new service connection is constructed and only after the governing board has approved the connection. Water service will not be provided until the municipality has installed a meter in the building to be served. The meter will be installed within 15 working days of the municipality’s receipt of a request for a meter installation provided all applicable fees have been paid to the municipality and the work is deemed satisfactory by the appropriate municipal representative. The amount of the fees shall be established by the Board, which is authorized to establish or amend water connection fees from time to time by resolution.

The municipality shall provide:

- a. The meter
- b. A back-flow prevention device

The property owner shall provide:

- a. Excavation of the distribution main and tap. All work done on or around the water line must be done by qualified personnel approved by the Operator and meeting all AWWA standards.

- b. Saddle, corporation, copper piping to curb stop and curb stop.
- c. Excavation of the waterline into the building.
- d. Labor and materials to install waterline from water main into the building.
- e. Labor and materials for all backfill including sand or stone fill around piping as required. Inspection and approval of waterline by Operator required prior to backfill.
- f. Shut-off valve on the building line (see section 9 for specifications).

## **6. Curb Stops**

Curb stops shall be installed at the property line of the right of way in which the pipe lies and shall be under the municipality's control and ownership. There shall not be a waste port for draining water from the service line unless the Selectboard is satisfied that the top of the highest water table is at least 12 inches below the bottom of the valve.

## **7. Ownership and Maintenance of Service Line**

The SLM shall be operated and maintained by the municipality. The SLB shall be installed, operated and maintained by the owner. The cost of repairing or replacing the SLB shall be the responsibility of the owner. The minimum SLB diameter for a single family residence shall be  $\frac{3}{4}$  inch; all service lines installed shall be type K copper or 200 psi CTS plastic, and all fittings shall conform to AWWA Standards. The Selectboard may require a larger than  $\frac{3}{4}$  inch I.D. SLB when the demand flow rate will exceed 15 GPM (gallons per minute). In a new development, the Selectboard may permit the developer to install the SLM if done in accordance with acceptable standards and under the supervision of the Operator.

## **8. Service Line Leaks**

In the event a leak is discovered in a SLB, water service shall be shut off by a representative of the municipality and restored after the repair is made. The owner is responsible for the cost of the repair or replacement of the SLB. Also, if a SLB is discovered or known by the Selectboard to be constructed of materials not meeting the municipality's materials standards, the municipality may require the owner to replace the entire line with approved pipe materials regardless of whether or not the line has leaked in the past.

## **9. Service Line Trench**

Water service pipes shall not be laid in the same trench with another pipe unless the other pipe contains drinking water from the same system or has been plugged and abandoned. The water service line shall be kept at least 10 feet away from all combined or sanitary sewers including house sewers; five feet away from all storm sewers and shall not be laid in the same trench with a sewer line. The water service line shall be installed at a minimum



depth of 6.0 feet. If a depth of 6.0 feet is not possible due to extenuating factors (i.e. other utilities or ledge), insulation will be required as specified by the Operator. The Selectboard considers the common use of a trench for water lines, sewer pipes and electrical lines to represent an unacceptable construction practice which, if done, will create unsafe working conditions. Common trench construction shall be grounds for denial or discontinuance of water service.

#### **10. Quarter Turn Stop Valve**

Every water service shall require a quarter-turn stop valve (rated at 250 pounds per square inch pressure) located inside the building near the service entrance, easily accessible, protected from freezing, and installed on the inlet side of the water meter as close to the foundation wall as practical. The installation, maintenance, operation, repairs and replacement of this valve is the responsibility of the property owner. There shall not be any connections in the incoming service line that are not metered.

#### **11. Cold Weather Construction**

New service or extension of mains shall not be constructed during the period November 15 to April 15 without prior cold weather construction approval of the Selectboard. The owner may be assessed an additional charge as part of the connection fee to cover the additional expense incurred as a result of cold weather construction.

#### **12. Denial or Postponement of Service**

The Selectboard may deny or postpone service due to: cold weather, insufficient water, insufficient pressure, absence of a deposit for service line construction, absence of connection fee, to prevent contamination through a cross connection, or when the Selectboard determines that the service line leaks or does not meet the material standards of the municipality.

