

# **Rules and Regulations**

## **Westford Water Department**

**60 Forge Village Road  
Westford, MA 01886  
Phone 978-692-5529  
Fax 978-692-5530**

Operated under Section 42-A to 42-F inclusive, of Chapter 40 of Massachusetts General Laws

### **RULES AND REGULATIONS**

Approved at the October 5, 1993 Water Commissioners meeting, effective January 1, 1994  
Section F.4 approved May 19, 1998 Water Commissioners meeting, effective July 1, 1998  
Approved at the March 16, 2005 Water Commissioners meeting, effective March 16, 2005  
Approved at the November 16, 2005 Water Commissioners meeting, effective November 16, 2005.  
Section F Amended and Approved January 17, 2007 Water Commissioners meeting, effective January 17, 2007  
Section F Amended and Approved May 7, 2008 Water Commissioners meeting, effective May 7, 2008  
Approved at the April 4, 2012 Water Commissioners meeting, effective June 30, 2012

### **APPENDIX 1. SCHEDULE OF WATER RATES AND CHARGES**

Approved at the October 5, 1993 Water Commissioners meeting, effective January 1, 1994  
Approved at the November 15, 2000 Water Commissioners meeting, effective January 1, 2001  
Approved at the June 22, 2005 Water Commissioners meeting, effective September 1, 2005  
Approved at the December 5, 2007 Water Commissioners meeting, effective January 1, 2008  
Approved at the June 4, 2008 Water Commissioners meeting, effective July 1, 2008  
Approved March 18, 2009 Water Commissioners meeting, effective July 1, 2009  
Approved November 18, 2009 Water Commissioners meeting, effective November 18, 2009  
Approved at the April 4, 2012 Water Commissioners meeting, effective June 30, 2012

### **APPENDIX 2. SCHEDULE OF SERVICE RATES AND CHARGES**

Approved at the May 19, 1998 Water Commissioners meeting, effective July 1, 1998  
Approved at the November 15, 2000 Water Commissioners meeting, effective January 1, 2001  
Approved at the June 22, 2005 Water Commissioners meeting, effective September 1, 2005  
Approved at the November 16, 2005 Water Commissioners meeting, effective November 16, 2005.  
Approved June 18, 2008 Water Commissioners meeting, effective July 1, 2008  
Approved at the April 4, 2012 Water Commissioners meeting, effective June 30, 2012  
Approved at the November 18, 2021 Water Commissioners meeting, effective January 1, 2022

### **APPENDIX 3. SCHEDULE OF SYSTEM DEVELOPMENT CHARGES**

Approved at the October 5, 1993 Water Commissioners meeting, effective January 1, 1994  
Approved at the May 19, 1998 Water Commissioners meeting, effective July 1, 1998  
Approved at the February 3, 1999 Water Commissioners meeting, effective April 1, 1999  
Approved at the November 15, 2000 Water Commissioners meeting, effective January 1, 2001  
Approved at the June 18, 2008 Water Commissioners meeting, effective July 1, 2008  
Approved at the April 4, 2012 Water Commissioners meeting, effective June 30, 2012

**The following Rules and Regulations are a part of the contract with every person who takes water and govern the relations between the Water Department and its Customers and Contractors/Developers who install water systems. Where applicable, 310 CMR 22 and MassDEP Guidelines for Public Water Systems must be observed.**

*All prior and existing rules and regulations are hereby rescinded and these rules and regulations substituted in place thereof except that where notice has already been given, or steps taken to enforce the payment of overdue water bills; the Water Department shall continue to have the right to proceed with such enforcement under the terms and conditions of the rules and regulations then in effect.*

## **A. DEFINITIONS**

1. **Customer:** Any individual, firm, or corporation who uses the water service of the Town of Westford Water Department (Water Department).
2. **Water Service Connection Agreement:** A contract signed by the Water Superintendent and developer stating conditions required for connection to the Water Department system prior to the developer being allowed to make the connection.
3. **Customer Service Charge:** The customer service charges listed in Appendix 1 are based on the fact that there are various costs to the Water Department to service customers, whether or not a metered customer uses any water. The customer service charge does not include a charge for water usage. The charge is based on expenses for meter maintenance, meter reading, meter replacement, meter testing, billing, collection, and administrative expenses. Each metered customer on the system is responsible for paying a share of these expenses. A customer service charge per quarter shall be billed for each service account.
4. **Expanded Service:**
  - a. **Residential:** Any increase in the number of living units to be served from an existing connection or service line that results in an increase in the size of the water service line and/or water meter.
  - b. **Non-Residential:** Any increase in the number of non-residential units to be served from an existing connection or service line that results in an increase of the size of the water service line/and or water meter; or any increase in the size of the water service line and/or water meter.
5. **Fire Line:** The pipe serving a fire suppression system. The charge for the fire line is based on the size of the pipe as it enters the building. The point of entry is typically at the foundation wall, or up through the floor. Refer to the Quarterly Fire Protection Rates in Appendix 1 for applicable charges.
6. **Main:** The supply pipe from which service connections are made.

7. **Owner:** The individual, firm, or corporation whose name the Water Department has on its books as the party who has applied for water service, and whose name appears on the current assessor's records.
8. **Service:** A separate household of one or more people, stores, garages, laundries, irrigation systems, manufacturing establishments, or, that which, in the opinion of the Water Commissioners, constitutes a service.

All new or expanded residential customers, including multi-family living units, apartments, and condominiums shall be charged residential usage rates and a system development charge based on the number of living units. Any other service is defined as non-residential.

