

PUBLIC NOTICE

PLEASE TAKE NOTICE that the following ORDINANCE was duly adopted

At a Special Town Board meeting of the Town of New Scotland, Albany County, New York, held at the Town Hall, New Scotland, New York, on the 22nd day of December, 1982.

Present: Stephen P. Wallace, Supervisor; Anne Carson, Wyman Osterhout, Kenneth Tice, Herbert W. Reilly, Jr., Councilmen; Frederick C. Riester, Town Attorney; and Corinne Cossac, Town Clerk.

The following Ordinance was introduced by Councilman Herbert W. Reilly, Jr., who moved its adoption, and the same was seconded by Councilman Wyman Osterhout.

AN ORDINANCE OF THE TOWN OF NEW SCOTLAND
PROVIDING FOR THE ADOPTION AND ENFORCEMENT
OF THE TOWN WATER ORDINANCE

WHEREAS, a public hearing was duly held on the 22nd day of December, 1982, and all other matters and things required to be done by the Town Law and the State of New York in order that the Town Board may avail itself of the powers conferred by said laws, having been complied with:

Now, therefore, be it

RESOLVED and ORDAINED by the Town Board of the Town of New Scotland as follows:

AN ORDINANCE OF THE TOWN OF NEW SCOTLAND
PROVIDING FOR THE ADOPTION AND ENFORCEMENT
OF THE TOWN WATER ORDINANCE.

STATE OF NEW YORK }
COUNTY OF ALBANY }

**NOTICE OF PUBLIC HEARING
TOWN OF NEW SCOTLAND
FOR ADOPTION OF TOWN
WATER ORDINANCE
GOVERNING WATER RULES
AND REGULATIONS**

PLEASE TAKE NOTICE THAT the Town Board of the Town of New Scotland shall hold a public hearing on the adoption of the Town Water Ordinance Governing Water Rules and Regulations. Said hearing shall be held at Town Hall, Town of New Scotland, Slingerlands, New York, on December 22, 1982, at 9:30 a.m. at which time all persons interested shall be heard on the subject of an ordinance to adopt the Town Water Ordinance Governing Water Rules and Regulations within the Town of New Scotland, so as to establish Town rules and regulations governing water service, applications, water main installation and connection, water meter furnishing, installation, reading and testing, water service payment, supply and discontinuance, to establish an accompanying schedule of service charges, and to provide for the administration and enforcement of said Ordinance by the Town of New Scotland, and to set penalties for violations thereof.

PLEASE TAKE FURTHER NOTICE that a special Town Board meeting shall be held at 9:45 a.m. following the aforesaid public hearing, at which time the Board will consider the adoption of the Town Water Ordinance Governing

Sw
of } day }

JAMES E. GARDNER of the Town of Guilderland, being duly sworn, says that he is the publisher of THE ALTAMONT ENTERPRISE AND ALBANY COUNTY POST, a weekly newspaper printed and published in the Village of Altamont, County of Albany, and that the notice of which the annexed is a true copy, has been regularly published in said ALTAMONT ENTERPRISE AND ALBANY COUNTY POST

once each week for one week

consecutively commencing on the 9th day of

December 1982

James E. Gardner

Robert Hagyard

ROBERT HAGYARD
Notary Public, State of New York
Qualified In Albany County
Commission Expires March 30, 1983

STATE OF NEW YORK
COUNTY OF ALBANY

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Legal Notices

PUBLIC NOTICE

PLEASE TAKE NOTICE that the following ORDINANCE was duly adopted:

At a Special Town Board meeting of the Town of New Scotland, Albany County, New York, held at the Town Hall, New Scotland, New York, on the 22nd day of December, 1982.

PRESENT:

- Stephen P. Wallace, Supervisor
- Anne Carson, Councilwoman
- Wyman Osterhout, Councilman
- Kenneth Tice, Councilman
- Herbert W. Reilly, Jr., Councilman
- Frederick C. Riester, Town Attorney
- Corinne Cossac, Town Clerk

The following Ordinance was introduced by Councilman Herbert W. Reilly, Jr., who moved its adoption, and the same was seconded by Councilman Wyman Osterhout.