#### **13. Unauthorized Use of Water**

A customer shall not supply water to another party except as the Selectboard may permit such extended use in an emergency. A person shall not obtain water from any hydrant or other fixture of the municipality without the written approval of the Selectboard. Any violation of water use shall be grounds for discontinuance of water service until the matter is resolved to the satisfaction of the Selectboard and any and all required disconnection and reconnection fees are paid to the clerk.

#### **14. Restriction or Prohibition of Certain Water Uses**

When necessary to conserve the water supply, the municipality may restrict or prohibit the use of hoses, sprinklers and any other non-essential water use or water-using device for all customers. Such notice shall be

posted in at least three places in the municipality where the public generally congregates or visits and at least once in a newspaper of general circulation for the area. Violation of a municipal notice, directive or order to conserve water by a customer after one written reminder by a municipal representative shall be grounds for immediate discontinuance of service. A hearing, if requested by the affected customer, shall then be held within five days to determine if the water will continue to be shut off or water service will be restored. If the Selectboard determines the shut-off was due to a violation of municipal notice to conserve, all applicable shut-off and reconnection fees shall apply. If it is determined that no violation occurred, then no shut-off or reconnection fees will apply and reconnection shall take place as soon as possible but at least by the following day.

### **15. Maintenance of Plumbing**

To prevent leaks and damage, all customers shall maintain at their own expense the plumbing and fixtures within their own premises in good repair and provide protection from freezing. The cost of replacement or repair of a meter damaged by freezing, or otherwise damaged by customers, occupants or others shall be paid by the owner on receipt of a bill submitted by the municipality. Water conserving devices meeting all applicable State and Federal Standards will be used whenever fixtures and faucets are replaced.

### **16. Cross Connections, Protected**

A connection capable of permitting backflow from any other source of water to the public water system is prohibited. Such connections include, but are not limited to any plumbing fixture, device or appliance or from any waste outlet or pipe having direct connection to waste drains. If the owner of the building involving such a connection fails or refuses to eliminate or properly protect the cross connection within a time period established by the Selectboard, water service shall be discontinued with all disconnection and reconnection fees applicable once the situation is remedied. A cross connection shall not be created without the approval of the Selectboard. If permitted, it shall be protected against backflow and/or back-siphonage in accordance with accepted cross-connection control methods established by the Vermont Department of Health. All new connections shall include an appropriate backflow prevention device installed between the meter and interior household plumbing. A dual check valve manufactured as per A.S.M.E. specification Number 1024 shall be installed at all domestic and small commercial services (under 15 GPM flow).

Other backflow devices shall be installed at industrial, commercial or other services greater than 15 GPM flow as required by the municipality and as recommended by the Vermont Department of Health.

### **17. Fluctuation of Pressures by Customers' Apparatus**

Customers shall not install water pumps or high rate water consumption devices that will adversely affect the water system's pressure or operating conditions or use water so as to unduly interfere with the service of another customer. Where a customer has or proposes to install apparatus, which requires water in sudden or large

quantities, the Selectboard shall require the customer to install devices, which will confine such fluctuation of demand and pressure to within reasonable limits. If the customer, after receiving written notice from the municipality, fails to remedy the situation, a hearing will be held within five days to determine whether or not service will continue to the customer. During this five-day period water service may be disconnected, if warranted by the opinion of the Selectboard, and all disconnection and reconnection fees shall apply.

### **18. Safeguarding Water-Using Devices**

All customers having hot water tanks or secondary systems supplied by automatic make-up valves shall install and maintain in operating condition appropriate backflow, temperature/pressure relief valves and thermal expansion tanks as needed to prevent damage to the water device or secondary system or their appurtenances should it become necessary for the Selectboard to shut off the water main or service line and to protect against loss of pressure for any other reason. In areas of the Water System where high static water pressure is experienced, customers shall install and maintain in operating condition pressure reducing valves. Water service supplied to any customer not providing such protective devices will be done at the customer's risk. Accordingly the municipality will not be liable for damage resulting from the lack of or failure of such protective devices as required in this section.

