

CANDLEWOOD SHORES TAX DISTRICT ORDINANCE 1987-2

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## ARTICLE I. - GENERAL INFORMATION

### A. DEFINITIONS

TAX DISTRICT (CSTD) - means the Candlewood Shores Tax District, Brookfield, Connecticut 06804;

DEPARTMENT (DEPT.) - means the Candlewood Shores Tax District Water Dept;

CUSTOMER - means the owner of property furnished water service by the Candlewood Shores Water Department;

PREMISES - means a building owned by a customer;

CORPORATION STOP- means the tap, wet connection or valve assembly in the water main which controls the flow of water to the service pipe; MAIN - means a water pipe owned, operated and maintained by the Candlewood Shores Tax District Water Department which is used for the purpose of transmission or distribution of water but is not a water service pipe;

SERVICE PIPE - means the pipe that runs between the water main and the customer's main house valve located inside the premises;

CURB STOP - means the valve on the service pipe normally located about two (2) feet outside the front line of the customer's property, or as existing between the main and the customer's premises; CURB BOX - means a cast iron box extending from ground level down to the curb stop to provide access to open or shut off the water supply outside the premises; METER - means any device for measuring the quantity of water used. It may be the basis for determining charges for water service to a customer;

DPUC - means State of Connecticut Department of Public Utility Control;

DHS - means State of Connecticut Department of Health Services;

A.W.W.A. - means American Water Works Association;

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OSHA - means Occupational, Safety and Health Administration.

- B. RULES AND REGULATIONS: The following rules and regulations have been adopted by the Tax District in order to provide reasonable assurance that the Water Department is able to comply with state and local requirements and provide its customers with a reasonably adequate and safe supply of water, and are hereby made a part of any and all agreements with each customer taking and using water furnished by the Department.

EVERY CUSTOMER TAKING WATER FROM THE CANDLEWOOD SHORES TAX DISTRICT WATER SYSTEM SHALL BE IN ALL RESPECTS BOUND, AND SHALL BE CONSIDERED TO HAVE ASSENTED TO THE RULES, REGULATIONS AND SCHEDULE OF WATER RATES OF THE CSTD AS A CONDITION PRECEDENT TO THE RIGHTS TO SERVICE FROM SAID WATER SYSTEM.

The Tax District reserves the right to make such changes in these Rules and Regulations and applicable water rate schedules as it may from time to time deem necessary. The current rate schedule for water services is available upon request at the CSTD office.

- C. MANAGEMENT AND ORGANIZATION: The General Manager of the Tax District shall be responsible for day to day operation of the Department.

All permits for work to be done on the water system or for temporary use of water shall be obtained from the Department and shall be kept available at the site of the work.

The Chairman of the Water Department Committee may be a member of the Board of Directors of the Tax District and shall be appointed by the President of the Tax District.

The Chairman of the Department Committee shall appoint no more than five and no fewer than three residents of the community to serve on the Department Committee. The Committee shall oversee and monitor all matters relating to the operation of the Department including, but not limited to, collections of fees and water rate bills, compliance with regulations, preventative maintenance programs, response to emergencies, system improvements, and budgets. The Committee shall recommend billing rates and rules and regulations for approval by the Board of Directors and the Tax District.

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ARTICLE II. - USE OF WATER

A. GENERAL RESTRICTIONS

1. No person shall be allowed to connect to the water mains without first making written application for the service, and obtaining written permission from the Department. An 8-1/2 x 11" minimum paper sketch must accompany the application showing the location of the premises, the materials to be installed, and all details and dimensions of the work to be done.
2. No person shall be permitted to take water from the fire hydrants to sprinkle any streets or portions of the streets or for any other purposes without first having obtained a permit from the Department. This shall not preclude the inspection of the fire hydrants by members of the Candlewood Company of the Brookfield Fire Department in the performance of their official duties.
3. Customers desiring to have their water service discontinued shall provide the Department with written notice at least five (5) days prior to the date the service is to be terminated. No charge shall be made for turning off the water, but the normal service charge (fixed costs portion) for water service shall continue. A written request must be filed in order to have the water turned on again, for which a charge shall be made in accordance with the approved rate schedule.
4. Water service shall be provided only to those premises in which all plumbing is installed in such a manner as to constitute no possible pollution. No other water supply shall be connected or interconnected to the "CSTD's" water supply. A direct connection between a drainage system or vent piping is prohibited.
5. The Department shall not be liable for any damages which may result to the customer's pipes, appliances, etc., from shutting off mains or service pipes.
6.
  - a. In new installations where boilers are supplied with water, a suitable continuous pressure backflow preventer and a pressure relief valve must be applied to prevent collapse or explosion in case the water is shut off in the water mains.
  - b. In existing premises, a suitable pressure relief valve must be in place to

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prevent collapse or explosion in case the water is shut off in the water mains.

