

**Village of Savona  
Local Law # 1 of 2019**

**A Local Law entitled “Water Rules and Regulations.”**

**Be it enacted by the Village Board of the Village of Savona as follows:**

- I. **AUTHORITY, GOVERNING BOARD AND PURPOSE.**
  - A. **Authority.** The Village Board, pursuant to the authority granted under Village Law and Municipal Home Rule Law, enacts and adopts this Local Law for the establishment of uniform rules and regulations for the operation, usage and purveying of water within the Village and district of the Village.
  - B. **Governing Board.** The Village Board shall appoint all personnel necessary for the proper operation of the water facilities within the Village. The Village Board shall act as the governing body having the authority and right to exercise all powers and functions granted by law for the operation and functioning of the Village and district of the Village.
  - C. **Purpose.** In order to promote the efficient and safe operation and performance of the Village and district, the Village Board hereby determines to be necessary the establishment of a system of rules and regulations and a schedule of rates to equitably cover and pay the costs associated with the routine operation and maintenance of the water service, as well as the budgeting and financing of capital costs associated with required water system improvements, for the Village and district of the Village.
- II. **GENERAL CONDITIONS AND RESTRICTIONS.**
  - A. These rules and regulations are enacted and prescribed by the Village Board. Every person and/or premises supplied water or who shall be supplied or whose premises is supplied or will be supplied with water by the Village Water District shall comply with these rules and regulations. These rules and regulations are incorporated into any contract, now existing or established hereafter, between such person and the Village or district of the Village.
  - B. **Water Main Connections.** No person other than those duly authorized by the Village shall be permitted to tap or make any connection with any mains. Fire services shall be installed at the owner's expense by a qualified contractor under the supervision of the Village.

### III. DEFINITIONS.

A. The following words or phrases as used in this chapter are defined as follows:

**APPLICANT:**

The owner of the premises, or the owner's agent, contractor or employee, applying for water service.

**AESTHETICALLY OBJECTIONABLE FACILITY:**

One in which substances are present which, if introduced into the public water supply system, could be a nuisance to other water customers, but would not adversely affect human health. Typical examples of such substances are: food-grade dyes, hot water, stagnant water from fire lines in which no chemical additives are used, etc.

**AIR GAP SEPARATION:**

The unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or faucet supplying water to a tank, plumbing fixture, or other device and the flood level rim of the receptacle. The differential distance shall be at least double the diameter

(D) of the supply pipe. In no case shall the air gap be less than one (1) inch.

**APPROVED BACKFLOW PREVENTION DEVICE:**

An acceptable air gap, reduced pressure zone device or double-check valve assembly used to contain potential contamination within a facility.

**APPROVED CHECK VALVE:**

A check valve that seats readily and completely. It must be carefully machined to have free-moving parts and assured water tightness. The face of the closure element and valve seat must be bronze, composition, or other non-corrodible material which will seat tightly under all prevailing conditions of field use. Pins and bushing shall be of bronze or other non-corrodible, non-sticking material, machined for easy, dependable operation. The closure element, e.g., clapper shall be internally weighted or otherwise internally equipped to promote rapid and positive closure in all sizes where this feature is obtainable.

**APPROVED DOUBLE-CHECK VALVE ASSEMBLY:**

Two single, independently acting check valves, including tightly closing shutoff valves located at each end of the assembly and suitable connections for testing the water tightness of each check valve.

**APPROVED REDUCED PRESSURE PRINCIPLE BACKFLOW PREVENTION DEVICE:**

A device incorporating two or more check valves and an automatically operating differential relief valve located between the two checks, two shutoff valves, and equipped with necessary appurtenances for testing. The device shall operate to maintain the pressure in zone between the two check valves at a level less than the pressure on the public water supply side of the device. This device must also be approved as a complete assembly and must be acceptable to the New York State Department of Health and listed as acceptable in the most recently promulgated transmittal letter of the Environmental Health Manual as the same is published from time to time hereafter.

**APPROVED WATER SUPPLY:**

Any water supply approved by the New York State Department of Health.

**AUXILIARY SUPPLY:**

Any water supply on or available to the premises other than the approved public water supply.

**BACKFLOW:**

A flow condition, induced by a differential in pressure that causes the flow of water or other liquids and / or gases into the distribution pipes of a public water supply from any source other than its intended source.

**BACKPRESSURE:**

The resulting backflow of contaminated, polluted, or otherwise unacceptable quality water from a plumbing fixture or other customer source(s) into a public water supply system due to a greater pressure within the customer's watersystem.

**BACKSIPHONAGE:**

The backflow of contaminated or polluted water, or water of questionable quality, from a plumbing fixture or other customer source(s), into a public water supply system main due to a temporary negative or sub-atmospheric pressure within the public supply system.

**BAROMETRIC LOOP:**

A loop of pipe rising approximately thirty-five (35) feet, at its topmost point, above the highest fixture it supplies.

**BILLING:** Four times each year according to the Village fiscal year beginning June 1<sup>st</sup> each year.

**BRANCH LINE:** Any pipe connecting to a lateral.

**CERTIFIED BACKFLOW PREVENTION DEVICE TESTER:**

A person who has received a "general tester" certification providing satisfactory completion of a training course for testers of backflow and prevention devices which has been approved by the New York State Health Department.

