

**Water Supply District of Acton
693 Massachusetts Avenue
PO Box 953
Acton, Massachusetts 01720
978-263-9107 actonwater.com**

Rules, Regulations and Rates

The following Rules, Regulations and Rates, in addition to the applicable provisions of Massachusetts law, shall be considered a part of the Contract with every person using or seeking to use the water and binding on all water takers.

INTRODUCTION

All requests for water services may be made by application (see last page for application) of the property owner or designee to the Water Supply District of Acton (hereinafter referred to as the "District").

No person will connect, or cause to be connected, any service pipe with the main or any distributing pipes or appurtenances, except by order of the Water Commissioners made on such application for new or temporary service or alteration to an existing service. Wherever practicable, water mains will be installed on the public way.

Demand Charges, Mitigation Fees, Costs and Service fees for new installation are shown in Appendix A1 and are subject to change by vote of the Water Commissioners.

Article I

The Commissioners will regulate the use of water in such manner as they deem to be in the best interest of the District, fix and collect prices and rates for the use thereof, and prescribe the time and manner of the payment of such prices and rates. The Commissioners will have exclusive charge and control of the District water system, subject to all by-laws, and subject to such instructions as the District may from time to time impose by its vote, and by the requirements set by the state and federal government

Except for an emergency supply of water to interconnected municipal water systems, notwithstanding any existing or future water service connection, no water service shall be provided for the use of any city, town or municipality, except for the Town of Acton, without a vote of the Commissioners and after a finding that such provision of water is beneficial to the District and in the best interest of the District and the Town of Acton.

Installation

New Service

Demand Charges are payable at the time of application. District approval is required for all service installations and alterations. No work associated with the water system will be allowed unless a completed application has been submitted and all conditions of approval have been satisfied. Pipe size, materials and type of any installation will be determined by the District.

Costs of installation service and meter based on time and materials will be charged to the applicant separate of the Demand Charge. All fees and costs for new service installations must be paid for by the applicant, and as-built record drawings annotating exact location of installed infrastructure will be submitted before water will be turned on to any development, dwelling or commercial/industrial building as applicable.

The District will have an inspector on sites where new water main and necessary fittings are installed in new developments, private roads, business and commercial sites. The Water District may charge \$50/hour, or any amount deemed appropriate by the Water Commissioners to be paid to the Water District by the owner, contractor or developer. All materials used will meet the specifications of the District.

Any new water service or fire line from the water main to a dwelling, building or structure will be in a separate, underground trench. No other utility will be in the same trench unless the District determines that the conditions prevent a separate trench. In such cases, a suitable plan prepared by a registered Professional Engineer will be submitted to the District and Dig Safe for approval to insure safety and accessibility for repair, replacement or inspection of the lines located in the same trench. The District reserves the right to deny an application if the placement of water utility components do not meet these conditions. Any replacement of a water service to an existing structure will require

existing service to be turned off and disconnected at the water main, and new water service to be up to current specification.

All new service connections to the District must meet minimum water efficiency requirements. This applies to new construction, change in use, or previously constructed buildings wishing to connect to the District. The minimum efficiency requirements shall be reviewed with the Environmental Manager at the time of application or for larger development projects during the project review period. Current requirements are included as Appendix A-3.

Any project that requires an extension of or addition to the water piping system will be required to meet minimum water efficiency requirements, and if greater than one single-family dwelling, provide to the District a *Water Impact Report* acceptable to the District. This report will contain the following: 1) estimated impact of the project on the District's average, daily and annual water demand; 2) impact of the project on the District's existing supply system including the effect on water flow speed and direction through the water mains proximate to the new service line and on maintenance of adequate fire flow; 3) impact of the project on the District's compliance with the state Water Management Act withdrawal permit compliance; and 4) conditions and water conservation measures that will mitigate the effect of the project's demand impact (applicants should request from the District a list of possible mitigation measures).

A mitigation fee, as referenced in Appendix A-1, will be charged for any project that has a proposed increase in water use from its current use in excess of 200 gallons per day, for projects connecting to the District that were previously connected to another Public Water System, or projects that extend the existing distribution system. Mitigation fees may be waived after review of the Water Impact Report.