9. **Service Line:** The pipe running from the main to the water meter which shall include the water meter and all valves, fittings, devices, and appurtenances along the service line.
10. **System Development Charge (SDC):** A charge that reflects the prior investment made by existing customers. The basis for a buy-in method SDC is that new customers will be charged for capacity based on the value of available capacity in the existing system. Refer to Appendix 3 for the Schedule of SDCs.

## **B. METERS**

1. All water services shall be metered and where there is more than one occupant on the premises, the meter rates and Rules and Regulations of the Water Department shall apply to each. In all cases, the owner of the property supplied shall be held responsible for all charges associated with the service, including that of all occupants.
2. There shall be a meter for every service and no person shall attach or cause to be attached, a pipe to a metered service line or main for the purpose of furnishing water to a non-metered building, except with the written consent of the Water Commissioners. Anyone violating this rule will be fined in accordance with Section E9 of these Rules and Regulations for each violation.
3. The Water Department will furnish, install, seal, and maintain all meters and remote readers. The owner will provide a readily accessible, adequate and proper space or housing, heated if necessary, to protect same from freezing. All metering equipment is the property of the Water Department. An estimate of the cost will be provided by the Water Department for materials and labor prior to installation. All new service connection meters will be paid for by the owner. Subsequent meter replacements will be the responsibility of the Water Department. However, the cost of repair or replacement of seals, meters or remote readers, damaged by freezing, neglect, tampering, or vandalism shall be paid by the owner.
4. Meters, readers, and tamper evident devices may not be removed or replaced except by or under the supervision of Water Department personnel.

5. The Water Department is not responsible for leaks on the customer's/owner's side of the meter or the owner's premises. Water that passes through a meter is considered to be consumed.
6. The accuracy of meters on any premise may be tested by the Water Department upon written request of the customer/owner, who shall pay in advance a fee (see Appendix 2) to cover the cost of the test. If the meter is found to be registering outside of industry standards, the meter will be repaired or replaced, the fee will be refunded, and the water bill for the current period will be adjusted accordingly.
7. Based on industry recommendations, 5/8" meters will be replaced every 15 years, or as the Water Department deems necessary.
8. The Westford Water Department utilizes industry standards to determine the frequency that different sizes and types of water meters are tested. When the test results are outside of the acceptable limits, the meters are repaired or replaced. Below is a summary of the testing frequency and acceptance standards for commonly used large capacity water meters. Meter testing/replacement requirements defined in the individual Water Service Connection Agreement will supersede the below requirements.

Meter Testing Frequency (per AWWA Standards C700-09, C701-07, and C702-10) for meters greater than 5/8":

Positive Displacement Meters

1 inch	6 years
1.5 inch	4 years
2 inch	4 years

Positive displacement meters under normal flow rate limits as specified in AWWA C700-09 Table I shall register not less than 98.5% and not more than 101.5% of the water actually passed through it.

Compound Meters

2 inch	4 years
3 inch	3 years
4 inch	2 years

Class II compound meters under normal flow rate limits as specified in AWWA C702-10 Table I shall register not less than 98.5% and not more than 101.5% of the water actually passed through it, except in the registration of flow rates within the changeover from bypass meter to main meter.

Turbine Meters

2 inch	3 years
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3 inch	2 years
4 inch	1 year

Class II turbine meters under normal flow rate limits as specified in AWWA C701-07 Table I shall register not less than 98.5% and not more than 101.5% of the water actually passed through it.

9. Agents or representatives of the Water Department may enter the premises of the customer/owner at all times for the purpose of reading, testing or replacing meters, inspecting or examining pipes, fixtures or attachments.
10. The owner must notify the Water Department in writing if the building is vacant and it is desired to shut off the water. The owner will be responsible for a shut off charge and an activation charge if the service is reactivated. The owner will also be charged a customer service charge as long as the meter remains in place (regardless of whether the water is turned off).
11. If a meter fails to register or is determined to be out of order, the customer/owner will be charged at the average daily consumption as shown by the meter when in order for the corresponding period of two years preceding.
12. For those customers/owners having outside recorders, the Water Department may periodically read the inside meter to verify the accuracy of the outside recorder. In the case of a discrepancy between the two readings, the inside meter reading will be considered the true reading, and the customer's/owner's bill will be adjusted accordingly.

### **C. SERVICE CONNECTIONS**

1. Service connection installations shall be made under the direction of the Water Department. Service connection installations of up to and including 2" lines are performed by the Water Department, and charged at the Service Rates in Appendix 2. The Water Department shall furnish, install and/or supervise the installation of all service lines from the street main to the inside basement wall, or such other point on the owner's premises as the owner shall designate, and a suitable and secure place shall be provided for the water meter. Service connection installations using lines greater than 2" are supervised by the Water Department, and charged at the Service Rates in Appendix 2. The contractor is responsible for trenching and backfilling for any new service installation. The Water Department will only provide trench excavation services in the event of an emergency repair to the service connection at the Service Rates listed in Appendix 2. No dwelling, or other building or structure shall be connected by any service line, nor shall any person otherwise use water supplied by the town, without the consent of the Water Department. Any person violating this section is subject to prosecution under the provisions of Chapter 165, Section 11 of the Massachusetts General Laws.
2. Request for new water service connections or for expanded service shall be made by the owner or his agent on application forms provided for that purpose.

