

ORDINANCES
OF THE
SOUTH HUNTINGTON WATER DISTRICT
TOWN OF HUNTINGTON
Suffolk County, NY

Revised: 9/6/2012
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The following ordinances, adopted by the Board of Water Commissioners of the South Huntington Water District, South Huntington, New York (the "District"), form part of the water service contract by and between the District and each purchaser of water, services, or facilities provided by the District.

SECTION 1. APPLICATION FOR WATER CONNECTIONS.

A. Application for water service or for connection to District facilities shall be made in writing at the office of the District on forms provided by the District. Such applications shall be made by the owner of the property concerned or the property owner's authorized agent. Evidence of ownership and identification of the property shall be submitted with the application. Every owner of land, or his agent who files an application for water service or for connection to District facilities shall be deemed to have granted to the South Huntington Water District a continuing license for the employees, representatives or officials of the District to enter upon the lands of said owner for purposes of making routine inspections of water service and/or water connections, making appropriate emergency repairs thereto, ensuring that the water service and connections are installed and maintained in accordance with the specifications of the District, and otherwise ensuring compliance with the ordinances of the South Huntington Water District.

B. Application to the District shall be made prior to commencement of building construction.

C. No water supplied by the District may be used for any purpose other than that stated in the application.

D. No application shall be approved which relates to property on which any violation of these ordinances exists. No water connection shall be made to any property

which is the subject of a pending application by the property owners or their agents for permission to utilize water from any other source other than the mains of the South Huntington Water District.

E. No application will be approved nor any permit granted until all fees, deposits or other charges relating thereto and all arrearages owing from the property owner or relating to the subject property have been paid in full.

F. No application for connection to District facilities shall be considered or approved unless accompanied by payment of the Systems Construction Charge established by this section. The Systems Construction Charges are set forth at Appendix "B".

The Systems Construction Charge shall be paid in addition to all other fees, deposits or other charges required pursuant to these ordinances.

G. For the purpose of determining the appropriate System Construction Charges, structures which incorporate the following four (4) elements shall be deemed non-residential uses: (1) the facility must be group residential or short-term residential in character (group residential must have integral elements of shared amenities, such as, dining, laundry and health care facilities; short term residential must be for terms of less than one year, such as, extended stay hotels); (2) the facility must have only minimal individual service demands (single bath and a kitchenette type sink is the maximum allowable for each unit within this service type; rental apartment, co-op and condominium units are deemed to be residential); (3) the individual units must not be separately metered; and (4) the facility's water demand must be such that the commercial rate equitably represents the cost for additional supply and store.

H. (1) Where a non-residential property is receiving water from the

District for both irrigation purposes and for internal building usage from a single service line, and the property owner requests an additional service line for irrigation purposes only, the system construction charges set forth in sub-paragraph “F” of this Section shall not apply to the additional irrigation service line, provided the irrigation usage will not significantly increase the water consumption.

(2) With the sole exception as set forth in subsection H (1) above, all non-residential properties requesting more than one service line shall be required to pay the systems construction charge for each service line pursuant to the provisions of sub-paragraph F of this Section 1.

I. Whenever a structure with an existing water service is demolished or, in the reasonable opinion of the District Superintendent, undergoes substantial structural renovations, the status of the water service will be reviewed. Any water service that is smaller than 1”, and

- (i) constructed of galvanized iron, plastic or lead,
- (ii) tapped on a main other than the main closest to the subject building,
- (iii) actively leaking, in violation of District Ordinances, or
- (iv) older than 25 years,

shall not be re-used, and a new service line shall be installed in conformance with the District’s specifications. Existing water services other than those prohibited hereby may be re-used. However, the property owner shall be responsible for ensuring that the service meets the prevailing Standards and Specifications of the District, including back flow prevention, meter pit construction, curb box location and automated meter reading equipment. New water services require the payment of all District Application and Materials Fees and shall be constructed in

accordance with the District Standards. Existing water services no longer utilized shall be discontinued at the water main at the property owner's expense, either prior to or in conjunction with the installation of the new service.

