

**VILLAGE OF CABOT
ADOPTION OF
WATER USE ORDINANCE**

The Trustees of the Village of Cabot have adopted a water use ordinance for the Village of Cabot, which shall become effective 60 days from the date of adoption, April 15, 2000, unless a petition is filed in accordance with Title 24, Vermont Statutes Annotated, Section 1973.

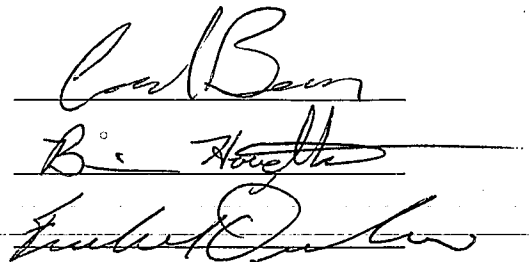
The purpose of the ordinance is the regulation of the installation and use of the public water system constructed and managed by the Cabot Village Board of Trustees. The ordinance contains specific standards for materials, construction and connection to the municipal system and establishes fees for service initiation and use. The table of contents are as follows:

Article 1	Definitions, Abbreviations
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The ordinance may be disapproved by a vote of a majority of the qualified voters of the Village voting on the question at an annual or special meeting. A petition for a vote must be signed by not less than five percent (5%) of the qualified voters of the municipality and presented to the Trustees or the Clerk of the Village within 44 days from the date hereof. In the event a petition is submitted, a special meeting shall be held within 60 days of receipt of the petition.

The full text of the ordinance may be examined at the Office of the Town Clerk.

Adopted this 15 day of FEB, 2000, by the Trustees of the Village of Cabot.



Original Copy

WATER USE ORDINANCE
FOR THE
VILLAGE OF CABOT, VERMONT

DRAFT FOR ADOPTION

FEBRUARY 4, 2000

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PREAMBLE

AN ORDINANCE REGULATING THE INSTALLATION AND USE OF PUBLIC WATERLINES, SERVICE CONNECTIONS, METERS, HYDRANTS, VALVES AND OTHER EXISTING OR PROPOSED COMPONENTS OF THE PUBLIC WATER SYSTEM AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF; IN THE VILLAGE OF CABOT, STATE OF VERMONT.

The Trustees of the Village of Cabot hereby ordain:

ARTICLE 1

Section 1. DEFINITIONS

Unless the context specifically indicates otherwise, the meaning of terms used in this ordinance shall be as follows:

Approved - Accepted by the Village as meeting an applicable specification stated or cited in this ordinance.

Backflow - (1) A flow condition, induced by a differential in pressure, that causes the flow of water or other liquid into the distribution system of a potable water supply, from any source or sources other than its intended source. (2) The backing up of water through a conduit or channel in the direction opposite to normal flow.

Backflow Preventer - A device or means designed to prevent backflow, including:

Air-Gap - The unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or faucet supplying water to a tank, plumbing fixture, or other device and the flood level rim of said vessel. An approved air-gap shall be at least double the diameter of the supply pipe, measured vertically above the top of the overflow rim of the vessel; and in no case less than one inch.

Reduced Pressure Principle Device. An assembly of two independently acting approved check valves together with a hydraulically operating, mechanically independent pressure relief valve located between the check valves and at the same time below the first check valve. The unit shall include properly located test cocks and tightly closing shut-off valves at each end of the assembly. The assembly shall operate to maintain the pressure in the zone between the two check valves at an acceptable level less than the pressure on the public water supply side of the device. At cessation of normal flow the pressure between the two check valves shall be less than the pressure on the public water supply side of the device.

In case of leakage of either of the check valves the differential relief valve shall operate to maintain the reduced pressure in the zone between the check valves by discharging to the atmosphere. When the inlet pressure is two pounds per square inch or less, the relief valve shall open to the atmosphere. To be approved these devices must be readily accessible for in-line testing and maintenance and be installed in a location where no part of the device will be submerged.