7. The Department shall not be held liable for any damage sustained by reason of its failure to supply water to any customer at any time, for any cause, and reserves the right to control the amount of water supplied in the event that the supply becomes limited for any reason.
- B. LIMITED SERVICE: A limited service agreement will be required of an applicant when, in the opinion of the Department, the premises to be served is at such an elevation that normal satisfactory minimum average pressure may not be available. Under a limited service agreement, the applicant agrees to accept the water service furnished under such pressures as may be available.
- C. SPECIAL PROHIBITION: The” CSTD” water supply is obtained from drilled wells. This type of system can never provide an unlimited supply like a dammed-up river. For this reason, the Board of Directors of the Tax District has adopted the following special restriction:
- Water must be restricted to use within the premises, and water drawn from the “CSTD” water system must not be used for the following purposes; sprinkling lawns, washing cars and filling swimming pools. However, a permit from “CSTD “may be obtained to permit watering to establish new grass or other restricted uses.
- D. INTERRUPTION OF SUPPLY: The Department shall make all reasonable efforts to prevent interruptions of service and, when such interruptions occur, it shall endeavor to reestablish service with the shortest possible delay consistent with the safety of its customers and the general public. The Department is required by the DPUC to maintain an up-to-date emergency plan, which will be executed in the event of interrupted service. Whenever the Department finds it necessary to schedule an interruption to its service, it shall make all reasonable effort to notify all customers to be affected by the interruption, stating the time and anticipated duration of the interruption. Whenever possible, scheduled interruptions shall be at such hours as will provide least inconvenience to the customers.
- E. SHORTAGE OF SUPPLY: The Department shall have the right to impose restrictions on the use of water to the extent that it deems necessary during periods of threatened or actual water shortage. It shall notify its customers and give the Department of Health Services notice before such restrictions become effective. Such notifications shall specify:
1. The reason for the restrictions;
  2. The nature and extent of the restrictions;

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3. The date such restrictions are to go into effect; and
4. The probable date of termination of such restrictions.

ARTICLE III. - CUSTOMER RELATIONS

A. BILLING PROCEDURES:

1. The Department shall bill residents three times per year based on a fixed service charge and/or with a usage charge established by reading the resident's water meter.
2. Residents' meters will be read within 5 days of the close of the billing periods (June 30, October 31 and February 27).
3. Residents' bills will be sent out within 12 to 14 business days after the close of the billing period.
4. Bills shall be due and payable August 15, December 15 and April 15, as shall be shown on the bill as "DUE DATE".
5. A penalty of 1.5% per month shall be assessed against all unpaid amounts beginning on August 16, December 16, or April 16, as applicable. Payments will be applied first to the accrued interest due and second to the principal amount due for water usage and any special water services.
6. Payment of bills is the responsibility of the property owner regardless of whether he leases such premises to tenants.

B. CUSTOMER BILL FORMS: The bill form used by the Department shall show:

1. The name of the customer and address of the premises supplied with water.
2. The meter reading figures and usage calculation upon which the usage charges are based.
3. The gross or net amount of the bill.
4. The date by which the customer must pay in order to avoid any penalty.

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5. The address or post office box where the payment may be made.
  6. Telephone numbers which can be called to obtain additional information or to have questions answered.
  7. Special charges for other services.
- C. ADJUSTMENT OF BILLS: Bills which are incorrect due to billing errors shall be adjusted as follows:
1. When a customer has been overcharged, the amount of the overcharge shall be adjusted and refunded or credited to the customer.
  2. When the customer has been undercharged, the amount of the undercharge shall be billed to the customer.
- D. COLLECTION OF DELINQUENT ACCOUNTS: The following procedure shall form the basis for collecting delinquent accounts:
1. The first delinquency notice shall be mailed to applicable residents immediately after the due date (August 15, December 15, or April 15) has passed. The notice shall state that the resident's payment is overdue and immediate payment in full is required.
  2. Assuming no response to the first notice, the second notice shall be mailed by September 15 (or January 15 or May 15, as applicable). The notice shall include:
    - a. A demand for immediate payment by September 30 (or January 31 or May 31, as applicable).
    - b. A statement that "in lieu of full payment, the resident may come to the "CSTD" office to arrange a mutually agreed-upon payment schedule".
    - c. A statement that "due to non-payment of bill, "CSTD" has the right to initiate the procedure to shut off the resident's water. Continued non payment will force "CSTD" to execute the procedure".