The report will be reviewed and approved by the Water Commissioners or their designee. Costs associated with generating the report will be the responsibility of the applicant. The District may submit a copy of this report to the Planning Department and Building Inspector.

As a baseline, guidelines for the Water Impact Report are included in Appendix (A-2). However, the District reserves the right to require more comprehensive information on the impact of any connection.

Cross-Connections

Any water supply attached to the District system may be required to install, at the service entrance and immediately downstream of the meter, a Reduced Pressure (RP) Back Flow Device. A survey of the property will determine the need for said device and the District Manager will make the determination of the needs for the device. The device must be approved by the District, and all costs will be paid by the owner/s, and or the person/s to which the bills are so assigned. All cross-connections must be made pursuant to the District's cross-connection control program.

Permanent Outside Irrigation Systems

Upon application to the District, permanent outside irrigation systems may be installed only in conformance with following regulations:

1. All such irrigation systems, connected to the public water supply, must be equipped with a timing device that can be set to make the system conform to the District's odd/even outdoor watering and other use restrictions.
2. All such irrigation systems must be equipped with some type of moisture sensing device that will prevent the system from starting automatically when not needed.
3. All irrigation systems must be installed with an approved backflow prevention device and must be inspected initially by the plumbing inspector and may be inspected periodically after that by District.
4. Installed systems must be designed and maintained to prevent water waste. Any system found to be creating runoff from landscaped areas, over spraying onto buildings or non-landscape areas, pooling or puddling must be adjusted to efficiently irrigate the planted areas.
5. Any person who now has, or who intends to install, an automatic lawn watering system must notify the District office of the existence of said system or of their intention to install a new system prior to the actual installation. All systems, those currently in existence, as well as any installed in the future, must comply with all the Rules and Regulations.
6. The District may order any system not in conformance with the above criteria to be disconnected from the public water supply system.

Article II

Operations

Periodic inspection of service pipes to the meter may be made by the District personnel. When equipment is found defective, all payment for the necessary repairs between the curb-stop and the meter will be assessed to the property owner; this includes service leaks and line freeze-ups. Any leaks on private ways are entirely the responsibility of the homeowner or homeowners' association, as applicable. In the case of meter pits, any repairs on private property from the meter pit or property line to the residence or building served are the responsibility of the owner.

Persons allowing their meter to be damaged by frost or otherwise will be held responsible for replacement costs.

The District will keep meters periodically upgraded.

All apparatus and all places supplied with water must be accessible at all reasonable times for inspection by the District.

Any alteration made to any service within the District or any change in meter location may only be made by the District or under its direction.
Any change in meter location will be made under the direction of the District.

The fire department will have control of the hydrants in case of fires and for necessary practice. In no other case will any persons be allowed to handle hydrants or other waste apparatus without express permission of the District.

No water taker will be allowed to supply water to others, except by special permit from the Board of Water Commissioners, and anyone found doing so without a permit will be subject to shut off.

Article III

Conditions of Use of Service and Provision of Water

All water flowing through and recorded by the water meter is billable.

The District will not in any way, nor under any circumstances, be held liable or responsible to any person or persons for any loss or damage from any excess or deficiency in the pressure, volume or supply of water, due to any cause whatsoever. The District will undertake to use all reasonable care and diligence to avoid interruptions and fluctuations in the service, but cannot and does not guarantee that such will not occur.

The District will not be responsible for damages caused by discolored water resulting from natural causes or caused by the opening or closing of any gates, making repairs, the use of hydrants, or the breaking of any supply lines or any other reasons.

The District will endeavor to give due notice to as many of the consumers affected as time and character, of the work permit whenever it may be necessary to shut off the supply from any section of the District to make repairs or changes or because of broken main, and will as far as practicable, use every effort to prevent damage or inconvenience; but failure to give such notice will not involve the District in any responsibility or liability for damage arising from the shutting off of any supply or any subsequent conditions arising therefrom.

The District reserves the right at any time without notice to shut off the water supply for purpose of making repairs, extensions, or other reasons, and all consumers having boilers or other appliances on their premises are hereby warned against danger of collapse from these sources and are urged to provide safety devices for their own protection. In any event the District expressly stipulates that there shall be no liability for damages resulting therefrom.