Double Check Valve Assembly. An assembly of two independently operating approved check valves with tightly closing shut-off valves on each end of the check valves. To be approved these devices must be readily accessible for in-line testing and maintenance.

Contaminant means any physical, chemical, biological, or radiological substance or matter in water.

Contamination - Any introduction into water of microorganisms, chemicals, wastes, or wastewater in a concentration that makes the water unfit for its intended use.

Corporation Stop - A valve for joining a service connection to a water main. It cannot be operated from the surface.

Cross Connection - Any physical connection or arrangement between two otherwise separate piping systems; one of which contains potable water and the other water or liquid of unknown or questionable safety, steam, gases or chemicals whereby there may be a flow from one system to the other.

Curb Stop - A valve for turning on and off an individual service connection. It can be operated from the surface.

Disinfectant - Any substance, including but not limited to chlorine, chlorine dioxide, chloramines, and ozone added to water in any part of the treatment or distribution process, that is intended to kill or inactivate pathogenic microorganisms.

Fire Flow- The rate of flow, usually expressed in gallons per minute, that can be delivered from a water distribution system at a specified residual pressure for fire fighting. When delivery is to fire-department pumpers, the specified residual pressure is generally 20 psi.

Industrial Fluids System - Any system containing a fluid or solution which may be chemically, biologically or otherwise contaminated or polluted in a form or concentration such as would constitute a health, system, pollution or plumbing hazard if introduced into an approved water supply. This may include, but not be limited to: polluted or contaminated waters; all types of process waters and

"used waters" originating from the public potable water system which may have deteriorated in sanitary quality; chemicals in fluid form; plating acids and alkalis, circulating cooling waters connected to an open cooling tower and/or cooling towers that are chemically or biologically treated or stabilized with toxic substances; contaminated natural waters such as from wells, springs, streams, rivers, bays, harbors, seas, irrigation canals or systems, etc.; oils, gases, glycerine, paraffins, caustic and acid solutions and other liquid and gaseous fluids used in industrial or other purposes or for fire-fighting purposes.

Pathogenic - Causing or capable of causing disease.

Peak Demand - The maximum momentary load placed on a water system.

Permit - A written document issued by the Village of Cabot pursuant to this ordinance giving a designated person permission to operate and/or construct, alter, renovate or connect to or draw water from the Village Public Water System.

Person - An individual, partnership, association, syndicate, company, firm, trust, corporation, government corporation, municipal corporation, institution, department, division, bureau, agency or any entity recognized by law.

Pollution - A condition representing the presence of harmful or objectionable materials in water.

Potable Water - Water free from impurities in amounts sufficient to cause disease or harmful physiological effects, with the bacteriological, chemical, physical and radiological quality conforming to applicable regulations and standards of the State of Vermont Water Supply Rules, latest edition.

Public Water System - shall mean a water system in which all users have equal rights, and is controlled by public authority.

Sampling - The act or technique of selecting a representative part of the water supply for testing.

Service Connection - Each single water pipeline which provides water to an individual residential living unit, a commercial unit or an industrial unit from the public water system is a service connection. The service connection shall start at the corporation stop at the main water line and extend inside the building to the water meter.

Shall - is mandatory; **May** - is permissive.

Standard Methods - Methods for examination of water and wastewater published jointly by the American Public Health Association, the American Water Works Association or the Water Pollution Control Federation or successor organizations.

Village - shall mean the Legislative Body of the Village of Cabot, or their designated representatives.

Valve Boxes - A metal access box set over a valve stem and rising to the ground surface, to allow access to the stem for opening and closing the valve. A cover is provided at the surface to keep out dirt and debris.

Water System Operator shall mean the person or persons designated by the Village Trustees to operate the water system.

Section 2. ABBREVIATIONS

For the purpose of this ORDINANCE; the following abbreviations shall have the meaning ascribed to them under this ARTICLE. References to standards of the following organizations shall refer to the latest edition of same.

ANSI shall mean American National Standards Institute.