### **19. Access to Premises**

Water system employees, contractual agents of the municipality, members of the Selectboard, the Water System Operator, the Director of Public Works, and the clerk, with suitable identification, shall have access to all premises served by the water system at all reasonable hours during any day of the week, except state and federal holidays and Sundays (unless an emergency is believed by the municipality to exist) for the purpose of inspecting plumbing and fixtures, identification of cross connections, to set, remove or read meters, to ascertain the amount of water used and the manner of use, and to enforce these regulations. If a customer or occupant prohibits access to the premises, the customer or occupant must arrange for an inspection to take place within 24 hours, otherwise water service may be discontinued with all disconnection and reconnection fees applied.

### **20. Responsibility for Water Charges**

The property owner served by the water system is responsible for payment of all charges for water service rendered to the property. The owner is obligated to pay at least 50% the minimum base fee regardless of whether the residence or business is occupied. Any additional fees established on meter readings above the minimum allotted quantity of water shall also be charged to the owner and are due and payable on presentation of a bill. If property is to be sold or transferred, the Operator must receive a written request for a final meter reading for prorated bills at least two weeks in advance of the sale or transfer. The amount of water rates, charges and fees shall be established by the Board, which is authorized to establish or amend said rates, charges and fees from time to time by resolution.

## **21. Billing Procedures**

Bills will be issued to the property owner quarterly based on the calendar year, the amount of which will be in accordance with rates shown in the separate document titled “Water Rates, Special Charges and Connection Fees” (see Appendix A). Water meters will be read and information entered into the accounting system to allow mailing of the quarterly bills by the 15th of the month following the quarter. In emergency conditions where meters cannot be read the water department will make an estimate of the water consumption for the quarter based on the average consumption for a similar period for the customer, and the water charges will be computed accordingly. Said bills are due immediately and will be considered in arrears if unpaid in 30 days after postmark date. Interest will be charged to all bills in arrears at the rate of 1.5% per month or 18% per annum or the maximum rate allowed under state law, whichever is less. Bills in arrears shall be due and payable in accordance with procedures set forth in 24 V.S.A. Chapter 129.

In the case of rental property, bills will be issued to the property owner who will be responsible for all amounts due. Rental properties that have two (2) or more units will be billed based on the number of units in the building. In the case of ownership of more than one building each building will be considered as a separate property. Each unit will be considered a customer and charged the base quarterly rate. Total water usage will be based on the 11,000 gallons per unit. Water used in excess of 11,000 gallons per unit will be charged at the overage rate per APPENDIX A .

Rental properties that have more than one (1) unit and are owned and maintained by registered NON PROFIT 501 C3 organizations that have been granted PROPERTY TAX EXEMPTION by a vote of the Town of Arlington MAY REQUEST exemption of charges of the base quarterly for the additional units. All properties will be charged for at least one (1) unit. All properties will be charged for the total amount of water used per quarter.

If a property owner questions or does not agree with the billed amount they shall pay at least the base amount and submit in writing to the municipality their questions or concerns. After receiving the written request the water commissioners will consider the request and may adjust the bill based on the information received from the owner and the water system operator.

## **22. User Initiated Termination or Deactivation of Service**

Disconnection from the water system is prohibited, per Vermont State Statute Title 24, Section 3315, with the following exception:

1. The property owner shall notify the Selectboard in writing of intent to terminate service.
2. On receipt of the required termination fee, the municipality shall terminate service by shutting off the curb stop or otherwise discontinuing supply. The property owner shall remove 20 feet of the building service line, which on acceptance after inspection by the municipal representative will represent a termination of service.
3. The property owner shall enter into an agreement (binding upon the current owner, his or her heirs and assigns and recorded in the land records) to obligate the owner and property to the quarterly payment of the

minimum base fee. Failure to pay following termination or termination without approval will result in a penalty of double the minimum base fee, plus interest and court costs.

If the property owner wishes to deactivate the water service for a period, he or she shall submit a request in writing to the Selectboard. Upon Selectboard approval and receipt of the required deactivation fee, the municipality shall deactivate service by shutting off the curb stop. Unless waived by the Selectboard, the property owner will be obligated to pay 50% of the minimum base fee until reactivation of the service. Water service will not be deactivated if any outstanding balance for service is owed for the property. When the owner wishes to reactivate the water service, he or she shall notify the Selectboard in writing of such intention. Upon receipt of the required activation fee, the municipality shall restore service by turning on the curb stop.