J. In the event a water distribution main does not extend across the real property to be developed, or if it is determined by the District that an existing water main is inadequate to supply water for the intended use of land, it shall be the responsibility of the property owner or developer to pay for the cost of water main installation, replacement, repair or extension, as the situation may require, inclusive of required valves, hydrants, services and/or other appurtenances, so that the water main is extended, as determined by the District.

SECTION 2. SPECIFICATIONS

All water services, mains and appurtenances thereto shall be installed pursuant to specifications on file in the District Office. A copy of such specifications may be obtained at the District Office.

SECTION 3. PERMITS

A. All permits required by Town, County or State authorities for street or highway openings shall be obtained by the property owner or his authorized agent at their own expense, and a copy shall be delivered to the District prior to the commencement of any work. The property owner shall be directly responsible to the issuing authority for compliance with and performance of the conditions imposed by each such permit.

B. All property owners, or their authorized representatives, must provide advance written notice of excavation to the District and to each operator of underground facilities listed on The New York City/Long Island One-Call Center. Failure to provide

the District with written notice of excavation shall be a violation of this Ordinance and may subject the property owner to any fines described in Section 27.

C. Permits to draw water from District hydrants will be issued to lawn and tree sprayers for an annual fee, as set forth in Appendix "C". The permits will be issued only after the lawn and tree spraying equipment has been inspected by an authorized representative of the District to confirm that such equipment meets all of the requirements of the N.Y.S. Sanitary Code.

D. Permits to draw water from District hydrants will be issued for agricultural irrigation purposes, as set forth in Appendix "C". Only previous year permitted agricultural irrigation users will be permitted to re-apply for Permits. A lapse of renewal in any ensuing year will make the Permit ineligible for renewal. The permit holder must utilize a District supplied water meter and consumption will be billed in accordance with the rates set forth at Section 20 of these Ordinances.

E. Permits to draw water from District hydrants will be issued for the purpose of construction and general use. Each such permit, when issued, will be valid for a 30 day period and the fee set for in Appendix "C". A Reduced Pressure Zone (R.P.Z.) backflow preventer, no larger than 1" in diameter, must be installed at the hydrant connection. The R.P.Z., together with a recent certification test report, must be presented to the District's representative at the time the application is submitted. The permit shall be valid only for low flow and intermittent use.

A permit for Higher Flow Construction and General Use (not to include irrigation) will be issued with the inclusion of a District-provided water meter. A Reduced Pressure Zone (R.P.Z.) backflow preventer, no larger than 2" in diameter, must be installed at the hydrant connection. The R.P.Z., together with a recent certification test report, must be presented to the District's representative at the time the application is

submitted. The Permit Fee is set forth in Appendix C. Additionally, metered water will be billed at the prevailing District rates set forth in Appendix C.

F. All permits issued by the District for the use of water supplied by the District or facilities controller by the District are subject to cancellation, revocation or suspension by the District without notice.

SECTION 4. COST OF MATERIALS AND OF INSTALLATION LABOR.

The cost of all materials, including water meters, and of all labor for the installation of service lines, meters and appurtenances utilized in supplying water to any premises, from the tap on the District water main, shall be borne by the property owner.

SECTION 5. TAPPING OF WATER MAINS

The tapping of water mains for service connections or for any other purpose shall be performed solely by employees of the District or by other persons authorized to do so by the District. The fee for permission to tap a water main shall be as set forth in Appendix C., which fee shall be deemed to cover the cost of preparing all permits and work orders, handling of service materials, and labor and equipment required to perform inspections during and after completion of the installation.

SECTION 6. MAINTENANCE AND REPAIR OF SERVICE LINES; INTERFERENCE WITH WATER MAINS.

A. The Water District shall maintain water service facilities in the public roadway and up to the property line.

B. The property owner shall at all times be responsible for the repair and maintenance of water service lines to District Specifications from the property line, as well as the water meter pit. Any and all repairs made to water service lines shall be made

by a licensed plumber. Meter pit covers shall be maintained at ground level and kept clear, accessible and in workable condition at all times.