ASME shall mean American Society of Mechanical Engineers.

ASTM shall mean American Society of Testing and Materials.

AWWA shall mean American Water Works Association.

NPC shall mean National Plumbing Code.

ARTICLE 2

Use of the Public Water System

Section 1

The primary uses of the public water supply system shall be for the supply of potable water to all connected users for domestic consumption and fire protection for structures within the area served by the public water supply system.

Section 2

Auxiliary use of the public water system, such as using hydrants to fill swimming pools, flooding ice skating rinks and the like shall only be permitted when such uses are approved by the Village and not in conflict with the primary uses under Section 1.

Section 3

In consideration of water service supplied by the Village of Cabot, each owner of property connected to the water system shall be responsible for payment of all charges rendered and for all water used by the owner(s), their tenants, successors in tenancy or in ownership, and all other persons at the specified location, unless and until proper notice is given to the Village of termination of service on a specific date. The owner, his/her tenants and other persons at the specified location shall abide by all rules and regulations established by the Village of Cabot, consistent with enforcement of the provisions of this ordinance.

Section 4

All houses, structures, or properties which are connected to the municipal water system at the time of enactment of this ordinance, are required to remain connected to the municipal system in accordance with the provisions of this ordinance unless specifically exempted from this provision by the Village. The Village has borrowed money for major upgrades to the system and requires the existing users to remain as customers so that there are sufficient funds to pay for the bond without unanticipated or increased burden on remaining users.

Section 5

Extension of and connections to the water system beyond the limit of the municipal system in place at the time of enactment of this ordinance shall be done as part of and to the standards of a municipal public water supply system (State of Vermont Water Supply Rule, and subsequent amendments thereto).

- a. All municipal water extensions, extended for the purpose of development shall be a minimum pipe size of eight (8) inch diameter unless waived by the Village and shall be extended to the furthest boundary line of the development property at a location within the Town right-of-way or an easement providing for future extension of the system.
- b. New connections and extensions to the system must maintain adequate pressure and flow and must not adversely affect the existing system or users. The system has limited capacity for expansion. It is specifically the purpose of these procedures to assure that existing users do not sacrifice any standard of service for the benefit of new users connecting to the system. Any reductions in service created by expansion into new areas will be evaluated considering the total impact on the entire system. Where an impact causes any potential reduction in the standards of service to existing users, new users requesting connections will be required to complete such system improvements to eliminate any such impacts as a condition for obtaining a water connection permit.
- c. Extensions of and connections to the municipal water system shall be designed, inspected, tested and written opinion of compliance completed upon installation by a qualified professional engineer licensed in Vermont. Construction shall be done only by firms experienced in the construction of municipal water systems. The determination of qualifications shall be made by the Village.
- d. The existing users will continue to be responsible for the required system operation and maintenance costs including general purpose prioritized local improvements to the system. All other expansions, additions or proposed improvements that are requested by or required for new users will be the financial responsibility of those users. After construction, testing and acceptance by the Village, these new expansions, additions or improvements shall become the property of the Village.
- e. All costs for extension of, or connection to the public water system shall be paid by the owner/applicant, unless approved by the Village.
- f. The Village may reimburse the developer for the difference in cost between the facilities actually needed for the development of the property (reference Section 2 a for minimum size pipe) and the cost of facilities necessary for other future development. When further development occurs, the Village may charge the appropriate portion of the additional cost as outlined in this section to that subsequent developer.
- g. All water mains and connections shall be constructed, tested and disinfected in accordance with AWWA standards and the State of Vermont Water Supply Rule. The test pressure for all mains shall be a minimum of 200 psi; or 150% of working pressure, whichever is greater.

Section 6

Except for hydrant use by Fire Departments in fighting fires, all use of hydrants in the Village of Cabot, shall require prior approval and issuance of a hydrant use permit and collection of fee. The Fire Department may use hydrants for practicing for fire fighting, as long as the usage does not coincide with periods of heavy demand, water shortage or when the Village has restricted the use of the water system.