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3. Assuming unsatisfactory response to the first and second notice, the third notice shall be mailed by: October 15<sup>th</sup> (or Feb 15 or June 15) as applicable. The notice shall include;
  - a. A statement that the past due payment must be paid in full by October 30<sup>th</sup> (or Feb 28<sup>th</sup> or June 30<sup>th</sup>) as applicable.
  - b. A statement that continued non-payment will result in “CSTD” executing the procedure to shut off the resident's water.
  - c. A copy of the State's regulations regarding water shut off.
4. Assuming no substantial payments have been received from the resident as a result of the prior notices, the fourth notice shall be mailed immediately after the due date, as applicable. This notice, by registered mail, shall give the resident the required 15 days notice to water shut off. In addition a 24 hour notice will be placed on the premise allowing the resident one last opportunity to avoid the Shut off. The 24 hour notice will also define that if the Water Department cannot find or operate an outside valve the owner will be billed for the time and materials to locate and or excavate to make the valve operable. Shut off shall be executed as close to the specified date as weather/time permits. Note: full payment of the first overdue bill within the 15-day period will result in cancellation of the water shut off order.

E. PAYMENT SCHEDULING FOR DELINQUENT ACCOUNTS:

1. “CSTD” shall offer a delinquent resident (in the second delinquency notice) the opportunity to arrange a payment schedule.
2. The schedule must require the resident to continue making payments at the agreed monthly amount till a zero balance has been acquired on the account.
3. The schedule shall be in writing, agreed to and signed by a “CSTD” representative and the delinquent resident.



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4. Failure to meet any scheduled monthly payment shall result in the resident being placed at STEP D4 of the collection procedure.
- F. REASONS FOR DENYING SERVICE: Service may be refused or discontinued for the reasons listed below and under the following circumstances:
1. Circumstances requiring no notice to the customer:
    - a. In the event of a condition determined by the Department to be hazardous.
    - b. In the event of customer use of equipment in such a manner as to adversely affect the Department's equipment or service to others.
    - c. When the Department has determined that by fraudulent means a customer has obtained unauthorized water service or has diverted the water service for unauthorized use.
  2. Circumstances requiring seven (7) days written notice to the customer:
    - a. In the event of tampering with the equipment furnished and owned by the Department.
    - b. For violation of or non-compliance with these rules and regulations.
    - c. For failure of the customer to permit the Department reasonable access to its equipment.
  3. Circumstances requiring fifteen (15) days written notice to the customer:
    - a. For non-payment of bill, provided the Department shall have made a reasonable attempt to effect collection.
    - b. For failure of the customer to furnish such services, equipment, permits, certificates or rights-of-way as shall have been specified by the Department as a condition to obtaining service, or if such equipment or permissions are withdrawn or terminated.

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4. Whenever possible, no service shall be disconnected on the day immediately prior to a weekend or holiday except as provided in paragraphs 1a, 1b and 1c of this section.
  
- G. RECONNECTION: In all cases of discontinuance of service where the cause for discontinuance has been corrected and all Department rules have been complied with, the Department shall promptly restore service to the customer.
  
- H. RECONNECTION CHARGE: Where service has been discontinued by the Department, due to reasons caused by the customer, a charge for reconnection of the service will be in accordance with the approved rate schedule.
  
- I. CUSTOMER INFORMATION: The Department shall:
  1. Furnish rate schedules and such additional information as the customer may reasonably request.
  2. Inform its customers as to the method of computing the charges billed.
  3. Notify customers affected by a change in rates or rate classifications.

ARTICLE IV. - ENGINEERING OPERATIONS

- A. GOOD ENGINEERING PRACTICE: The design and construction of new and replaced portions of the system shall conform to good standard engineering practices, including the standards of the American Water Works Association. The system shall conform to the requirements of the Connecticut State Department of Health Services with reference to sanitation and potability of water.
  
- B. STANDARDS OF CONSTRUCTION:
  1. Mains- Where mains do not exist in front of premises requiring water service, the applicant will be required to pay all costs for extending the nearest main to the front of the premises. All new mains shall be C-900, DR 18, Class 150, PVC - 6 inch diameter pipe, and all work shall conform to the Connecticut State Department of Health Community Water Supply Design Criteria.

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2. Taps- All taps are the property of, and will be installed by, the Department (or its duly authorized agent) at the customer's expense, the charge being determined by the size. The Department will determine the size on the basis of information furnished by the customer, but it must be at least 3/4 inch in diameter. All mains will be wet tapped with use of a saddle and will be equipped with a corporation stop.
3. A curb stop valve will be placed approximately 6 to 7 ft. from the curb line.
4. A curb box of Ford Arch Base with 2 ft. extension rod and a pentagon brass plug cap or equivalent must be used.
5. All fittings will be Ford Pack Joints or equivalent.
6. All construction must include a meter horn available from the Department. Location must be approved by the Department.
7. Customer's service pipe:
  - a. The customer shall be responsible for and pay all costs and expenses for furnishing, installing, maintaining and replacing the service pipe, including fittings, valves, boxes, etc., from the tap to the place of consumption, in accordance with the requirements of the Department. The customer shall keep the curb box clean and free of all debris so that easy access to the curb stop is provided.
  - b. No service pipe shall serve more than one building.
  - c. A gate valve or ball valve must be provided immediately inside the building. The Department reserves the right to specify the location of this main house valve. It, together with the adjacent piping, shall be maintained by the customer in good condition to permit operation of the valve in an emergency. If the customer fails to maintain the valve and adjacent piping in good condition, the Department may make the necessary repairs or alterations at the customer's expense.