C. In those instances where a water service(s) is tapped from a District water distribution main located in an easement area, the water service owner shall be responsible for the maintenance and repair of the water service line for its entire length.

D. In the event a property owner shall fail to repair or maintain water service lines as required by this Ordinance, the District may provide written notice to the property owner providing clear and specific information as to the nature of the repairs and maintenance which is required by said property owner. Said notice will be sent to the last owner of record as indicated upon the assessment rolls as maintained in the Office of the Assessor of the Town of Huntington, which notice will be mailed first class mail and certified-mail, return receipt requested. The same notice shall also be sent by first class mail to the occupant of the premises. In the event the property owner shall fail to effectuate the specified repairs within thirty (30) days of the mailing of said notice, the employees, agents or representatives of the District, upon Order of the Board of Commissioners of the South Huntington Water District, as evidenced by a Resolution of the Board, may enter upon the lands of the property owner for the purpose of making the required repair, pursuant to the license granted under Section 1. The cost of effectuating said repairs shall be added to the bill for water charges, as more fully set forth at Section "18".

E. It shall be a violation of the Ordinances of the South Huntington Water District to interfere with, tamper with, connect to, alter, undermine and/or affect the water mains of the District. In addition to any other civil remedy or criminal liability defined by applicable law, any property owner, person, business entity, or agent thereof who

violates this section shall be subject to prosecution and the imposition of civil penalties defined by law. In addition, the property owner and its agent shall be responsible for all costs associated with any repair or replacement of water mains necessitated as a result of a violation of this provision.

SECTION 7. WATER METERS

Each service connection to the water mains of the District shall have installed thereon a meter to measure the consumption of water. It shall be the responsibility of all property owners to ensure that water meters are maintained in proper working order. If the District shall determine that a water meter is not working in proper order, or is otherwise unsuitable for continued use, the District may provide written notice to the property owner providing clear and specific information as to the nature of the repairs and maintenance which is required by said property owner. Said notice will be sent to the last owner of record as indicated upon the assessment rolls as maintained in the Office of the Assessor of the Town of Huntington, which notice will be mailed first class mail and certified-mail, return receipt requested. The same notice shall also be sent by first class mail to the occupant of the premises. In the event the property owner shall fail to effectuate the specified repairs within thirty (30) days of the mailing of said notice, the employees, agents or representatives of the District, upon Order of the Board of Commissioners of the South Huntington Water District, as evidenced by a Resolution of the Board, may enter upon the lands of the property owner for the purpose of making the required repair, pursuant to the license granted under Section 1. The cost of effectuating said repairs shall be added to the bill for water charges, as more fully set forth at Section “18”.

No person other than a District employee shall be permitted to break any seal or remove any meter. Breaking or tampering with any meter seal by unauthorized persons is prohibited. All meters and appurtenances shall be purchased from the District in order to maintain uniformity and quality. Any meter may be removed by District employees for testing and repair. All meters determined by the District to be unsuitable for continued use shall be replaced. Meter repairs, including the cost of replacement meters, shall be made by persons authorized to do so by the District at the expense of the property owner.

SECTION 8. PREVENTION OF WATER CONTAMINATION.

A. The installation or use of inter-connections, cross-connections or other means whereby water from any source other than the District's wells is or may be introduced into the District's mains is prohibited. Emergency interconnections with the water supply systems of other Districts must be authorized by the Board of Water Commissioners.

B. The installation or use of connections for swimming pools or for underground lawn or irrigation sprinkler systems shall not be permitted unless such connections or systems shall be equipped with back-flow prevention devices approved in advance by the District and the New York State Health Department. Where required by the District and the State Health Department, backflow prevention plans shall be submitted in accordance with prevailing regulations and then reviewed by both agencies. The District's Backflow Prevention Plans Review Fee is set forth in Appendix C.