The Water System Operator shall be responsible for hooking up and disconnecting a hydrant meter.

The hydrant use fee schedule is as set forth in this Ordinance. The hydrant use permit application form is provided in the Appendix.

ARTICLE 3

Water Service Connections

Section 1

Once installed, the responsibility for maintenance and repairs on the service connection is split at the curb stop between the owner/applicant and the Village. The Village has responsibility for maintenance from the main line to and including the curb stop. The owner/applicant has responsibility for maintenance and repairs from the curb stop to and inside the building with the exception of the meter.

Section 2

No unauthorized person shall uncover, make any connections with, or opening into, use, alter, or disturb any public water line or appurtenance thereof without first obtaining a written permit from the Village.

Section 3

The owner or agent shall make application for initiation of a new water service to the Village and shall identify whether the water use will be for residential, commercial or industrial purposes. The permit application shall be supplemented by any plans, specifications, flow and pressure demands, or other information considered pertinent in the judgement of the Village. A water service initiation fee, as set forth in this Ordinance shall be paid to the Village at the time the application is filed. No physical construction between the water service connection and the main waterline shall be made until the application is approved by the Village and the service connection is fully tested and found to be acceptable by the Village.

Section 4

All costs and expense incident to the design, installation and connection of the new water service connection shall be borne by the owner. The entire service connection on new construction shall be constructed by the owner/applicant to Village standards. The property owner/agent is responsible and must provide all necessary excavation from the main to the building or structure. The owner shall indemnify the Village from any loss or damage that may directly or indirectly be occasioned by the installation of the water service connection.

Section 5

The size, depth, alignment, materials of construction of the building water service connection and the methods to be used in excavating, placing the pipe, jointing, testing and backfilling the trench, shall all conform to the requirements of building and plumbing codes, and any applicable rules and regulations of the Village. In the absence of code provisions or in amplification thereof the materials and procedures set forth in appropriate specifications of the State of Vermont Water Supply Rules, the National Plumbing Code, Ten States Standards for Water Systems and AWWA Standards, all latest edition, shall apply. Furthermore, the following additional standards shall apply:

- (a) New type "k" copper shall be used for all service lines up to and including 1½-inch diameter pipe from the corporation stop to the curb stop and from the curb stop to inside the structure.
- (b) New service connections larger than 1½-inch diameter pipe may be PVC, schedule SDR21 rated at 200 psi.
- (c) All service connections shall be laid at a minimum depth of 6 feet, unless specifically waived by the Village.
- (d) Service connection taps to the main water line shall only be performed by firms qualified to perform the service connection tap. The qualification of a firm to perform this tap shall be determined by the Village.
- (a) A separate and independent corporation stop and curb stop with valve box shall be provided for every building.

Section 6

After application approval and prior to any service connection being made to the main water line, the Village shall be given at least two working day's notice in order that the work can be scheduled for inspection. All service connections will be made during normal workday hours and no connection shall be allowed on Saturday, Sunday or legal holidays. If the Village has not been properly notified and the work has proceeded, the Village may require the completed work to be uncovered for examination, at the owners' expense. The property owner/agent shall agree, as a condition of receiving approval for connection to the Village water system, to restore the street, sidewalk, curbs, utilities, pipelines, appurtenances, grassed or open areas or other features to their original conditions after the installation of the said water line.

Section 7

The Village may require appropriate tests be made to the pipes and appurtenances and the owner or their agent at their expense, shall furnish all necessary tools, labor, materials, and assistance for such tests and shall remove or repair any defective materials when so ordered by the Village.

Section 8

Pressure reducing devices are required on the water service connection when the service pressure exceeds 60 psi, and recommended when the service pressure exceeds 45 psi.

ARTICLE 4

Water Meters

Section 1

All buildings connected to the Village of Cabot Water System shall be required to have water meters installed. The property owner of all buildings shall be required to perform all interior or exterior plumbing necessary to accommodate the required meters.