**COMMERCIAL SERVICE:**

Provision of water to premises where the customer is engaged in trade or business.

**CONSUMER:** Any owner or occupant of any property, including a private dwelling where a business is operated, who causes water to be used in any amount for any period of time.

**CONTAINMENT:** Cross-connection control which isolates the customer's entire facility from the public water system so as to provide the protection necessary to prevent contamination of the public water supply in the event of backflow from the customer's facility.

**CONTAMINATION:** An impairment of a potable water supply by the introduction or admission of any foreign substance that degrades the quality and creates a health hazard.

**CROSS-CONNECTION:**

A physical connection through which a water supply could be contaminated.

**CUSTOMER:** The owner or agent of record receiving water service from the Village.

**DATE OF PRESENTATION:**

The date upon which a bill or notice is mailed or delivered personally to the customer.

DOMESTIC SERVICE:

Provision of water for household residential purposes, including water for sprinkling lawns, gardens and shrubbery; watering livestock; washing vehicles; and other similar and customary purposes.

DUE DATE:

Where the term due date is used in the Policy the following shall apply: Should the due date fall on a Saturday, Sunday, Holiday or a non-scheduled working day for the Village Clerk, the due date shall be the first scheduled business day for the Village Clerk after the due date.

FIRE LINE:

(a) A water line making a connection to the Water District system for the purpose of supplying water to fire hydrants on private property around the exterior of buildings situated thereon: or (b) a water line making a connection to the Water District system for the purpose of extending the said line into buildings situated on private property for the purpose of supplying sprinkler heads or hose reels.

FIRE PROTECTION SERVICE:

Provision of water to premises for automatic fire prevention.

HAZARDOUS FACILITY:

One in which substances may be present which, if introduced into the public water system, would or may endanger or have an adverse effect on the health of other water customers. Typical examples: laboratories, sewage treatment plants, chemical plants, hospitals or mortuaries.

INDUSTRIAL SERVICE:

Provision of water to a customer for use in manufacturing or processing activities.

INTERCONNECTION:

A joining of two independently operated public water supply distribution systems.

IRRIGATION SERVICE:

Provision of water for commercial, agricultural, floricultural or horticultural use.

LATERAL CONNECTIONS:

The pipe, valves and other facilities by means of which water is conducted from the curb or shutoff valve to the

customer's premises.

**MAIN EXTENSIONS:**

Extensions of distribution pipelines, exclusive of service connections, beyond existing facilities.

**MAINS:**

Distribution pipelines located in streets, highways or public ways which are used to serve the general public,

**METER RATE SERVICE:**

Provision of water in measured quantities.

**MUNICIPAL OR PUBLIC USE:**

Provision of water to a municipality, district or other public body.

**OWNER:**

The person holding legal title to the premises, or such person entitled to such property rights, and such person's agent, employee, or contractor.

**PREMISES:**

The integral property or area, including improvements thereon, to which water service is or will be provided.

**PRIVATE DWELLINGS:**

For billing purposes a private dwelling shall include, but not limited to, all of the following:

- i. A structure housing one family.
- ii. A trailer housing one family.
- iii. Each apartment within a single structure.
- iv. Each boarding house.
- v. Each nursing home.
- vi. Any use not a public or business use.

**PUBLIC USE:**

Public use shall include, but not limited to, school, libraries, municipal services and churches.

**REDUCED PRESSURE ZONE (RPZ) DEVICE ACCEPTABLE:**

A minimum of two independently acting check valves, together with an automatically operated pressure differential relief valve located between the two check valves. During normal flow, and at the cessation of normal flow, the pressure between these two checks shall be less than the upstream (supply) pressure. In case of leakage of either check valve, the differential relief valve, by discharging to the atmosphere, shall operate to maintain the pressure between the checks at less than the supply pressure. The unit must include tightly closing shutoff valves located at each end of the device, and each device shall be fitted with

properly located test cocks.

**SERVICE CONNECTION:**

The pipe, valves and other facilities by means of which water is conducted from distribution mains to the curb or shutoff valve.

**SCHEDULE OF RATES AND FEE:**

The entire body of effective rates, rentals, charges and fees for water service by the Village.

**TEMPORARY SERVICE:**

A service for circuses, bazaars, fairs, construction work, irrigation of vacant property and similar uses which, because of its nature, water consumption or use will not be regular or permanent.

**VACUUM BREAKER - NON-PRESSURE TYPE:**

A vacuum breaker that is designed so as not to be subjected to static line pressure.

**VACUUM BREAKER - PRESSURE TYPE:**

A vacuum breaker designed to operate under conditions of static line pressure.

**VILLAGE:** The Village of Savona or the Village's designated representative.

**VILLAGE:** A division of the government of the Village that is responsible for the supply of water service to customers.

**WATER DISTRICT:** The improvement district of the Village in which water service is provided.

**IV. DESCRIPTION OF SERVICE.**

- A. Supply. The Village shall exercise reasonable diligence and care to deliver a continuous and sufficient supply of water to a customer at a proper pressure and to avoid any shortage or interruption in delivery. However, the Village has the right to limit the amount of water furnished at any time for good cause as provided herein.
- B. Quality. The Village will endeavor to furnish a safe and potable water for human consumption at all times.

