



# SEARSPORT WATER DISTRICT

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**SEARSPORT WATER DISTRICT  
TERMS AND CONDITIONS**

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The following terms and conditions made by the **Searsport Water District** and approved by the Maine Public Utilities Commission constitute a contract between the customer and the utility. The customer agrees to adhere to these Terms and Conditions, and to take water at the approved rates only for the purposes and the location stated on the Application for Service. Any failure to comply with these Terms and Conditions, or requirements referenced herein, may be cause for refusal or discontinuance of service.

The customer is further referred to the District's:

- Summary of Rights and Responsibilities as a Customer
- Water Construction Specifications and Procedures

For areas not specifically addressed by this document or by reference, the Maine State Plumbing Code is considered the minimum requirement.

The District is further governed by the regulations of the Maine Public Utilities Commission, and by "Rules Related to Drinking Water" administered by the Maine Dept. of Health and Human Services, Division of Health Engineering, Drinking Water Program.

## **1. DEFINITIONS**

The word "utility", "SWD" or "District" refers to the Searsport Water District.

The word "customer" means any person, firm, corporation, or governmental division which has applied for and is granted service from SWD, or who is responsible for payment of the service.

The words "water main" mean a water pipe owned, operated, and maintained by the utility, which is used to transmit or distribute water but is not a water service pipe.

The words "service pipe" means the pipe running from the main to the premises of the customer.

The "MPUC" refers to the Maine Public Utilities Commission.

"Regular business hours" are defined as hours during which the District's business office at 46 Prospect Street is open to the public to transact business. These hours are 7:30 a.m. – 3:30 p.m. Monday – Friday (excluding holidays).

## **2. UTILITY SERVICE AREA**

By legislative charter, SWD has the right to serve: "the Town of Searsport and its inhabitants, the Town of Stockton Springs and the inhabitants of said town, or any part of said town, with pure water for domestic, sanitary, agricultural, commercial, industrial and all lawful municipal

purposes, and all the other powers granted to said district under the provisions of this charter shall be applicable within the Town of Stockton Springs. The said district shall have the power to buy water from and furnish water to any other water district, water company, or municipality authorized to furnish water within any municipality adjoining the Towns of Searsport or Stockton Springs.

### **3. APPLICATION FOR SERVICE**

In compliance with MPUC chapters 620 / 660, the owner, the owner's agent, or occupant of a property to be served may apply for service. Application for service shall be made by the customer through the District office, 46 Prospect Street, Searsport. The application requires written authorization from the applicant and receipt of the establishment fee.

A tenant may become a customer:

- At the tenant's or the landlord's request if the individual unit is equipped with a separate shut-off valve in a location acceptable to and always accessible by the District, or
- Pursuant to Chapter 660 section 10 (1) (2) to prevent undesired disconnection of water service.

In addition to an Application for Service, properties requiring installation of new SWD facilities require completion of a New Project Application and payment of associated charges.

**4. SEASONAL CUSTOMER:** A seasonal Customer regularly takes service for only a portion of the year from either a summer or year-round main. A seasonal Customer will be subject to the rules and charges of seasonal rates, if in effect, or of annual rates, if seasonal rates are not in effect. A Customer regularly vacating the premises for three months or less may elect in writing to be classified as an annual Customer subject to annual rules and charges.

### **5. CHARGE FOR ESTABLISHMENT OF SERVICE (Application for Service)**

For properties that do not require installation of new District facilities: The District charges **\$30.00** at the time of application to establish water service during regular business hours. The District charges **\$115.00** if service is established after regular business hours.

For properties that do require installation of new District facilities: In addition to any charges related to installation, the District charges **\$30.00** when an Application for Service is completed to establish water service during regular business hours. The District charges **\$115.00** if service is established after regular business hours.

### **5. AVAILABILITY**

Turn on: Once the Application for Service process is completed, the District will turn on water in compliance with MPUC Chapter 660 requirements.

**Terminate service:** A minimum notice of five business days is required to discontinue service, and the customer is responsible for service until the appropriate notice has been made. These services are available during regular business hours, and someone must be on the premises if entry by District personnel is required.

**Emergency Service:** Emergency service of a limited nature is provided during non-business hours when—in the opinion of the District—public health or safety is at risk. Applicable charges will be billed to the customer, payable within 30 days.

## **6. VISIT TO PREMISES**

A visit to the premises by District personnel to establish, maintain, or terminate service may be required. Service personnel will not enter the premises nor restore water service to the premises unless accompanied by the customer or a representative thereof, and may require that person to be an adult. The District assumes no responsibility if – during disconnection of service – entry is not provided to confirm cessation of water flow.