AN ORDINANCE OF THE TOWN OF NEW SCOTLAND PROVIDING FOR THE ADOPTION AND ENFORCEMENT OF THE TOWN WATER ORDINANCE

WHEREAS, a public hearing was duly held on the 22nd day of December, 1982, and all other matters and things required to be done by the Town Law and the State of New York in order that the Town Board may avail itself of the powers conferred by said laws, having been complied with:

Now, therefore, be it

RESOLVED and ORDAINED by the Town Board of the Town of New Scotland as follows:

AN ORDINANCE OF THE TOWN OF NEW SCOTLAND PROVIDING FOR THE ADOPTION AND ENFORCEMENT OF THE TOWN WATER ORDINANCE

TOWN OF NEW SCOTLAND ALBANY COUNTY, NEW YORK TOWN WATER ORDINANCE REGULATIONS GOVERNING WATER SERVICE

ARTICLE I

Service Connections

1. Application for water service
2. Installation

ARTICLE II

Metered Service

3. Meters
4. Meter installation

JAMES E. GARDNER of the Town of Guilderland, being duly sworn, says that he is the publisher of THE ALTAMONT ENTERPRISE AND ALBANY COUNTY POST, a weekly newspaper printed and published in the Village of Altamont, County of Albany, and that the notice of which the annexed is a true copy, has been regularly published in said ALTAMONT ENTERPRISE AND ALBANY COUNTY POST

once each week for one week

consecutively commencing on the 3rd day of

February 19*83*

James E. Gardner

Robert Hagyard

ROBERT HAGYARD
Notary Public, State of New York
Qualified In Albany County
Commission Expires March 30, 1983

TOWN OF NEW SCOTLAND

ORDINANCE NO# 10

adopted December 22, 1982

Town Water Ordinance

TOWN OF NEW SCOTLAND
ALBANY COUNTY, NEW YORK
TOWN WATER ORDINANCE
REGULATIONS GOVERNING WATER SERVICE

ARTICLE I
Service Connections

1. Application for water service
2. Installation

ARTICLE II
Metered Service

3. Meters
4. Meter installation
5. Location and reading meters
6. Right to remove and test meters

ARTICLE III
Payment for Water Service

7. Nonregistering meters
8. Change in occupancy
9. Water bills
10. Discontinuance at written notice of customer

ARTICLE IV
General Rules

11. Failure or shortage of supply
12. Service Tap Application
13. Frozen services
14. Discontinuance of service for violation of rules
15. Restoration of service charge
16. Hydrants
17. Cross-connections
18. Sprinkling or irrigation

ARTICLE V
Validity

19. Validity

ARTICLE I

Service Connections

1. Application for water service
 - A. Applications for water service shall be made by the property owner or his authorized representative to the Town Supervisor, the designated Water Superintendent or other designee (hereinafter identified as the Town). The fee for the tapping of the water main and for the extension of the service pipe to the applicant's property line shall be paid at the time of filing the application.
 - B. All taps and connections to the main will be made by the Town for connections up to and including two (2) inches at a cost to the applicant of actual cost of labor and material, plus ten percent (10%).
 - C. Connections of over two (2) inches will be made by the applicant or his representative at his own expense. Such connection shall be of a material and type specified by the Town and all installations shall be made subject to supervision and approval of the Town.
2. Installation
 - A. General - All taps and connections to new water mains or distributing pipes shall be made simultaneously with the installation of said main or distributing pipe by the installer at his expense. All water taps, corporation stops, laterals, curb stops and valve boxes shall be of such size, design and material and shall be installed in such manner as the Town shall require. The installer of laterals shall mark the location of each curb stop with a sawed timber not less than two by four (2 x 4) inches extending from the elevation of the curb stop to a distance two (2) feet above finished grade. All such laterals shall be chlorinated.
 - B. Materials - All service connections to the main, including the portion installed by the customer from his property line to his premises, shall be no smaller than 3/4" diameter for residences and 1" diameter for commercial establishments. Type K, copper tubing shall be used with flanged joints up to and including two-inch. Connections of over two-inch shall be of ductile iron, Class 51 with push on joints conforming to ASA A21.2. All materials must be of the best quality, free from defects and all work be executed in a thorough workmanlike manner.
 - C. Workmanship - All excavations required for the installation of a water service shall be open trench work unless otherwise approved by the Town. Pipe laying and backfill shall be performed in accordance with the applicable provisions of AWWA C-600 as amended, except as modified by these regulations.
 - D. Backfilling - After the pipe is laid, it must be inspected by the Town before filling in. As the trench is backfilled, care must be

taken not to deposit any stone or rock within 12-inches of the pipe, which would cause future breakage. As the trench is filled, the earth must be tightly tamped on each side of the pipe and over the pipe so as to secure as near as possible the original degree of soil compaction.

