

**CHARLTON WATER AND SEWER COMMISSION  
RULES AND REGULATIONS  
FOR METERED WATER AND SEWER BILLING**

ARTICLE I - General

1.1. Purpose of Regulations

The Charlton Water and Sewer Commission has established this metering policy in order to create a fair and equitable method for billing, to encourage water conservation and to collect information for the proper operation of the water and sewer infrastructure. The Commission's goal is to have all water and sewer customers on a metered billing system.

1.2. Authority

The Charlton Water and Sewer Commission hereby enacts the following regulation pursuant to its authority as set forth in G.L. c. 41, §69B, G.L. c. 83, §10 and G.L. c. 83, §16.

ARTICLE II - Eligibility and Conditions of Service

2.1 All customers receiving public water service provided by the Commission shall be subject to metered billing rates for water and sewer use charges. Customers receiving water service from the Town of Southbridge and sewer service from the Town of Charlton may apply to the Commission to calculate their sewer use charge based on the meter readings from the Town of Southbridge, or may apply to receive a meter from the Commission, or to install a meter compatible with the reading system utilized by the Commission.

2.2 The Owner of any property in Charlton, Massachusetts which has received, or is eligible to receive, sewer service from the Water and Sewer Commission may apply to install a meter on the privately-owned water service to be used as the primary basis for sewer billing.

2.3 All customers receiving public sewer service must file an Application for Metered Billing prior to any change or transfer of ownership of the property connected to the sewer and said property must be set-up for metered billing in accordance with this Regulation prior to the date of closing.

2.4 All customers receiving sewer service from the Water and Sewer Commission for non-residential use must install a meter to be utilized for sewer usage billing within one year from the availability of meters

2.5 Once a property is billed for sewer use charges based on a metered rate, the property must always be billed based on a metered rate. A property may not revert to flat rate billing once a meter is installed.

2.6 Every application for new water and/or sewer service must be accompanied by an Application for Metered Billing. All applications for the installation of a water meter shall be made to the Commission at the office of the Water and Sewer Commission by the owner of the property or by an agent authorized by the owner. All applications must contain the full information requested. All applications shall be signed by the owner of the premises supplied, and each application shall constitute a contract between the Commission and the applicant, his heirs and assigns.

2.7 All persons using meters shall comply with the rules and regulations set forth by the Commission.

2.8 The Commission has sole discretion to approve or deny applications for metered service based on the current account balance with the Commission, the eligibility for water and/or sewer service, anticipated changes in use, difficulties in reading and maintaining meters, or other factors that are equitable and reasonable.

2.9 The Commission may approve the installation of meters and assume the responsibility for meter reading and deduct-billing for deduct-meters for public water consumers, to measure the amount of water that is used for non-sewered use (for instance, where a large percentage of the water is used for cooling, manufacturing, irrigation, or other use that does not contribute to the public sewer system). The water used for such approved non-sewered use will be deducted from the sewer usage billing.

2.10 The Commission shall determine the size, type, and make of meter to be installed. Residences with four or fewer bedrooms, and without special requirements for fire-suppression and irrigation systems shall be permitted to receive a 5/8" meter. All applications for residences with more than four bedrooms, fire suppression or irrigation systems, or any commercial, industrial or institutional use shall require review by the Commission.

2.11 An applicant for a new service serving a new building or an addition, which service shall remain unmetered during construction, shall, in addition to the application charges, deposit with the Treasurer, in advance, one year's annual rate billed quarterly for unmetered water and/or sewer service in accordance with the Fee Schedule; upon installation of the meter by the Commission, they shall receive a refund on a calendar day pro-rata basis, and shall thenceforth be billed for service at the normal metered rates.

2.12 In case of the sale of property, notice shall be given to the Commission no less than 48-hours prior to the transfer of property. Notice shall include the name and mailing address of new owner. Outstanding use invoice (bill) and all other charges will remain the responsibility of any owner of the property. Failure to receive invoices

and/or to submit notice of transfer of ownership will not constitute a reason for any adjustments.

2.13 The owner will be charged and held responsible for all water usage until such time as they have notified the Commission, in writing, that they no longer desire water and/or sewer service. Charges shall continue until such time as the water meter is removed and the water service turned off. It is the owner's responsibility to pay all charges associated with the removal of the meter and water off charges as described herein. It is the owner's responsibility to notify the Commission, in writing, upon re-activation of water service. It is the owner's responsibility to pay all charges associated with the installation of the meter and water turn on charges as described herein. In no case will a customer be allowed to discontinue metered billing and convert to flat-rate billing without prior consent of the Commission.

2.14 Owners supplied by municipal water must be metered and all water passing through a meter must be paid for whether used or wasted. The Commission shall not be held liable for nor shall any claims be made against it in consequence for the breaking of any pipe or fixture. The owner must keep their water pipes and fixtures in good repair and protected from freezing at their own expense.