When the customer or their representative requests a visit by service personnel to establish or terminate service, the District will make two scheduled attempts during business hours to complete the work. If the work cannot be completed within two visits due to delays caused by the customer as determined by SWD, the customer will be charged \$35 for each additional visit beyond two during regular business hours. Customers must cancel scheduled appointments at least an hour in advance to avoid the return trip fee.

## **7. BILLING PROCEDURES:**

**Billing:** Customers are billed based on metered consumption or as otherwise provided in accordance with the District's rates on file with the MPUC.

**Billing Period:** The District bills its customers on a quarterly basis, with exceptions to bill monthly at the discretion of the District. Domestic service is billed in arrears; fire service charges are billed in advance.

**Proration of Bills:** Initial and final bills will be pro-rated against SWD's approved tariffs and the number of service days in the billing period.

**Metered Water Sales from Hydrants:** At customer request, the District may provide a meter and backflow preventer for temporary bulk water from a hydrant for a construction site, or for filling a swimming pool, holding tank, or other large container. During business hours, the District charges \$65 to set/remove the meter, plus a monthly fee for the backflow preventer (\$10 for two-inch devices, \$5 for one-inch devices). Customers are billed monthly for the previous month's water use at the same rates as domestic metered customers.

## **8. BILLING ADJUSTMENTS**

In continuation of our efforts to assist customers, and to ensure a consistent approach is taken with abnormally high water use, a **one-time adjustment per property during any three-year period** will be allowed, consistent with the requirements outlined below.

### **A. To qualify:**

- The excess use must have been accidental, unpreventable, or reasonably undetectable.
- The applicant must have been customer of record on high bill.
  - If the high bill was in a tenant's name, the property owner may be allowed to apply depending on extenuating circumstances: e.g.; high sewer bill.
- The applicant must have been a customer for a minimum of one year.
- The applicant's water bills at any other locations must be current.
- The billed usage must be at least 100% above normal based on the same billing quarters and/or months over the past 3 years. NOTE: For customers residing at a residence for less than 3 years an average over the past 4 quarters, or 12 months if a monthly customer, will be used.
- The water meter has been tested and results are within allowable American Water Works Association (AWWA) and/or Maine Public Utilities Commission (MPUC) parameters. **This will be completed if warranted by the District and/or requested by the customer**
  - For meters not meeting AWWA and/or MPUC parameters, the bill will be adjusted in accordance with MPUC Chapter 62 requirements.
- The applicant completes and submits the District's adjustment request form within 100 calendar days of the billing date of the high water bill to be adjusted.

### **NOTE:**

- All bills qualifying for an adjustment will be adjusted in accordance with the current SWD adjustment policy. At no time will any water bill be adjusted to less than the minimum charge.
- Normal use is defined as an average of the bills for the same quarter (or month for monthly accounts) for past three years, available and comparable information will be considered.

### **B. Adjustments allowed and not allowed:**

- **Allowable adjustments:**
  - Leaks resulting from frozen or broken pipes due to unexpected acts of nature.
  - Once every three years per property
  - All adjustments require Superintendent approval

- **Non-allowable adjustments:**
  - Known water use such as related to pool filling, landscaping, increased occupancy, change in use, unattended use of outside faucets, garden hoses, etc.
  - The request will be denied if the account has been in multiple names in a short period of time with multiple adjustment requests, as an attempt to defeat policy.

**C. Approval or denial:**

- SWD will render a decision on the adjustment request within 30 calendar days of receipt of a completed adjustment request form.
- An adjusted bill is due (or a payment plan established) within 30 days of SWD's decision
- If the bill has been paid, the adjustment will be applied against future water charges at this location, unless extenuating circumstances exist.
- Review of an approval or denial beyond SWD's Superintendent is to the Maine Public Utilities Commission's Consumer Assistance Division at

Telephone # 1-800-452-4699  
18 State House Station, Augusta, ME 04333-0018  
[www.maine.gov/mpuc/consumer/complaint/compform](http://www.maine.gov/mpuc/consumer/complaint/compform)

**9. WATER CONSERVATION:**

When necessary to conserve the water supply, the District may restrict or prohibit water use for both flat rate and metered customers, including but not limited to the use of hoses and lawn sprinklers. The District will decide what constitutes waste or improper use, and may – with MPUC approval – impose penalties for non-compliance.