- E. Alignment - The water service shall be laid at a uniform grade and in straight alignment, insofar as possible, to the premises to be served.
- F. Location - Where possible the water connection shall be made directly in front of the building. In no case shall the water service cross other private property without special permission.
- G. Sewer conflict - Building sewers and water service branches or connections shall not be laid in the same trench. Where possible they shall be separated by a horizontal distance of ten feet or a vertical distance of eighteen inches, unless otherwise approved by the Town.
- H. Depth - Water service depth shall be sufficient to afford protection from frost, but in no case less than five and one half feet.
- I. Protection - To protect the public from hazards all excavations for building water connections shall be adequately sheeted and/or shored and guarded with barricades.
- J. Highway - Streets, sidewalks, parking areas and other public property disturbed in the course of the work shall be properly backfilled, tamped in layers and restored in a manner satisfactory to the Town Highway Superintendent and/or the County Highway Department and/or the State Department of Transportation where such work is under their respective jurisdiction.
- K. Old service - Old water services may be used in connection with new buildings only when they are found acceptable upon inspection by the Town.
- L. Accessibility - All curb stops and curb boxes or connections will be subject to the control of the Town and will be kept readily accessible to the Town at all times.
- M. Bond - A bond is not required to extend a water service from the curb stop to a building. A bond shall, however, be required where it is necessary to excavate within any public street. Before a permit may be issued for excavating in any public street, way or alley, the person applying for such permit shall have executed unto the Town of New Scotland and deposited with the Town Clerk a corporate surety in the sum of five hundred dollars, (\$500.00), (except where a larger amount is required by the Town), conditioned that he will perform faithfully all work with due care and skill, and in accordance with the laws, rules and regulations established under the authority or any ordinances of the Town of New Scotland. This bond shall state that the person will indemnify and save harmless expenses, outlays

and claims of every nature and kind arising out of unskillfulness or negligence on his part in connection with the water installation or excavating for same. Such bond shall remain in force and must be executed for a period of one year after completion of work except that on such expiration it shall remain in force as to all penalties, claims and demands that may have accrued thereunder prior to such expiration.

- N. Inspection - All work is to be performed in accordance with the Towns' Local Law or ordinance then in effect and the regulations governing water services as amended, copies of which are available at the Town Hall. The owner or his agent shall notify the Town when the work is ready for inspection. No part of the work shall be covered until it has been examined, tested and approved by the Town. Upon approval and upon completion of construction, the Town will notify the owner that the water service has been approved.

The Town in the discharge of its duties and the enforcement of these regulations and for the purpose of inspection may, upon reasonable notice, enter lawfully upon the properties and the buildings within the Town or connected to the Town water system.

- O. Plans - If required by the Town, the application for permit shall be supplemented by plans, specifications and such other information considered to be pertinent.
- P. Public liability - The owner to whom a permit is issued, or in whose interest it is issued, shall be personally responsible to the general public for the conduct of the work. It is recommended that such owners verify coverage under their homeowner's insurance, and if found lacking, to obtain public liability insurance coverage to protect them in this regard.

ARTICLE II

Metered Service

3. Meters

- A. The Town will furnish and install all meters up to and including two-inch. Larger sizes will be provided and installed by the customer and shall be of a size, type and make approved by the Town.
- B. The Town will maintain, repair and test when necessary all meters installed by the Town. On meters larger than two-inch, all maintenance, repairs and testing shall be done by or at the expense of the customer.

4. Meter installation

- A. The customer shall install a shut-off valve on the street side of the meter and leave a thirteen-inch space in a horizontal position for the three-fourths inch meter, and sixteen (16) inches for the one inch meter. Meter connections have male threads and plumbing must be

so as to receive meter. The Town will maintain all meters up to and including two inch size insofar as ordinary wear and tear are concerned. However, in case of damage by freezing, hot water or external damage, the customer shall be liable for the cost of repairs. The Town recommends the installation of suitable equipment, properly located and installed to prevent backflow of hot water which may cause damage to the meter or damage to the customer's plumbing.

- B. No person shall remove or tamper with a water meter installed by the Town without authorization, or cause the flow of water from the main to the meter to bypass the meter. There shall be no plumbing fixtures, water softeners, etc., tied into the supply line before the meter, with the exception of one (1) hand valve to facilitate the replacement of a meter.

5. Location and reading meters

- A. The customer shall provide a place suitable to the Town for the location of the meter.
- B. Meters shall be accessible for inspection and reading by the Town at any reasonable hour.

6. Right to remove and test meters

- A. The Town reserves the right to remove and test its meters. In case of a disputed account involving the accuracy of a meter, the Town will test the water upon the request of a customer. A fee payable in advance of the test is required as set forth in the "Schedule of Service Charges" appended hereto.
- B. In the event that a meter is found to over-register in excess of two percent (2%) at any flow within the normal test flow limits, the fee will be returned to the customer; otherwise it will be retained by the Town.

