

WATER RULES & REGULATIONS CHAPTER 225

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{ HISTORY Promulgated as regulations by the Board of Water Commissioners on May 1, 1972, adopted by the annual town meeting of the Town of Yarmouth on April 7, 1981 as article 16; amended in its entirety by the Board of Water Commissioners on August 3, 1987. }

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225-1 RULES & REGULATIONS PART OF CONTRACT

All rules and regulations, set forth in the Code of Yarmouth, including any revisions or amendments hereafter shall form a part of the contract and govern the relationship between every water consumer and the Town of Yarmouth Water Department.

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225-2 GENERAL

A. The water shut off valve, normally located adjacent to the water meter, should be accessible at all times. The occupants of a premise should know the location and use of the water shut off valve to ensure that it can be closed quickly in the event of a leak within the premises.

B. It is recommended that the water shut off valve be closed if the premises are to be unoccupied for an extended period of time, thus preventing possible damage and high water usage in the event of a water leak

C. It is recommended that a hot water faucet be opened when the water shut off valve is closed, thus possibly avoiding a hot water explosion. The hot water faucet should not be closed until the water shut off valve is opened.

D. To prevent collapse of a hot water tank, ensure that it is equipped with a vacuum valve and pressure relief valve as provided in the state plumbing code. The valve protects the hot water tank when the water is shut off.

E. Water meters are placed within the service line to determine the amount of water used in order that each consumer pays a just proportion of the costs incurred in the production and the distribution of the water.

F. A considerable portion of wasted water is due to leaks in toilets. Toilets should be examined frequently.

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225-3 WATER TO OTHER STRUCTURES – PROHIBITED

No water consumer shall supply water to another structure without the written approval of the Board of Water Commissioners. Any water consumer authorized such use shall be charged for water so taken at the multi-user rate.

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225-4 RIGHT OF ACCESS TO PREMISES

Any person employed by the Town of Yarmouth Water Department may at any reasonable time enter premises supplied with municipal water for the purpose of

examining or removing meters, pipes, fittings and works for supplying or regulating the supply of water and of ascertaining the quantity of water consumed or supplied in accordance with [Massachusetts General Laws Chapter 165, Section 11D](#).

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225-5 NOTIFICATION OF WATER SUPPLY INTERRUPTION

The Water Department will endeavor to notify applicable water service customers whenever practicable, prior to the interruption of any water supply in order to perform repairs, modifications or maintenance to the water distribution system. The Water Department shall not be held liable or responsible for loss or damage arising from the interruption of the water supply.

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225-6 LIABILITY FOR INTERRUPTION OF WATER SERVICE

The Water Department shall not be held responsible to any of the water service customers for loss or damage from any excess or deficiency in water pressure. The Water Department will exercise all reasonable care and diligence to avoid interruptions of water supply and fluctuations of water pressure within the distribution system but does not guarantee that such interruptions or fluctuations will not occur.

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225-7 LIABILITY FOR DAMAGED WATER FIXTURES

In accordance with Chapter 225-6 of the Water Department Rules and Regulations/ Yarmouth Code, the Department shall not be held liable or responsible to any of the water customers for loss or damage from any excess or deficiency in water pressure. All water fixtures should be equipped with safety devices as provided in the state plumbing code and/or manufactures specifications. The Water

Department shall not be held liable or responsible for loss or damage to any water fixtures, e.g. hot water tank, boiler, sprinkler systems, plumbing, appliances, etc.

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225-8 LIABILITY FOR FROZEN PLUMBING, FIXTURES OR APPLIANCES

It is the responsibility of all water service customers to ensure that all plumbing, fixtures and appliances are protected to preclude freezing. The Water Department shall not be held responsible for loss or damage to any plumbing, fixtures or appliances due to freezing.

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225-9 LIABILITY FOR LOSS OR DAMAGE DUE TO DIRTY WATER

The Water Department shall not be held liable or responsible for loss or damage from dirty water resulting from repairs, modifications or maintenance to the water distribution system, or any other reason thereto.

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225-16 WATER SUBJECT TO PAYMENT

All water passing through a meter must be paid for.

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225-17 SCHEDULE OF WATER RATES

A schedule of water rates is on file at the Yarmouth Water Department and the Yarmouth Town Clerk's office.

