

Chapter 145

WATER

ARTICLE I Water Supply

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[HISTORY: Adopted by the Board of Trustees of the Village of Camden as indicated in article histories. Amendments noted where applicable.]

GENERAL REFERENCES

Sewer and water service in mobile home parks — See
Ch. 94.

Sewers — See Ch. 120.
Subdivision of land — See Ch. 130.

ARTICLE I Water Supply

[Adopted 2-7-1977 as Ch. 45 of the 1977 Code]

§ 145-1. Title.

This article shall be known and may be cited as the "Water Supply Law of the Village of Camden, New York."

§ 145-2. Purpose.

- A. It is the purpose of the Village of Camden to continue to furnish an adequate supply of pure and wholesome water to the residences and business establishments in the Village of Camden and its immediate vicinity; and also to supply sufficient water with sufficient pressure in its water supply system to adequately protect the buildings in the Village from damage or destruction by fire and to permit the residents of the Village to have the protected rate of the fire-rating organizations on their fire insurance for both their buildings and personal property.
- B. This article is therefore enacted in order that the water supply system may be properly maintained, improved and extended primarily for the benefit of the water users and taxpayers within the Village limits, secondarily for the benefit of the water users outside of the Village who are already connected with the water system, and lastly for the benefit of any applicants for water use outside the Village limits but in its immediate vicinity.

§ 145-3. Applicability.

This article shall be applicable to all property and water users within the Village of Camden; and the terms of this article shall be applicable to all water users outside of the Village of Camden as terms of a contract in accordance with which water is to be supplied to such outside users.

§ 145-4. Application for service.

All applications for water service shall comply with the following requirements:

- A. All applications for the use of water must be made, in writing, on forms provided by the Village, designated "Application for Water Service." On acceptance by the Village, the application shall constitute a contract between the Village and the applicant, obligating the applicant to pay the Village its established rates and to comply with its rules and regulations.
- B. Application will be accepted subject to there being an existing main in a street or right-of-way abutting on the premises to be served, but acceptance shall in no way obligate the Village to extend its mains to serve the premises.
- C. A separate application must be made for each premises. Such application must be signed by the owner of the premises. The word "premises" as used herein shall be defined as follows:
 - (1) A building under one roof owned or leased by one customer and occupied as one residence or one place of business.
 - (2) A combination of buildings owned or leased by one customer, in one common enclosure, occupied by one family, one corporation or firm as a residence or place of business.
 - (3) Each unit of a multiple house or building separated by a solid vertical partition wall, occupied by one family or one firm as a residence or place of business.
 - (4) Garden apartments owned by one individual or firm and located in one common enclosure.

§ 145-5. Installation of services.

- A. Village's responsibility.
 - (1) Upon written application for water service, as hereinbefore prescribed, by an owner or occupant of any property abutting on any public street, and upon payment of the applicable charge for the size of service to be installed, the Village will install, operate, maintain and, when necessary, replace at its own cost and expense the service pipe and connection between the main and the curb box on public streets.

- (2) Service pipe and service connection shall not be trespassed upon nor interfered with in any respect. The curb stop may not be used by the customer for turning on or shutting off the water supply, but is for the exclusive use of the Village.
- B. Customer's responsibility.
- (1) The applicant shall, at his own expense, install the service pipe from the curb box shutoff to the premises and a valve to be located preferably just inside the building wall, permitting control of the water supply by the customer. This property shall be maintained at the expense of the customer, and when necessary replaced. For this installation and maintenance thereof, the customer shall employ a competent plumber and all work shall be performed in a manner satisfactory to the Village. The minimum size, materials, depth of cover and method of construction shall be the same as hereinafter specified for a service pipe installed by the Village. If any defects in workmanship or materials are found, or if the customer's service pipe has not been installed in accordance with such specifications or with the Village requirements, water service either will not be turned on or will be discontinued if such defects are not remedied.
 - (2) No service pipe will be installed by the Village until the service pipe and service pipe connection from the premises to the street have been installed in a manner satisfactory to the Village.
- C. Service pipe specifications. All service pipes shall have a minimum cover of 4 1/2 feet. No service pipe shall be less in size than 3/4 inch inside diameter. United States Government specification Type K soft-tempered copper tubing shall be used on three-fourths-inch and one-inch services. Byers galvanized pipe or Type K copper tubing shall be used on one-and-one-half-inch and two-inch services. All services larger than two inches in diameter shall be cast iron pipe of quality equal to American Water Works Association standard specifications and of weight suitable for service under a pressure of 150 pounds per square inch. All connections of service pipes to a main with a ground cover of less than five feet shall be made on the side of the main so that such service pipes shall in no case have less covering than the main. The Village reserves the right in all cases to stipulate the size and type of service connection to be used.

§ 145-6. Nonresident customers.

