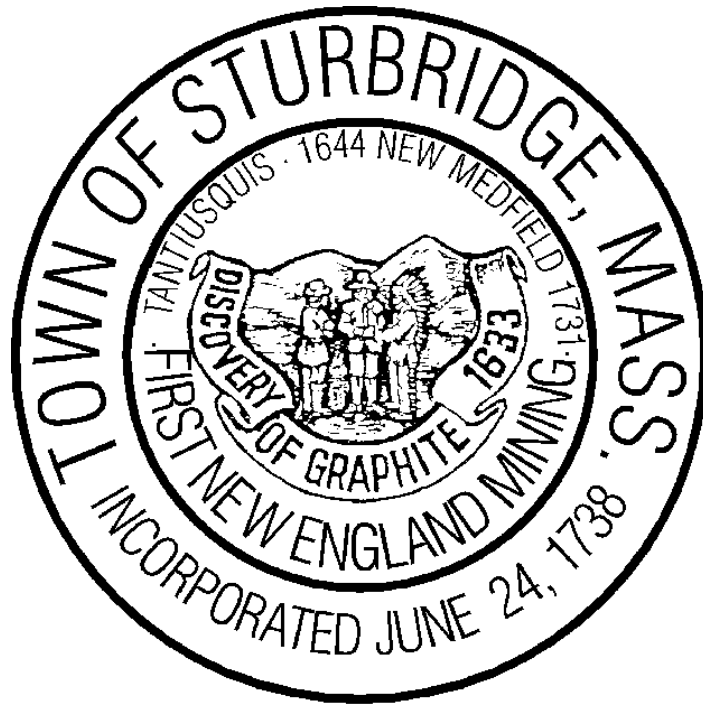


**TOWN OF STURBRIDGE  
WATER RULES, REGULATIONS AND FEES**



**As Amended - 13 November 2012**

**By the**

**BOARD OF SELECTMEN**

**WATER RULES, REGULATIONS & FEES  
of the  
TOWN OF STURBRIDGE, MASSACHUSETTS**

**As Amended – 13 November 2012**

**By the**

**BOARD OF SELECTMEN**

**Acting under**

**ARTICLE 4-2(C) of the STURBRIDGE TOWN CHARTER**

**As**

**WATER and SEWER COMMISSIONERS**

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**ARTICLE 1**

**GENERAL PROVISIONS**

- 1.1 The rules, regulations and fees (the “Regulations”) of the Town of Sturbridge Water Department (the “Water Department”) shall be considered a part of the contract with every property owner or consumer (the “Water Customer”) supplied with municipal water from the Town of Sturbridge, and every such Water Customer shall be considered as having expressed their consent to be bound thereby. The Water Customer shall complete, execute and file with the Department Public Works (the “DPW”) a “Water Service Application and Contract” form or a “Transfer of Property Ownership” form as applicable.

Property taxes must be current in order to request Town water service.

- 1.2 The Board of Selectmen, in its capacity as Water Commissioners (the “Board”), reserves the right to adjust, at any time, the water rates and fees identified in “Appendix A – Schedule of Water Rates and Fees” (“Appendix A”) which is attached hereto and incorporated herein by reference.

The Board may establish any special rates, amend the Regulations, and/or establish any other reasonable restrictions upon the use of water, with or without prior notice, if it be deemed to be in the best interest of the Town.

Any approved amendments to the Regulations shall be publicly posted at the Town Clerk’s office and on the Town’s website ([www.town.sturbridge.ma.us](http://www.town.sturbridge.ma.us)), however, the responsibility for knowledge thereof rests solely with the Water Customer.

- 1.3 These Regulations shall be strictly enforced by the Town and its authorized agents.

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**ARTICLE 2  
SERVICE APPLICATION AND CONTRACT**

- 2.1 All applications for new water service connections or the use of water must be made in writing on a form provided by the Town and executed by the Water Customer. The application must state truthfully and fully all uses of the water. No other use of the water shall be made without the prior written consent of the Board. A non-refundable new customer and application fee as listed in "Appendix A" shall accompany every application for a new water service connection. The new service must be completed and connected within one-year of approval of the application. Services not completed within one year shall require a new application form and fee.

The new customer and application fee does not apply to a transfer of property ownership on existing services.