- a. Applications must be filed at least two (2) weeks prior to the installation of the service line being performed along with the Application Fee listed in Appendix 2.
  - b. The minimum service connection charge listed in Appendix 2 applies to both water service connections and expanded service. Any difference in the actual cost and the minimum service connection charge will be billed to the owner. An additional charge will be required for service lines greater than 1" and meters greater than 5/8". The Water Service Connection Agreement supersedes this section.
  - c. The applicant shall pay the full amount of the SDC listed in Appendix 3 with the application for a new or expanded service. The time of payment may be superseded by the Water Service Connection Agreement.
  - d. For subdivisions or projects, the applicant may pay the applicable SDC for each phase separately.
3. In the event of an emergency, existing service connection repairs or replacements will require an estimated cost. The Water Department will provide a written contract estimate for repair or replacement, which will be signed by the Water Superintendent and owner prior to beginning work. The actual cost will be billed to the owner.
  4. Contractors requesting the temporary use of metered hydrants must fill out an application. The Hydrant Meter/Backflow Device Deposit listed in Appendix 2 will be required before meter installation. The deposit covers the cost of the meter and backflow protection device and will be held until the meter and backflow prevention device are returned; the water usage will be charged separately. An Application Fee, as listed in Appendix 2, will also be charged separately at the time of the application.
  5. Landscapers, contractors or businesses requesting to fill tank vehicles at the Water Department's 60 Forge Village Road facility will be charged a Flat Hydrant Fee, as listed in Appendix 2, per quarter, which must be initially paid at the time of application. An account will be established and billed quarterly until the applicant informs the Water Department that water is no longer being used and the bill is paid. An Application Fee, as listed in Appendix 2, will also be charged separately at the time of the application. This Flat Hydrant Fee is not applicable to tanker trucks with volumes greater than 2500 gallons, which will instead be charged the Non-Residential Quarterly Metered 3-Step Water Rates, as listed in Appendix 1.
  6. The Water Department will not allow the water to be turned on to any new service unless all charges and fees due the Water Department have been paid.
  7. The Water Department, in no way, assumes any responsibility for frozen service lines. Necessary thawing of lines and/or repairs is the responsibility of the owner.

8. The Water Department, in no way, assumes any responsibility for lawns, sprinkler systems, or replacement of shrubs damaged in the performance of any service work. The Water Department will not perform loaming or seeding.
9. The customer/owner shall not permit unauthorized persons to have access to, or interfere with a water meter and shall provide for its safe-keeping. Failure to comply will result in discontinuance of service. The owner shall maintain in good condition all outside service lines and fittings from the street main through the meter and shall protect same from freezing. Necessary repairs to meters and outside lines from the street main, including complete service replacement, are the responsibility of the owner. The owner has the option to hire an outside contractor with Water Department supervision at applicable rates or have the Water Department perform the service repairs at applicable rates.
10. When a leak occurs on a service line (including the meter), the owner is responsible for making arrangements for repairs immediately. Failure to immediately resolve the leak may result in shut off of water service.
11. No other source of water shall be connected to any pipe of the Water Department.
  - a. The Commissioners shall enact such Cross Connection Program and Regulations as are necessary to protect the public potable water supply served by the Water Department and to promote the elimination or control of existing cross connections between its customers; and to provide for maintenance of a continuing program of cross connection control which will effectively prevent the contamination or pollution of all potable water systems by cross connection.
  - b. In addition to control of each cross-connection, the Water Department requires that all service connections have a Water Department-approved device installed at the meter in order to prevent introduction of contaminants or pollution from the service into the public water supply by backflow or back siphonage. This Total Containment Policy serves to provide additional protection for the public water system by isolating each facility from the distribution system.
  - c. All new residential construction will be required to install a check valve at the meter.
  - d. No person shall maintain upon premises which they own or occupy, a physical cross-connection between the distribution system of the Water Department and any other water supply.
  - e. The Water Department shall have the authority to terminate any water source to any facility where cross-connections are maintained without required backflow prevention devices, which have been approved by the Water Department.

## **D. NON LIABILITY**

1. The Water Department does not guarantee constant pressure or uninterrupted service, nor does it assure the customer more than 20 pounds of pressure, nor does it assure the customer either a full volume of water or the required pressure per square inch 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 Water Department distribution system.
2. No customer/owner shall be entitled to damages, or to have payment refunded, for any interruptions of supply occasioned either 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 Water Department, such as excessive drought, excessive use of and waste of water by other customers, or by leaks or defects in the pipes or appliances owned by said customer/owner, or the Water Department.
3. The Water Department will not be responsible for damages caused by water resulting from the opening or closing of any gate valve, the use of any hydrant, the breaking of any pipe, or any other situation that may affect aesthetic water quality.
4. The Water Department assumes no liability for conditions, which exist in the customer's/owner's pipes and which cause trouble coincident to or following the repairs of any main line or service line, meter or other appurtenance belonging to the Water Department.
5. The Water Department reserves the right at any time without notice to shut off the water in the mains for purpose of making repairs, extensions or for any other necessary purposes. Persons having boilers or other appliances on their premises that depend on pressure in the pipes to keep them supplied with water, are hereby CAUTIONED against danger from these sources, and are required to provide, at their own expense, suitable safety appliances to protect themselves against such danger. In any event, it is expressly stipulated that the Water Department will not be liable for any damage resulting from water having been cut off, either through accident or necessity.
6. The Water Department will endeavor to give due notice to as many of the customers affected as time and character of the work permit whenever it may be necessary to shut off the supply from any section of the system to make repairs or changes or because of broken mains and will, as far as practical, use every effort to prevent damage or inconvenience; however, failure to give such notice will not involve the Water Department in any responsibility or liability for damage arising from any subsequent actions or conditions.