Upon written application for water service outside the Village limits, payment of the applicable charge for the tap and appurtenances connecting with the water main and the execution of an agreement therefor, the Village may supply water service outside of its limits pursuant to the following other general conditions:

- A. Water will not be supplied to any outside users or applicants therefor unless there is sufficient water for the supply of owners of property within the Village limits, and if and in the event that the water supply shall become insufficient for Village users, the supply for outside users will be shut off or restricted and remain shut off or restricted until the water supply is again sufficient for both Village and outside users.

- B. Water will not be supplied for use outside of the Village of Camden unless and until a new applicant therefor duly signs an agreement specifying the particular conditions and terms therefor, as the circumstances of the particular case may require.
- C. In no event will water be supplied to users outside the Village who prevent or attempt to prevent the Village, its agents or employees from entering upon their premises and inspecting all pipes and facilities for the use of water thereon and/or shutting off or restricting the water supply in accordance with the provisions of this article or the laws of the State of New York.
- D. Supply pipes to users outside the Village limits shall be laid and maintained solely at the expense of the users, who must also pay to the Village the charge for the tap and appurtenances connecting with the water main.

§ 145-7. Meters.

- A. Required. An individual meter shall be required for each premises and for each separate water service connection to each premises.
- B. Special housing. When due to special circumstances it is necessary to set any meter in a special housing, such as a meter pit, all expenses incurred by the Village in connection with its proper housing shall be reimbursed to the Village by the property owner. The meter will be furnished and connected by the Village. Meter housings located in public streets will be maintained and, when necessary, replaced at the expense of the Village.
- C. Furnished and installed by Village. The meter will be furnished and connected by the Village. The Village reserves the right in all cases to specify the size, type and make of the meter to be used on any connection.
- D. Customer's responsibility. The customer shall provide a place acceptable to the Village for location of the meter. The customer shall install the necessary piping, fittings, valves and pipe couplings to receive the meter.
- E. Care and maintenance.
 - (1) All meters and meter connections shall at all times remain the sole property of the Village, and shall not be interfered with in any respect.
 - (2) All meters will be maintained by and at the expense of the Village, so far as ordinary wear and tear are concerned, but the customer will be held responsible for damages due to freezing, hot water or other external causes. In case of damage the Village will repair the meter, if necessary replacing it with another meter, and the costs shall be paid by the customer. The Village recommends the customer install, at his expense, suitable equipment properly located to prevent backflow of hot water which may cause damage to the meter or other damage to the customer's plumbing.
- F. Testing and replacement. The Village reserves the right to remove and test any meter at any time and to substitute another meter in its place. In case of a disputed account involving the question as to the accuracy of the meter, such meter will be tested by the

Village upon the request of the customer. The fee for testing such meters will be as set forth from time to time by resolution of the Board of Trustees, payable in advance of the test. In the event that the meter so tested is found to have an error in registration to the prejudice of the customer in excess of 4% at any rate flow within the normal test flow limits, the fee advance for testing shall be refunded, and prior water bills will be adjusted for over-registration.

- G. Large meters. Meters larger than two inches in size shall be placed in specially designated settings so that they may be tested in place at frequent intervals. If the diameter of a meter is two inches or more no reduction in the size of the meter will be permitted for a period of two years.

§ 145-8. Inspection. [Added 12-7-1999 by L.L. No. 4-1999]

The Code Enforcement Officer or other authorized employee or representative of the Water Department, upon presenting proper identification, shall have the right to enter any premises where water is being supplied by the Village for the purpose of inspecting, installing, removing or reading a meter, plumbing and fixtures of the water service and all work in connection with the service.

§ 145-9. Water rates and charges. [Amended 10-18-1977 by L.L. No. 3-1977]

- A. Water rates. [Amended 10-17-2012 by L.L. No. 1-2012; 1-22-2022]

- (1) The following scale of rates to be called "water rates" is hereby enacted and governs the charges to be imposed on water users as follows:

Water Consumed (gallons)	Rent
0 to 15,00 gallons	\$42.70 minimum
15,001 to 65,000 gallons	\$2.56 per 1,000 gallons
65,001 to 115,000 gallons	\$2.68 per 1,000 gallons
115,001 and over	\$2.81 per 1,000 gallons

- (2) This schedule of water rates may be amended by the Board of Trustees pursuant to § 145-9, Subsection F.
- B. Imposition of water charges. In addition to any and all other fees and charges provided by law, the owner of any parcel of real property connected with the water distribution system of the Village of Camden shall pay a water usage charge for the amount of water consumed, which charge shall be determined by the Board of Water Commissioners.
- C. Water rates for nonresident users. The water rates for nonresident users shall be 150% of the rates charged to resident users.
- D. Additional charges.