- 2.2 The application, once approved by the Board and accepted by the DPW, shall constitute a contract between the Town and the Water Customer, thereby obligating the applicant to comply with the Regulations, and associated rates and charges, as may be amended from time to time.
- 2.3 Applications for service installations will be accepted subject to the existence of a public water main abutting the premises to be served and that is: (a) within a public way, (b) within a way shown on a plan approved under the subdivision control law, or (c) within a private way wherein the Town has an easement for the purpose of maintaining a public water main.
- 2.4 The Water Customer shall be responsible for the payment of all service until the time service is actually disconnected or until five (5) business days have elapsed after actual receipt of notice to discontinue, whichever shall first occur.
- 2.5 All Water Customers must maintain their water pipes and all fixtures in good repair and protected from frost exposure, at their expense, and shall be held liable for all damages resulting from failure to maintain. Water Customers must prevent all unnecessary waste.
- 2.6 No alteration shall be made to any pipe or fixture installed by the Town or Water Department unless expressly authorized by the Town.
- 2.7 Authorized employees or agents of the Water Department or DPW may enter upon the premises of the Water Customer to examine pipes and ascertain the amount of water used.
- 2.8 Water Services Tie-In Charges for  $\frac{3}{4}$ " or 1" Service:

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If the DPW or Water Department installs the pipe and fittings from the main to the curb stop at the property line, a tie-in fee as listed in "Appendix A" shall be paid for by the applicant at the time of application. The Water Customer shall be responsible for all costs associated all work that lies outside of the public highway; which may be installed by a contractor that has been licensed by the Water Department, and with said work supervised and inspected by the Water Department. Such supervision and inspection costs are included in the tie-in charge.

**2.8 Charges for Water Services 1 ¼" through 8" and Sprinklers:**

An application fee for water service as listed in "Appendix A" shall be paid for by the Water Customer at the time of application. The Water Customer shall be responsible for all costs associated with installations under this section.

**2.8.1 This charge applies to 1 ¼" through 2" copper services, 4" 6" and 8" services or sprinklers and under the following provisions:**

- a. No tie-in fee for water main extensions.
- b. All tie-ins to Town owned water mains shall be made by the Town or a licensed contractor at the expense of the applicant and inspected by the DPW or Water Department.
- c. All extensions on proposed Town streets or roads will be installed by the Town or a licensed contractor at the expense of the applicant and inspected by the DPW or Water Department.
- d. Requests for services or extension shall be made in writing, and accompanied by a plan, to the Sturbridge Board of Selectmen and the DPW.
- e. Installations made on private property by others shall be licensed, inspected and approved by the DPW or the Water Department.
- f. Size of service or main extensions and materials used shall be specified by the DPW, a licensed civil P.E., or sprinkler company and may be reviewed by any of the following, as needed, prior to processing of the application:
  - Board of Selectmen,
  - Planning Board,
  - DPW,
  - Water Department,
  - Fire Department, and
  - Building Inspector/Commissioner
- g. As built plans shall be provided by the Water Customer for all work completed prior to sign off for the project by the DPW.

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**ARTICLE 3  
SYSTEM CONNECTION FEE**

- 3.1 As of December 31, 2012, a System Connection Fee shall be imposed on all new water service connections to the water distribution system. The fee shall be in addition to the costs charged by the DPW for tying in a new water service. The System Connection Fee covers the impact on and additional capital costs which will be necessary to allow the Town to be able to meet the demand of additional users. The fees collected will accumulate in a special fund to be used for the purpose of funding capital expansion and improvements to the water system, or other water system specific endeavors.
- 3.2 A minimum System Connection Fee as listed in "Appendix A" shall be required for all new water services beginning December 31, 2012.
- 3.3 The System Connection Fee is based on the diametrical inch of the water line that services the building with domestic, sanitary or process water exclusive of fire protection requirements.
- 3.4 The System Connection Fee shall be paid at the time the water connection is made. The water service will not be activated until the System Connection Fee has been paid.
- 3.5 All water services installed prior to December 31, 2012, but that are incomplete due to lack of a meter, are subject to the System Connection Fee.

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**ARTICLE 4  
SERVICE INSTALLATION**

- 4.1 All service pipes installed in Town ways, which are installed by the DPW or Water Department from the street main to the water service shut off valve (curb stop) are subject to additional charges as listed in "Appendix A". The curb stop shall be installed by the Department as near as possible to the property line running adjacent to the Town owned roadway. The Water Customer will be charged a tapping fee, plus all costs of the service connection including labor, materials, excavating, back-filling, road repairs, police detail for traffic control, if required and other necessary costs, including estimated cost of permanent patching of the road surface after trench settlement. Charges listed in "Appendix A" are applicable.
- 4.2 A Town licensed contractor may install a service pipe in a Town way only with permission of the DPW. Approved contractors must maintain an approved street excavation permit and submit a certificate of liability insurance. Materials, approved by the DPW, shall be furnished by the contractor or owner. Any materials and/or labor furnished by the DPW shall be charged to the Water Customer. The DPW must inspect installation prior to back filling. Charges listed in "Appendix A" are applicable.
- 4.3 The Water Customer must install, or cause to be installed, the remainder of the water service pipe from the curb stop into the house. Materials and labor, approved by the Department, are the responsibility of the Water Customer. All fittings supplied by the DPW or Water Department shall be billed to the Water Customer. The DPW must inspect installation prior to back filling.
- 4.4 The service pipe, from the curb stop to the building (or all pipe beyond the Town property line), is the property and responsibility of the Water Customer.
- 4.5 All service pipes, to the building to be served thereby, shall have a minimum cover of at least five (5) feet of suitable fill and a maximum cover of seven (7) feet of suitable fill unless otherwise approved by the DPW prior to installation.
- 4.6 No service pipes shall be laid in the same trench with gas, electric, phone, sewer pipes or any other facility of a public service company, nor within five feet of any other pipe, open excavation or vault, nor within ten (10) feet of any septic structure or leaching field. In the event water piping is installed below any sewer or septic piping, concrete encasement of the sanitary line shall be installed ten (10') feet in either direction of the actual crossing. Cement should be placed one (1') foot outside the pipe diameter in all directions for the entire twenty (20') foot length.
- 4.7 All non-metallic water service lines and all non-metallic main extensions shall have an approved metal detectable tape, clearly printed with the word "WATER", placed