C. The Board of Water Commissioners, in order to protect the public water system of the South Huntington Water District hereby adopts and incorporates into its ordinances all of the provisions of Section 5-1.31 "Cross-Connection Controls" of Chapter 1 of the State Sanitary Code of the State of New York.

SECTION 9. BOOSTER PUMPS

Any water distribution system connected to the South Huntington Water District distribution system by a service line, if equipped with a booster pump or other device which could create pressure levels in the South Huntington Water District distribution system of less than thirty (30) pounds per square inch, shall be equipped with a pressure control device on the District side of such connection. Such devices shall not be installed until approval has been obtained in writing from the South Huntington Water District. Such devices shall be tested no less frequently than once a year, at the customer's expense, and such testing shall be conducted in the presence of representatives of the South Huntington Water District. Said device shall not allow the District-side distribution pressure to fall below thirty pounds per square inch (30 psi).

SECTION 10. REFRIGERATION AND COOLING EQUIPMENT.

Any water supplied by the South Huntington Water District for refrigeration, air conditioner systems or other water-cooling equipment must be used in a closed loop system.

SECTION 11. FIRE HYDRANT AND PRIVATE SPRINKLER SYSTEM STANDBY CHARGES.

A. Annual demand charges for private fire sprinkler system connections and private fire hydrants shall be as set forth in Appendix "D".

Where a fire hydrant is installed on a common line with a fire sprinkler system, only the sprinkler charge shall be levied. Private fire hydrants shall be used only for fire fighting purposes and other use is strictly prohibited.

B. Rentals for fire hydrants for the use of fire districts shall be established by

contract with the respective fire districts.

SECTION 12. USAGE OF FIRE HYDRANTS.

- A. No unauthorized person shall open, tamper with, interfere with, obstruct in any manner, or draw water from any District fire hydrant. Private fire hydrants shall be used only for fire fighting purposes and other use is strictly prohibited.
- B. Any person corporation, or applicant seeking permission to conduct a fire flow test shall do so only with the accompaniment of District personnel. Such person, corporation or applicant shall provide and operate the instrumentation to measure hydrant pressures and flows; District personnel shall operate the hydrants and control traffic where required. Such tests shall be performed at a time determined by the Water District. The Fee for a Fire Flow Test *is set forth in Appendix C.*

SECTION 13. FIRE SERVICE LINES.

A District approved backflow preventer with a 5/8" x 3/4" detector meter and 3/4" District approved backflow preventer shall be installed on all separate water main service connections used exclusively for fire protection. All fire service lines shall be a constant diameter from street main to building line. If branch lines are installed, the main service line from the street shall have a flow capacity at least equal to the sum of capacities of such branch lines.

SECTION 14. VACANT PREMISES.

Each property owner shall arrange for the discontinuance of water service whenever premises become vacant. The property owner shall bear the expense of necessary repairs and shall pay the charge for water which is lost in the event of failure to

discontinue service. The quantity of water so lost shall be estimated by the District and the charge therefore shall be added to the bill next sent to the property owner and shall be paid in the same manner as regular water charges.

SECTION 15. RESUMPTION OF WATER SERVICE.

Whenever the supply of water to any premises shall be turned off for any reason whatsoever, it shall not be turned on thereafter without the permission of the District.

SECTION 16. NOTICE TO TURN ON OR DISCONTINUE WATER SERVICE.

A minimum of five (5) days written notification shall be given to the District by any owner requesting a turn on or discontinuance of water service. A charge as set forth in Appendix "C" will be levied for each turn on and turn off.

SECTION 17. OMITTED

SECTION 18. BILLS FOR WATER CHARGES; TAX LIENS

A. Bills for water charges shall be due when rendered. If any bill remains unpaid more than sixty (60) days after it has been rendered, water service to the subject premises may be discontinued by the District and shall not be resumed until all outstanding charges shall be paid in full.

B. On or about September 15th of each year the District shall submit to the Town Board a list of delinquent water charge accounts. Pursuant to Section 198 of the Town Law of the State of New York, unpaid water charges shall constitute a lien against the

real property upon which or in connection with which the water is used. Delinquent water charges entered upon a tax bill shall be subject to a ten (10%) percent penalty charge.

