

## TOWN OF NORTH CASTLE

**Local Law No. 2 For the Year 2025**  
**Adopted March 12, 2025**

A Local Law to amend Chapter 336, Water, of the Code of the Town of North Castle to establish operational rules and regulations for North Castle Water District No.8 and North Castle Water District No.9.

**Section 1. Create the following in Article VIII in the Water Chapter of the Town of North Castle Town Code as follows:**

### ARTICLE VIII Water District No. 8

#### **§ 336-292. Rules and regulations established; compliance required of all users.**

The following rules and regulations of the North Castle Water District No. 8, established by the North Castle Town Board, are hereby made a part of any and all agreements with each party taking and using water furnished by said district. Every consumer or taker of water from said water district system shall be in all respects bound and shall be considered to have assented to the rules, regulations, requirements and schedule of water rents of said North Castle Water District No. 8 as a condition precedent to the rights to service from said water system.

#### **§ 336-293. Promulgation of additional rules and regulations.**

The Town Board reserves the right to make such changes in the rules and regulations and schedule of water rates as it may, from time to time, deem desirable.

#### **§ 336-294. Application required; acceptance of rules and regulations.**

No person or corporation shall be allowed to use the water of said District for any purpose whatever without first making application therefor, signed by the owner of the property or by an agent holding legal authorization to sign for the owner, and receiving a written permit from the Board, except as hereinafter provided, and acceptance of such permit signifies assent to all the rules, regulations and schedule of water rates of said North Castle Water District No. 8.

#### **§ 336-295. Water for building construction.**

Persons desiring the use of the District's water for building construction shall make application for such service. Water for building construction will be charged for at a flat rate, depending on the type and size of building; the minimum charge for any building shall be in such amount as set forth in the Master Fee Schedule. The District reserves the right to regulate the purpose for which the water may be used during construction and may, at its option, require the water to be metered and the fee for such water paid for at the rate then in force.

#### **§ 336-296. Meters required; charge.**

- A.** No water shall be obtained from the mains of the District for any purpose, except properly authorized construction, except through a metered service. When meters are furnished for temporary service, a fee paid in such amount as set forth in the Master Fee Schedule will be required by the Board for each meter.
- B.** To cover the cost of a water meter replacement, the District shall require a quarterly meter charge in such amount as set forth in the Master Fee Schedule. These quarterly charges cover the cost of periodic district meter replacements. The fees do not cover costs of replacements due to negligence of the owner.
- C.** This meter charge will be reflected on the quarterly water bill, March 1, June 1, September 1 and December 1, annually.

**§ 336-297. Use of water from hydrants.**

No person or persons shall be permitted to take water from the fire hydrants to sprinkle any streets or portions of the streets or for any purpose without having obtained a permit from the district, which permit shall be good only for the time named therein.

**§ 336-298. Penalties for offenses.**

Except as otherwise provided herein, any person committing an offense against any provision of this article shall be guilty of a violation punishable by a fine not exceeding \$1,000 or by imprisonment for a term not exceeding 15 days, or by both such fine and imprisonment. The continuation of an offense against the provisions of this article shall constitute, for each day the offense is continued, a separate and distinct offense hereunder.

**§ 336-299. Noncompliance to result in discontinuance of service.**

In case of the violation of any of the rules, the District may shut off the supply upon 24 hours' notice, and water shall not be turned on again until the rules are complied with and all unpaid charges are paid, together with additional charges in such amount as set forth in the Master Fee Schedule for turning off the water and for turning on the water.

**§ 336-300. Method of service of notice.**

Service of any notice, authorized or directed by or on behalf of the Board, may be served upon the owner or consumer personally or by posting the same in a prominent place at the premises where water is supplied or by sending the same by mail to such party at the last address furnished to the District or Receiver of Taxes.

**§ 336-301. Procedure for having service discontinued.**

Written notice must be given by the owner to the District at 15 Business Park Drive, Armonk, New York, that the use of water is to be discontinued, and it shall be turned off at the curb when the property is temporarily vacated, if requested by the owner. The meter may be removed. A charge in such amount as set forth in the Master Fee Schedule will be made for turning off the water. The owner will be responsible for the use of water up to the time such notice is filed with the District, and a written request must be filed to have the water turned on again, for which service a charge in such amount as set forth in the Master Fee Schedule shall be made.