If a leak is located on part of the service pipe for which the customer is responsible, the utility will provide notice to the customer requiring expeditious repair. If the customer fails to repair the leak by the deadline set by the District, service will be disconnected pursuant to Chapter 660 of the MPUC rules.

**10. CREDIT AND COLLECTION PROCEDURES:**

Procedures are based upon Chapter 660 and Chapter 870 (Late Payment Charges and Interest Rates) of the MPUC regulations.

Late Payment Charges: The District will charge interest within the guidelines of Chapter 870 of the MPUC regulations for bills remaining unpaid after the due date. The Board of Trustees will annually set the interest rate to be assessed based on MPUC Guidelines.

Deposits: The District may charge deposits in accordance with the MPUC regulations. The interest rate paid on deposits will be in accordance with Chapter 870 of the MPUC regulations.

Payment agreements will be negotiated by designated office staff in accordance with MPUC requirements.

#### **11. TERMS OF PAYMENT FOR DOMESTIC AND FIRE SERVICE BILLS**

Customers are legally obligated to pay for the service they receive. All bills are payable upon presentation, and are considered past due not less than 25 days after the bill is mailed or hand-delivered. Failure of the customer to receive a bill or disconnection notice does not relieve him/her of the obligation of its payment nor from the consequences of non-payment.

Payments may be made at the District's office, or through designated collection points or options listed on the bill. The District may allow its customers to make payments by credit card, debit card, ACH or other pre-authorized withdrawal. The utility – or a vendor acting on the District's behalf – may charge the customer a fee for processing the payment, provided that the fee is disclosed to the customer prior to the transaction. On any transaction processed directly through the District, the charge is equivalent to that charged to the District. On transactions processed by a vendor, the fee is set by the vendor (not to exceed \$6.00).

Disconnection notices will indicate that payments made electronically through SWD vendors must be reported by the customer at once to the District due to the one-day delay in SWD receiving payment notification.

Electronic payments will not be processed by field personnel.

The District does not accept any written conditions stated on a check or other negotiable instrument unless such conditions are specified in a separate written agreement signed by an authorized SWD representative.

#### **12. CHARGE FOR RETURNED CHECKS**

SWD charges for all dishonored payments. The charge is the maximum allowed by the Maine Public Utilities Commission.

#### **13. RESTORATION OF SERVICE**

During regular business hours, the District will charge a reconnection fee of **\$50.00** to restore water service if the service was disconnected for: non-payment of bills; violation of these Terms and Conditions; fraudulent use of water; dangerous conditions; violation of MPUC rules; or upon customer request if the disconnection is for more than five business days. Reconnection outside of regular business hours for service disconnected under this section is at the District's discretion, and the fee is **\$75.00**.



**14. COLLECTION TRIP FEE**

If District personnel must visit a customer to disconnect for non-payment and, in lieu of actual disconnection, the customer pays or makes a payment arrangement for the entire past due balance, the District will charge a **\$20.00** collection trip fee.

**15. DISCONNECTION OF LEASED OR RENTED RESIDENTIAL PROPERTY**

Before disconnecting a leased or rented residential property, the District will comply with the notice requirements contained in Chapter 660 of the MPUC regulations, and must offer the tenant the right to take responsibility for future payments.

Leased or Rented Single-meter, Multi-unit Residential Property: Pursuant to Chapter 660, in addition to the above, before disconnecting a leased or rented single-meter, multi-unit residential property, the District will:

- a. Apply any existing deposit to the current account balance, and
- b. Assess, against the landlord, a collection fee of **\$390.00** in addition to the applicable reconnection fee contained in these Terms.

At its discretion, the Utility may separately meter or cause to be separately metered, at the landlord's expense, each dwelling unit within the property.

**16. UNAUTHORIZED USE OF WATER**

No customer or his agent shall:

- supply water to another, nor use water for purposes not mentioned in his/her application without District approval
- bypass any meters
- restore service without District approval
- interfere with District service, or otherwise take action to prevent properly metering water

If such unauthorized use of water is discovered, the Customer will be immediately disconnected as authorized in Chapter 660. In addition, the District is entitled from the Customer or responsible person:

- to bill and recover the cost of the estimated amount of water consumed – as estimated by SWD - based on the District's approved rates, plus interest at an annual rate of five percent
- to bill and recover a fee of **\$50.00** per hour during business hours – with a minimum of one hour – for each visit to the Customer's premises to investigate and address the unauthorized use of water (including removal of any bypass), to take measure to prevent further diversion, and to verify that correction measures have been taken and maintained. For visits outside of business hours, the fee will be **\$75.00** per hour with a minimum one-and-a-half hour charge. (In no case will be total of hourly fees exceed **\$100.00**)

- to pursue civil action under Title 35-A MRSA ss2706 for unauthorized use to recover other reasonable costs including attorney's fees, costs of investigation resulting in determination of liability, and a civil penalty not to exceed **\$2,500.00**, due and payable to the District for each violation.