## **E. GENERAL**



1. No new service or water main extension that requires road openings will be permitted between November 15<sup>th</sup> and April 15<sup>th</sup> except in such cases as the Water Department deems an emergency.
2. The Water Commissioners have the right to restrict the use of water during dry seasons or any other emergencies. Section 169.7 (Regulation of Use) under Town of Westford Massachusetts General Bylaws details the authority, purpose, definitions, declaration of state of water conservation, the water uses, public notification, termination, state of emergency, penalties and severability provisions of the Westford Water Department.
3. Drought Management Plan procedures are established to provide staged water conservation restrictions to meet Westford's permit limits. These procedures may also be used in times of drought. The triggers implementing water restrictions are based on the declared drought status by the Massachusetts Emergency Management Agency and/or Westford's permitted withdrawal limit registered with the Massachusetts Department of Environmental Protection (MassDEP). The trigger may be adjusted based on future changes to Westford's permitted withdrawal limit or other reasons deemed appropriate by the Water Department.

Water restrictions will be lifted or reduced to a lower stage when the state reduces the drought declaration status and/or daily withdrawal returns to levels below the trigger.

Water restrictions are not effective until the public is notified. Notices will remain posted until restrictions are lifted or changed. When restrictions are lifted or reduced to a lower stage, the public and MassDEP will be notified in the same manner used to declare the existing restrictions. Notifications shall be given in the same manner required by Section 169.7.F (Regulation of Use – Public Notification of a State of Water Supply Conservation; Notification to DEP) under Town of Westford Massachusetts General Bylaws. Each conservation stage and allowable water usage is described below. Public notification methods are not limited to the ones noted below.

All irrigation systems should be fitted with an appropriate rain sensor that shuts off the system during precipitation.

4. **Non-essential outdoor water usage shall mean those that are not required:**

- For health or safety reasons
- By regulation
- For the production of food and fiber
- For the maintenance of livestock
- To meet the core functions of a business

**Non-essential outdoor water usage subject to mandatory restrictions includes:**

- Irrigation of lawns using sprinklers or automated irrigation systems
- Filling of swimming pools, washing of exterior building surfaces, parking lots, driveways, or sidewalks, except as necessary to apply paint, preservatives, stucco, pavement, or cement

- Washing of vehicles
- Any other use deemed non-essential by the Water Department

**5. Stage I (Voluntary Odd/Even With Time Restrictions):**

**Voluntary Restrictions (May 1 – October 31):**

Odd/Even Outdoor Watering with Time Restrictions: customers are requested to voluntarily minimize outdoor water usage by complying with an odd/even schedule. Those with odd numbered addresses should restrict outdoor watering to odd numbered days, and even numbered addresses to even numbered days. Outdoor watering should not be performed between 9 am and 6 pm.

Customers are requested to fill swimming pools before June 1<sup>st</sup>.

**Public Notification Methods:**

Place voluntary conservation signs at well-traveled locations throughout town.

Notify customers in Consumer Confidence Report.

Post notices in Town Hall, Public Library, and on the Water Department website.

Send copy of notification to MassDEP at the same time the public is notified.

**Enforcement:**

Since this stage is voluntary no official enforcement measures are necessary. If the Water Department is notified that the policy is not being followed, a reminder may be sent to the appropriate party as a request to adhere to the voluntary odd/even with time restrictions watering schedule.

**6. Stage II (Mandatory Odd/Even With Time Restrictions):**

**Mandatory Restrictions:**

Odd/Even Outdoor Watering Using Automatic Sprinklers: customers must restrict non-essential outdoor water usage by complying with an odd/even schedule. Those with odd numbered addresses must restrict outdoor watering to odd numbered days, and even numbered addresses to even numbered days. Outdoor watering is prohibited between 9 am and 6 pm.

The filling of swimming pools is prohibited.

Use of a hand-held hose with an automatic shut-off or watering can is not subject to this restriction.

**Public Notification Methods:**

Broadcast notice on local cable channel and periodically thereafter.

Post notices in Town Hall, Public Library, and on the Water Department website.

Print notice in local newspaper at time restriction takes effect.

Use any means reasonably calculated to reach and inform all customers of the Water Conservation Stage.

Send copy of notification to MassDEP at the same time the public is notified.

**Enforcement:**

Failure to comply with the mandatory restrictions identified under Stage II is subject to a fine of \$50 for the first violation and \$100 for each subsequent violation. Each day of violation shall constitute a separate offense. Fines are issued pursuant to section 169.7.I (Regulation of Use - Penalties) under Town of Westford Massachusetts General Bylaws.

7. **Stage III (Emergency):**

**Mandatory Restrictions:**

**ALL OUTDOOR NON-ESSENTIAL WATER USE IS PROHIBITED**

**Public Notification Methods:**

Broadcast notice on local cable channel and periodically thereafter.

Post notices in Town Hall, Public Library, and on the Water Department website.

Print notice in local newspaper at time restriction takes effect.

Use any means reasonably calculated to reach and inform all customers of the Water Conservation Stage.

Send copy of notification to MassDEP at the same time the public is notified.

**Enforcement:**

Failure to comply with the mandatory restrictions identified under Stage III is subject to a fine of \$50 for the first violation and \$100 for each subsequent violation. Each day of violation shall constitute a separate offense. Fines are issued pursuant to section 169.7.I (Regulation of Use - Penalties) under Town of Westford Massachusetts General Bylaws.