ARTICLE III

Payment for Water Service

7. Nonregistering meters

- A. The reading of a duly installed meter, showing the amount of water consumed, shall be used for all billing purposes except where it appears that the meter has ceased to register or has registered inaccurately.
- B. In cases where it is found that a meter has ceased to register or has registered inaccurately, and it cannot be determined by reasonable test the percentage of inaccuracy, an estimated bill for the billing period may be rendered the customer. This estimated bill will be based upon the amount of water consumed in the corresponding period in prior years, except where it appears that there has been a change

in the occupancy of the premises or in the use of water, in which case an equitable adjustment shall be made.

8. Change in occupancy

The customer shall notify the Town in writing of any change in ownership. No adjustment of bills will be made between owners by the Town unless due notice has been given the Town prior to the mailing of a bill.

9. Water bills

All water bills are payable as stated on the bills. If payment is not made within the stated time, such bills will become a lien upon the property of the customer.

10. Discontinuance at written notice of customer

Any customer may discontinue water service by giving the Town written notice not less than ten (10) days prior to the date of discontinuance. All liabilities for the service charges rendered after the discontinuance date shall cease.

ARTICLE IV

General Rules

11. Failure or shortage of supply

The Town undertakes to use reasonable care and diligence to provide a constant supply of water at a reasonable pressure, but reserves the right, at any time, after due notice (unless an emergency occurs), to: shut off the water in its mains for the purpose of making repairs and extensions; limit the amount of water which may be used; limit the purpose for which water may be used.

12. Service Tap Application

On all applications where mains are in a public highway or where the Town has an easement, the Town will tap the main and install the necessary corporation stop, stop-waste and curb box and connecting piping from the main. No charge shall be made to the property owner when this work is performed concurrent with the construction of the public water main. Where a tap is to be made into an already existing main, the charges shall be as set forth in the latest "Schedule of Charges" as adopted by the Town Board.

Service taps will not be made after November 15th until frost is out of the ground.

Application for service will be accepted subject to there being an existing main in a public highway or where the Town has an easement abutting on the premises to be served. The application in no way obligates the Town to extend its mains to service the premises under

connection. The Town may, where practical, make extensions of mains provided it can be assured of an annual revenue from the area to be served sufficient to warrant the necessary expenditure.

No application will be approved by the Town for any applicant for water service until all arrears and charges due by the applicant for water or other Town services at any premises now or formerly owned or occupied by said applicant shall have been paid in full.

13. Frozen services

Where services are frozen, the applicant or consumer will at his own expense thaw out the pipe between the property and the water main. If examination of the service pipe declares that the depth of cover is less than five and one half feet, the Town reserves the right to request it to be lowered to prevent the pipe from freezing.

14. Discontinuance of service for violation of rules

Water service may be discontinued for any of the following reasons:

- A. For use of water other than represented in application or through branch connections on the street side of the meter or place reserved therefor.
- B. For the willful waste of water through improper and imperfect pipes or by any other means.
- C. For molesting any service pipe, seal, meter, cover box, curb stop or any other appliance owned by the Town.
- D. For non-payment of bills for water or services rendered by the Town.
- E. For cross-connecting the Town service pipe with any other source of supply or with any apparatus which may endanger the quality of the Town water supply.
- F. For refusal of reasonable access to the property for the purpose of inspecting or for reading, or repairing, testing or removal of a meter.

15. Restoration of service charge

When water service has been discontinued on written order of the customer or for violation of these rules and service is again desired by the same customer, a charge as set forth in the latest adopted "Schedule of Service Charges" will be made for reconnection.

16. Hydrants

No person shall open or interfere or draw water from any fire hydrant without permission from the Town or from the Fire Chief in the event of fire or fire drill.

17. Cross-connections

No pipe or fixtures connected with the mains of the Town shall be connected with pipes or fixtures supplied with water from any other source nor any apparatus which may endanger the quality of the Town's water supply.

18. Sprinkling or irrigation

There may be times when in the opinion of the Town it may be necessary to restrict the use of this service to definite periods or to prohibit it entirely. In this event all customers will be notified by public notice.

ARTICLE V

VALIDITY

19. Validity

The invalidity of any section or provision of this ordinance shall not invalidate any other section or provision thereof.

SCHEDULE OF SERVICES CHARGES

1.	Application fee - single family residents	\$ 25.00
	- multi-dwelling,	
	- commercial establishment	50.00 (minimum)
2.	Connection fee - water tap including extension of the service pipe to the applicant's property line	Cost + 10%
3.	Testing of 1" meter or smaller	25.00
	Testing meter over 1 inch to 2-inches	35.00
4.	Discontinuance of service	25.00
5.	Reconnection of service	25.00