The District reserves the right to meter any fire line from which it has reason to believe that water is being taken for purposes other than fire protection.

**Authorized Use of Hydrants:** Fire hydrants – both public and private - may not be used for any purpose other than to extinguish fires unless prior permission is given by the District. In any case, fire hydrants may not be opened by any person other than an agent of the utility, a duly authorized representative of the municipality served by the District, or as authorized by the District.

Any hydrant use between Oct. 15 and April 15 (winter use) must be reported to the utility on the day that it was used so that the hydrant can be pumped and inspected.

#### **17. NO TAMPERING WITH UTILITY PROPERTY**

There shall be no tampering with, operating, modifying, or removing District property - including but not limited to standpipes, valves (main line), public or private service line valves, public or private hydrants, or meters/appurtenances - without the consent of the District. Tampering will subject the customer or responsible party to the same actions and charges as outlined in "Unauthorized Use of Water." In addition, the responsible party may be subject to legal prosecution.

#### **18. MAINTENANCE OF PLUMBING**

Pursuant to MPUC Chapter 620, customers must maintain the plumbing and fixtures within his/her premises in good repair and protect them from damage, including freezing and heat damage. If damage occurs, the Customer is responsible for any expenses incurred. Painting of meters or appurtenances constitutes damage. The meter will be located in a warm, clean, dry, and accessible area such that it can be serviced and read during normal business hours as defined in Section 1.

#### **19. ACCESS TO PREMISES**

Pursuant to MPUC Chapter 620, as a condition of service, customers will provide access to District employees having proper identification to all premises supplied with water at all reasonable hours to permit:

- inspection of plumbing and fixtures,
- to set, remove, or read meters,
- to determine the manner and amount of water used, and/or
- to enforce these Terms and Conditions.

## **20. LIABILITY**

The District will only be liable for any damages arising from claims to the extent liability is expressly provided in the Maine Tort Claims Act, as set forth in Title 14, Chapter 741 of the Maine Revised Statutes Annotated. The utility makes no representations or warranties about the suitability of the water for any particular purpose.

## **21. SERVICE INTERRUPTION**

As required in Chapter 660 of MPUC rules, the District will provide reasonable notice of any planned shut-off to affected Customers. If the planned interruption is expected to last more than five hours or to affect more than 10 Customers, or a single non-residential customer on a dedicated line, notice will be given at least 24 hours in advance of the service interruption. When practicable, the District will give notice of the cause and expected duration of any unplanned shut-off.

Pursuant to Chapter 660, at Customer request, the District will make a pro-rata reduction in the Customer's minimum water bill if service is interrupted for more than 48 hours and the interruption is not due to negligence or improper care by the Customer.

## **22. WINTER CONSTRUCTION**

"Winter" for purposes of this section is defined as Nov 15 to April 1.

No new service lines will be installed for the convenience of a customer during winter conditions which increase the cost of the work for the District unless the customer assumes all normal and extraordinary costs.

No new main extensions will be installed for the convenience of a customer unless deemed an emergency by the District, and the customer assumes all normal and extraordinary costs.

## **23. ISOLATION VALVE**

The District requires that the service pipe will be equipped with water isolation valves located near the service entrance on both sides of the meter. These valves must be

- installed by the customer in compliance with SWD's specifications,
- owned, and maintained by the customer, and
- easily accessible and protected from freezing.

The service pipe is to be equipped with adapters (supplied by the owner) compatible with the meter couplings/horns (supplied by the District). These adapters are installed, owned and maintained by the owner.

## **24. CROSS CONNECTIONS**

All customers--both new and existing—will comply with all provisions of the District's approved cross-connection control program regarding installation, inspection, maintenance, and testing of approved backflow prevention devices. All requirements of the District's cross-connection control program must be met before water service will be supplied. For items not addressed in the program, the Maine State Internal Plumbing Code is the minimum requirement.

As required in Chapter 620 of MPUC rules:

- no cross-connections between the public water supply and any other supply will be allowed unless properly protected in accordance with the District's cross-connection control program, the Maine Cross Connection Control Rules, and the Maine Internal Plumbing Code; and
- no connection will be permitted capable of causing backflow, including
  - backsiphonage or back pressure, between the public water supply and any plumbing fixtures, device, or appliance, or
  - between any waste outlet or pipe having direct connection to waste drains.