8. **Exceptions:**

The following outdoor water use is subject to review and approval by the Westford Water Department through its Water Commissioners or their designee (Water Superintendent):

- Irrigation of newly planted or replanted lawns (seeded or sodded) during the months of May through October.

A letter of approval from the Water Superintendent granting approval and providing conditions to irrigate for the above purposes is required during a water conservation restriction period. It is the responsibility of the customer/owner to request this permission.

9. No persons shall turn on or off, or tamper with water meters, water mains, valves, hydrants or any other device used for water supply, or install a bypass around a meter without first procuring a written permit to do so from the Water Superintendent. Any persons violating said section shall be fined triple the amount of damages sustained thereby or \$1,000, whichever is greater - for each offense, which shall inure to the Water Department or be recovered by indictment or on complaint before the District Court. Every day that such violation continues shall constitute a separate offense. This section shall not curtail the Fire Department or Water Department in the normal course of providing fire protection or water supply.

10. No representative of the Water Department has the authority to change or modify said rules, and the Water Department will not recognize or be bound by any claimed change or modification hereof. The Rules and Regulations of the Water Department shall form a part of the contract with every customer/owner. The Water Commissioners reserve the right to change or amend these Rules and Regulations and to make additions thereto or exceptions there from, at any time without advance notice, and to establish and assess penalties for violations, including the right to suspend water service.
11. The Water Department, at the rates listed in Appendix 2, must supervise any construction performed by an outside contractor on any water infrastructure.
12. Service Activation Procedures. Water will be turned on only after all of the following conditions are met:
  - a. Inspection fees for water line extension (if applicable) have been paid in full;
  - b. System Development Charge has been paid in full;
  - c. Application Fee and Minimum Service Connection Charge have been paid in full;
  - d. A backflow survey has been completed and any identified hazards have been satisfactorily resolved; and
  - e. A Water Service Connection Agreement (if applicable) has been signed by the Water Superintendent and the owner.

If a new water service is needed for construction purposes, then a temporary hydrant account can be established.

13. A water service may be shut off after five (5) days written notice, if the customer/owner does not comply with these Rules and Regulations. A cost of shutting off and turning on the service is included in Appendix 2.
14. Where two or more customers are supplied on the same premises, the water may be shut off for failure of a customer to comply with the billing Rules and Regulations even though one or more of the customers have made settlement for his share of the total amount due.
15. Shut off procedures
  - a. Accounts over 45 days old will be issued overdue balance notice letters informing the customer to make arrangements to pay their balance to avoid having their service shut off. In addition the notice informs the customer that payment plans are available and they should call the Water Department to arrange an appointment.

- b. After follow-up calls have been made to the account and the customer still fails to make arrangements to go on a payment plan or make full payment, then a Shut Off letter will be issued.
- c. A Shut Off Letter is sent to the account to notify the customer that they have 5 - 8 days to pay their bill or make arrangements for a payment plan or their water will be shut off. The amount of time they have until the shut off will depend on when the letter is mailed so that the shut offs are scheduled during the beginning of the week in order to avoid weekend shut offs.
- d. Three days before the shut off, a Shut Off Notice tag will be placed on the customer's door indicating that the water will be shut off within 72 hours.
- e. Once the water is shut off, an email along with the attached Shut Off Letter will be sent to the Director of Environmental Services for the Town of Westford Health Department.
- f. Once the water supply is shut off, notification is made to the Westford Board of Health as a lack of potable water constitutes a violation of the MA State Sanitary Housing Code regulations and it is a condition deemed to endanger or impair health or safety and is in need of immediate correction within 24 hours (see 105 CMR 410.750(E)).

16. Eligibility requirements for water shut off protection (refer to the current Department of Public Utilities Financial Hardship Guidelines):

- a. Households with a financial hardship where someone has an illness which requires a doctor's statement about the illness
- b. Households with a financial hardship and a child under 1 year of age
- c. During the winter months (November 15 through March 15), any household with a financial hardship that would be without heat if the utility service was shut off
- d. Households in which everyone is age 65 or older, whether or not there is financial hardship (according to state guidelines)
- e. A tenant whose landlord is responsible for utilities but does not pay the bills

## **F. SUBDIVISIONS AND PROJECTS**

All subdivisions and projects must be in compliance with 310 CMR 22 and MassDEP Guidelines for Public Water Systems. The Water Department establishes the following in order to insure the safe and reliable operation of the water system:

- 1. In all Subdivisions and Projects approved by the Westford Planning Board and/or Zoning Board of Appeals the developer shall furnish and install, as specified by the

Water Commissioners, all water pipes, gates, hydrants, service connections, and necessary fittings to make a complete system.

2. Procedures for connections to the water system made in Subdivisions and Projects will be performed in accordance with the Rules and Regulations of the Westford Planning Board, those of the Water Department, and the MassDEP. See material and installation specifications on file at the Water Department office.
3. Three (3) sets of complete plans, three (3) sets of specifications, and one (1) set of design data shall be furnished to the Water Department for approval (refer to Section F15 for acceptable formats). Upon approval, one (1) set of plans and specifications will be marked, approved, signed, and returned to the developer. If additional copies are required for submission to the MassDEP or other agencies, they must be submitted at this time.
4. Steps in the Water Department Approval Process.
  - a. If the project is expected to use greater than 5,000 or more gallons per day (on maximum daily usage), a Water System Impact Study Report must be completed (refer to section F5).
  - b. After receipt of the plans, and the results of the Water System Impact Study are reviewed, the Water Department requirements are submitted to the Westford Planning Board and the developer.
  - c. The Water Service Connection Agreement is drafted and signed.
  - d. The Water Commissioners must vote to approve the Water Service Connection Agreement.
5. The developer of a Subdivision or Project shall submit a concept plan with sufficient information so that the Water Department can generate a Water System Impact Study Report. This report shall:
  - a. Define the plan's impact on the town's current/future water demand and existing water supply system, and
  - b. Stipulate conditions that the developer shall meet to mitigate the effects of this impact.