**V. APPLICATION FOR SERVICE, WATER PERMIT, ACTS OF PLUMBER.**

- A. Prior to service being provided all persons desiring a supply of water from the Village must first obtain a water permit from the Village and provide the name of the contractor or individual that will install the water service

pipng on the application referenced in paragraph B of this section. The water permit shall be valid for (6) six months from date of issue. The application referenced in paragraph B of this section shall state the location of the premises by street and number and include a property hook-up location.

- B. All applications for the use of water shall be made in writing to the Village on forms provided by Village and approved by the Village Board. All such applications must be signed by the person who shall be responsible for payment. Such permit application shall be accompanied by the necessary fee as determined by village resolution, except such fee shall not be required for any and all permits filed with the village within twelve months from the date this local law is adopted by village.
- C. Applicant must show proof of ownership. Water service shall be in the owner's name only. Water service shall not be changed from one person's name to another without receipt by the Village of one of the aforementioned documents and the signed application referenced in paragraph B of this section
- D. The water permit required under this section may be denied or a financial deposit required if the applicant has an outstanding balance on a previous account or payment agreement in place concerning delinquent water bills with the Village.
- E. When the water permit is approved and issued by the Village, the application and permit shall constitute a contract between the Village and the applicant, which incorporates by reference therein all requirements, obligations, terms and conditions of this Local Law and the schedule of rates adopted in accordance herewith.
- F. Approval and issuance of a water permit hereunder shall in no way obligate the Village to extend the Village water mains to serve premises except as hereinafter provided.
- G. A separate application must be made for each premise.
- H. The plumber designated and employed by the owner of the premises shall be considered the agent of the owner while employed to introduce water into the premises. In no sense shall the plumber be an agent of the Village or district of the Village. As such, the Village shall not be responsible in any way for the acts of the plumber.

VI. UNDERGROUND SERVICE LINES - INSTALLATION AND CONNECTION.

- A. Location: The service line to the premises shall be underground from the curb stop to the owner's water supply line servicing the owner's premises.



The service line to the premises should be in a straight line as closely as possible.

B. Call before you dig: The owner shall contact Dig Safe New York, 1-800-DIG-SAFE, and secure all necessary approvals prior to digging or excavating the land to install the service line.

C. Trenching and installation:

- I. Service line excavated trenches shall be a minimum of 4'-9" deep, and must have placed at least 6" of bedding material in the bottom of the trench on which the service line shall be placed.
2. Bedding material shall be sand, screenings, or screened bank-run gravel. Maximum particles size is  $\frac{3}{4}$  inch. No limestone material or crushed aggregate with sharp edges is permitted. If using plastic pipe, bedding must be in sand.
3. No branches or connections to the service line are permitted before the water meter.
4. No dirt or foreign material shall enter the water service line. The open ends should be covered with duct tape until ready for connection.
5. Connect the service line to the curb stop, and install the service line straight, flat and centered in the trench, without kinks, loops or twists.
  - i. After installation of a plastic water service line, there must be installed a #12 solid copper-coated tracer wire that shall be securely wrapped around the curb box and then extended parallel with the plastic service line to a point at the premises where such wire shall be brought above ground with (1) one foot of coil for access of attachment of line locator and the line shall be kept in a manner to protect the line from being broken or pulled apart.
6. Service lines shall not be laid across adjoining premises.

7. Kind of Service Lines. Only pipe, fittings or appurtenances as specified by the Village shall be used. The quality, strength and weight of the pipe shall be equal to that used by the Village.
8. Materials and Workmanship. All of the parts of the water service inside and outside the premises and the fixtures and appurtenances connected therewith, shall be of such form, character and workmanship as is hereinafter described, as approved and required by the Village
9. Inspection. A representative of the Village shall inspect the service line and observe a successful pressure test of such service line before the service line is covered. The Village representative shall temporarily turn on the curb stop to flush the service line and provide pressure for testing. If the representative observes no leaks and finds the work to be satisfactory, the Village representative shall authorize the owner to cover the service line.
10. Provide Notification: The owner shall provide at least 48 hour prior notification to the Village to arrange for an inspection of the service line before the service line is covered. Failure to provide such notice shall be proper grounds for service being denied to the affected premises.
11. Upon being authorized, the owner shall place a minimum of 1'-0" of bedding material over the service *line*.
12. The refill the trench with excavated material placed in layers and compacted to minimize settlement.

#### D. Curb Cock or Valve Keys.

1. No person unless specially authorized by the Village shall have in his or her possession or hold a key for turning off or on water for the Village. No such specifically authorized person shall part with the possession such a key except to an employee or official of the Village.
2. No curb cock controlling any service shall be opened or left open by any person after connecting a new service at the curb or elsewhere; or after making any new extension or attachment in unoccupied premises so that water may be supplied to the premises by the service without a formal permit. In the case where work is a simple extension or additional attachment in premises where the water is then in use and where a permit has been duly obtained to make the same, then the water may be left on for such premises.
3. Water Shut Off Until Meter is Set. When the plumbing work in any premises has been completed and tested the owner shall shut off the water and leave the water turned off until a water meter has been set.