If a customer fails or refuses to discontinue or properly protect the cross connection within a time limit specified by the utility, the utility may disconnect the service per its approved Cross-Connection Control Program and MPUC Chapter 660.

The District's Cross-Connection Control Program is on file at its business office and on its website.

## **25. WATER PRESSURE**

Pursuant to MPUC Chapter 620, a customer may not install or use any device that will affect the District's pressure or water quality without prior written utility permission. If permission is granted, the District may require the customer to confine or reduce such fluctuations to limits determined by the District. Failure to comply will result in termination of service in accordance with MPUC Chapter 660.

**Inadequate water pressure:** In services where the normal operating pressure at the junction of the main and the service line could be expected to fall below twenty (20) pounds per square inch, a "Limited Service Contract" and approval by the MPUC is required. Under a Limited Service Contract, it may be necessary for applicants at their expense to install pumping facilities on their property to obtain pressure higher than that available from SWD. A Limited Service Agreement does not relieve the applicant of compliance with all other SWD specifications and requirements. Services utilizing a booster pump or other means to increase pressure shall be equipped with an approved reduced pressure zone backflow device located between the isolation valve and the water meter.

**Excessive water pressure:** When water pressure is in excess of eighty (80) pounds per square inch, an approved type of pressure regulator preceded by an adequate strainer shall be installed and the pressure reduced to eighty (80) pounds per square inch or less, per the Maine

State Internal Plumbing Code. The pressure reducing valve shall be located between the isolation valve and the water meter on the street side of the meter. All costs associated with the purchase, installation and maintenance said pressure reducing valve (PRV) shall be the customer's responsibility.

**26. SAFEGUARDING DIRECT PRESSURE WATER DEVICES AND SYSTEMS SUPPLIED BY AUTOMATIC FEED VALVES**

Pursuant to MPUC Chapter 620, customers must install and maintain vacuum, temperature, and pressure relief valves or cutouts in compliance with the Maine State Plumbing Code to prevent damage to a direct pressure water device or secondary system supplied by an automatic feed valve, should a reduction occur in the water main pressure. The District is not liable for damage resulting from the lack of or the failure of these devices.

**27. MAIN EXTENSIONS AND SERVICE LINES**

**A. General**

All procedures, materials, and installation will be in compliance with SWD's Water Construction Specifications and Procedures.

Requests for new water mains or service lines must be accompanied by information requested by the District for review. Information requested may include but is not limited to

- A New Water Project Application,
- plans/drawings of the affected area including above- and below-ground utilities, existing and proposed structures, and property lines,
- average domestic water demand (GPD), maximum fire protection demands (GPM),
- installing contractor,
- approximate date of installation, and
- other required municipal/regulatory approval.

If the project is by SWD, the items that must be performed by the District are:

- The tap into the water main (applicant provides all materials),
- Operation of all valves,
- Observation of pressure test,
- Collection and processing of post-disinfection water samples, and
- Inspection prior to backfilling

The applicant may request that the District perform other functions such as conducting the pressure test and the chlorination work.

**B. Charges:**

The New Water Project Application will include the party responsible for all costs associated with project review and /or District work, which may include but are not limited to: permits and fees, contractor costs, equipment rental, labor and materials, boring across roads, and inspections.

District work will be performed during District business hours and scheduled at the District's discretion; if approved, work outside of business hours is charged at overtime rates (including overhead).

A written estimate with the approximate cost of mandatory and optional work to be performed by the District will be provided to the applicant. A deposit equivalent to the estimate will be collected prior to any work being performed.

Charges including but not limited to labor, equipment, materials, and overhead will be as provided in the estimate.

**C. Inspection:**

The District shall inspect all underground service line and water main installations including renewals prior to backfilling. If a District inspection is not completed and evidence indicates the line does not meet utility standards, water service will not be provided. Uncovering the line and any required modification upon inspection will be at the applicant's expense.

- The District requires a minimum of two business-day's notice for inspection which will be performed during regular business hours. Work performed outside of regular business hours requires advance approval; this work will be considered utility jobbing, and will be billed to the customer.
- Approval of such installation by the District does not constitute a guarantee by the District as to the sufficiency of the materials or workmanship.
- Field inspection fees are \$45 per hour and are included in the estimate.
- If a site visit has been scheduled, and SWD must later return to the premises due to inadequate preparation by the Applicant or Contractor or lack of adherence to the specifications, the Applicant will be responsible for the cost of the extra visit(s).