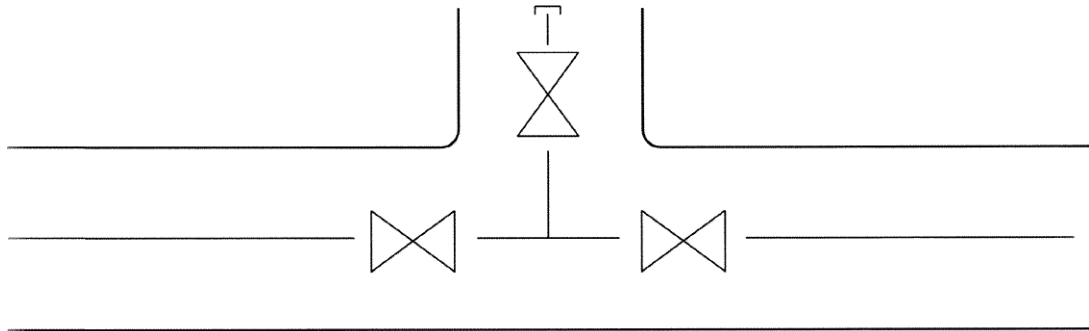
This report is to be prepared by a qualified professional engineer, selected by the Water Department, and registered under the laws of the Commonwealth of Massachusetts. Costs associated with generating the Water System Impact Study Report shall be borne by the developer. The Water Commissioners shall require the developer to submit a deposit to cover the cost of the Water System Impact Study. Any unexpended funds shall be returned to the developer upon satisfactory completion of the Water System Impact Study.

The Water Commissioners will review this report, aided if necessary by a consultant it may elect to employ. The developer shall pay this cost. The Water Commissioners will make a final decision based on its review of the above as to whether or not to grant permission for the proposed connection.

If the Water System Impact Study is greater than three years old, major changes to the project are made, or there is a change of ownership - it must be updated accordingly and re-submitted to the Water Commissioners for approval.

6. A Water Service Connection Agreement stating conditions required for the connection and conveyance of title of water infrastructure and appurtenances to the Westford Water Department must be agreed upon and signed by the Water Superintendent and the developer. Water Connection Agreement approvals are subject to a vote by the Water Commissioners.
7. Before laying water pipe, the roadway must be brought up to the rough grade elevation.
8. Any water main extension must be extended, at a minimum, to the middle of the lot frontage, and must have a means for flushing (hydrant).
9. Easements for water main extensions may be used at the Water Department's discretion and Water Commissioners' approval.
10. For any Subdivision, Project or extension: when a water main is extended for water service, the Water Department will provide the labor and materials to install the water service connection from the main to the property line as defined by the minimum service connection charge in Appendix 2. The developer is responsible for trenching, backfilling, and patching.
11. When a water main is extended, it is a requirement that provisions for future expansion are left at each intersection that is passed. For example, a three-way intersection will have three isolation gates and a cap for the future use leg(s). Refer to Diagram F1.
  - a. Isolation gates are to be installed every 800 feet of water main extension.
  - b. Fire hydrants are to be installed every 500 feet of water main extension.

**Diagram F1**

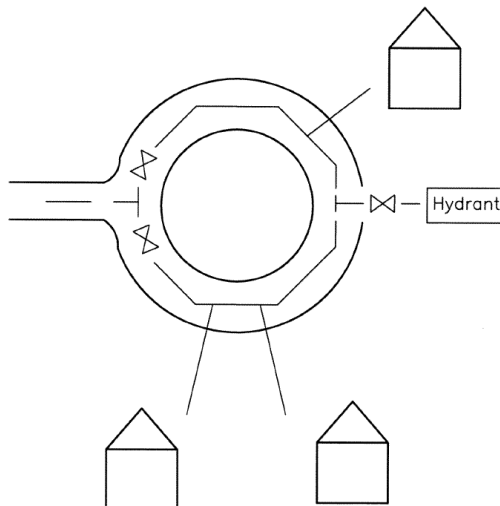


 **Isolation gate**

 **Cap**

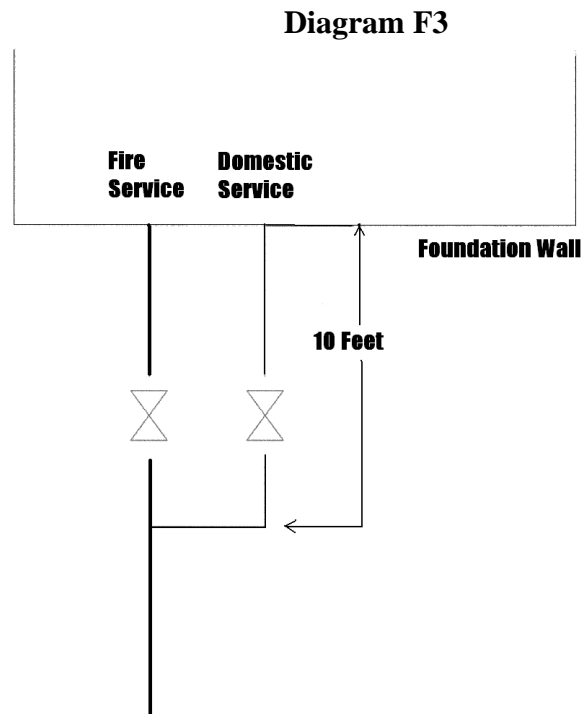
12. Water line extensions are to be looped whenever possible, to avoid dead ends. There are to be two isolation gates at the connection point for flushing and isolation. There is to be a hydrant with a 6 inch isolation gate. At the discretion of the Water Superintendent, other projects may require an isolation gate approximately halfway through the project. Refer to Diagram F2.