- (1) Turning off or turning on water, an amount as set by resolution of the Board of Trustees.
 - (2) Supply pipes. There shall be an additional charge for furnishing supply pipes from the water mains to the property lines of the property owners together with standpipe and shutoff on said property line in an amount as set by resolution of the Board of Trustees on streets or roads which are not state highways; and also a further additional charge as set by resolution of the Board of Trustees for property owners on streets, roads or highways which are state highways, unless pavement does not have to be cut to install such supply lines. These provisions shall be applicable to both Village and outside users of water.
 - (3) Outside users. For outside users, all work in connection with service pipes shall be under the supervision of the Water Department. There shall be a charge in an amount set by resolution of the Board of Trustees for service connections to the main, including the meter. All labor and materials used in connection with installation of service pipes outside the Village shall be the responsibility of and at the cost of the applicant. All materials shall be available for use before the job is started.
- E. The Board of Trustees reserves the right from time to time to change the water rental charges originally or previously assigned to any property owner.
- F. Amendment of water rates. The Board of Trustees may amend the water rates for any and all users by resolution after a public hearing on at least five days' public notice. **[Amended 10-17-2012 by L.L. No. 1-2012]**

§ 145-10. Payment of water rates.

- A. Metered service bills. Metered service bills shall be rendered at the scheduled Village rates at four-month intervals, except that the bill for the four-month period ending on March 1 may be estimated and shall be based on the charge for the same period the previous year. Such service bills shall be due and payable at the office of the Village Clerk within 30 days after the mailing date. On bills remaining unpaid after 30 days a penalty of 10% of the amount of the bill shall be imposed and added to the basic charge. If a metered service bill remains unpaid after 30 days, the Village may discontinue service at the shut-off and service will not be reestablished until such unpaid charges, together with a service charge in an amount as set by resolution of the Board of Trustees for restoration of the service, is paid. **[Amended 1-7-1980 by L.L. No. 1-1980; 2-18-1986 by L.L. No. 1-1986]**
- B. Partial use of four-month period for metered rates. Any customer, new or otherwise, taking water for a part of one four-month period will be charged the minimum charge for that period, together with an excess gallonage over the minimum allowance, if used.
- C. Discontinuance. Any customer may discontinue water service by giving the Village written notice not less than 10 days prior to the discontinuance, and all liability of service, as herein provided for, shall cease.

- D. Change of occupancy. The customer shall notify the Village, in writing, of any change in occupancy. No adjustment of bills will be made by the Village as between owners or tenants unless 10 days' notice, in writing, prior to change of occupancy has been given to the Village.¹
- E. Pursuant to and in accordance with Village Law § 11-1118, unpaid water service bills shall be a lien on the real property upon which the water is used, and such lien is prior and superior to every other lien or claim except the lien of an existing tax, and the Board of Trustees may bring and maintain an action in the name of the Village for the foreclosure of such liens for such unpaid water bills. [Added 12-7-1999 by L.L. No. 4-1999]

§ 145-11. Restoration of service.

No water will be furnished to any applicant for property for which the water supply has been shut off because of failure to pay back water rents, interest, fees and penalties, until all such back water rents, interest, fees and penalties have been paid in full.

§ 145-12. General rules.

- A. Use of fire hydrants. Except as hereinafter provided no person except the Chief of the Fire Department and his authorized assistants shall use water from any public fire hydrant for any use whatsoever. If any emergency arises, upon application to the Village, the Water Superintendent may authorize water use from public hydrants under such conditions as he may deem advisable.
- B. Backflow protection. In the interest of public health, the Village mains or services shall not be connected on the premises with any service pipe or piping which is connected with any other source of water supply not approved by the Department of Health of the State of New York; nor shall the Village mains or service pipes be connected in any way to any piping, tank, vat or other apparatus which contains liquids, chemicals or any other matter which may flow back into Village service pipes or mains, unless proper backflow preventative valves as recommended and approved by the Village Board of Water Commissioners are installed.
- C. Deficiency or failure of water supply. The Village undertakes to use reasonable care and diligence to provide a constant supply of water at a reasonable pressure to customers, but reserves the right at any time, without notice, to shut off the water in its mains for the purpose of making repairs or extensions, or for other purposes. It is expressly agreed that the Village shall not be liable for a deficiency or failure in the supply of water or the pressure thereof for any cause whatsoever, nor for any damage caused thereby, or by the bursting or breaking of any mains or service pipe or any attachment to the Village property.

1. Editor's Note: Former Subsections E and F, regarding unmetered service, which immediately followed this subsection, were deleted 10-18-1977 by L.L. No. 3-1977.

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

- (1) For use of water through connections on the street side of the meter.
- (2) For molesting any service pipe, seal, meter or any other appliance used in providing water service.
- (3) For nonpayment of bills for water or services rendered by the Village water supply as heretofore set forth.
- (4) For cross-connecting pipes carrying water supplied by the Village with any other source of water supply.
- (5) For refusal of reasonable access to the customer's premises, upon presentation of proper identification, for the purpose of inspecting fixtures and piping and reading, repairing, testing or removing meters. [Amended 12-7-1999 by L.L. No. 4-1999]
- (6) For reselling water.