The water will be turned on only by an authorized employee or official of the Village.

4. Injury to Fixtures or Repairs. Any injury to service pipes, street mains, hydrants, valve boxes, or other fixtures, and any damage that may be caused by leakage or flow of water occasioned by such injury caused by putting in any sewer, drain, or other pipe, or by any excavation embankment, track laying, paving or other construction, shall be paid by the contractor doing the work, by the owner of the premises, or the person for whom such work is being done. Repairs are to be done under the supervision of the Village using methods and materials approved by the Village.

E. Stop and Waste Cock, Shut Off Valve.

- I. Location. Immediately inside the basement or foundation wall of the premises into which the service line extends, a stop and waste cock shall be conveniently located and arranged so that water may be drawn back and all of the pipes within the premises be emptied to such stop and waste cock.
2. The stop and waste cock must be kept open at all times when the service is not in use.
3. Adequate Space to be maintained. Persons installing new services or house plumbing shall leave sufficient horizontal space next to the stop and waste cock for the installation of meters as established in the Village specifications. Failure to meet this requirement may result in the Village refusing to accept the meter installation or to allow the water to be turned on or off.
4. Shut off valve. A main shut off valve shall be installed. The shutoff valve shall be a ¾-inch bronze ball valve, with a stainless ball, rated for 150 psi, and a metal operating lever.

i. Install the water meter tails and gaskets after the valve with wall mounted support or keepers to take the weight of meter from resting on the service line. If the meter is in a meter pit, then the owner needs to contact the Village for prior approval before said owner begins any service connection.

- F. Inspectors Right-of-Entry. Employees of the Village upon presentation of proper identification, may enter and shall be permitted to enter upon any premises where water is being supplied by the Village, or upon any premises when application is made for a permit to connect plumbing with the water pipes, for the purpose of inspecting the plumbing and fixtures of the water service and all work in connection with such service. Refusal to grant entry shall be proper cause for discontinuance of water service to the premises.

VII. WATER METER, REMOTE READING DEVICE.

- A. General: The Village shall provide a water meter and remote reading device (Meter Interface Unit). The cost to supply such meter shall be paid by applicant prior to the issuance of the necessary water permit referenced in Section V of this local law except no such cost shall be charged for such permits issued within twelve (12) months of the adoption of this local law by the Village. Such cost shall be established by resolution of the Village.
- i. Meters, remotes, and meter pits (if needed) remain at all times the property of the Village.
  - ii. Meters will be sealed and should for any reason the property owner needs to have the water meter removed, the property owner must notify the Village before performing the removal.
  - iii. The meter will be repaired or replaced at the cost of the Village of Savona, unless the meter has been damaged by freezing, tampering, or vandalism. In such case, the property owner shall be responsible for the full cost of the meter replacement and any labor or fees associated therewith.
  - iv. Owner shall provide free access to the meter and the meter shall be free from obstructions at all times in order for the Village to do routine maintenance. Inability to provide free access shall be construed as refusal to grant entry.
  - v. Meters of the size of two inches and under shall be furnished and connected by the Village. Meters larger than two inches shall be purchased by the owner of the property to be services and installed under specifications approved by the Village. The Village reserves the right in all cases to stipulate the size, type and make of the meter to be used on any connection.
  - vi. Large meters: Meters larger than two inches shall be periodically tested no less than every three (3) years or as otherwise directed by the Village for proper cause demonstrated.
- B. Inspection and Testing. After the water is turned on and during the time the water is on to the premises, the Village reserves the right to enter the premises at any time, within reasonable hours and upon giving prior reasonable notice to the extent practicable under the circumstances, to read, test, repair, or replace the meter or to inspect the piping or plumbing.
1. In case a meter should stop or fail to register, the Village reserves the right to estimate the amount of water used during the time the meter is out of order. Said estimate is to be based on the amount of water used when the meter was in working order or to the next quarter after the meter has been repaired or the same quarter during the previous year.
- C. Meter Installation: Meters shall be installed with special fittings, which include valves and couplings to allow the meter to be removed for repair or

replacement in the future. The Village shall provide the special fittings with the meter to the owner. The owner shall sign off for the meter and associated parts.

- D. Remote Reading Device: The remote reading device is connected to the meter by a wire and allows the meter to be read from a remote location. The reading device should be installed in an unfenced area at a location where it is not necessary to walk through landscaping to gain access. The Village personnel will work with you to determine the best location for the reader. It may be necessary to drill holes for the wiring or install screws or other hardware to mount the reader on the exterior wall. All such work shall be performed by the owner.