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at two (2) feet below the finished grade for the entire length of piping if approved by DPW.

- 4.8 In no case will the main be tapped more than once for the same premises except by special permission of the Board of Selectmen, and then only when the entire expense is borne by the Water Customer. In no case shall a tap be installed with less than three (3') feet of clearance from an existing pipe joint, fitting, or other tap unless reviewed and approved by the DPW prior to installation.
- 4.9 No water service shall be installed between December 1 and March 1. Application for water service must be received before November 10 for a service to be installed before December 1, provided that no unforeseen circumstances prevent the Department from doing so.
- 4.10 No water service shall cross an adjacent property in its travel from the street main to the Water Customer's premises without the permission of the adjacent property owner and the DPW and only when there is a deeded utility easement on the property that is being crossed.
- 4.11 New water services are to be activated by the Water Department only. Failure to comply will result in a penalty listed in "Appendix A".



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**ARTICLE 5  
TEMPORARY CONSTRUCTION SERVICES**

- 5.1 Temporary services for construction purposes will be granted only upon execution of a contract and payment of the New Water Customer and Application Fee and Service Installation Fees. There is also a monthly temporary construction service fee required. Please refer to "Appendix A".

All temporary services shall be metered and are subject to sanitary sewer charges if applicable.

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**ARTICLE 6  
METERS AND METER FITTINGS**

- 6.1 The water meter shall be purchased by the Water Customer from the DPW. The DPW and/or Water Department reserve the right to stipulate the size, type and make of meter to be used, as well as the location of the setting and remote reader. The Water Department will purchase meters up to one inch. Any meters over one inch shall be the responsibility of the Water Customer. The Board of Selectmen reserve the right to have any meter inspected at any reasonable time by the DPW, Water Department or Designee and to refuse to furnish water through any meter which, upon inspection, proves to be out of order or inaccurate.
- 6.2 Before final inspection is made and a building to be served by Town water is occupied, the Water Customer must purchase a water meter and have the same inspected and approved by the DPW or Water Department at the expense of the Water Customer. All outstanding real estate taxes and water/sewer fees must be paid current.
- 6.3 The original cost of all meters that are one (1") inch or less shall include any future replacement costs, including price of a replacement meter and labor involved, if properly maintained. Replacement costs for meters over one (1") inch shall be charged to the Water Customer. When possible, the meter will be set just inside the basement wall, in a convenient place to control the entire supply. Where this is impossible or impractical, it may be set at the property line or some other location designated by the Water Department. All expenses in connection with the property housing shall be borne by the Water Customer. The owner shall furnish a safe and convenient location for the meter and shall keep it accessible for reading at all times. Furthermore, the Water Department may require relocation of an existing meter, at the Water Customer's expense, if the Department deems its present location inaccessible. The Water Customer shall protect the meter from freezing and other damage and shall be responsible for damage caused by his failure to do so.
- 6.4 An individual meter shall be required for each separate service connection. Furthermore, all newly constructed condominiums and apartments will be metered individually. Under certain circumstances, at the discretion of the DPW or Water Department, one master meter may be required to service the entire condominium or project.
- 6.5 The Water Customer shall be responsible for the cost of all water that passes through a meter.
- 6.6 The Water Customer shall permit no one, except an employee of the DPW or its authorized agents, to inspect, repair or remove for any purpose, the meter or other fixtures adjacent to the meter, including meter valve and meter connection, that were

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installed by the Department on their premises. The Water Customer shall be charged for all parts and labor for any repairs made by the Department to fixtures adjacent to the meter. The Water Customer shall notify the Department as soon as it comes to his knowledge of any injury to or leakage of the meter or adjacent fixtures or any cessation in registration of the meter.