**Diagram F2**





13. In situations where a combined fire and domestic service line is to supply a building, the service line is to be split approximately 10 feet outside the foundation wall, and be provided with separate shut off gates/valves. Refer to Diagram F3.



14. As-Built drawings shall be in accordance with the standards established by the Water Department and shall show complete details of the installation of the main and appurtenances as required by the Water Department, including but not limited to:
- a. The location of the main with respect to property lines,
  - b. The size, make, and location with respect to street corners of all valves and fire hydrants, manholes, and clean outs,
  - c. The limits and location of any and all special encasements or backfill materials including average depth of cover at such location,
  - d. A detailed diagram of all special installations at utility, drainage, and roadway crossings,
  - e. Location of other utilities encountered,
  - f. Flow line and rim elevation for all manholes,
  - g. Certified final estimate for water lines,

- h. Size and material of main, and
  - i. Location and size of easements
15. The developer shall provide the Water Department with full size, reduced, and digital copies of the final set of as-built plans within 90 days of completed installation. The digital copy of approved as-built plans must follow the five requirements listed below:
- a. All plans and specifications must be submitted on electronic media (CD or DVD\_ROM using an IBM-PC or compatible file format). Acceptable file formats include: AutoCAD \*.dwg, AutoCAD \*.dxf, ArcView \*.shp, or ArcGIS Geodatabase \*.mdb. A PDF must also be provided on electronic media (CD or DVD\_ROM). The files must be identical to the printed plan and contain all information included on the written plan. Upon project completion, a digital submission of the as-built plan is required prior to receiving a Certificate of Completion from the Building Department.
  - b. All digital mapping data must be delivered in the Massachusetts State Plane Coordinate system with a horizontal datum of NAD83 and vertical datum of NGVD88.
  - c. Each feature type must be organized in the CAD or GIS data structure as a separate layer using logical layer names. For example, there must be separate CAD layers for buildings, roads, parcel lines, and wetlands. Having all these features in a single CAD layer or GIS file will not be accepted.
  - d. Documentation of the data format must be provided with a description of the CAD layers and list of the types of features placed in each layer. Submission of multiple files must also include a list of the files and their purpose.
  - e. The data submitted must include documentation on the method used to gather the data, the name of the person(s) responsible for preparing the data, contact information, an estimation of the horizontal and vertical accuracy, and the date of data capture. All media shall be free from any and all defects and viruses, and labeled as to their contents.
16. All water main extensions must follow the most current Water Department Master Plan guidelines.

## **G. RATES AND CHARGES**

1. Water meters are read and accounts are billed quarterly. All customers will be charged at least the customer service charge with no exceptions made for seasonal or temporary discontinuance of water service.
2. The Water Superintendent or authorized agent shall be empowered by the Water Commissioners to confer with the owner or his agent to establish the number of facilities for which the customer service charge shall be made.

3. All bills are due and payable within thirty (30) days and overdue bills are subject to an interest charge of fourteen percent (14%) per annum. Water may be shut off for non-payment of bills or disregard of rules, and before water is turned back on, the delinquent bill, plus any additional service charges for turning water off and on, must be paid. Unpaid water bills will result in a lien on real estate, and collections by the Town of Westford on committed accounts will be paid to the Water Department through the sale of the property. (Section 42A to 42F inclusive of Chapter 40 of the Massachusetts General Laws).
4. The current water rates are available in Appendix 1.
5. For a single family home, the customer service charge will be based on the water meter size listed in Appendix 1. For a multi-unit residential building the customer service charge will be based on the 5/8" water meter size rate listed in Appendix 1 multiplied by the number of units (regardless of actual meter size). For a non-residential building the customer service charge is based on the water meter size listed in Appendix 1.
6. For a single family home, the water usage rate is based on the Residential Quarterly Metered 3-Step Water Rates listed in Appendix 1. For a multi-living unit residential building, the water usage rate is based on the Residential Quarterly Metered 3-Step Water Rates listed in Appendix 1 multiplied by the number of living units. For a non-residential building, the water usage rate is based on the Non-Residential Quarterly Metered 3-Step Water Rates listed in Appendix 1.
7. Multi-unit non-residential accounts will only be supplied with a master meter – or each individual unit must have a separate metered service line. Bills for all units will be mailed to the owner of the building.
8. Real Estate Transfer and Final Reading Fees: When an owner is selling or transferring ownership of a property, a final reading will be required. A final water bill including the Final Reading Fee listed in Appendix 2 will be billed to the seller at the time of the closing. A Transfer Fee listed in Appendix 2 will be charged to the buyer at the time of closing to cover the costs of transferring the account into their name.
9. Quarterly Fire Protection Rates: These rates are based on the size of the fire line coming through the wall of the building.
10. Fire Flow Test: This test is performed to determine if there is sufficient flow for building fire protection, or to determine building fire protection specifications. This test is performed on request of fire protection engineers, developers, or insurance companies. The test can only be performed when the temperature is above 35 degrees F, must be started at 10:00 pm, and requires two Water Department staff. Refer to Appendix 2 for the rate.
11. For System Development Charges, refer to Appendix 3.