### ARTICLE III - Installation and Inspection of Meters

3.1 The Commission shall have free access to all premises with meter installed for the purpose of examination and repair of meters, pipes, and fixtures, and to determine any misuse of the water or any other acts contrary to the intent of these Regulations. The Owner shall see that the water meter pit, water meter, water meter reading devices and appurtenances are readily accessible at all times to the Commission or their agent. Failure to remove any obstruction within three (3) days after being notified by the Commission of the problem will be cause for the water to be shut off to the premises. Water service will not be turned on until all obstructions are removed, all regulations are complied with, and all expenses for turning on and off the water are paid in full. If the obstruction prevents the timely reading of the meter, the Commission shall include an estimated usage charge for the effected billing period, and shall make a billing adjustment during the next billing cycle. In the event that an estimate is used for two consecutive billing periods, the estimate shall be increased by 20% each period until the estimate is three-times the original estimate, or until an actual meter reading can be obtained.

3.2 Meters shall be installed in a full or half basement, in a location that is protected from freezing, and is accessible without the removal of panels, blocks or other structural members. Installation of meters in crawl spaces or under buildings will not be permitted without the prior approval of the Commission. When the property has no cellar and the meter cannot properly be set inside the building, the expense of a proper meter box or vault shall be borne by the owner of the property. The installation of a meter in a meter box or pit shall be at the sole discretion of the Commission.

3.3 All meters shall be installed within the building as close to the water supply service entrance as possible. Residential customers which have a meter for sewer purposes only may retain a single connection to drain the well storage/expansion tank, and may use the tank connection for non-sewered water use (filling pools, irrigation). The meter must be located after the ball valve of the brass manifold tank for private well customers. The installation of a tee valve for outside water use before the ball valve and meter is allowed. Customers that are using meters for water use billing will be allowed no taps prior to the meter.

3.4 The Owner is responsible for hiring a licensed plumber in accordance with applicable local and state rules and regulations to install the valve, meter horn, backflow prevention assembly, meter and meter reading device as indicated in the Commission specifications. In the event that a location cannot be found that is suitable to both the Owner and Commission, the Owner shall install a meter pit or vault at the property line at the expense of the Owner.

3.5 Pressure reducing valves shall be installed upstream of the meter assembly when the inlet pressure is expected to exceed 120 psi.

3.6 The Commission will not be responsible for the effect of water pressure or quantity issues derived from the installation of the meter. The owner shall make any changes necessary to accommodate the meter.

3.7 No electrical ground will be allowed to be connected to any water meter or water service.

3.8 Each meter installed on private water systems shall have a shut of valve on either side of the meter to isolate the meter for repair or replacement. Meters that are 5/8" through 1" to meter public water use shall utilize a ball valve, kornerhorn, and double check valve assembly to isolate the meter, and larger meters shall have a shutoff valve and approved backflow prevention device.

3.9 The Owner shall permit the Commission to require the meter wiring, external reading device, and appurtenances be attached to any structure in the area that best suits the reliable collection of meter readings. In the event that the location is unacceptable to the Owner, the Owner may pay for the relocation of the meter reading device in an alternate location suitable to the Commission. In the event that a location cannot be found that is suitable to both the Owner and Commission, the Owner shall install a meter pit or vault at the property line at the expense of the Owner.

3.10 If the Commission determines that a meter is inappropriately sized the Commission shall have the right to direct the Owner to change the meter and installation to best suit the requirements of the Commission. The owner will be responsible for charges and fees associated with the change of this meter unless the Commission determines that the change is due to an error by the Commission.

3.11 Any change in the location of a meter shall be approved by the Commission and shall be at the owner's expense.

3.12 All meters and appurtenances installed or supplied by the Commission shall be installed, relocated, removed or disturbed only by an employee or agent of the Commission

#### ARTICLE IV - Meter Maintenance and Testing

4.1 No person shall bypass, tamper with, remove or prevent a meter from registering water consumption, and such acts shall be subject to the penalties stated in Massachusetts General Laws Chapter 165 Section 11 and to such other penalties and fines as the Commission may adopt under these regulations.

4.2 When a water meter ceases operating, the Commission reserves the right to include an estimated usage charge for the effected billing period, and shall make a billing adjustment during the next billing cycle.

4.3 The Commission may subject all meters to periodic testing. The Commission may at anytime test, remove, repair or replace any meter or its appurtenances it deems necessary in order to assure the accuracy of the meter or to update the meters. All testing shall be at Commission expense.

4.4 Repairs or damage to a meter from freezing, hot water, act of neglect by the owner or consumer or other external causes shall be charged to the owner in accordance with the Fee Schedule.

4.5 The Owner of the property served by water shall be responsible for payment of any and all reasonable expenses incurred by the Commission in replacing a meter damaged either by obvious vandalism or negligence.