## VIII. PLUMBING

- A. General Requirements: The Village requires the following items to be installed, in the order given below:
1. Service Line Sleeve. Service line shall project through a sleeve to the inside of the premises for a minimum distance of (1) one foot to facilitate a good connection to the first valve and to leave space for future work. The sleeve shall be sealed inside and out to prevent ground water following the service line in.
  2. Wire. A 3-wire telephone type coated wire (up to (30) thirty feet shall be included with the meter acquired from the Village) shall be run by the owner from the meter to the outside placement of the remote reader. Such wire shall be located approximately (3) three feet above finished floor or above existing grade leaving a 1' coil of the wire at the inside meter and at the outside location of the remote reader to be utilized by Village personnel. If possible, the location of the remote reader should be at the front (roadside) of the premises. If the remote wire is run underground or at ground level to the outside location of the remote, then the wire should be run encased *in* a protective conduit to prevent damage.
  3. Residential Backflow preventer. A backflow preventer shall be installed in all residential premises serviced under this local law, rated for 150 psi, to prevent water from reversing from the premises into the public system. The minimum requirement for such backflow preventer shall be a testable "double check valve" system.
  4. Commercial/Industrial/Municipal Backflow Preventer. In the interest of public health, the Village shall not permit the Village's water mains or services to be connected with any serviced pipe

or piping that is connected with any source of water supply not approved by the Department of Health of the State of New York without the installation of a suitable backflow prevention device or devices approved by the New York State Department of Health and complies with Local Law #2 of 2008, Cross Connection Control Local Law, Village of Savona.

5. Well. The Village does not require existing wells servicing premises to be abandoned or sealed. However, in the interest of protecting public health and safety, the Village prohibits any connection between such well and the public water supply.
  - i. As such, the well must be physically disconnected from the potable water system in your building. The Village shall verify that no cross connection exists with said well and the premise's water supply when the inspection of the premise's service line and meter is completed. Water shall not be supplied to the premises until such time as the lack of any cross connection is confirmed.

IX. Sub-Metering and Purveying of Water. The sub-metering or purveying of water shall not be permitted. No person shall supply water in any manner through any fixture or device to the occupants of neighboring premises of any description except under a special written permit approval by the Village. No person shall in any way purvey water supplied by the Village.

X. UNDERGROUND SERVICE LINES

A. General:

I. Service Line Size:

Most Services will be ¾" size. However, a large size may be requested for a present or future need. The water meter shall be located inside the building or inside the meter pit if provided. The service line shall be a continuous length. Copper tubing shall be Type K soft copper or polyethylene tubing shall be NSF-approved, copper-tube-size with a 200 psi pressure rating. No underground splices or joints are permitted except at the

connection to the curb stop. The joint at the curb stop is compression joint. It is not necessary to flare the tubing.

2. Service Line Maintained:

Owner Responsibility. The owner of any premises into which water is introduced by a service pipe shall be required to maintain in perfect order at the owner's cost and expense the service pipe from curb cock to the owner's premises, including all fixtures therein provided for delivering or supplying water for any purpose. The curb box must be kept in view and the top thereof must be even with the sidewalk or street grade at all times, and in a serviceable condition. In case such service and fixtures are not kept in good and serviceable repair, the water may be shut off from the premises until the requirements of this subdivision are complied with; or the Village may make the necessary repairs to conform to the requirements of this subdivision and charge and collect the cost thereof from the owner of the premises and shut off the water to such premises until such charges are paid in full.

3. Village Responsibility. The Village will maintain and repair each service pipe between the water main and the curb cock controlling the service, provided:

- i. The same is in a public easement;
- ii. The service has been installed in full compliance with the rules and regulations set forth in this chapter;
- iii. The failure of the service or the damage thereto which results in repairs under this subdivision has not been caused by the improper act or omission of the owner;
- iv. If service or equipment is interrupted or damaged as a result of the owner's negligence, carelessness, omission, or gross negligence, the owner shall pay the entire cost of the necessary repairs.

4. Protection From Freezing. Service pipes shall be located in areas best protected from frosts. In structures where there is no cellar the service pipes shall be carried to the center of the building or to unexposed areas previous to being carried upward in the structures.

- i. In all cases where the service pipe passes through areas or basements having windows, grating, or traps open to the weather, the openings shall be closely covered and the windows and doors closed to the outside area during the cold weather.
- ii. In all exposed situations the service pipes and fixtures shall be properly wrapped with felt or other non-conducting substances and surrounded with a box, packed with non-conducting substances if necessary to protect such service from freezing.
- iii. Where there is no frost protection for the entrance to a building receiving water service such as a mobile home, home on a slab without perimeter frost walls, garage without a perimeter foundation, etc. the meter shall be located adjacent to the service curb stop on the property

owner's property, in a location approved by the Village, in a manufactured meter box. The box will be purchased from the Village at their cost and be equipped with a cast iron lid and insulation blanket. The fittings inside the box shall include isolation valves (butterfly), double testable check valve and the Village's meter.

iv. All protection shall be at the expense of the owner, and in case he or she neglects to protect his or her service as aforesaid, the director of water systems may shut off the water therefrom.

5. Defective Services. In all premises where water from the mains is now supplied by a system of pipes and fixtures that are not of the standard or pattern prescribed in these rules and regulations, or where the service does not comply with any other part of these rules and regulations, the owner of the premises shall be ordered by the Village to make all necessary changes to comply with such rules and regulations. All costs associated with compliance of such an order shall be the sole responsibility of the owner and shall be completed within five (5) working days of the issuance of such order unless in the opinion of the Village such violation imposes an immediate and direct threat to the health, safety, welfare or property of any customer of the water district or resident of the Village. Failure to comply with such order shall be proper grounds for discontinuance of service to the subject premises. If the owner fails to comply with such order, the water may be shut off from such premises until the defective items are remedied.