Section 2

It is the responsibility of the Village to repair, check or replace defective or non-working meters within the Village. It is the responsibility of the owner to provide Village access to the building, upon request by the Village, to replace, fix or check the non-working meter. The owner shall take reasonable measures to protect the meter and outside reader from damage and freezing. In the event that a water meter is damaged or destroyed due to the owner's negligence, vandalism, freezing or tampering, the Village may take action to repair or replace the meter at the owner's expense and charge for unmetered water use.

Section 3

The Village will provide a meter or meters with outside reader in one of the following sizes for each structure, as appropriate:

<u>Meter Size</u>	<u>Operating Range</u>
5/8-inch x 3/4-inch	1- 20 gpm (standard residential)
3/4-inch x 3/4-inch	1- 30 gpm
1-inch	1- 50 gpm
1½-inch	2- 100 gpm
2-inch	2½- 160 gpm

Section 3

The provision and requirement for the number of meters provided by the Village in a building is as follows:

- 1) single family residential building: one meter
- 2) single building with multiple independently owned living units: each living unit has a separate meter
- 3) commercial building: one meter for the building
- 4) industrial building: one meter for each building.

In the event an owner desires additional meters within a structure to further establish usage in addition to the stated requirements, it shall be the owner's responsibility to purchase and install the additional meters after the master meter.

ARTICLE 5

Backflow Prevention and Inspection

Section 1

No water service connection to any premises shall be approved or maintained by the Village of Cabot unless the water supply is protected as required by State laws and regulations and this Ordinance. Service of water to any premises shall be discontinued if a backflow prevention device required by this ordinance is not installed, tested and maintained, or if it is found that a backflow prevention device has been removed, by-passed, or if an unprotected cross-connection exists on the premises. Service will not be restored until such conditions or defects are corrected.

Section 2

The Owner's system shall be open for inspection at all reasonable times to authorized representatives of the Village to determine whether cross-connections or other structural or sanitary hazards, including violations of these regulations, exist. When such a condition becomes known, the Village shall deny or immediately discontinue service to the premises by providing for a physical break in the service line until the owner has corrected the conditions in conformance with State Statutes and Village Ordinances.

Section 3

An approved backflow prevention device, appropriate to the degree of hazard, shall be installed on each service connection immediately inside the building being served before the first branch line leading off the service connection.

Section 4

The type of backflow protective device required shall depend upon the degree of hazard which exists as follows:

- 1) In the case of any premises where there is water or substance that would be objectionable but not hazardous to health, if introduced into the public water system, the public water system shall be protected by an approved double check valve assembly. Examples of premises where these conditions will exist include residential homes, retail and commercial buildings.
- 2) In the case of any premises where there is an auxiliary water supply which is not or may not have safe bacteriological or chemical quality and which is not acceptable as an additional source by the Village, the public water system shall be protected against backflow from the premises by installing an approved air-gap separation or an approved reduced pressure principle backflow prevention device.

3) In the case of any premises where there is any material or industrial fluids dangerous to health which is handled in such a fashion as to create an actual or potential hazard to the public water system, the public water system shall be protected by an approved air-gap separation or an approved reduced pressure principle backflow prevention device.

Examples of premises where these conditions will exist include sewage treatment plants, sewage pumping stations, manufacturing plants, hospitals, mortuaries, facilities handling process waters, facilities with sprinkler systems connected to the public water system and waters originating from the utility system which have been subject to deterioration in quality.

4) In the case of any premises where there are internal cross-connections, either actual or potential, that cannot be permanently corrected and controlled; intricate plumbing and piping arrangements; or where entry to all portions of the premises is not readily accessible for inspection purposes making it impractical or impossible to ascertain whether or not dangerous cross-connections exist, the public water system shall be protected by an approved air-gap separation or an approved reduced pressure principle backflow prevention device at the service connection.