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225-18 RESPONSIBILITY FOR PAYMENT OF WATER BILLS

The property owner shall be responsible for the payment of all water bills. When a property which uses municipal water is sold, it is the responsibility of the new property owner to complete a water service transfer form. Failure to complete the water service transfer form will not relieve the new property owner of the responsibility for payment of all and current or outstanding water bills. Water service transfer forms are available at the Water Department office and the Town Collector's office.

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225-19 CORRECT WATER BILLING ADDRESS

The property owner shall be responsible for ensuring that the most current water billing address is on file at the Water Department. The Water Department will not be bound by water bills rendered under mistake of fact.

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225-20 RENDERING OF BILLS

Bills for all water services will be rendered quarterly. Charges for excess water, for the previous years consumption, will be made annually on the first fiscal quarterly bill, or at such other intervals as the commissioner's elect, and must be paid within thirty (30) days of their date of issue.

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225-21 PAYMENT OF BILLS; RECEIPTS

Checks for payment of water bills should be made payable to the Town Of Yarmouth, Town Collector. If receipts are desired for mail in payments, a self-addressed stamped envelope must accompany the remittance.

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225-22 WATER BILL ABATEMENTS

Requests for water bill abatements must be filed in writing at the Water Department office, 99 Buck Island Road, West Yarmouth, MA 02673 within thirty (30) days of issuance of the water bill.

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225-23 LIABILITY FOR OVERDUE WATER BILLS

Water bills not paid within thirty (30) days of issue will be deemed overdue. When a water bill is deemed overdue, the property owner will be issued a demand notice. If the overdue water bill and the demand charges are not paid within the specific time the account will be subject to termination of water service or lien procedures at the option of the Board Of Water Commissioners. Failure of the property owner to receive a water bill or demand notice does not relieve the owner in any way from liability for payment.

[\(Reference: Our authority for this action; Mass. General Laws, Chapter 40 Section 42A\)](#)

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225-24 WATER SERVICE REACTIVATION CHARGE

Any water service terminated for nonpayment of a water bill or inaccessibility to a water meter will be subject to a water service reactivation charge. The rate for water service reactivation is on file at the Town Clerk's Office.

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225-25 LIENS

Liens for unpaid water charges will be placed against the real estate property where the water is consumed in accordance with the [Massachusetts General Laws Chapter 40 Section 42A](#).

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225-26 CLAIM FOR VACANCY

A claim for vacancy must be filed in writing at the Water Department, 99 Buck Island Road, West Yarmouth, and MA 02673. A structure will be considered vacant when it meets the following criteria:

1. All current and past due water charges have been paid.
2. The structure will be unoccupied for a minimum of one year (365) days.
3. All furniture and personal belongings have been removed from the structure.

A structure that has been approved for vacancy will have the water service turned off and the water meter removed by the Yarmouth Water Department. Any water service that is reactivated within the one year (365 days) period as referenced in item two (2) two will be assessed all quarterly charges, which would have accrued from day of vacancy.

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225-36 METERING AND METER SIZING

All water services will be metered. Water meter size will be determined by the Yarmouth Water Department based on American Water Works Association (AWWA) standards.

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225-37 REMOVAL OF WATER METER PROHIBITED

All water meters will be set and sealed by Water Department personnel only. Removal of any water meter or seal by other than Water Department personnel is expressly prohibited in accordance with [Massachusetts General Laws Chapter 165 Section 11](#).

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225-38 FREE ACCESS TO WATER METERS

The property owner shall be responsible for providing free access to water meters at all times. Failure to remove any obstruction or otherwise preventing free access to any water meter within three (3) days after being notified in writing shall constitute cause for termination of the water service.

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225-39 DAMAGED WATER METERS

Repair or replacement of damaged water meters shall be charged to the property owner. The rate for repair or replacement of damaged water meters is on file at the Yarmouth Water Department and the Town Clerk's office.