### **23. Municipality Initiated Disconnection of Service**

Bills for water service are due and payable to the clerk when received as indicated on the statement and shall be considered in arrears if unpaid in 30 days. Water service may be discontinued: 1) by reason of nonpayment of water bills, 2) to eliminate a health hazard, 3) for violation of a special order restricting water use, or 4) for fraudulent use of water. If the customer requests a hearing, one shall be held within five work days to determine if water service will continue to be denied, or if to be restored under what conditions. Service, once discontinued, shall not be restored until the reason for discontinuance has been eliminated. Before service is discontinued for delinquency of payment, the municipality shall follow the procedure set forth in 24 V.S.A. Chapter 129. Notice for payment request and shut-off will be mailed at least 14 days in advance of the water shut-off date (see Appendix D – Disconnection Notice Form). Shut-off on account of delinquency of water rate payment will not be made on a day immediately preceding a Saturday, Sunday or a state or federal holiday. When the Selectboard dispatches an agent to effect a shut-off caused by delinquency of payment and, upon arrival, payment is made to the agent for all charges due including the collection fee as permitted under 24 V.S.A. Chapter 129, service will be permitted to continue. If a violation of rules, health hazard or emergency incident results in a shut-off, a reconnection charge will be assessed for resumption of service in addition to the disconnection charge.

### **24. Interrupted or Unsatisfactory Service**

If, by reason of shortage of supply or for the purpose of making repairs, extensions, connections, placing or replacing meters, or for any reason beyond the control of the municipality, it becomes necessary to shut water off in a main or service line, the municipality will not be responsible for any damages caused by such shut-off, and no adjustment of rates will be allowed unless the interruption is in effect for a continuous period in excess of 10 days, in which case a prorated adjustment of the minimum base fee will be made on the next billing. Notice of water shut-off will be issued when feasible, but nothing in this rule shall be construed as requiring the giving of such notice. The municipality will not be responsible for meeting unusually high water quality standards for specialized industrial processes for its customers nor will it be held responsible for interrupted service or poor water quality caused by legitimate use of the fire hydrants.

## 25. Meters and Related Apparatus

**a. General** Where possible, all water will be sold on the basis of metered measurements. When it is impractical to install a meter such as in a mobile home and on approval of the Selectboard, flat rate fees shall be used to establish water charges. The municipality shall install meters whenever deemed expedient or appropriate. The customer can receive water through a meter upon written application to the clerk of the municipality and after payment of all required fees. The size of the meter will, in all cases, be determined by the municipality and these rules.

**b. Meter Setting** All meters shall be installed at the foundation wall (or the mechanical room in the case of a slab on grade building, condominium unit or mobile home) where the building service line enters the building, and the customer shall provide and maintain a warm and accessible place for it. The piping arrangement for meter installations shall be in accordance with the requirements of the municipality. A municipal representative must inspect and approve the water meter installation before water is permitted to flow through it.

**c. Repairs and Replacements** For standard house meters (5/8" x 3/4") maintenance, repairs and replacements necessitated by ordinary wear will be provided by the municipality. The cost of meter repairs and/or replacement necessitated by freezing, hot water, or other causes under the control of the customer will be charged to the property owner. The costs of maintenance, repairs and replacements of meters larger than the standard house meters (5/8" x 3/4") shall be the responsibility of the property owner.

**d. Testing** The municipality shall arrange for suitable means of testing its meters. All tests will be at the sole expense of the customer unless initiated by the municipality. The customer requesting a meter test shall make a deposit in an amount established under "Water Rates, Special Charges and Connection Fees" to cover the cost of removal, testing and re-installation. If a meter tested at the request of a customer shows the meter does not conform to flow criteria established by AWWA standards, the deposit made by the customer shall be refunded and a new meter installed at no cost to the customer. If the meter conforms to the standards of these rules, the municipality will retain the customer's deposit and the meter may be continued in use at the same location. Municipality reserves the right to remove and test any and all meters.

**e. Multiple Meters** Water shall not be double metered. Each newly constructed separate apartment and each residential unit of a townhouse, condominium or duplex building shall be individually metered. Existing apartments may remain with one meter per building, but the correct size meter must be installed if not already in place. Any change to the billing associated with preexisting single meters that serve multiple units shall only be adjusted to multiple meters with written notification to the Select Board, as with other changes to connection or meter status.