- 6.7 Any meter damaged through the negligence of the Water Customer, whether from falling objects, freezing, hot water, or otherwise, shall be repaired or replaced by the Department of Public Works or Water Department at the expense of the Water Customer. A Labor fee of regular or overtime costs will apply in addition to replacement costs if applicable.
- 6.8 If a meter becomes out of order and fails to register properly, the Water Customer shall be charged based upon the average daily rate of consumption as determined by historic volume for the same quarterly billing cycle. The Finance Department shall calculate average use from historic data for the same quarterly billing cycle dating back two prior years.
- 6.9 The DPW reserves the right to remove and to test any meter at any time, and to substitute another meter in its place. In the case of a disputed account involving the question as to the accuracy of the meter, such meter will be tested by the Water Department upon request of the applicant. A fee for testing such meter, as specified in Appendix A, will be required for meters one inch and smaller, payable in advance of the test. In the event that the meter so tested is found to have an error in registration in excess of three (3%) percent at any rate of flow within normal test flow limits, to the detriment of the Water Customer, the fee advanced for testing will be refunded and the current bill, based on the last reading of such meter, shall be revised based upon average use from historic data for the same quarterly billing cycle dating back two prior years.
- 6.10 Meters larger than one inch shall be tested and repaired by the meter manufacturer and all costs therefore shall be paid for by the respective Water Customer. Unless otherwise approved by the Director of the DPW, the meter manufacturer shall be engaged by the Town to do testing and repairing meters.
- 6.11 Meters larger than two-inches may, at the DPW Director's discretion, be equipped with a bypass to eliminate the need of shutting off water service, provided that seals installed by the Water Department ensure that water is bypassed only during testing and repair. All bypasses must be padlocked and if tampering is discovered a fine will be levied per Appendix A.
- 6.12 An approved stop valve shall be installed near the outlet of the meter by the Water Customer, at their expense, to permit removal of the meter without back flow from the house pipes.

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- 6.13 If, in the opinion of the DPW, the installation of an approved check-valve on the property, side of a meter, of any Water Customer, is considered necessary for the safety of the water system, such approved check valve shall be immediately installed, at the expense of the Water Customer, after due notice, in writing, has been given to the Water Customer by said Department of Public Works.
- 6.14 The Water Commissioners do not guarantee, but will make every reasonable effort to maintain a positive pressure at all times.
- 6.15 The Town of Sturbridge does not allow secondary or deduction meters.

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**ARTICLE 7  
SERVICE DISCONTINUATION**

- 7.1 The Town may discontinue service for cause including, but not limited to, the following reasons:
- A. Use of water for purposes other than described in the application.
  - B. Misrepresentation in application.
  - C. Molesting Town property or seals on appliances.
  - D. Willful waste of water.
  - E. For vacancy.
  - F. Non-payment of bills when due.
  - G. For cross-connecting the Town service pipe with any other supply source without permission and an approved and tested back flow preventer.
  - H. Refusal of reasonable access to property.
  - I. When the Department considers a service is in danger of freezing.

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**ARTICLE 8  
CONDITIONS OF SERVICE AND LIABILITY**

- 8.1 The DPW does not guarantee positive pressure or uninterrupted service, nor does it assure the customer either a full volume of water or the required pressure per square inch necessary to effectively operate hydraulic elevators, sprinkler systems or other appliances, the same being subject to all the variable conditions that may take place in the use of water from the Town mains. The DEP regulation is 20 PSI at all times.
- 8.2 No Water Customer shall be entitled to damages, or to have payment refunded, for any interruption of supply occasioned by accident to any portion of the works, or by shutting off for the purpose of additions or repairs to the works, or by the stoppage or shortage of supply due to causes beyond the control of the Town.
- 8.3 The DPW reserves the right to shut off the supply of water without notice in case of accident or to make repairs, and in cases of severe drought or short supply to restrict the use of water or shut the water off from all places when in its judgment the supply for the time being can be suspended. Persons having boilers or other appliances on their premises depending on the pressure to the pipes to keep them supplied with water are hereby cautioned against the danger from the sources and are required to provide, at their own expense, suitable safety appliances to protect themselves against such danger. The Town will not be liable for damages to any person, premises, or belongings resulting from the shutting off of the water from any main or service, even in cases when no notice is given, and no deduction from the water rates will be made in consequence.
- 8.4 When it becomes necessary to shut off the water to any section of the Town for the purpose of making changes or repairs, the DPW and/or Water Department will endeavor to give timely notice to as many of the customers affected thereby and will, so far as practical, use its best efforts to prevent inconvenience and damage arising from any such cause. However, failure to give such notice will not render the Town liable for any damages that may result from the shutting off of the water or any coincident conditions.
- 8.5 The Town of Sturbridge, DPW and Water Department assume no liability for conditions which may exist in a Water Customer's pipes and cause trouble coincident, or following, the repairs of any main pipe, meter or other appliance previously installed by the Town.
- 8.6 The Town of Sturbridge, DPW and Water Department assume no liability for damages caused by dirty water or poor water quality.
- 8.7 The Director of the DPW, Water Department manager, or other authorized staff

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shall have the right to enter the premises of Water Customers to inspect the pipes and fixtures; set, repair and exchange meters and/or ascertain the quantity of water use.