The District will not assume any liability for conditions in the consumer's plumbing or appliances which may be the cause of trouble, coincident with, or following repairs made to any part for the supply system by the District or natural wear and tear as result of use of the water.

Article IV

Termination of Water Service

Property owners should notify the District to shut off water if their building (or buildings) become(s) vacant. Water will be turned on again when the owner notifies the District, and upon the payment of twenty-five dollars for turn-on per building.

The District reserves the right to shut off water for the purpose of making alterations or repairs.

A water service may be shut off from any customer for non-compliance with the Rules and Regulations, for non-payment of the water rates and for any violation of Massachusetts General Laws relating to water supply. When water has been shut off because of disregard of rules or non-payment of rates it will be turned on again when the District is satisfied that there will be no further cause of complaint and on the payment of twenty-five dollars.

With the approval of the Department of Environmental Protection or pursuant to its directive G.L. c. 40, sec. 41A, the District reserves the right to restrict the use of water in case of emergency in any manner deemed appropriate.

Article V

Administration of Fees and Fines

All District charges on accounts must be paid in full within 30 days of the billing date. The water may be turned off with proper notice when bills for water remain unpaid for 15 days after they become due, 30 days from the date of issue. Interest will accrue at a rate and in the manner allowed by law.

Owners of the real property supplied with water will be held responsible for the water bills of their tenants. Unpaid water bills are a lien on real estate, and collections may be made on the sale of the property. G.L.c.40, sec. 42A.

Any person violating any order restricting water use imposed by the District or by mandate of any state or federal regulatory authority will be fined not more than \$200.00 for each offense, which will inure to the District for such uses as the commissioners may direct. Fines will be recovered by the indictment or on a complaint before the District

Court, or by non-criminal disposition in accordance with G.L. c. 20, sec. 21D. Every day that such violation continues constitutes a separate offense.

If a meter is out of order and fails to register, the consumer will be charged at the average daily consumption as shown by the meter when in order. An average will be taken of the last three (3) corresponding readings.

Any and all penalties for violations of these regulations or arrearages for non-payment of water rates or charges may be collected as authorized by law in a civil action. Insufficient fund checks will be charged as provided by G.L. c.44, sec. 69, and these Rules and Regulations.

As an equitable share to each water taker, a Debt Fee comprised of the total debt (in excess of 1 year) divided by the total number of units shall be assessed to each account. This will be billed as a separate charge on the water bill.

Mitigation fees shall be kept in a separate account to be used for compliance with the Water Management Act permit requirements, new source development costs, water conservation and efficiency programs, and other projects that are associated with managing water use.

Article VI

Prohibited Uses

Any person who shall remove, change, alter or willfully damage or injure any water meter, accessory or any water apparatus will be liable for all repair costs and other damages as determined by the District.

No person will turn on or tamper with a water main or hydrant or other device used for water supply. Any person violating said section will be fined not more than \$1,000.00 for each offense, which will inure to the District or recovered by indictment or on complaint before the District Court or by non-criminal disposition in accordance with Section 21D of Chapter 40 of the Massachusetts General Laws, every day that such violation continues will constitute a separate offense. This section will not curtail the fire department or District in the normal course of providing fire protection or water supply.

Article VII

Protection of the Public Water Supply

Service pipes or fixtures of any description that are connected to the District's water mains will not under any circumstances be connected with any other sources of water supply.

No person may connect to the District's water system between the curb-stop and the water meter except by order and direction of the District.

Acton Water District Regulations for Volatile Organic Chemicals (VOCs)

In order to ensure that the District provides the highest quality drinking water possible, the Acton Water District has enacted stringent regulations to limit the amount of Volatile Organic Chemicals (VOCs) in water delivered from all our wells. Although the Safe Drinking Water Act and 310 CMR 22.00 (Massachusetts Drinking Water Regulations) have established maximum contaminant levels (MCLs) for these chemicals, we feel confident that we can consistently provide water that is virtually free of VOCs.

This regulation has two parts, adoption of Action Levels (ALs), and adoption of a timeline and set of procedure that we will follow should any VOC exceed an AL for a specified period of time; both parts of this regulation would be substantially more protective of public health than those required by either the State or EPA.