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- d. Materials- The service pipe shall be cold drawn of soft annealed seamless copper, type K, which meets the A.W.W.A. specifications for this use. No soldered joints will be allowed underground. The Department will specify the diameter required but it shall be at least three quarters (3/4) of an inch in diameter.
- e. Trenching- The excavation, backfill, curb, sidewalks and pavement restoration must be done according to the Department's specifications and all safety rules of OSHA shall be followed.
- f. Installation of pipe- The service pipe shall be installed at a minimum depth of four and one-half (4-1/2) and a maximum of six (6) feet. It shall run at right angles to the main in a straight line to the premises to be served. It shall not be located in a driveway and no branches or trees shall be installed in the run.

The service pipe shall not be laid in the same trench with other underground facilities. In order to avoid possible damage to other utilities, the customer performing the excavation must arrange with the other agencies which have subsurface rights as to adequate notification and inspection.

Water service pipes and house sewer lines shall be laid in separate trenches at least ten (10) feet apart.

- g. Inspection- The entire length of the service pipe must be left uncovered for inspection by the Department. The tap will not be made by the Department until this inspection has been performed and the installation approved. Final approval of the customer's service pipe up to the house valve will be subject to a satisfactory hydrostatic test which will be made by the Department following the installation of the corporation stop.

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- h. When the installation has been inspected and approved, the pipe shall be firmly imbedded and covered with sand or other acceptable material containing no stones. The rest of the trench must be filled with acceptable material containing no large stones. The fill, when being placed, shall be thoroughly tamped and compacted in twelve (12) inch layers to secure a firm foundation for the pipe and the pavement.
  - i. Leaks and repairs- If a leak develops in a customer's service pipe, the customer shall notify the Department and repair it without delay. If such repair work is not completed within a reasonable period of time specified by the Department in writing to the customer, the Department may discontinue service to the premises until the leak is repaired by the customer or the Department repairs the leak. The Department reserves the right, in either case, to refuse restoration of service until the customer pays the entire cost incurred by the Department in making repairs and/or termination of service.
  - j. Frozen service pipes- Thawing a frozen service pipe is the responsibility of the customer at his expense.
8. Customers who have installed or intend to install individual pressure booster pump systems must include in the installation:
- a. A backflow device consisting of a double check valve with an intermediate vent (i.e. watts 9D, Hersey BCP or equal) and
  - b. A low pressure shutoff.

A pressure booster pump system installation shall be subject to inspection by the "CSTD" Water Department.

ARTICLE V. - SHUTTING OFF SUPPLY

A. Department employee or agent, when authorized, may shut off the water supply for the purpose of inspection or to make repairs or alterations to water mains, pipes, valves or other appurtenances. No other person shall open, close or tamper with any valve, valve box or valve box cover or any other "CSTD" water equipment.

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ARTICLE VI. - ACCESS

Officers, agents and employees of the Department, in their official capacity and with reasonable cause, shall have free access at proper and reasonable hours to all parts of every building where "CSTD" water is or may be furnished or used.

ARTICLE VII. - METERS

The State of Connecticut Department of Public Utility Control (DPUC) in its Decision, Docket No. 86-04-10 dated June 17, 1986, approving the purchase of the water system by "CSTD", mandated that a long-range study of metering be submitted to them indicating "CSTD's" "intention in metering all its customers". The study was completed and meters have been installed.

All applicants for water service will be required to include provisions in their interior plumbing to accommodate meters before a permit will be issued.

ARTICLE VIII. - CONSERVATION

Water is precious! Think and then use it wisely. And remember—water is billed by usage; the more you use, the higher your bill.

ARTICLE IX- VIOLATION PENALTY

Any person, firm or corporation violating the special prohibition set forth in section C of Article II of this ordinance shall be fined \$50 (Fifty Dollars) for each offense and a separate offense shall be deemed committed upon each day during or on which the violation occurs and continues.

Date Ordinance Enacted: November 18, 1987  
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Date Published Sept 17, 2012  
Date Effective Oct 17, 2012

ATTEST:

Valerie Swatz, Clerk  
Candlewood Shores Tax District