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**ARTICLE 9  
SEASONAL SERVICES**

- 9.1 Summer services are defined as water services that serve seasonal homes, where the service and/or meter are in danger of freezing. Upon notice from the Water Customer to the DPW, water service will be activated to seasonal homes on or after April 1, and terminated on or before October 30. Activating the service and installing the meter, or terminating the service and removing the meter, shall be at the sole expense of the Water Customer per the fee schedule in Appendix A.
- 9.2 Water Customers who leave their property for any extended time may notify the Water Department so that provisions for temporary water shut-off at the street can be made. The cost of such shall be borne entirely by the Water Customer in accordance with Appendix A. Water Customers who choose to keep their water service activated shall be assessed the minimum charge for water in accordance with Appendix A regardless of any registered usage. The Water Customer assumes all liability for leaving the water service activated. In addition, any readings on the meter that do register will be billed to the Water Customer regardless of any absence.

**NOTE: The Department of Public Works strongly encourages those residents who will be away for an extended period of time during cold weather, notify the DPW to have the water to their home turned off at the street. Though residents may think it convenient to shut off their water supply in the basement, it's important to note that the exposed pipe entering the residence up to the shut-off valve is very susceptible to freezing, which could result in failure of the valve and penetration/collection of large volumes of water in the home.**



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**ARTICLE 10  
FROZEN WATER SERVICES**

- 10.1 The DPW shall not be responsible for water service freeze-ups on private property. It is the Water Customer's responsibility to thaw frozen pipes under the supervision of the DPW or Water Department. Any materials and/or labor furnished by the Department shall be charged to the Water Customer. Should a Water Customer's pipes freeze, they must immediately notify the Water Department. Customers whose pipes have frozen and are subsequently thawed out are required to leave a faucet running after the pipes have thawed until such time as there is no further danger of freezing. Other user fees (sewer) shall be billed accordingly.
- 10.2 Water Customers must keep their water pipes and fixtures in good repair and protected from frost exposure, at their sole expense, and shall be held liable for all damages resulting from failure to do so. Water Customers must prevent all unnecessary waste of Town water resources.

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**ARTICLE 11  
SERVICE PIPE LEAKS**

- 11.1 Any suspected leakage from service pipes must be reported immediately to the DPW which shall then investigate the leakage report. All leaks, from the street main to the curb stop (Town property) will be repaired by the Department at no expense to the Water Customer. Should the Department determine that there is leakage in the service pipe between the curb stop and the building (private property), the Department will notify the Water Customer of the customer's responsibility to repair the leak, at its own expense. The Department will allow a reasonable amount of time (15 days) for the leak to be repaired, before discontinuance of service, if the leak is not too severe. Any damaged caused by the leak will be the responsibility of the Water Customer. Any repair work must be inspected by the DPW, Water Department or other designee.
- 11.2 Repairs to services greater than one inch shall be initiated immediately or the service shall be shut off until the repair is complete to prevent large volume discharges.

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**ARTICLE 12  
AIR CONDITIONING UNITS**

- 12.1 Air conditioning units with water cooling devices or systems shall be prohibited unless such units are equipped or operated with recirculating water cooling systems or devices. Cross connection compliance and a metered supply are required under this article.

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**ARTICLE 13  
FIRE HYDRANTS**

- 13.1 Water from fire hydrants or other fire protection systems shall be used only for fire protection purposes, except that water from public fire hydrants may be used in a reasonable amount and at such time as the Town may permit for the purpose of testing water flows for fire fighting, testing hydrants and testing fire-fighting apparatus. Such tests are to be conducted only by properly authorized agents or employees of the municipality to be served with the consent of the DPW. A fee, as specified in Appendix A, will be charged for each fire flow test. Water from fire hydrants may be used for special purposes, such as a temporary construction water service, only with the express permission of the DPW or Water Department. Such approval shall be at the sole discretion of the DPW or Water Department and will only be granted when a meter has been installed on the fire hydrant, by the Water Department, prior to the removal of any water. The Fire Chief will be notified of the location and duration of the connection.
- 13.2 Damage to fire hydrants shall be billed to the party causing the damage.
- 13.3 When hydrants are open in case of fire, and water is turned off for accidents, notice must be sent immediately to the DPW and Water Department.
- 13.4 In accordance with Massachusetts General Laws, Chapter 148, section 27B, a fine as shown in Appendix A shall be imposed on any individual that willfully buries a fire hydrant with snow.
- 13.5 No person shall open or use water from any public hydrant without authorization from the DPW, Water Department, or, in the case of fire-related purposes, by the Fire Chief.
- 13.6 No shrubs, trees, flowers or obstacles shall be placed within a ten (10') foot radius of any fire hydrant. If a violation is noted by the DPW or Water Department, the homeowner will be notified in writing to remove such obstacles within 30 days, after which the DPW or Water Department will remove the obstacle and charge the owner all costs related to the removal of such obstacle.