Acton Water District VOC Action Levels

For all regulated VOCs (the 22 types that have MCLs specified by Massachusetts DEP or EPA) the District has set an Action Level of one part per billion (ppb) and a total of five parts per billion for a total of all VOCs. These 22 VOCs currently have MCLs that range from 2 ppb to 10,000 ppb, depending upon their health effects. The methodology for VOC analysis requires detection levels of 0.5 ppb or less, so any certified laboratory could accurately report a level of 1 ppb.

If at any time the DEP or EPA sets a new MCL for any VOC, that VOC would automatically fall under these regulations. If at any time the DEP or EPA sets an MCL for a VOC that is lower than 1 ppb, the more stringent standard will prevail and become a revised standard for the Acton Water District.

The detection of any VOC at or above state or federal MCLs would require the Acton Water District to follow, in addition to these regulations, all applicable requirements of 310 CMR 22.00.

Action Level Detection: Follow Up Procedures

If at any time *one* of the attached VOCs is detected at or above 1 ppb or above 5 ppb for a total of *all* VOCs, the District will conduct follow-up testing within 10 days of receipt of original results to confirm the test results. If the follow-up testing results are confirmed to be greater than 1 ppb, the data will be presented at the next Water Commissioner's meeting. Unless the Commissioners decide that immediate action is warranted, the District will continue to monitor the well for three additional quarters. If the testing result at the end of the three quarters period is greater than the Action Level, the District shall develop a Plan of Action.

Action Level Exceedance: Follow-Up Procedures

Development of Draft Plan of Action

Within 30 days of discovering an Action Level exceedance, the Water District will develop a draft plan of action that includes:

1. Detailed list of all detections of VOCs for the source(s) in question
2. Anticipated and possible health effects
3. Plans to investigate source of VOCs
4. If multiple VOCs present, anticipated interactive effects
5. Source of VOCs, if known
6. Remediation options with estimated costs/timeframes of each option
7. Recommended option/timeframes, with rationale for recommendation

Development of Final Plan of Action

The draft plan will be presented at a special (publicized) Water Commissioner's Meeting where input from registered town voters will be solicited. A copy will be sent to the Board of Health. The plan will then be finalized within 30 days of receipt of comments, and described in the District's next *Water Words*, in a *Beacon* article, and posted on the District's web site.

Article VIII

RATE STRUCTURE

The District will confer with the owner to establish the number of residential units, measured by a given meter, to which the following rate structure will apply. The break points of the inclining block rate structure will then be multiplied by the number of units to determine the appropriate charges.

An interim meter read for the use of property transfers will be subject to a \$50.00 fee.

Water rates, demand charges, rental fees, hydrants and sprinklers and other charges imposed by the District will be determined by vote of the Commissioners at a regular or special meeting of the Commissioners.

**Water Rates and Demand Charges
RATES AND DEMAND CHARGES**

Appendix (A-1) WATER

The following inclining block rate structure was adopted effective October 2019. Meters will be read in March, June, September and December and water bills will be mailed as soon as reading is complete. A quarterly service charge of \$15.00 per unit and a Debt Fee of \$57.00 per unit will be applied to all accounts.

Current Rates Per Unit		
	Summer	Winter
Service Charge	\$15.00	\$15.00
Debt Fee	\$57.00	\$57.00
Between 0 and 300 cubic feet (cf)	0.000	0.000
If Greater than 300:		
All Usage up to 1500 cf	0.045	0.037
Between 1501 cf and 3000 cf	0.056	0.048
Between 3001 cf and 4500 cf	0.067	0.059
Between 4501 cf and 6000 cf	0.078	0.070
Greater than 6000 cf	0.089	0.081
Municipal	0.048	0.048

Demand charge schedule is set forth as follows:

PIPE SIZE	DEMAND CHARGE (\$)
1 inch	7,400.00
1 1/2 inch	22,975.00
2 inch	45,934.00
3 inch	125,950.00
4 inch	281,535.00
6 inch	837,200.00
Multi-dwelling (per apt. or each living unit)	3,550.00

SPRINKLER DEMAND

CHARGES (\$)

Buildings up to 20,000 square feet	1,000.00
Buildings between 20,000 and 40,000 square feet	2,000.00
Buildings between 40,000 and 60,000 square feet	3,000.00
Buildings between 60,000 and 80,000 square feet	4,000.00
Buildings over 80,000 square feet	5,000.00

Mitigation Fee is \$5 per gallon of projected use.