When all specified work is completed and the job released for billing, payment from the customer or a refund to the customer will be made within 30 days.

**D. Service Lines**

Ownership and maintenance of the service line will be in compliance with Chapter 650 of MPUC rules.

The District is responsible for performing all taps into water mains which SWD has determined are not isolated from the distribution system; work is performed at the applicant's expense. The applicant is responsible for providing all materials (in compliance with SWD specs) to complete the tap. The District will approve the location of the service line.

**E. Water Mains**

All requests for water main extensions will be

- administered in accordance with Chapter 650 of MPUC rules for water utilities that invest in main extensions
- in compliance with SWD's Water Construction Specifications and Procedures, including
  - adequate sizing as determined by the District.
  - appropriate location and placement as determined by the District

**F. Private Lines**

Pursuant to MPUC Chapter 650, private lines are installed, owned, and maintained at the expense and risk of persons other than SWD.

Where the potential to serve more than one customer exists (as determined by SWD), no private lines will be approved.

The owner of the private line is responsible for continued maintenance of the private line, with the exception of the main curbstop (nearest curbstop to the main).

**28. METERING**

**A. Installation:**

A customer may have a water meter installed by:

- completing an application for service and paying the service establishment fee,
- paying or making a payment arrangement for any outstanding balances, and
- scheduling an appointment as necessary

Meters will be set in accordance with the District's Metering Policy below:

The purpose of this policy is to promote water conservation, to bill customers based on individual water use, and to ensure fairness in the distribution of system expenses. To that end, all locations receiving water will be equipped with a meter, and will be billed based on metered use per rates approved by the MPUC. No new flat rate domestic accounts will be allowed (one remaining flat rate customer addressed in Section 7).

The District must receive the completed Application for Service and Service Establishment fee prior to water meter installation.

**B General:**

Compliance with the District's Cross-Connection Control Program, Water Construction Specifications and Procedures, Maine Public Utilities Commission Chapter 620 regulations, and

SWD's Terms and Conditions are a prerequisite to water service. Compliance includes but is not limited to the following provisions:

- Use of water is confined to the premises named in the service application. No customer shall supply water to another, nor use water for unapproved purposes without utility approval.
- All provisions of Section 16 above regarding unauthorized use of water are maintained.
- Ownership of the service line will be in compliance with MPUC Chapter 650, and includes the curb stop closest to the main. (SWD owns the service line from the main to the curb-stop, and the customer owns from the curb-stop into the premises.) Applicants for new services will pay the cost of installing the entire service line.
- All provisions of Section 18 regarding Maintenance of Plumbing are maintained.
- All provisions of Section 23 regarding Isolation Valves are maintained.
- The customer is responsible for all labor, overhead, material and equipment costs associated with repairing damaged or frozen water meters. Painting of meters or appurtenances constitutes damage. The customer is also responsible for lost meters and appurtenances.
- No unmetered connections are allowed before the water meter.
- Submetering is allowed after SWD's meter and the backflow preventer. Meters measuring subdivision of water use must be furnished, installed, read, and maintained at the customer's own expense.
- A second building served by a water line through a first building as of January 1, 2013 may continue in this manner as long as both are on the same lot and under the same ownership. If the second building is sold or replaced, or the property is divided, a new service line from the nearest public water main direct to the second building with a separate meter will be installed (the main water service will not be branched).

**C Meters:**

- SWD uses cold water meters which will be owned, installed, and serviced by the District. Damaged meters are replaced with new meters. The District does not repair meters.
- SWD determines the type of meter and automated reading device.
- Each individual unit – whether the location is single-unit or multi-unit – will be equipped with its own meter. This requirement is applicable to all new construction, but specific exceptions to this requirement are hotels/motels and campgrounds designed for transient occupancy.



- If a multi-unit multi-meter building receiving water from SWD seeks to convert to single-source heat and/or hot water, a master meter may be installed but the minimum water charge will be based on the total number of units in the building.
- Accounts in a multi-unit building must remain the responsibility of one entity unless there is a separate outside shut-off for each unit, or the meters are clustered in one location to which the District has unrestricted access.
  - Failure to maintain unrestricted access will result in all bills reverting to a single entity (i.e. building owner, condo association, homeowner's association)
  - The District may require locking shut-off valves for each unit.
  - In multi-unit time-share developments, all units will be billed to the complex owner/association or other single responsible entity.