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225-40 WATER METER EXAMINATION AND TEST

Any property owner using water supplied by the Water Department shall be entitled to an examination and test of such meter to determine the accuracy of same in any quarter, upon written application to the Board of Water Commissioners. Said application shall be made before the expiration of time when the rate for such quarter is required to be paid. Such examination and test shall be made by Water Department personnel. A written report of the result of the examination and test shall be furnished to the property owner. If it appears that the meter has registered with substantial accuracy, the expense of examination and test shall be paid by the person applying therefore. If it appears that the meter has not registered within two percent of accuracy and that the person has been charged for more water than he should have been charged for, the amount of excess shall be credited to such person. If however, it appears that the person has been charged for less water than he should have been charged for, he shall be charged for the additional amount together with the expenses of the examination and test. The rate for water meter examination and test is on file at the Town Clerk's office (Reference: Our authority for this action: Massachusetts General Laws Chapter 40 Section 391.)

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225-46 APPLICATION FOR WATER SERVICE

An application for water service must be completed prior to the installation of a new water service. Standard application forms are available at the Water Department office and must be completed by the property owner.

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225-47 LOCATION OF WATER SERVICES, FIRE SERVICE LINES AND WATER METERS

The Town of Yarmouth Water Department, through its Board of Water Commissioners, has the exclusive right as to the location of any and all water services, fire service lines, water meters, or any other attachment to the Town of Yarmouth Water Distribution System.

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225-48 ADDITIONAL WATER SERVICES/RELOCATION OF WATER SERVICE

When additional water services are required or the relocation of an existing service is deemed necessary to meet changed conditions, all costs will be chargeable to the property owner.

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225-49 ALTERATIONS TO WATER SERVICE

No alterations shall be made to an existing water service installed by the Water Department except by Water Department Personnel or an authorized agent of the Water Department.

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225-50 WATER SUPPLY CROSS CONNECTIONS

All water service pipes and fixtures that are connected to the water distribution system shall not, under any circumstance, be connected with any other source of water supply, pursuant to the Commonwealth of Massachusetts Regulations, **Chapter 310, Section 23.00** and the Massachusetts Fuel Gas and Plumbing Codes, Section 2.14.

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225-51 USE OF CURB STOP-PROHIBITED

A curb stop is installed at the curb line of each customer's water service for the exclusive use of the Water Department. Use of this curb stop by other than Water Department personnel or their authorized representative is strictly prohibited.

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225-52 SEASONAL WATER SERVICES

Seasonal water services require that the water service be shut off at the curb stop and the water meter removed by Water Department personnel only. The seasonal water service rate is on file at the Town Clerk's office and the Water Department office.

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225-56 WHERE NO WATER MAIN EXISTS

In instances where a water service is applied for on a street where no water main exists, a water service pipe may be laid no further than the second lot from the existing water main, providing that an easement, satisfactory to the Water Department, to go over the first lot, is provided by the applicant. The water service pipe must be laid within the easement satisfactory to the Water Department.

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225-57 FIRE HYDRANTS

No fire hydrant shall be used for other than fire protection purposes unless authorized by the Yarmouth Water Department as provided in Chapter 225-58 of this Code.

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225-58 FIRE HYDRANT METER RENTAL

Fire hydrant meters may be rented at the discretion of the Yarmouth Water Department subject to the following conditions:

- A. An advance notice of two working days is required prior to any hydrant meter being set.
- B. Hydrant meters will be set and removed by Water Department personnel only.
- C. Hydrant meters may be rented during normal work days only.
- D. Hydrant meters will not be set before 8:30 A.M. daily and must be removed from the job site by 4:00 P.M. daily. There will be no exceptions.
- E. Hydrant meters will not be rented during periods of cold weather. Cold weather is defined as anytime that the anticipated or actual outside air temperature is below 32 degrees Fahrenheit.
- F. The Water Department will not provide hoses for the connection to hydrant meters.
- G. No hydrant meter hose will be laid across bituminous concrete surfaced roadways unless proper protection for the hose is provided. A police officer will be provided at the meter renter's expense, if deemed necessary by the Water Department.
- H. Any fire hydrant meter found to be damaged upon removal from the job site will be repaired or replaced, as required, at the renter's expense.
- I. A list of fire hydrant meter rental rates are on file at the Town Clerk's office.

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THE FOLLOWING ARTICLE NUMBERS ARE RESERVED FOR FUTURE USE

ARTICLES 225-10 THROUGH 225-15

ARTICLES 225-27 THROUGH 225-35

ARTICLES 225-41 THROUGH 225-45

ARTICLES 225-53 THROUGH 225-55

ARTICLES 225-59 THROUGH 225-65