Miscellaneous Charges

Labor @ \$45.00 Per Hour
Labor @ \$70.00 Per Hour Nights & Weekends
Compressor @ \$50.00 Per Hour
Backhoe @ \$125.00 Per Hour
Backhoe @ \$150.00 Per Hour Nights & Weekends
Inspector @ \$50.00 Per Hour

Appendix (A-2) Water Impact Report Guidance

Per Acton Water District *Rules and Regulations*, any person applying for water use requiring an extension of or addition to the water piping system or service for more than one single-family dwelling must provide a Water Impact Report to the Acton Water District, for approval by the Board of Water Commissioners.

This report must include the following:

- Project name, applicant, and contact information
- Number of dwelling units (i.e. two single family homes, 12 rental apartments, 2 duplexes, etc.)
- Estimated project start/end dates including dates for any project phases, if applicable
- Estimated average day water demand and maximum day demand, description of method used to develop demand projections
- Expected impact of the project of the District's existing supply system, including effect on water flow speed and direction through water mains proximate to the new service or services, maintenance of adequate fire flows and impact of the project on the District's Water Management Act Withdrawal Permit compliance.
- Conditions and water conservation measures that will mitigate the effect of the project's impact (see menu below for suggestions.)

Possible water conservation techniques for new developments/upgraded services that fall under Water Impact Report regulation.

Outdoor Conservation Action	Est. water savings/yr for avg. 4 person household
Natural Lawn and landscape (no supplemental irrigation)	81,600 gallons*
Utilize captured rainwater for irrigation needs	Depends
Drip irrigation only	Depends
Maximum total turf area of 4,000 sq. ft. (approx. 1/10 acre)	48,960 gallons*
Minimum 6 inches 10% organic soil added to landscaped/turf areas	Depends
Fix all outdoor leaks (does not apply to new developments)	Depends
Use pool cover	400 gallons
Devices to increase efficiency of irrigation system	Depends
Indoor Conservation Action	
Replace all old toilets with ultra-low flow toilets (1.6 gpf) (does not apply to new developments)	Depends
Horizontal axis washing machines	7,300 gallons
Use EPA Water Sense Labeled Fixtures (new development)	Depends
Use high efficiency spray nozzles and dishwashers	Depends
Low flow aerators (1.2 gpm) on all faucets (does not apply to new developments)	5,200
All showerheads flow-restricted (2.5 gpm) (does not apply to new developments)	4,000 gallons
Fix all leaks (does not apply to new developments)	Depends

* Assumed baseline: ¼ acre irrigated 1 inch per week for 3 months

Appendix (A-3) Minimum Water Efficiency Requirements

Category	Requirement	Alternative
Flushometer	1.28 gallon per flush	Dual Flush
Toilet	1.28 gallon per flush	Dual Flush
Urinal	0.5 gallon per flush	Waterless
Showerhead	2.0 gallon per flush	
Lavatory Faucet	1.5 gallon per minute	
Kitchen Faucet	2.2 gallon per minute	
Pre-Rinse Spray Nozzle	1.28 gallon per minute	
Clothes Washer	US EPA Energy Star Rated	
Dishwasher	US EPA Energy Star Rated	
Irrigation System	WaterSense Rated	Alternate Supply, Deed Restriction
Landscaping Plan	Native and Drought Tolerant Plantings, 6 inches of high organic content topsoil	Limited site disturbance and tree clearing, <25% lawn areas
Ice Machines	Air Cooled	
Cooling Towers	>5 Cycles of Concentration	Alternate make up water source



Water Supply District of Acton

693 MASSACHUSETTS AVENUE P.O. BOX 953 ACTON, MASSACHUSETTS 01720
TELEPHONE (978) 263-9107 FAX (978) 264-0148

Application for Water Service

Date: _____ Account#: _____

Address: _____

Residential _____ Number of Units _____ Commercial _____ Other _____

Will this service be 200 feet from the main? _____ Existing unit on the property? _____

Unit size: Bedrooms _____ Bathrooms _____ Half Bath _____

Lot size _____ Will this property have an irrigation system? _____

Fire Protection required? _____ Square footage: _____ Anticipated start date: _____

Please fill in information below for new service or for flow test:

Owner : _____

Address: _____

Contractor: _____

Contact Person: _____ Telephone # _____

Billing Address: _____

Email address: _____ Cell Phone # _____

Hydrant Flow Test - \$700.00 (two checks for \$350.00 each is required). The results of the flow test should be forwarded to our office within 90 days, \$350.00 will be returned at that time.