6. Separation from Sewer. All services to a premise shall maintain at least a 10-foot horizontal separation from any septic tank, sewer line, leach field, and/or cesspool. All services shall maintain a vertical separation of at least 18-inches from any wastewater, sanitary or storm water line.

## XI. FIRE SERVICE.

A. Stand pipes or pipes for automatic suppression of fire in buildings, which fixtures are only intended for such use may be attached to the water supply in accordance with the following requirements:

- i.. All material and designs for such connection shall be approved by the Village;
- ii. All such pipes must be provided with suitable valves outside of the building and under exclusive control of the Village.
- iii. In the case of stand pipes, a valve must be provided and placed at the bottom of the stand pipe.
- iv. The Village reserves the right to refuse any or all applications for water for merely fire protection uses at the Department's sole discretion.
- v. The entire cost and expense of installing the fire service shall be borne by the owner of the premises.
- vi. Under no condition shall connection be made with such fire protection fixtures for the supply of water for any other purpose.
- vii. If the fire service is to be shut off, a letter from the owner of the premises is required.
- viii. The Village shall not be responsible in any way when the fire service is shut off.



- ix. All fire lines shall be equipped with an approved and duly tested double-checked valve at a location to be determined by the Village. Any device other than a double-checked valve system shall only be authorized by the Village to be used instead of the double-checked valve system if such device provides the minimum protection offered by a double-checked valve.
8. Fire Service Maintained. The owners of the premises where pipes are in service for fire protection only shall maintain such service pipe from the street main into the premises; and the owner shall be solely responsible for any damage that may be caused by a leak in such pipe, or the breaking or bursting of such pipes, unless such damage has been caused through the negligence, carelessness, or gross negligence of the Village.
- C. No Yard Hydrants. No yard hydrants or stand pipe will be allowed in any yard or lot.
  - D. Required Maintenance. All stand pipes or pipes for automatic suppression of fire in buildings, which fixtures are only intended for such use, as well as all private fire hydrants shall be properly maintained by the owner and documentation of the proper maintenance filed annually with the Village.
  - E. Hydrants (Penalty for Opening). All street hydrants are under control of the Village.
    - a. Opening. No person shall use a wrench for opening hydrants except a wrench furnished by the Village.
    - b. Use of Water. No person except an authorized agent or employee of the Village, the Village, the fire department, or a person holding a written permit signed by the Village shall disturb any hydrant or any part thereof, or take any water there from under any circumstances whatever.
    - c. Designated Hydrants. Any purchase of water from a hydrant shall be taken from hydrants designated by the Village and such operations must be approved and monitored by personnel of the Village.
    - d. Damages. If any damage to a street hydrant occurs as the result of a permitted person taking water from the hydrant, the holder of the written permit shall pay such damages and all cost and expenses that may be incurred by reason thereof, on demand, to the Village. In addition the permit may be revoked at any time.
    - e. Obstructions. No person shall place any obstruction that would prevent free access to any fire hydrant or leave any vehicle standing within fifteen (15) feet of the hydrant.
    - f. Change of Hydrant at Owner's Request. If an owner desires a change in the size, type or location of a hydrant, the owner shall bear the entire costs of such request without refund or contribution by the Village.

## XII. ELECTRICAL SERVICE.

The electric service to the premises shall in no way be grounded to the water service being provided to said premises.

XIII. ESTABLISHMENT OF SCHEDULE OF RATES AND FEES.

- A. The Village Board shall establish, and may amend from time to time by resolution, a schedule of rates and charges for water service, including those listed in this Local Law. Water rates and charges for services as set by the Village board shall be filed in the office of the Village clerk.
- B. The Village board may set a scale of water rates for consumers residing outside the specified water districts' service area at a higher rate as shown in the schedule of water rates.
- C. Water Rates. The following types of water rates are authorized to be established:
- i. Minimum Water Rates and Schedule of Rates. The schedule of rates for water use shall be established on a unit of water use charge basis. This schedule of rates, to set the unit of water use rate, shall be based on a formula that calculates the annual cost of provision of operation and maintenance for the water districts minus the calculated minimum water rates divided by the amount of units of water use billed in the previous calendar year.
  - ii. Line Charge. A minimum line charge for the provision of a meter for water service.
  - iii. Capital Fee. A capitalization charge sufficient to cover debt service for any bonds or other indebtedness incurred by the Village pursuant to Local Finance Law of the State of New York plus any capital charges to be deposited in a capital reserve account established by the Village.
  - iv. Service Charges. Service charges, shall be charged for the discontinuance of service, restoration of service, special meter readings, tax levy fees, meter tests and inspection services.
  - v. Fire Protection Fees. Special service charges for private fire protection services.
  - vi. Flat Rates. Flat rate for temporary usage.
  - vii. Discontinuance of Service Fee. No premises shall be exempt from the water rates unless the service line is shut off at the curb stop and the meter removed from the premises. However, the capital fee set forth herein shall still be assessed to such premises.
  - viii. Maintenance Reserve Charge: A charge for anticipated or potential maintenance to be deposited in a capital reserve account established by the Village.