**§ 336-302. Application for tapping and connections.**

All applications for tapping and making connections with the mains or water pipes of the District or any pipes privately owned or supplied by the District must be made to the District by the owner of the property or by his authorized agent. Said owner or his agent filing a written authority from the owner must pay in advance the charges made for tapping in such amount as set forth in the Master Fee Schedule. All applications must be accompanied by a site plan drawing showing the exact location and specifications of the proposed service line and meter. Said site plan must be approved by the District prior to the commencement of any work.

**§ 336-303. Persons to perform work.**

Tapping and making connections to mains or water pipes of the District, or privately owned mains supplied by the District with water, must in all cases be done by employees of the Water District. All other work of connecting premises with water must be done by a plumber.

**§ 336-304. Unauthorized connections.**

If connections are made on any private line before the meter by other than water district employees, without the permission of the Board or District, it shall be sufficient cause for shutting off the water without notice.

### **§ 336-305. Separate tap and service for each building.**

Except with the written permission of the District, a separate tap and service shall be installed for each building located on a street in which there is a district water main, and no consumer will be allowed to supply water to other persons or premises.

### **§ 336-306. Location of tap.**

The tap shall be inserted on the upper quarter of the pipe facing the premises, bringing the line of the tap at an angle of 45° from the vertical plane. If subsurface conditions prohibit placing the tap in this position, it shall, if practicable, be placed at a point further down on the pipe, but not below the horizontal plane. The tap may be placed at or near the top of the pipe if no other location is practicable.

### **§ 336-307. Spacing of taps.**

All one-inch taps shall be spaced at a minimum distance of 18 inches apart. All one-and-one-half- inch and two-inch taps shall be spaced at a minimum distance of 24 inches apart. No tap shall be inserted within 24 inches of the face of the hubs, special castings, hydrant branches or dead ends.

### **§ 336-308. Charges for taps and connections.**

A fee shall be charged in connection with tap and connection applications and other actions of the Town described in or contemplated by this article in such amounts as set forth in the Master Fee Schedule. The charge shall include furnishing, delivering and inserting the tap.

### **§ 336-309 . Excavation of trenches; connection.**

After the owner or representative has filed an application for water service and paid the necessary charges, the necessary trenches for the service pipe will be excavated by the owner. All trenches for service pipes shall be at least four feet in depth and at right angles to the curbline, unless special permission is granted by the District for a variation. When the trench is ready, the District, on proper notice of the fact, will proceed to make the tap, insert the corporation cock and make the necessary connections between the corporation cock and curb stop, including the curb stop. The service pipe from curb stop to meter shall be Type K copper, of a make approved by the District, and shall be placed by the plumber, but no trench shall be backfilled until after the completed service pipe had been inspected and passed by the District. As backfilling proceeds, the curb cock shall be covered by an extension service box, which will be supplied by the District. This curb box shall be set by the plumber with the top flush with the ground.

### **§ 336-310. Specifications for service pipes; maintenance**

No service pipe leading from curb box to the meter shall be less than one inch in diameter or less than four feet under the ground, unless special permission is granted by the District for a shallower depth. All service pipes between the curb box and meter shall be maintained in good condition by the property owner. Should a leak develop, it shall be repaired immediately. In the event of the failure of the owner to repair such leak, the water district may shut off the service at the curb box and keep it off until repairs are made. Whenever any service is so cut off, a charge in such amount as set forth in the Master Fee Schedule shall be made for reopening the same.

### **§ 336-311. Connections to service pipe between main and meter prohibited.**

No connections of any kind shall be made to the service pipe between the main and the meter.

### **§ 336-312. Abandoned services.**

All abandoned services shall be shut off at the main, and the expense of opening the street and doing the work shall be borne by the owner of the premises.

### **§ 336-313. Installation of curb boxes and access covers.**

In cases where the curb boxes and access covers are set into the flagging or pavement of the sidewalk, the stones are to be neatly and accurately cut and the top of the boxes are to be set even with the surface of the pavement or flagging and, in all other cases, flush with the surface of the sidewalk.

### **§ 336-314. Necessary permits required for all excavations.**

Attention of owners is called to the fact that, whenever street openings are to be made in connection with service pipes, the necessary permits for such openings must be obtained from the proper officials at the owner's expense.