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**ARTICLE 14  
NEW WATER MAIN INSTALLATION**

- 14.1 Owners of new developments approved by the Town of Sturbridge Planning Board shall bear the entire cost of installing new mains or extending existing mains in private ways in said development subject to approval of the Water Commissioners for a connection to the Town's water system. The size of all mains installed by the developer shall be determined by the Town and installed under the supervision of the DPW. In no case shall the size of the main installed by the developer be less than eight inches in diameter. The developer will cause the necessary trenches to be dug in accordance with the requirements of the Director of the DPW. All work must be inspected before being backfilled. The owner shall bear all expense of pressure testing and chlorination of the main prior to the subdivision ways being accepted as a public way by Town Meeting. Upon installation of a water main on a public way the Town assumes immediate ownership, however, the developer is still required to bear all costs of installation, pressure testing and chlorination.

The developer must acquire a street excavation permit from the DPW. To obtain a permit, the developer must utilize a Town-licensed contractor and provide an acceptable certificate of liability insurance prior to commencement of any work. Minimum requirement of liability coverage varies according to contract size (1 million dollar coverage recommended). Furthermore, developers must abide by additional rules, regulations or conditions associated with subdivision Site Plan Review.

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**ARTICLE 15  
CROSS CONNECTIONS**

- 15.1 In accordance with Massachusetts Department of Environmental Protection Cross Connection Regulations (310 CMR 22.22), no person shall maintain, upon premises which they own or occupy, a cross connection between the distribution system of the public water supply, the water of which is being used for drinking, domestic, or culinary purposes, and the distribution system of any unapproved water source, unless the installation has been approved by the appropriate reviewing authority as determined by the DPW Director and permits have been issued.
- 15.2 Any owner of a facility where cross connections are maintained without required backflow prevention devices approved by the reviewing authority, as determined by the DPW Director, will receive a notice of non-compliance with corrective action to be taken. Failure to take corrective action within fifteen (15) days of issuance of the notice will result in a penalty as specified in Appendix A per each calendar day for each violation for as long as the violation(s) continue. Failure to take corrective action within the next fifteen (15) days will result in a termination of service. Compliance will not be considered until all assessed penalties have been paid.
- 15.3 The DPW reserves the right to terminate any water service connection immediately to any facility where cross connections are maintained without required backflow prevention devices approved by the reviewing authority as determined by the DPW Director.

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**ARTICLE 16  
BOOSTER PUMPS**

- 16.1 Booster pumps are permitted in residences only with the express permission of the DPW or Water Department. All booster pumps must be purchased, installed and maintained by the Water Customer at its sole expense.
- 16.2 No building or structure shall be connected to the Town water distribution system if the ground elevation is above 750 feet USGS sea level datum unless a booster pump and tank are installed per paragraph 16.1.
- 16.3 No building or structure shall be connected to the Town water distribution system if the ground elevation is above 785 feet USGS sea level datum.
- 16.4 No building shall be connected if the elevation is below flood stage of 576 feet USGS sea level datum unless the connection falls outside of a flood zone.
- 16.5 All booster pump applications must be inspected by Water Department personnel prior to being put into service. An inspection fee will apply per Appendix A.

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**ARTICLE 17  
PENALTIES**

- 17.1 Bills are due and payable within 30 days of issue. Late payments are subject to a \$10.00 demand charge. Interest will be charged at 14% per annum on any payment not received by the Finance Department by the due date. Postmarks are not accepted. Non-payment of charges may result in termination of water service. A lien will be placed on the following year's real estate tax bill when water and sewer charges are unpaid. No more than \$5.00 in coins will be accepted as part of any payment.
- 17.2 Whoever opens a hydrant, removes the caps therefrom, tampers with gate valves or valve boxes, removes or tampers with a meter, makes any connection with the main or service pipes, or turns off, or on, the water without permission of the DPW shall be liable for any penalties as allowed by law.
- 17.3 Any person who shall violate any provisions of these Rules and Regulations shall be liable for penalties as specified Appendix A.