**D Meter placement:**

Meters may not be placed in crawl spaces, underneath mobile homes, or in other inaccessible areas such that the service worker(s) does not have adequate work space. Water spillage occurs during meter servicing; water sensitive items should be placed away from the work area.

Meters must be located:

- within the first two feet of point of entry into the building as measured along the water pipe,
- before any branches or taps,
- not less than 12 inches and not more than 36 inches from the floor,
- not less than six inches from the rear wall,
- not less than 36 inches of working space in front of the meter,
- not less than 12 inches from side walls, and
- not less than 36 inch clearance from shelves, ceilings, or other obstructions.

Customers will be required to remove walls, boxes, or other items to provide adequate space for the service worker and meter equipment

If installed, pressure-reducing valves must be located between the isolation valve and the meter, and installed on the street side of the meter.

**E. Configuration:**

SWD will determine the size of the meter and meter configuration (temporary and permanent).

If HDPE pipe is used, the customer must provide appropriate support (above and below) for the weight of the meter and backflow preventer, and must use compression-type fittings compatible with HDPE and conforming to SWD's material specifications.

Customers requesting a bypass valve must receive approval from the District prior to installation. If allowed, the bypass line will be owned and maintained by the customer. The

line will be equipped with a meter (owned by the District and purchased by the customer), and a backflow preventer. The size of the bypass meter and the type of backflow preventer device will be determined by the District. In the event that the bypass is operated without a meter or backflow preventer, the District may require removal of the bypass valve at the customer's expense.

**Mobile home parks:** The District will provide a master meter(s) to serve the complex. Individual meters may be installed by the District at the request of the park owner if

- all lines (mains and service lines) meet SWD specifications for materials and installation procedures,
- each unit is billed individually, and
- the park owner assumes responsibility for all accounts.

**Pit Installations:** Pit installations are allowed only in accordance with the District's standard detail.

**Fire Services:** A line separate from the domestic service line, tapped into the main and running to the building, is required for fire service supply. Any other configuration requires that a written request for variance be submitted to and approved by the General Manager.

Under extenuating circumstances (not exclusively financial), a variance may be approved such that a fire service line may have an external tap for domestic service provided that

- each line has an external shut-off valve such that they may be shut off separately
- a blow-off is installed to allow flushing of the domestic line
- an appropriate easement is provided to the District

Customers should note this configuration often results in internal water quality issues (age and color of water). For installation made after September 10, 2012, any flushing required to remedy the problem would be at customer's expense.

#### **F. Metering Policy Variance:**

The District requires that individual units receiving service be individually metered; generally the only exception to this policy is a master meter in multi-unit buildings which have central hot water (heating or domestic use) for multiple units.

A variance to allow a master meter for a group or cluster of individual units may also be granted on written petition, if the District's Board of Trustees determines that all of the following standards are met:

1. Granting of the variance would not alter the just and reasonable rates of the District. Facts to be considered include:

- a fair and equitable allocation of costs to District customers within the same customer class
- compliance with MPUC regulations and District policies concerning main extensions, and

- where required by MPUC regulations and/or District policies, the owner shall assume the cost of implementing the variance (at a minimum, such costs shall include but not be limited to, agreement that the owner of the total cluster assumed the obligation to pay to the District the "minimum" revenues that would otherwise be due from each and all of the individually metered service units);
2. Granting of the variance will not require an additional level of service by the District beyond that generally required for service to customers in the same customer class. Factors to be considered include:
- compliance with the District's construction and materials specifications;
  - compliance with state law regarding water service to customers and the MPUC rules and regulations applicable to the District, and
  - demand on the District's administrative functions, including meter reading and billing procedures.
3. Granting of the variance will not adversely affect public health or safety or the best interest of the customers of the Bangor Water District. Factors to be considered include:
- the need to control and ensure that public health requirements of the water provided are met,
  - the impact on fire protection and fire flow requirements; and
  - conservation and water use management needs, including the need to avoid wasteful water practices or actions.

The Board may attach conditions to the approval of any variance application, especially to ensure initial and/or continuing compliance. If a variance is granted, the master meter will not be installed or used until the District is satisfied with compliance.

The Board will render its decision – to grant or deny the request – in writing as part of its Board minutes, and the minutes will reflect the specific reasons for the decision.

## **29. METER TESTING**

The District's meter cycling program requires that all meters sized 5/8–inch through two-inch be changed out and/or tested at least once during a fifteen-year service period. For meters sized three inches and larger, the District will test its water meters according to the schedule and standards in Chapter 620.

Once removed from service, the meter will be held until one post-removal bill is issued, and then the meter is tested or discarded.