5) Any backflow prevention device required herein shall be a model and size approved by the Village. The term "Approved Backflow Prevention Device" shall mean a device that has been manufactured in full conformance with the standards established by the American Water Works Association titled: "Standards for Reduced Pressure Principle and Double Check Valve Backflow Prevention Devices."

6) The Village has the right to inspect and test backflow prevention devices at least once per year. In those instances where the Village deems the hazard to be greater, inspections may be required at more frequent intervals.

ARTICLE 6

Disconnection of Service

Section 1

The Village may shut off water service for violation of restriction of water use notices as described in Article 9; to eliminate a public health hazard; for continued violations of this Ordinance; or for non-payment of water charges. Any shut-off by the Village may necessitate shut-off and turn-on charges to the customer. Service shall not be restored until the reason for discontinuance of service has been eliminated.

Section 2

All disconnection of service by the Village must be consistent with the provisions of Title 24, V.S.A. Chapter 129, Uniform Water and Sewer Disconnect, as presently constituted and as amended from time to time, to obtain payment of delinquent charges or to discontinue water service. The Village may place a lien upon the real estate to obtain payment of delinquent charges.

ARTICLE 7

Protection from Damage

Section 1

No person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance, or equipment which is part of the Public Water System. Any person violating this provision shall be subject to immediate arrest under the charge of unlawful mischief as set forth in the Vermont Statutes Annotated. Any person violating this article on conviction thereof shall be fined an amount not less than \$100.00 for each violation.

ARTICLE 8

Powers and Authority of Water System Operators

Section 1

The Village Trustees, Water System Operators and other duly authorized employees or contractors of the Village bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing and maintenance in accordance with the provisions of this ordinance.

Section 2

While performing the necessary work on private properties referred to in Section 1 above, the Village Trustees, Water System Operators or duly authorized employees or contractors of the Village shall observe all safety rules applicable to the premises established by the owner or tenant, and the owner or tenant shall be held harmless for injury or death to the Village employees. The Village employees and the Village shall indemnify the owner or tenant against liability claims and demands for injury of property damage except as may be caused by negligence or failure of the owner or tenant to maintain safe premises or conditions, including conduct of agents or employees of the owner or agent.

Section 3

The Village Trustees, Water System Operators and other duly authorized employees or contractors of the Village bearing proper credentials and identification shall be permitted to enter all private properties through which the Village holds an easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the water system lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the easement pertaining to the private property involved.

ARTICLE 9

Interruption, Restriction or Prohibition of Water Use

Section 1

The Village does not guarantee a continuous supply of water. The Village assumes no responsibility for damage to any apparatus or property of any user due to shutting off water or providing excess pressure without notice due to breaks, system malfunction, operations or repairs.

Section 2

No users shall be entitled to have any portion of a payment refunded for any stoppage occasioned by accident to any portions of the water system, nor for stoppage for purposes of repairs or service, nor for non-use occasioned by absence or any other reason. Notwithstanding, if the interruption is in effect for a continuous period in excess of ten days, a proportional refund may be made.

Section 3

Notice of interruption of service is not required. While it is the intention to give notice, as far as possible in advance of any interruption of service, such notice is to be considered a courtesy only, and not a requirement on the part of the Village. In case of a break or other emergency repairs, water may be shut off without notice.

Section 4

The Village reserves the right, in periods of drought or emergency or when deemed essential for the protection of the public health, safety and welfare, to restrict, curtail or prohibit the use of water for secondary purposes, such as lawn, yard or garden sprinkling, car washing or filling swimming pools. The Village shall have the right to fix the hours and periods when water may be used for such purposes.

Section 5

No user shall be allowed to furnish water to other persons or property for a fee or charge.

ARTICLE 10

Penalties

Section 1

Any person found to be violating any provision of this Ordinance except Article 7, shall be served by the Village with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violation.

Section 2

Any person who shall continue any violation beyond the time limit provided for in Article 10, Section 1, shall be guilty of a misdemeanor, and on conviction thereof shall be fined the maximum amount allowable under state statute. Each day in which any such violation shall continue shall be deemed a separate offense.