#### XIV. BILLING.

##### A. Village Billing Procedures:

1. PAYMENT DUE - Quarterly Billing. The actual due date will be indicated on the water bill itself. All water bills are due and payable in full as of date shown. This shall also include any penalty if applicable, no partial payments will be accepted.
2. PAYMENT METHOD- In as much as no receipt water bills will be returned to the customer through the US Mail, all customers are requested to pay by check or in person at the Village Clerk's Office. A canceled check or stamped payment stub shall constitute legal proof of payment. If paid in person, the payor must submit the whole bill to receive a receipt at the time of payment.
3. PENALTY FOR LATE PAYMENT- Any account not paid by the due date show on the bill shall be subject to a 10% late penalty. This penalty, if applicable, is due and must be paid in full at the time the water bill is paid.
4. DISPOSITION OF UNPAID WATER CHARGES - No water charges or penalties will be received by the Village Clerk during the month of April each year. Any charges or penalties remaining as of April 25<sup>th</sup> of each year will be relieved against the property on the following June Village Tax Bill.
5. APPEAL PROCEDURE- Any owner has the right to appeal, to any extent desired, any water charges or fees imposed, but must do so at the owner's sole and complete expense.
  - a. An appeal to the Village shall be subject to the following procedure:
    - i. All appeals must be in writing and addressed to the Village Mayor.
    - ii. The appeal shall state the name of the owner and the address of the premises being appealed.
    - iii. The nature and grounds of the appeal.
    - iv. Signed by person making the appeal.
  - b. The Mayor shall attempt to resolve all appeals to the satisfaction of all parties within ten days of receipt of the appeal.
  - c. Should the Mayor not be able to resolve the appeal, an owner may request, in writing, a hearing before the Village Board. The hearing before the Village Board shall be held within 35 days of the date of the request, and the final Board decision shall be rendered within 35 days upon completion of such hearing.
  - d. The pending appeal does not relieve the owner of a timely payment of the charges being appealed. All water charges, including penalties, are due and payable as stated on the water

bill. Any appeal found in favor of the owner which results in a reduction of water charges will be satisfied by a refund from the Village.

#### XV. RESTRICTED WATER USE.

- A. From time to time, due to maintenance or other problems, the Village reserves the right to restrict water use, either partially or totally.
- B. The following water restriction conditions are hereby established to inform the public of the type of restriction imposed in accordance with each condition number.
  - 1. Watering lawns prohibited;
  - 2. Same as #1, plus washing vehicles prohibited and filling pools prohibited;
  - 3. Same as #2, plus watering gardens, flowers, & shrubs prohibited;
  - 4. Same as #3, plus used restricted to "only essential" in-home & business use.
  - 5. State of water purity emergency. Boil all water prior to consumption.
- C. Should it become necessary to impose any restrictions under this section there shall be no refunds or credits due from the Village for imposing such restrictions.
- D. The notice of any restriction will be announced by any or all of the following methods:
  - 1. Emergency vehicle with PA System traveling street by street with in the Village.
  - 2. Signs posted conspicuously about the Village.
  - 3. WVIN 98.3 Bath (Radio).
  - 4. WETM Channel 18 / WENY Channel 36 (T.V.).
  - 5. The Corning Leader.

#### XVI. DISCONTINUANCE OF SERVICE.

- A. If a water bill remains unpaid for a period of ninety (90) days or if an owner is in violation of this local law, water service may be discontinued until such bill, together with all fees and penalties as provided herein have been paid in full, or such violation has been fully remedied.
- B. The Village shall follow the following procedures when discontinuing service:
  - 1. Copy of the original bill is produced, or notice of the violation prepared, and mailed U.S. certified registered mail, return receipt requested to the owner, and the tenants, if known;
  - 2. If payment is not received, or the violation still remains, within thirty (30) days following mailing of the notice referenced in paragraph (B) (i) above, a shut-off notice shall be mailed via U.S. certified registered mail, return receipt requested, to the owner, and the tenants, if known.
  - 3. If payment is not received, or the violation still remains, fifteen (15) days after the date of such mailing, the Village shall be authorized to shut off such water supply to the premises.
  - 4. Prior to turning water service back on to such premises all

outstanding water bills and related charges shall be paid in full, or an acceptable written payment arrangement entered and approved, and all such violations shall be fully remedied.

XVII. PENALTIES; REMEDIES.

- A. Penalty. Any person found to be in violation of any of the provisions of this Local Law and any person who shall assist in the commission of any violation of this Local Law; or any conditions imposed by the Village shall be guilty of a misdemeanor punishable by a fine of not more than five hundred dollars (\$500.00) or imprisonment not to exceed ninety (90) days or both. Every such person shall be deemed guilty of a separate offense for each day such a violation, omission, neglect, or refusal shall continue.
- B. Alternative Penalty. In case of any violation or threatened violation of any of the provisions of this law, or conditions imposed hereunder, in addition to other remedies herein provided, the Village board may institute any appropriate civil actions or proceeding to prevent such unlawful actions. In determining the amount of the civil penalty, the court shall take into account all relative circumstances, including but not limited to the extent of harm caused, or potentially caused by the violation, the magnitude and duration, any economic benefit gained through the person's violation, corrective actions taken by the person, the compliance history of the person, and any other relative factors as justice may require. The Village may recover all damages, incurred from any person who are committing or have committed a violation, and may seek an order suspending or revoking or modifying the person's permit for water use. In addition to the above-described damages, the Village may recover all reasonable attorney fees incurred by the Village in enforcing the provisions of this Local Law, including reasonable attorney's fees incurred in any action to recover penalties and damages.
- C. Further, the Village may also recover court costs, and other expenses associated with the any such enforcement activities.