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**ARTICLE 18  
APPEALS PROCESS**

**18.1 First Appeal:**

In the event a Water Customer wishes to appeal the water usage or fees applied to the account, the customer shall request a reread from the Finance Department by letter, phone or email. The request must be made within thirty (30) days of the issue date of the bill. The Town will then review the account and, in the event of an error, will adjust the bill as needed and issue a corrected bill, or, will advise the customer that the bill shall remain due and payable as issued. The Town will issue its response within five business days from the date of first appeal.

Customers that fail to request an appeal within thirty (30) days of the date of the bill shall waive any right to further administrative appeal.

**18.2 Second Appeal:**

If the Water Customer is not satisfied with the Town's response under paragraph 18.1, the customer may submit a written appeal to the Town Administrator (via email or correspondence) within fifteen (15) days of the Town's response under paragraph 18.1.

The second appeal consists of a review of the account by the Town Administrator, Finance Director and DPW Director who will issue a determination to the customer by majority vote.

Customers that fail to request an appeal within fifteen (15) days of the Town's response under paragraph 18.1 shall waive any right to further administrative appeal.

**18.3 Final Appeal:**

If the Water Customer is not satisfied with the Town's response under paragraph 18.2, the customer may submit a written appeal to the Board of Selectmen, acting in its capacity as Water Commissioners (via email or correspondence), within fifteen (15) days of the Town's response under paragraph 18.2. The customer will then be placed on the next available Board of Selectmen meeting agenda. The Board of Selectmen shall render its decision by majority vote and is the final appeal.

Customers that fail to request an appeal within fifteen (15) days of the Town's response under paragraph 18.2 shall waive any right to Board of Selectmen appeal.

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**ARTICLE 19  
WATER RATES AND CHARGES**

- 19.1 Water and sewer bills are billed quarterly and generally issued as follows:
- January, February, and March usage – Billed in the month of April
  - April, May, and June usage – Billed in the month of July
  - July, August, and September usage – Billed in the month of October
  - October, November and December usage – Billed in the month of January
- 19.2 Bills are due and payable within 30 days of issue. Late payments are subject to a \$10.00 demand charge. Interest will be charged at 14% per annum on any payment not received by the Finance Department by the due date. Postmarks are not accepted. Non-payment of charges may result in termination of water service. A lien will be placed on the following year's real estate tax bill when water and sewer charges are unpaid. No more than \$5.00 in coins will be accepted as part of any payment.
- 19.3 Water service is based on actual metered use. (Note: sewer customer charges are based upon metered water use.). The meters are read and maintained by the Water Division of the Department of Public Works and billing is managed by the Finance Department. The current rates can be found in Appendix A.
- 19.4 If a meter is not read during a regular quarterly reading period, an estimated bill will be mailed to the Water Customer, based on the same quarterly billing cycle dating back two prior years. Adjustments of the bill will be made only after an actual meter reading has been taken.
- 19.5 Bills for service will be rendered only to property owners of record and they will be responsible for the payment of the bill when due. Water Customers must notify the Finance Department prior to sale of their property so that the meter can be read and a final bill prepared. A fee, based upon either 24- or 48-hour notice, as specified in Appendix A shall be charged for a final meter reading.
- 19.6 All claims for adjustments of water bills shall be made in accordance with Section 18 of these Regulations.
- 19.7 All monies due to the Department of Public Works shall be made payable to the Town of Sturbridge and tendered to the DPW. Payment of all bills for water usage fees shall be made payable to the Town of Sturbridge and tendered to the Finance Department.
- 19.8 In accordance with the provisions of General Laws, Chapter 40, Sections 42A through 42F, a water charge is a lien on the Real Estate.

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**ARTICLE 20**  
**MASS DEP/TOWN OF STURBRIDGE WATER BAN COMPLIANCE**