Section 3

In addition to any fine imposed under Section 2 hereof, any person violating any of the provisions of this ordinance shall become liable to the Village for any expense, loss, or damage occasioned the Village by reason of such offense.

Section 4

Notwithstanding any of the foregoing provisions, the Village may institute any appropriate action including injunction or other proceeding to prevent, restrain or abate violations of any provisions of this ordinance.

(c) \$1,500 per industrial unit.

- 1) each industrial building is considered an industrial unit.
- 2) an industrial facility is defined by the applicant as stated on the Zoning application for approval.

Section 3

A hydrant use fee shall be paid by the user at the time of submission of the application for hydrant use. The hydrant use fee is \$50 for use of any Village hydrant. In addition to payment of the hydrant use fee, the applicant shall be responsible for payment of normal user fees for all water taken from the hydrant, based on the flow through the Village's hydrant meter.

Section 4

A user fee shall be paid by all users of the Village water system based upon the product of their metered water usage multiplied by the water rate per 1000 gallons as set by the Village Trustees. The user fee is charged on the metered water usage after the first 10,000 gallons per year included in the minimum base fee described in Section 5.

Section 5

A minimum base fee will be paid by all users of the Village water system. The minimum base fee for each individual residential living unit, or each commercial unit or each industrial unit is based on the number of equivalent user units multiplied by the base rate charge. The base rate charge is established by the Trustees based on the annual bond payments, and for fixed operating and maintenance costs not dependent on actual use. The minimum base fee includes 10,000 gallons per year of water usage, regardless if that minimum is used or not. The minimum base fee shall be charged whether or not the property is fully or partially occupied, if there is a physical connection to the municipal water system. This minimum base fee is payable whether or not water is physically turned on or off to the facility during part or all of the billing period. The minimum base fee also reflects the fact that all users of the system receive some level of fire protection in addition to the benefit of available potable water use.

Section 6

The following equivalent user units (E.U.) shall be used to determine the minimum base fee:

<u>Establishment Classifications</u>	<u>Equivalent User Units (E.U.)</u>
Single Family Residence	1.0 E.U. each residence
Mobile Home	1.0 E.U. each residence
Apartment, Condominium	0.7 E.U. per each apartment dwelling unit or condominium dwelling unit
Laundries, self service	2.0 E.U. per each machine
Schools - grade ~K - 12	9 E.U. 0.035 E.U. per student (250)
Day Care Facilities	0.10 E.U. per child
Nursing Home/Home for the Aged	0.30 E.U. per patient
Hotels/Motels	0.7 E.U. per rental unit
Restaurant	0.16 E.U. per seat
Add for lounge	0.10 E.U. per seat
Church/Office/Pubic Meeting Place/Town Garage	1.0 E.U. per facility
Barber/Beauty Shop	0.8 E.U. per chair
Dry Good Store combined with Residence	1.2 E.U. per building
Store with Meats combined with Residence	1.4 E.U. per building
Service Station combined with Residence	1.2 E.U. per building
Other Categories	To be determined based upon comparable use using fixture units and the National Plumbing Code as a basis. One (1) Equivalent User Unit (E.U.) is applied per 200 gallons per day average usage.

Section 7

No user will be charged less than the average single family residence for the minimum base fee, with the exception of an empty lot with a service connection. Empty lots with a service connection will be charged one quarter (1/4) of the minimum base fee.

ARTICLE 11

Rates

Section 1

The Village Trustees shall have the authority to establish rates, including service initiation fees, hydrant use fees, user fees, minimum base fee, turn-on/shutoff fees, and other similar fees to defray the costs of construction, operations and maintenance of the system.