### **§ 336-315. Curb stops placed deeper than certain depth.**

Whenever the curb stop has been placed deeper than six feet, a stationary rod which comes up to the ordinary depths of the cocks must be put on, the top of this rod to be formed like the top of the curb stop, and the rod to work in a guide immediately below its top or handle.

### **§ 336-316. Service pipe specifications.**

All copper service pipes shall be of Type K and shall have an excess of three feet of pipe formed into a goose neck at the connections to the tap and laid to the right hand, facing the tap.

### **§ 336-317. Backfilling.**

After a tap has been inserted and service pipe installed, the backfill around the main and the service shall be of clean earth, free from stone or cinders, and carefully tamped under and around the main and service. The remainder of the backfill shall be free from stones larger than six inches in diameter and shall be satisfactorily compacted either by tamping or flushing, or both. The service pipe shall not be laid within six inches of any other subsurface structure, conduit or pipe, unless subsurface conditions make it impossible to do otherwise.

### **§ 336-318. Testing of new installations or repairs.**

Each new service or repair to a service shall be subjected by the plumber, in the presence of the District, to a water test under the main pressure for a period of 10 minutes. All pipes and appurtenances shall remain uncovered for the duration of the test and shall show no signs of leakage.

### **§ 336-319. Diameter of service pipes.**

The minimum diameter of a service pipe shall be one inch, and the service pipe shall not be less than the diameter of the tap controlling it.

### **§ 336-320. Furnishing of meters; ownerships; charges.**

Meters will be furnished by and remain the property of the Water District. A fee shall be charged in connection with the water meter in such amounts as set forth in the Master Fee Schedule.

### **§ 336-321. Location of meters.**

Meters must be set by the Water Department, in a horizontal position, not more than three feet from the point where the service enters the building. In the instances where the distance of service line from street line to building exceeds 100 feet, the owner shall cause a meter box to be installed, under the direction of the Department, within 10 feet of the street line. A suitable valve shall be installed on the inlet side of the meter and a double check valve, Watts No. 8 or equivalent as approved by the District, on the outlet

side of the meter where necessary. Attention of the property owner is called to the fact that, in some instances, it will be necessary to install relief valves on the plumbing system on the inlet side of the meter within the building. The meter must be kept accessible at all times. The employees and agents of the Water District may enter the premises of the consumer at any reasonable time to examine the pipes and fixtures, the quantity of water used and the manner of its use. For the purpose of this article, the hours from 8:00 a.m. to 6:00 p.m. shall be considered reasonable.

**§ 336-322. Testing of meter at consumer's request.**

Should the consumer feel that the meter is not registering properly, he shall file a complaint with the District, whereupon the meter will be removed and tested by the Water Department. If it is found to register against the consumer by more than 2%, there will be no charge for removing, repairing and resetting the meter. If, however, the meter is not found to register against the consumer by more than 2%, a minimum charge in such amount as set forth in the Master Fee Schedule will be made for the test.

**§ 336-323. Fixing of charges when meter is inaccurate.**

Should the meter get out of order and not register properly or stop, the Water District may, at its option, fix the charge against the consumer by the average consumption rate as shown by a correct meter on the service or according to the consumption during a previously corresponding period.

**§ 336-324. Maintenance of meters.**

It shall be the duty of the property owner to protect the property of the District from harm. Should a meter become frozen or otherwise damaged, it shall be repaired by the Water District at the expense of the owner in such amount as set forth in the Master Fee Schedule.

**§ 336-325. Number of meters.**

No more than one meter will be furnished for each service. Where more than one meter to a tap is desired, the owner may obtain it by paying the charge for the use of the extra meter as set forth in the Master Fee Schedule.

**§ 336-326. Removal or interference with meter prohibited; penalty.**

All persons are hereby forbidden to interfere with or remove a water meter from any service after it has been attached, under a penalty of \$50 for each offense.

**§ 336-327. Meter-reading transmitters.**

Meter-reading transmitters placed on or within the building for the purpose of meter reading by the District will remain the property of the Water District. It shall be the duty of the property owner to protect the property of the District from harm. Should a transmitter be removed, lost or otherwise damaged, it shall be replaced by the Water District at the expense of the owner in such amount as set forth in the Master Fee Schedule.