SECTION 19. OWNERS AND PURCHASERS OF PROPERTY LIABLE FOR UNPAID WATER CHARGES.

Where title to real property is conveyed the grantee or new owner shall be liable for payment of all unpaid water charges of the grantor or former owner. Owners of real property shall be deemed liable for unpaid water charges incurred by occupants or tenants of the premises.

It is the responsibility of the involved parties to notify the Water District in a timely manner of any change in ownership of District-served properties. Upon a minimum of seventy-two (72) hours prior notice, and upon the presentation of all District-required information, the District shall prepare a “Final Water Bill” for the property seller, and change the account information for the New Owner or property purchaser. Fees for the Final Read Charge and the New Owner Charge are set forth in Appendix C.

SECTION 20. WATER RATES AND MISCELLANEOUS CHARGES.

See Appendix “A”

SECTION 21. RESALE OF DISTRICT WATER PROHIBITED.

Resale of District water under any circumstances is prohibited.

SECTION 22. DISCONTINUANCE OF WATER SERVICE.

Willful or negligent waste of water or the commission or existence of any violation of these ordinances shall be deemed sufficient cause for the discontinuance of water service by the District to the premises.

SECTION 23. WATER FOR ROAD OR HIGHWAY CONSTRUCTION.

The use of District water in connection with road or highway construction shall be prohibited unless written permission shall be obtained from the District prior to such usage.

SECTION 24. IMPROPER SERVICE INSTALLATIONS.

The district shall discontinue water service in the event it determines that any service connection has been improperly installed. Water service shall not be restored until the service connection has been properly installed and all expenses and damages have been paid by the property owner.

SECTION 25. RIGHT OF ENTRY TO PREMISES; EMERGENCY REGULATIONS.

A. The members of the Board of Water Commissioners and designated District employees shall be authorized to enter in or upon the premises of any consumer at any reasonable hour to inspect the installation or determine the condition of all water facilities and appurtenances and the use thereof.

B. The Board of Water Commissioners is authorized to adopt temporary regulations restricting the use of District water upon finding that an emergency situation exists requiring such restriction.

SECTION 26. PERSONS AUTHORIZED TO PERFORM SERVICES.

No person shall perform any services or make any installation which is connected to any main, service line or appurtenance owned by the District unless duly licensed pursuant to the Ordinances of the Town of Huntington where such ordinances require licensing of such persons.

SECTION 27. VIOLATION OF ORDINANCES.

Any person who violates any provision of these ordinances shall be subject to prosecution and the imposition of penalties therefore as provided by law. Water service provided to such person at any location within the District may be discontinued until such violation is corrected and such penalties together with all other costs, fees and deposits are paid.

SECTION 28. MISCELLANEOUS POWERS.

The Board of Water Commissioners reserves the right to (1) alter, amend, add to, repeal or otherwise change these ordinances, as may be required in its discretion; (2) make special rates or contracts in its discretion where proper; and (3) temporarily discontinue any water supply with or without notice, where reasonably required in order to make repairs, permit installation of extensions or other necessity. Neither the District nor the Board shall be liable for any damages sustained as a result of such temporary discontinuance of water supply or from increases or decreases in water pressure.

The foregoing ordinances of the South Huntington Water District are in full force and effect as of the date indicated below:

Paul J. Tonna
Ciro DePalo
Joseph G. Perry

Constituting the Board of Water Commissioners of the South Huntington Water District

Amended September 6, 2012, Effective January 1, 2017.

Miscellaneous Ordinance Revisions, 2019
Revisions Adopted 1/1/19, Effective 1/1/19

Section 1. Application For New Water Services

I. Whenever a structure with an existing water service is demolished or, in the reasonable opinion of the District Superintendent, undergoes substantial structural renovations, the status of the water service will be reviewed.