- 20.1 To meet the WATER MANAGEMENT ACT PERMIT # 9P2-2-09-287 01 (Quinebaug River Basin) issued by MA DEP, the Sturbridge Water Department has been required by MassDEP to enter into a MANDATORY WATER BAN when the Quinebaug river flow rate at the USGS Quinebaug River Gauge Station near Southbridge #01123600 falls below 87 cubic feet per second (cfs) for three consecutive days May 1st through June 30th and 37 cfs July 1st through September 30th. When and if the flow rate falls below the trigger conditions, the following water use restrictions will be in effect and will be enforced to comply with the town's Water Management Act permit issued by MassDEP. Once implemented, the restrictions shall remain in place until stream flow at the gauge meets or exceeds the trigger stream flow for seven (7) consecutive days. You can view this flow rate and historical data online at [www.mass.gov/dep/water/drinking/swapreps](http://www.mass.gov/dep/water/drinking/swapreps). The Water Department will set up signs on Rt. 20, Rt. 131 and major entrances into town when the water ban is in effect to notify town residents.
- 20.2 These rules apply annually from May 1<sup>st</sup> until September 30<sup>th</sup>.
- 20.3 Non-essential outside water use is not allowed, except that sprinklers may be used for lawn watering outside of the hours of 9 AM to 5 PM one (1) day a week. Non-essential water use is defined as water use that is not required: A. for health or safety reasons, B. by regulation, C. for production of food and fiber, D. for the maintenance of livestock, or E. to meet core functions of a business. Examples of non-essential use are irrigation of lawns, washing of exterior buildings surfaces, parking lots, driveways or sidewalks unless it is to apply paint, preservatives, stucco, pavement or cement. Acceptable outside examples are irrigation to establish a new lawn during the months of May and September, irrigation for production of food and fiber or the maintenance of livestock, irrigation by plant nurseries as necessary to maintain stock. The irrigation of public parks and recreational fields shall follow the same restrictions.
- 20.4 Lawn sprinklers are very popular, and many people have installed underground automatic systems. While this can be positive, it can also create serious problems if not installed properly. Any landscaping company will tell you that the best time to water your lawn is in the early morning or during the evening. Watering your lawn during the day wastes water due to the evaporation that occurs. Some experts say that as much as 50% of the water will evaporate before it soaks into the ground on a hot sunny day. Please cooperate with these rules.
- 20.5 From time to time, as deemed necessary by the Sturbridge DPW and Water Department, the town may voluntarily impose bans regulating the use of water in an effort to reduce the need for a DEP imposed ban. Such bans may restrict the use of all out-

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side water or limit use to odd/even numbered services where odd numbered services may water lawns on odd numbered days and even numbered services may water lawns on even numbered days. There shall be no lawn watering between 8AM and 5PM.

**20.6 VIOLATIONS:**

Violators will be subject to the following:

1st offense: written warning with a list of rules on the warning

2nd offense: 50.00 dollar fine

3rd offense: 250.00 dollar fine

4th offense: 750.00 dollar fine

Subsequent offenses: 750.00 dollar fine for each offense and possible court action

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**APPENDIX A  
SCHEDULE OF WATER RATES AND CHARGES**

**WATER USE RATE**

**ALL WATER CUSTOMERS:** On April 6, 2015, the Sturbridge Board of Selectmen, acting in its capacity as Water and Sewer Commissioners voted the following water rates for accounts effective for the quarter ending June 30, 2015. Water meters shall be read, and customers shall be billed, on a quarterly basis as detailed in Article 19.

Administrative Costs and Minimum Water Charge:       \$69.30 per quarter

Water Rate:   \$ 6.93 / 100 c.f.

**OTHER CHARGES AND FEES**

1.	New customer and application fee	\$325.00
2.	System Connection Fee (Town Roads Only)	
	A) Installed by applicant:	
	¾" service	\$450.00
	1" service	\$450.00
	1 ½" service	\$600.00
	2" service	\$1,200.00
	B) Installed by Town:	
	¾" service	\$3,500.00
	1" service	\$4,000.00
	1 ½" service	\$5,000.00
	2" service	\$6,000.00
3.	Tapping fees:	
	A) Installed by applicant:	
	¾" service	\$100.00
	1" service	\$100.00
	1 ½" service	\$125.00
	2" service	\$150.00
	B) Installed by Town:	
	¾" service	\$350.00
	1" service	\$350.00
	1 ½" service	\$400.00
	2" service	\$500.00

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4.	Temporary construction service (per month)	\$50.00
5.	Meter inspection/test	\$75.00
6.	Hydrant flow test (flow equipment not included)	\$100.00
7.	Penalty for burying fire hydrant with snow	
	A) 1 <sup>st</sup> Offense	\$100.00
	B) 2 <sup>nd</sup> Offense & thereafter	\$250.00
8.	Penalty for cross connection violation (minimum per day)	\$25.00
9.	Final meter reading for property transfer	
	A) 48-hour Notice	\$50.00
	B) 24-hour Notice	\$100.00
10.	Unless otherwise specified, Penalties for violations of rules and regulations (each offense)	\$200.00
11.	Water Service Activation/Deactivation	
	A) Activation	\$50.00
	B) Deactivation	\$100.00
12.	Summer Service turn-on & install meter/turn-off & remove meter	\$75.00
13.	Sprinkler service connection fee (Town roads only)	
	A) Installed by applicant:	
	6" line or less (meter fee not included)	\$500.00
	6" line or over (meter fee not included)	\$750.00
	B) Installed by Town:	
	6" line or less (meter fee not included)	\$9,000.00
	6" line or over (meter fee not included)	\$15,000.00
14.	Penalty for unauthorized water service activation	\$100.00
15.	Penalty for bypass or meter tampering	\$500.00
16.	Booster pump inspection (per inspection)	\$50.00
17.	Annual Water Installer's License	\$100.00

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