## 26. Water Use Adjustments

**a. Meter Malfunction or Removal** If a meter is removed from service at the request of the customer, the municipality will make an estimate of the water consumption during the period of removal, said estimate to be based on the average consumption for similar periods for the customer, and the water charges will be computed accordingly. If the municipality initiates the meter removal, water consumption for the period of meter removal shall not be estimated or charged to the customer.

b. **Adjustment** When a meter is tested and found to be over-reading in excess of 2%, an appropriate percentage adjustment shall be made to the metered consumption record of the past billing period and the portion to date of the current billing period.

## **27. Fire Hydrants**

Fire hydrants, whether on public or private property, may not be used for any other purpose than the extinguishment of fires, normal flushing operations done by the Water Department or such purposes agreed to in writing by the municipality. In no case shall fire hydrants be opened by any person other than an agent of the municipality or a duly authorized representative of the fire department. Hydrants shall not be used for irrigation, filling of swimming pools, dust control, water games or any other non-legitimate use. Violators will be prosecuted to the full extent of the law as it pertains to tampering with public water systems.

## **28. Tampering With Public Water System, Prohibited**

Tampering with municipal water system property is not permitted. Any valve, pump, pump house, hydrant, curb stop, water main, municipal service line, tank reservoir or any other appurtenant part of the water system, which is deemed the property of the municipality, shall not be adjusted, operated or tampered with by any person except those authorized by the municipality. If a customer or owner is known to have tampered with any municipal water system property or its works, such action shall be grounds for discontinuance of water service, and any cost due to such tampering will be charged to said customer or person.

## **29. Water Main Extension, Plan Approval and Construction**

Any person desirous of constructing an extension to the water system shall apply to the municipality. Upon preliminary approval of the application by the Selectboard, the applicant shall have final plans and specifications developed by a professional engineer whom the municipality agrees has demonstrated proficiency in water system design, and is registered to practice civil or sanitary engineering in Vermont. Construction shall not commence until the State department having due authority and the Selectboard of the municipality has issued approval of the plans. Written approval by the Selectboard will address issues such as engineering oversight, submission of record drawings, the municipality's rights for review of the project and payment by the applicant in the event the municipality hires an outside engineering firm in the event the water mains are not being constructed according to original plans. The municipality reserves the right to require a meter installation at the curb stop for private water main extensions. All work performed shall remain uncovered until an authorized municipal representative has inspected the work and indicates general satisfaction with it. A record drawing of the extension will be recorded at the clerk's office at the builder's expense.

### **30. Materials**

Materials used in building service lines from the curb stop to the meter shall be specified and approved by the municipality. All materials used and methods employed shall conform to the National Plumbing Code and AWWA Standards, all latest editions.

### **31. Protection From Damage**

No person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance, or equipment, which is part of the Water System. Any person violating this provision shall be subject to immediate arrest under the charge of unlawful mischief as set forth in V.S.A. Title 13, Section 3701.

### **32. Penalties**

Any person found to be violating any provision of this Ordinance shall be served by the municipality with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violation. Any person who shall continue any violation beyond the time limit mentioned above shall be guilty of a misdemeanor and on conviction thereof shall be fined the maximum amount allowed under State statute. Each day in which any such violation shall continue shall be deemed a separate offense. In addition to any fine imposed, any person violating any of the provisions of this Ordinance shall become liable to the municipality for any expense, loss, or damage occasioned the municipality by reason of such offense. Notwithstanding any of the foregoing provisions, the municipality may institute any appropriate action including injunction or other proceeding to prevent, restrain or abate violations of any provision of this Ordinance.

Penalties will be charged based on the maximum allowed under STATE STATUTE

TITLE 24 V.S.A. ; 5151



ADOPTED June 2, 2025

THIS ORDINANCE IS ADOPTED THIS 2nd DAY OF JUNE 2025

ARLINGTON SELECT BOARD;

Daniel Harvey

-----

Cynthia Browning

-----

Matt Bykowski

-----

Jamie Paustian

-----

Glenn Sherman

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# **Town of ARLINGTON Water System**

## **Appendix A**

### Water Rates, Special Charges And Connection Fees

Effective APRIL 28, 2025

WATER RATES PER ATTACHED RATE SCHEDULE EFFECTIVE NOVEMBER 25, 2024

#### Connection Fee:

\$1000 per unit. Municipality to supply water meter and back-flow prevention device. Connection fee for waterlines greater than ¾ inch in diameter will be determined at time of application.