XVIII. INCONSISTENCY.

All other local laws and ordinances of the Village of Savona inconsistent with the provisions of this Local law are hereby repealed; provided, however, that such repeal shall be only to the extent of such inconsistency and in all other respects this Local Law shall be in addition to such other local laws or ordinances regulating and governing the subject matter covered by this local law.

XIX. UNCONSTITUTIONALITY AND ILLEGALITY.

If any clause, sentence, paragraph, word, section or part of this Local Law shall be adjudged by any court of competent jurisdiction to be unconstitutional, illegal or invalid, such judgment shall not affect, impair, or invalidate any paragraph, word, section or part thereof not directly involved in the controversy in which such judgment shall have been rendered.

XX. REVOCATION

Local Law No. 1 of 2008, entitled "Water Rules and Regulations," is hereby revoked in its entirety.

XXI. EFFECTIVE DATE.

This Local law shall take effect on the later of June 1, 2019 or filing with the Secretary of State.

## Short Environmental Assessment Form

### Part 1 - Project Information

#### Instructions for Completing

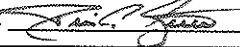
**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 - Project and Sponsor Information</b>							
Name of Action or Project: 2019 Local Law Number 1							
Project Location (describe, and attach a location map): Village of Savona							
Brief Description of Proposed Action: A Local Law entitled "Water Rules and Regulations." The law replaces Local Law No. 1 of 2008, entitled "Water Rules and Regulations." It changes water shutoff and billing provisions and authorizes a maintenance reserve fund.							
Name of Applicant or Sponsor: Village of Savona		Telephone: 607-583-2124					
		E-Mail: savonaclerk@stny.rr.com					
Address: 15 McCoy Street, PO Box 411							
City/PO: Savona		State: NY	Zip Code: 14879				
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%; text-align: center;">NO</th> <th style="width: 50%; text-align: center;">YES</th> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> </tr> </table>	NO	YES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NO	YES						
<input type="checkbox"/>	<input checked="" type="checkbox"/>						
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%; text-align: center;">NO</th> <th style="width: 50%; text-align: center;">YES</th> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input type="checkbox"/>	<input type="checkbox"/>						
3.a. Total acreage of the site of the proposed action?		_____ N/A acres					
b. Total acreage to be physically disturbed?		_____ 0 acres					
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ N/A acres					
4. Check all land uses that occur on, adjoining and near the proposed action.							
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)							
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): <u>N/A</u>							
<input type="checkbox"/> Parkland							

5. Is the proposed action, a. A permitted use under the zoning regulations?	<b>NO</b>	<b>YES</b>	<b>N/A</b>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	<b>NO</b>	<b>YES</b>	
	<input type="checkbox"/>	<input type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	<b>NO</b>	<b>YES</b>	
	<input type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	<b>NO</b>	<b>YES</b>	
	<input type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	<b>NO</b>	<b>YES</b>	
	<input type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?  If No, describe method for providing potable water: _____	<b>NO</b>	<b>YES</b>	
	<input type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?  If No, describe method for providing wastewater treatment: _____	<b>NO</b>	<b>YES</b>	
	<input type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? b. Is the proposed action located in an archeological sensitive area?	<b>NO</b>	<b>YES</b>	
	<input type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	<b>NO</b>	<b>YES</b>	
	<input type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	<b>NO</b>	<b>YES</b>	
	<input type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	<b>NO</b>	<b>YES</b>	
	<input type="checkbox"/>	<input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES  b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <input type="checkbox"/> NO <input type="checkbox"/> YES _____	<b>NO</b>	<b>YES</b>	
	<input type="checkbox"/>	<input type="checkbox"/>	



<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?</p> <p>If Yes, explain purpose and size: _____</p> <p>_____</p>	<p><b>NO</b></p> <p><input type="checkbox"/></p>	<p><b>YES</b></p> <p><input type="checkbox"/></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?</p> <p>If Yes, describe: _____</p> <p>_____</p>	<p><b>NO</b></p> <p><input type="checkbox"/></p>	<p><b>YES</b></p> <p><input type="checkbox"/></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?</p> <p>If Yes, describe: _____</p> <p>_____</p>	<p><b>NO</b></p> <p><input type="checkbox"/></p>	<p><b>YES</b></p> <p><input type="checkbox"/></p>
<p><b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b></p>		
<p>Applicant/sponsor name: <u>Brian C. Scott</u></p>		<p>Date: <u>3/21/2019</u></p>
<p>Signature: <u></u></p>		

Intent and Environmental Impact of:  
Local Law No. 1 of 2019: A Local Law entitled “Water Rules and Regulations.”

The intent of the law is to replace Local Law No. 1 of 2008, entitled “Water Rules and Regulations.” It changes water shutoff and billing provisions and authorizes a maintenance reserve fund. These changes are not expected to impact the environmental resources within the municipality.