Location of Flow Test: _____

Date of flow test: _____ Operator: _____

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OFFICE USE ONLY:

Application Complete _____ Water Impact Report _____ Reviewed by _____

Demand Due _____ Mitigation Due _____ Total Due _____

Customer notified _____ Date _____ Flow Test Received _____

Date Paid _____ Project start date _____ Date of Refund _____

CC Survey _____

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Water Supply District of Acton

693 MASSACHUSETTS AVENUE P.O. BOX 953 ACTON, MASSACHUSETTS 01720

TELEPHONE (978) 263-9107

FAX (978) 264-0148

Application for Water Service

Per Acton Water District *Rules and Regulations(attached)*, any person applying for water use requiring an extension of or addition to the water piping system or service for one or more single-family dwelling must provide a Water Impact Report to the Acton Water District, for approval by the Board of Water Commissioners. This report must include the following:

- Project name, applicant, and contact information.
- Number of dwelling units (i.e. two single family homes, 12 rental apartments, 2 duplexes, etc.).
- Estimated project start/end dates including dates for any project phases, if applicable.
- Estimated average day water demand and maximum day demand, description of method used to develop demand projections.
- Expected impact of the project of the District’s existing supply system, including effect on water flow speed and direction through water mains proximate to the new service or services, maintenance of adequate fire flows and impact of the project on the District’s Water Management Act Withdrawal Permit compliance.
- Conditions and water conservation measures that will mitigate the effect of the project’s impact.

Mitigation Fee is \$5 per gallon of projected use and will be calculated prior to ANY work being done. Mitigation Fee and Demand Charge will be paid in full at time of application approval.

<u>Pipe Size</u>	<u>Demand Charge</u>	<u>Fire Sprinkler Demand Charges</u>
1 inch	\$7,400.00 _____	Buildings up to 20,000 square feet \$1,000.00 _____
1 ½ inch	\$22,975.00 _____	Buildings between 20,001 & 40,000 sq ft \$2,000.00 _____
2 inch	\$45,934.00 _____	Buildings between 40,001 & 60,000 sq ft \$3,000.00 _____
3 inch	\$125,950.00 _____	Buildings between 60,001 & 80,000 sq ft \$4,000.00 _____
4 inch	\$281,535.00 _____	Buildings over 80,001 sq ft:
6 inch	\$837,200.00 _____	1000 per each 20,000 sq ft _____

Multi dwelling - # of Units _____ **x \$3,550.00 per unit = \$** _____

Signature of applicant: _____ Date _____

AWD approval: _____ Date _____

I agree to pay the following amount in accordance with the “Rules, Regulations and Rates” set forth by the Water Supply District of Acton, or that may hereafter be made.

Final acceptance of terms and fees: _____ Date _____

**Please note: All properties are subject to a Demand Fee, Mitigation Charge and Meter Installation Fee.
A final water meter reading and mitigation inspection must be done prior to closing on this property.**

****All inspections require 24 hours notice****

APPLICATION IS VOID IF METER IS NOT INSTALLED WITHIN 18 MONTHS OF APPLICATION DATE

List of Acronyms & Abbreviations

1. AWD- Acton Water District (“the District”)
2. cf- cubic feet
3. CMR- Code of Massachusetts Regulations
4. DEP- Department of Environmental Protection
5. EPA- Environmental Protection Agency
6. G.L.- General Law
7. gpf- gallons per flush
8. gpm- gallons per minute
9. MA DEP- Massachusetts Department of Environmental Protection
10. MCL- maximum contaminant level
11. MGL- Massachusetts General Law
12. ppb- parts per billion
13. ppm- parts per million
14. sq ft- square feet
15. VOC- Volatile Organic Compound