#### Special Charges:

Disconnect Fee: \$155.00

Reconnection Fee: \$155.00

Disconnection and Reconnection relate specifically to shutting off of a water service to a home or business due to past due amounts totaling over \$500.00. The said customer must pay Disconnection and Reconnection Fees prior to the water service being turned back on, as well as any past due amount owed to the water department.

Deactivation Fee \$310.00

Activation Fee: \$310.00

Deactivation and Re-activation Fees relate specifically to someone who has requested that their water be shut off for an extended period due to home renovations, seasonal homes, vacant homes, etc. This only applies to accounts in good standing with no past due amounts. The customer is also responsible for paying a Quarterly Maintenance Fee.

Quarterly Maintenance Fee: \$52.00

This would be one-third of the normal base rate charged and would be charged automatically during each billing period for inactive accounts. The fee provides continued support to maintain and operate the water system and ensures access to the water when the service is re-activated.

Meter Test Deposit: \$75.00

Charges for disconnection/reconnection resulting from delinquent accounts will be according to Vermont State

## APPENDIX B

### Town of Arlington Water Department

### Service Connection Permit Application

**Property Owner/Applicant:** \_\_\_\_\_

Phone # \_\_\_\_\_

Mailing

Address: \_\_\_\_\_

Property

Location: \_\_\_\_\_

I hereby apply for permission to construct a:

**New Water Service** See Town of Arlington Water Use Ordinance, Sections 3-25, 30 and

Appendix A

Name, address of Contractor, Company or Individual who will undertake the proposed work:

\_\_\_\_\_

Phone # \_\_\_\_\_

Fax # \_\_\_\_\_

Email \_\_\_\_\_

### Water Service Information:

1. Commercial Residential Industrial Other (describe) \_\_\_\_\_

2. Type and Size of Service:

\_\_\_\_\_

3. Type and Size of Service:

\_\_\_\_\_

### Permit Conditions:

1. Work must commence within one year from the date of this permit.

2. Water Department must be contacted 48 hours prior to: a. Construction of service connection b. Meter installation and c. Final inspection. No work may begin without Water Department approval.

3. Final inspection and approval by Water Dept. is required prior to water or service use. Any use without Approval will be subject to penalties per Water Ordinances.

4. All Allocation and/or Connection fees shall be paid at the time service connection(s) are constructed.

5. Applicant is responsible for all labor and material costs of connection except that Town shall supply 5/8" meter, remote reader and backflow prevention device for each unit.

6.

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**Signatures:**

I hereby certify that I have read the applicable excerpts for the Town of Arlington Water and Ordinances and I agree to abide by the conditions contained therein, conditions as noted above or attached to this Permit.

Applicant(s): \_\_\_\_\_

Date: \_\_\_\_\_

Approved By: \_\_\_\_\_

Date: \_\_\_\_\_

**OFFICE USE ONLY:**

Connection Fees: Water \$1000 Final Inspection:

\$ \_\_\_\_\_ Connection Fees Paid \_\_\_\_\_ Inspected BY: \_\_\_\_\_

Date Date Town of Arlington Check # \_\_\_\_\_ Property Tax I.D.# \_\_\_\_\_

Notes: \_\_\_\_\_

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## **APPENDIX C**

### **ARLINGTON WATER DEPARTMENT**

#### **CUSTOMER INQUIRY POLICY**

##### **INTRODUCTION**

The Arlington Water Department is a full service water supply system. It is a municipal organization. The Town of Arlington Select board serves as the governing body and makes most major decisions at regularly warned meetings. The Water System Operator is primarily responsible for the operation of the water system. The Town Clerk/Treasurer's Office is responsible for billing and accounts payable. Records are audited annually and an Annual Report is published annually in the Arlington Town Report.