4.6 Any person using a meter supplied by the Commission under these rules and regulations shall be entitled to an examination and test of such meter to determine the accuracy of the same in any quarter or period, upon written application therefore, which shall be made before the expiration of the time when the rate for such quarter or period is required to be paid, to the Commission. A written report of the result of the examination and test shall be furnished to the person making the application, and if it appears that the meter has registered with substantial accuracy, the expense of the examination and test shall be paid by the person applying therefore, and in no case shall the expense so required to be paid exceed three dollars for each examination and test, but if it appears that the meter has not registered within two per cent of accuracy and that the person has been charged with, or has paid for, more water than he should have been charged with or should have paid for, the amount of such excess shall forthwith be credited to such person or remitted to him if he has paid the same, and the expense of the examination and test shall be borne by the Commission; if,

however, it appears that the person has been charged with, or has paid for, less water than he should have been charged with or should have paid for, he shall forthwith be charged with the proper additional amount and shall pay the same, together with the expense of the examination and test, to the Commission. (MGL, ch 40 Section 39I )

4.7 By accepting water service and/or agreeing to metered billing for sewer service, the property owner is giving consent for duly authorized personnel of the Charlton Water and Sewer Commission to enter the property served by said meter for the purposes set forth in this Regulation.

#### ARTICLE V - Fees

5.1 Unpaid bills shall become property tax liens per Massachusetts General Laws, Chapter 40, Section 42A-42K and Massachusetts General Laws, Chapter 83, Section 16A-16G, as amended.

5.2 Notwithstanding any such lien, any overdue rate or charge may be collected through any lawful means, including the shutting-off of water (for water service customers) until such time as the unpaid balance is paid in full.

5.3 All bills shall be rendered to the recorded owner or to his authorized agent if the written notice of the appointment of said agent is on file with the Commission. Owners of property shall be held liable for the charges to tenants.

5.4 In the event of transfer of ownership of the premises, the seller shall notify the Commission of such transfer; otherwise, the seller shall remain liable for charge incurred by the premises until notice is received.

5.5 Failure of an owner to receive a bill does not relieve him from the obligation of its payment, nor from the consequences of nonpayment.

#### 5.6 Meter Fees:

Each applicant must pay a Meter Fee prior to scheduling the installation of the meter at the service property. The Meter Fee is based on the meter size selected by the Commission. The Meter, Installation and Inspection Fee reimburses the Commission for the purchase, installation and inspection of the meter and reading equipment installed at the service location.

<u>Meter Size and Type</u>	<u>Meter Fee</u>
5/8" Meter	\$250.00
3/4" Meter	\$275.00
1" Meter	\$300.00
Larger than 1" (Owner provides meter)	\$100.00

5.7 Meter Reading Fee:

There shall be a \$20.00 fee to read meters that are not compatible with the meter reading system utilized by the Commission (Sensus Radio Read). The meter reading fee shall be charged each time a non-compatible meter is read.

5.8 Sewer Use Charges for non-industrial customers

The capacity charge shall be \$93.75 per equivalent dwelling unit plus a volume charge of \$0.0046 per gallon of water used. Customers with meters that have been installed with a connection prior to the meter shall be billed for 100% of the water registered by the meter. The sewer use charge for customers with meters that have no connection prior to the meter will be billed for 95% of the water registered by the meter.

5.9 Sewer Use Charges for industrial customers

The Commission may establish different rates for Sewer Users which discharge wastes that require additional treatment or impact the cost of treatment due to wastewater strength or other factors.

5.10 Water Meter Removal and Re-installation Fees

There shall be a \$100.00 service fee for requests by customers for the removal or reinstallation of water meters. Such requests shall be made twenty-four hours in advance to the Commission office only. Customer failure to meet an appointment resulting in a repeat service call shall occasion an additional \$50 fee per repeat service call. No person except Commission personnel or their designees shall be permitted to remove or reinstall meters.

5.11 All water passing through a meter shall be charged for, whether used or wasted.

The Commission may waive any portion of a sewer usage bill that it deems inappropriate due to leaking water pipes or faulty meter readings.

5.12 No allowance shall be made for the non-use of water or sewer service, unless official notice is given and the service is shut off by the Commission. A service charge shall be billed for shutting off an individual service.

5.13 Discounts

To be eligible for a discount on water or sewer usage fees, all charges on the account must be current.

5.14. Disconnected or Tampered Fee

Upon discovery that a water meter has been disconnected or tampered with, the Commission shall impose an estimated usage charge for each billing period that the meter remains disconnected. Said estimated charge shall be in addition to the fines and other penalties authorized in this Regulation.

ARTICLE VI – Enforcement and Penalties

6.1 In addition to the remedies set forth in other specific sections of this Regulation, any person who violates shall be liable to the Charlton Water and Sewer Commission for any expense, loss or damage incurred by the Commission as a result of such violation.

6.2 The Commission may assess a civil penalty of up to \$5,000 for any violation of these regulations pursuant to G.L. c. 83, §10. Each day such violation continues shall be considered a separate offense for purposes of this provision.

6.3 Whoever violates any provision of these Regulations may be penalized by a noncriminal disposition process as provided in G.L. c.40, §21D and the Town's non-criminal disposition by-law. If noncriminal disposition is elected, then any person who violates any provision of these Regulations shall be subject to a penalty in the amount of three hundred dollars (\$300.00). Each day or portion thereof that the violation continues shall constitute a separate offense. If more than one violation is observed, each violation shall constitute a separate offense.

6.4 The Commission may enforce this Regulation or enjoin violations thereof through any lawful process and the election of one remedy by the Commission shall not preclude enforcement through other lawful process.