12. The owner must notify the Water Department's billing office for change of ownership or billing address changes.
13. The owner of a residential property must notify the Water Department's billing office of any changes that result in an increase in the number of living units to be served from an existing connection.
14. The Water Commissioners reserve the right to change the water rates and charges, and/or establish special rates and System Development Charges.

**Appendix 1**  
**Westford Water Department**  
**Schedule of Water Rates and Charges**  
**Effective June 30, 2012**

**CUSTOMER SERVICE CHARGE**

Meter Size	Rate
5/8"	\$19.28
1"	\$28.09
1 1/2"	\$33.67
2"	\$48.99
3"	\$161.83
4"	\$203.63

**RESIDENTIAL QUARTERLY METERED 3-STEP WATER RATES (all meter sizes)**

1 <sup>st</sup> Step	1 to 2,500 cubic feet	\$4.19 per 100 cubic feet
2 <sup>nd</sup> Step	2,501 to 10,000 cubic feet	\$5.60 per 100 cubic feet
3 <sup>rd</sup> Step	>10,000 cubic feet	\$7.64 per 100 cubic feet

**NON-RESIDENTIAL QUARTERLY METERED 3-STEP WATER RATES (all meter sizes)**

1 <sup>st</sup> Step	1 to 2,500 cubic feet	\$6.03 per 100 cubic feet
2 <sup>nd</sup> Step	2,501 to 10,000 cubic feet	\$6.47 per 100 cubic feet
3 <sup>rd</sup> Step	>10,000 cubic feet	\$6.85 per 100 cubic feet

**QUARTERLY FIRE PROTECTION RATES**

Size Serviced by	Rate
Up to 2" Line	\$14.00
4" Line	\$82.00
6" Line	\$237.00
8" Line	\$503.00
10" Line	\$905.00
12" Line	\$1,461.00

**Appendix 2**  
**Schedule of Service Rates and Charges**  
**Effective June 30, 2012**

<b>SERVICE RATES</b>	<b>Rate</b>
First Hour (Minimum Charge)	\$50
Each ½ Hour Thereafter	\$25
After Normal Working Hours Hourly Rate	\$75
Equipment (Backhoe) per hour	\$75

**INTEREST CHARGE ON OVERDUE BALANCE**  
To Be Assessed After 30 Days 14.00% Per Annum

<b>OTHER CHARGES</b>	<b>Rate</b>
Meter Test	\$75
Service Activation/Shut Off	\$50/\$50
Fire Flow Test	\$600
Transfer Fee	\$25
Final Reading Fee	\$25
Backflow Device Test	\$80
Insufficient Funds Fee	\$25
Hydrant Meter/Backflow Device Deposit	\$3,000
Flat Hydrant Fee	\$237
Application Fee	\$50

**Minimum Service Connection Charge: Minimum \$1100**

The Minimum Service Charge includes labor and materials needed to physically connect the main to the water meter (includes the water meter). The following quantity, sizes of materials, and hours of labor are included in the minimum service connection charge; installations that require increased quantity, larger size, or additional labor will be assessed an additional charge.

75 Feet	1" Plastic Tubing
75 Feet	4" PVC Sleeve
7 Hours	Labor
Quantity of 1	1" Inserts (Sleeves)
Quantity of 1	1" Corporation Stop
Quantity of 1	1" Curb Stop
Quantity of 1	1" Curb Stop Extension
Quantity of 1	1" Curb Box
Quantity of 1	1" Angle Valve & Handle
Quantity of 1	3/4" Meter Single Check Valve
Quantity of 1	5/8" Meter with Radio Interface

**Appendix 3**  
**Westford Water Department**  
**Schedule of System Development Charges (SDC)**  
**Effective June 30, 2012**

The purpose of a System Development Charge (SDC) is to collect an equivalent portion of the cost of the present water system from new water customers or customers expanding service. An SDC will be charged to any residential or non-residential customer that expands existing facilities, increases water usage, or increases the size of a meter or service line. Any property adding one or more new apartments or residential units, such as converting a two-apartment structure to more apartments will also be charged an SDC for the new residential units or apartments.

Any non-residential customer/owner that expands facilities requiring a larger meter shall be charged an SDC equal to the amount for the newer larger size meter at the current SDC less the amount that would be charged for the current size meter at the current SDC. A non-residential customer/owner that decreases the size of the water meter serving the property will not be entitled to any refund; however the property will be allowed to increase the size of the meter to the original size with no additional charge.

**Residential Customers:**

All new or expanded residential customers/owners, including multi-family living units, apartments and condominiums shall be charged a system development charge based on the number of living units. Charges shall be at the following amounts:

Each Single family detached unit: \$2,450  
Each attached residential unit: \$1,715

Any club house, irrigation system, laundry or other building or accessory connection within a multi-family residential complex shall be assessed a system development charge based on non-residential rates.

**Non-Residential Customers and Connections:**

All new or expanded non-residential connections shall be charged a system development charge based on the size of the water meter(s) serving the property with water.

Meter Size	Charge
5/8"	\$2,450
3/4"	\$3,680
1"	\$6,130
1 1/2 "	\$12,250
2"	\$19,600
3"	\$39,200

Any meter over 3" shall be charged a system development charge based on the estimated peak daily demand expressed in thousand gallons per day times \$4,860.