APPENDIX A

**WATER RATES AND
MISCELLANEOUS CHARGES**

A. All water supplied by the District *shall be billed quarterly and at the following rates, which rates are subject to change:*

(i) From 0 gallons to 50,000 gallons of water consumed, the rate is \$0.80 per 1,000 gallons.

(ii) From 51,000 gallons to 100,000 gallons of water consumed, the rate is \$1.31 cents per 1,000 gallons.

(iii) From 101,000 gallons and over of water consumed, the rate is \$1.61 per 1,000 gallons.

B. The above water rates notwithstanding, the minimum quarterly water bill shall be \$8.00.

C. Where the District purchases water from another supplier for re-sale to consumers in the District, where water is sold to consumers outside of the District's boundaries or where water is provided by hydrant connection or temporary connection the rate therefore shall

be fixed by resolution of the Board of Water Commissioners of the District.

APPENDIX B

The Systems Construction Charges shall be \$3,300.00 for each residential unit unless the application for connection to District facilities is for service to a subdivision or building having six (6) residential units or less, in which instance the Systems Construction Charge shall be \$1,650.00 for each residential unit. The Systems Construction Charge for each non-residential service shall be based upon the diameter of the water service line, pursuant to the following schedule:

<u>Service Line Diameter</u> <u>(inches)</u>	<u>Systems Construction Charge</u>
1	\$ 3,300.00
1.5	\$ 7,425.00
2	\$ 13,200.00
3	\$ 30,250.00
4	\$ 53,350.00
6	\$118,800.00
8	\$211,200.00

APPENDIX C

Miscellaneous fee schedule

1. Permits to draw water from District hydrants will be issued to lawn and tree sprayer tank trucks for an annual fee of \$175.00.
2. Permits to draw water from District hydrants will be

issued for agricultural irrigation purposes for an annual fee of \$200.00, in addition to actual water used, commensurate with the water rates set forth in Appendix "A".

3. Permits to draw water from District hydrants will be issued for the purpose of Low Flow Construction and General Use. Each such permit, when issued, will be valid for a 30-day period and the fee for such permit will be \$150.00.

Permits to draw water from District hydrants for the purpose of High Flow Construction and General Use (excluding irrigation) will be issued along with a District-owned water meter to measure consumption. The Permit Fee shall be \$175.00, plus a separate billing for the metered water consumed at the rates set forth in Appendix A.

4. The Filing, Inspection and Tapping Fee for permission to tap a water main shall be \$850.00, which fee shall be deemed to cover the cost of preparing all permits and work orders, handling of service materials, and labor and equipment required to perform inspections during and after completion of the installation.
5. A minimum of five (5) days written notification shall be given to the District by any owner requesting a turn-on or turn-off of water service. A charge of \$75.00 will be levied for each turn-on and turn-off.
6. Upon the change in ownership of a District-served property, and upon the timely presentation of all required information, a "Final Water Bill" shall be prepared by the District. A Final Read Charge of \$40.00 shall be levied on the former owner. A New Owner Charge of \$40.00 shall be levied upon the new

property owner.

7. When required by the Water District and the State Health Department, backflow prevention plans shall be submitted in accordance with prevailing regulations. The Water District Plans Review Fee is \$100.00, payable upon plans submission.
8. When a person, corporation, or applicant requests permission to conduct a fire flow test, such tests shall be performed in the accompaniment of District personnel and conducted at a time determined by the District. The Fee for a Fire Flow Test is \$175.00 and is payable prior to the commencement of the test.

APPENDIX D

FIRE HYDRANT AND PRIVATE SPRINKLER SYSTEM STANDBY CHARGES.

Annual demand charges for private fire sprinkler systems and private hydrants connections shall be as follows:

Connection Diameter

(Sprinkler Only)

Charge

2"	\$ 50.00
3"	\$ 100.00
4"	\$ 500.00
6"	\$ 1,000.00
8"	\$ 2,100.00
10"	\$ 4,200.00
12"	\$ 6,100.00
Private Fire Hydrant, 6" Spur	\$ 600.00

***SHWD Ordinance Duly Amended September 6, 2012, and
Effective January 1, 2019***