Section 2

A service initiation fee shall be paid by all new water users at time of submission of the application for water service. The service initiation fee is established to help defray the Village's past, current and future costs, both direct and indirect, of providing potable water and water for fire protection to the property boundary. The service initiation fee also includes the cost of the water meter, backflow preventer, pressure reducing valve and inspection of the water service installation. The water service initiation fee schedule is:

- a) \$500 per individual residential living unit in a dwelling with \$500 per each additional residential living unit in a multi-family dwelling.
 - 1) An individual residential living unit is a single family dwelling or a single family dwelling unit in a multi-family dwelling.
 - 2) The service initiation fee applies to the building regardless of ownership.
 - 3) Any conversion of a dwelling from single family residential to a multi-family dwelling will require the payment of the \$500 service initiation fee per additional residential living unit created.

- (b) \$1,000 per first commercial unit in a single building with \$750 per each additional commercial unit in a multi-unit commercial building.
 - 1) A single commercial unit for the purpose of this ordinance includes each individual retail store or business except as provided in paragraph (2) within one building.
 - 2) A building with one or more non-retail business such as business offices, financial or professional offices, each of which does not manufacture, repair, process or fabricate an article, substance or commodity is considered a single commercial unit.
 - 3) Any conversion of a commercial building to individual retail stores will require the payment of the \$750 service initiation fee per additional retail store created.

Section 8

There shall be shutoff and turn-on fees of \$20.00 each during normal working hours (7:00 am to 3:30 pm) and \$40.00 each during overtime hours for turning on and shutting off water at the curbstop. These fees shall be charged in all cases except when it is determined that there is a problem with the service connection between the curb stop and the main line or a problem with the meter or meter connection fittings. The owner of the property is responsible for all problems between the curb stop (not including the curb stop) and the building with exception of the meter.

Section 9

Excess revenues may be placed into a sinking fund, accessible for use on water system related construction or expenses.

Section 10

Water charges will be invoiced four times a year. Water charges shall be payable on or before the 30th day following the date of the invoice or a later date as shown on the invoice.

In the event that such charge is not paid when due, a penalty of eight (8%) percent shall be added thereto plus the statutory rate of interest per month shall be added after the first thirty (30) days of delinquency. If any account shall remain delinquent, the Legislative Body may also take any action as described in Article 6, Disconnection of Service, that is consistent with the provisions of Title 24, V.S.A. Chapter 129, Uniform Water and Sewer Disconnect, as presently constituted and as amended from time to time, to obtain payment of delinquent charges or to discontinue water service. The Village may place a lien upon the real estate to obtain payment of delinquent charges.

Section 11

All water charges shall be invoiced to the owner of record of the facility(s) served, unless waived by the legislative body. Invoices will not be provided by the Village directly to any tenant.

Section 12

The fee structure may be reviewed by the Trustees on an annual basis.

ARTICLE 12

Validity

Section 1

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 2

The validity of any section, clause, sentence, or provision of this ordinance shall not affect the validity of any other part of this ordinance which can be given effect without such invalid part or parts.

Section 3

These rules may be amended at any time by the Village.

ARTICLE 13

Ordinance in Force

Section 1

This ordinance shall be in full force and effect from its passage, approval, recording and publication as provided by law.

Section 2

Passed and adopted by the Village Trustees of the Village of Cabot, State of Vermont on the 15 day of FEB 2000

Approved this 15 day of FEB 2000

Carl Bean Carl Bean, Chair, Village Trustees

Brian Houghton Brian Houghton, Village Trustee

Fred Ducharme Fred Ducharme, Village Trustee

Attest

Christa Scholz Christa Scholz, Village Clerk

APPENDIX I TO THE VILLAGE OF CABOT WATER USE ORDINANCE

Hydrant Use Permit Application

To the Village of Cabot:

I, _____ request permission
(print name)

to obtain water from a Village of Cabot hydrant for the purpose of

The water is requested for _____ starting at _____
(date) (time)

I understand that a minimum of 48 hours prior notice is required.

Further, I acknowledge that it is my responsibility to pay a hydrant service fee of \$50.00. I also agree to pay for all water taken from the system as measured at the meter, at the current user fee rate within 30 days of billing:

Telephone Number

Applicant's Signature

No. of gallons used: _____