##### **CUSTOMER SERVICE**

It is the policy and the goal of the Arlington Water Department to keep all customers informed about matters of the water system through the use of public meetings, announcements in local newspapers and radio stations, Annual Reports, Consumer Confidence Reports and occasionally by newsletter. However, it is inevitable that not all customers are in fact aware of all matters. There are also some incidents, such as a leak in the water pipe requiring interruption of service or other actions that result in customer inquiries or complaints. Except in the case of an emergency, the Arlington Water Department will make an effort to inform the customers of interruptions of service. Therefore, this policy is adopted to guide the appropriate persons in registering, handling and documenting complaints.

##### **STEPS IN HANDLING COMPLAINTS**

The following steps are to be taken by any Arlington Water Department official who receives a complaint from any source.

1. Listen without interruption. Take notes of the complaint as the problem is being described.
2. Ask questions to clarify the problem if necessary.
3. Determine to whom the complaint should be referred and advise the complainant of your determination. Refer the matter to the appropriate person and be sure to provide written notes. Avoid having the complainant call around to different people.
4. Follow up to ensure customer satisfaction. If the customer is not satisfied with the action taken or the results, the following contacts should be provided to the

Customer:

- a. Contact the Selectboard at (802) 375-6474.
  - b. Contact local Health Officer or State Health Department.
  - c. Contact the Water Supply Division, 1-800-823-6500.
5. In all cases be sure to document all pertinent information to be kept on file.

## **DOCUMENTATION**

Many routine questions and minor complaints can be resolved promptly, and there is no need for documentation. If there is a major complaint or concern it is important to record the nature of the complaint and the results of any action taken. If the problem is of a serious nature or requires action by the Arlington Selectboard, it should be noted on the minutes of the Selectboard meetings.

## **DISSEMINATION**

This policy is to be provided to all officers, contractors and others who may be in a position to receive inquiries, questions, or complaints regarding the water system. It should be reviewed annually and updated or amended as appropriate.

## Appendix D

According to Statute, this form must be printed on pink paper

### Town of Arlington Water Department

#### Water Disconnect Notice

Date: \_\_\_\_\_

Amount in Arrears: \$ \_\_\_\_\_

Dear Customer:

According to our records, your water service account is still unpaid. Please make full payment of the account or contact our office to make satisfactory arrangements before \_\_\_\_\_. If this is not done, we will no longer be able to extend credit and will have to discontinue your service, on that day or any one of the following four business days. (Under the law, “business days” means Monday through Thursday, excluding legal holidays, when the offices are not open to the public). An unpaid bill is a lien on your real property, and may lead to tax proceedings.

Special Charges: Section 5151 of Title 24, Vermont Statutes Annotated, provides that we charge a fee for coming to your location to collect the amount overdue. Also, the same statute provides that we shall charge a reconnection fee for restoration of service if your service has been disconnected for nonpayment. These fees are as follows:

Reconnection – \$155

Interest Charged according to Title 24 VSA § 5156

If payment has already been sent, we recommend that you contact our office to make certain that payment is recorded on your account by the indicated date as such payment may have become delayed or lost in the mail. Payment in the mail does not constitute payment until received by us.

THIS IS A FINAL REQUEST FROM:

Arlington Water Department

Town of Arlington

PO Box 268

Arlington VT 05250

(802) 375-6474

Other Important Information: If you have a question concerning this bill or if you want to seek an agreement with us to pay the balance due in partial payments over a period of time, you should contact this office as soon as possible after receipt of this notice. In the event an agreement is entered into, failure to abide by the terms of agreement can lead to disconnection without further notice. If disconnection would result in an immediate and serious health hazard to you or to a resident within your household, disconnection will be postponed upon presentation of a duly licensed physician’s certificate.

Appeals: If you cannot reach agreement as to payment of this bill with the department listed above, you may appeal to:

Town of Arlington

Select Board Chair

PO Box 268

Arlington, VT 05250

(802) 375-6474

An appeal cannot be taken unless you first attempt to settle with the billing department. You may appeal only as to the proper amount of your bill or the correctness of application of the rules and regulations. You may not appeal as to the level or design of the rates themselves. No charge shall be made for the appeal. However, undisputed portions of the charges giving rise to this notice must be paid before the disconnection date given above.