Pursuant to MPUC Chapter 620, upon customer request, the District will test the customer's water meter in the presence of the customer or representative, at no charge unless the customer requests more than one test in 18 months. If the customer requests a test more frequently, the District will require the customer to pay a deposit equivalent to the appropriate charge listed below to cover the cost of the test. If a meter tested at the customer's request

does not conform to MPUC standards, the customer's deposit will be refunded and the District will adjust the customer's bill according to the provisions of Chapter 620. If the meter conforms to the standards, the District will retain the customer's deposit and may continue to use the meter at the customer's premises.

Charge for testing meters owned by SWD at customer's request:

<b>Size</b>	<b>During business hours</b>	<b>Outside of business hours</b>
5/8" - 1"	\$110	\$235
Larger than 1"	Contracted Rate	Contracted Rate

NOTE: SWD does not test meters larger than 1". Those tests are performed by outside contractors at the sole discretion of the District. Outside Contracted Rates will apply for meters larger than 1".

**30. REPLACEMENT/REPAIR OF DAMAGED METERS OWNED BY SWD:**

Pursuant to MPUC Chapter 620 regulations, the charge for the repair of meters damaged due to improper care by the customer is:

<b>Size</b>	<b>During business hours</b>	<b>After hours</b>
5/8" - 1"	\$50.00 plus invoice for replacement	\$65.00 plus invoice for replacement
Larger than 1"	All meters larger than 1" must be tested by an independent tester off site. Fees will be based on fees charged by independent tester.	

**31. UTILITY JOBBING:**

"Utility jobbing" means unregulated utility services, including but not limited to construction and laboratory services.

Work outside of regulated services is performed

- at the District's discretion,
- upon receipt of written agreement from the customer/applicant/contractor,
- solely at the customer's expense including labor, overhead, equipment and materials,

Work performed in support of unregulated utility service outside regular business hours will be performed at the District's discretion and labor will be charged at overtime rates.

A customer/applicant/contractor is required to provide, in advance, sufficient funds as provided in a written estimate by the District to cover the anticipated District expense. The District will return excess funding within 30 days of project completion; costs in excess of the estimate will

be billed to the customer and must be paid within 30 days. Charges as allowed under Title 9A of the Maine Consumer Credit Code may be assessed on jobbing bills not paid within 30 days of billing.

**33. FLOW TEST:**

Flow tests at the request of a municipality served by the District will be at no charge to the municipality. For all other flow tests, including but not limited to flow tests performed for new or proposed projects, or for diagnostic purposes, the charge will be \$100.00 per hydrant during business hours (\$40.00 for each additional hydrant at the same location).

Flow testing at times other than during business hours may be required by the District based on the operational needs of the District's distribution system, and the charges will be \$155.00 for the first two hours, and \$75.00 each hour thereafter.

**34. PRIVATE FIRE PROTECTION (private hydrants and fire suppressions systems):**

Customers requiring private fire protection must contact the District to determine the availability of fire service at their location. Fire service, if available, will be installed at the customer's expense within the bounds of the public way or right-of-way with a separate service connection. The fire service line, after installation, will be owned and maintained in the public right-of-way by the District. The District does not guarantee any quantity of water or pressure available through a fire protection system.

The owner of the service shall determine, from time to time, the adequacy of the supply through the first service by conducting tests of the private system. A three-business day notice must be given to the District so a representative of the District can be present to observe the test. Water pressure in the distribution system may not drop below 20 psi at any time during the test.

Customers wishing to voluntarily shut off fire service protection must notify the District in advance and in writing, and must have permission in writing from the appropriate fire department official. Physical shut-off of the fire service and/or private hydrant(s) will not be made by the District until the prescribed notice has been made.

Fire hydrants may not be used for any purpose other than to extinguish fires unless prior permission is given by the Utility. Fire Hydrants must not be opened by any person other than an agent of the Utility or a duly authorized representative of the municipality or the owner.

**35. FROZEN SERVICES:**

Thawing of frozen services will be in compliance with MPUC Chapter 620.

The responsibility for the costs of thawing the service is based on the location of the frozen area, generally measured from the customer's side of the service toward the District's side. If

the frozen area is on the customer's side of the shut-off valve, the customer pays the full cost of thawing efforts. If the frozen area is on the District's side of the shut-off valve, the District pays the full cost. If the location is unable to be determined, the costs are split 50-50 between the District and the customer.

The District is solely responsible for determining the location of the freeze, and District personnel must be present at the time of determination. No claims regarding frozen service lines will be honored if not verified by the District.