**§ 336-328. Premises where water may be obtained from more than one service.**

In any premises where water may be obtained through more than one metered service, the District reserves the right to shut off and seal any service.

**§ 336-329. Seals.**

No seal placed by the District for the protection of any meter, valve, fitting or other water connection shall be tampered with or defaced. It shall not be broken except on written authorization from the District. Where the seal is broken, the District reserves the right to order the meter removed for testing, in such amount as set forth in the Master Fee Schedule.

**§ 336-330. Turning service on or off.**

The water shall only be turned on and off by an employee of the Water District, unless in case of emergency, when immediate notice must be given to the Water District. Violation of this rule shall be sufficient cause for shutting off the supply of water.

**§ 336-331. District not liable for damages.**

North Castle Water District No. 8 shall not be liable for any damages which may result to consumers' pipes, appliances, etc., from the shutting off or breaking of water mains or service pipe for any purpose whatever, whether previous notice has been given or not.

**§ 336-332. Devices required on boilers.**

In cases where boilers are supplied with water, a suitable valve or other device must be applied to prevent collapse or explosion in case the water is shut off in the street mains. No deductions from water bills will be made for periods when the service is shut off.

**§ 336-333. District not liable for failure to supply water; right to control supply.**

North Castle Water District No. 8 shall not be held liable for any damage sustained by reason of its failure to supply water to any consumer at any time or for any cause and reserves the right to control the amount of water supplied in the event that the supply becomes short for any reason. It especially reserves the right at any time it is considered necessary to prohibit the use of water for sprinkling of lawns or gardens or any other such purpose.

**§ 336-334. Service not guaranteed; responsibility for certain repairs.**

The Water District does not guarantee service from the curb box to house or through any piping, valves or connections therein. Faulty service or inadequate supply is frequently due to corroding or stopping of these pipes and fixture. Any necessary changes in piping, valves or connections to increase the water supply or efficiency must be made by the owner at his own expense.

**§ 336-335. Facilities controlled by District.**

The Water District reserves to itself the control of all taps, mains, curb boxes and meters. It also reserves the right, whenever it deems it proper or whenever there is a violation of the rules and regulations, to take charge of and control the curb stop and service pipes. The District will not be accountable for any breaks or obstructions caused by frost or otherwise or from any damage arising by leakage from service pipes, fixtures or pipes owned by individuals.

**§ 336-336. Responsibility for maintenance.**

The owner must keep the service pipes and fixtures in good repair, at his own risk and expense, and prevent all unnecessary waste of water, and all water consumers shall be liable for all such repairs as shall be deemed necessary to prevent water waste. Upon failure to comply with this rule, the Board may turn off the water and not turn it on again until all repairs are made by the owner and charges for turning off and on the water collected as set forth in the Master Fee Schedule.

**§ 336-337. Water rates.**

- A. Water rates shall be set forth in the Master Fee Schedule.
- B. All eligible and qualified senior citizens shall be entitled to a fifty-percent discount on water bills received by them for actual water usage only. This water rate discount shall be limited to the minimum rate. In order for a senior citizen to be eligible and to qualify for this water rate discount, such senior citizen must be registered on the Town's age-exempt list and must be eligible for actually receiving real property tax exemption pursuant to § 467 of the Real Property Tax Law of the State of New York.

### **§ 336-338. Charges for consumers outside District.**

The charge for water to consumers outside of North Castle Water District No. 8 will be fixed by the Water District.

### **§ 336-339. Payment procedure; charges for nonpayment; collection procedure.**

- A. All water rents are payable to the Receiver of Taxes and are to be deposited by the Receiver to the credit of the Water District in a bank designated by the Town Board. By the 10th of each month, the Receiver of Taxes will give the Supervisor an itemized statement showing the various items making up the deposits of the preceding month.
- B. Unpaid water rents in arrears for over 30 days shall be subject to a penalty of 5% of the amount due, if paid within 60 days of the date due, and if paid thereafter, shall be subject to a penalty of 10% of the amount due.
- C. If the water rent or charge, plus any penalties which may have accrued thereon, remains unpaid as of the close of business on October 31 of each year as shown by the statement of the Receiver of Taxes made to the Supervisor, the Supervisor shall transmit such statement to the County Legislators of the County, which shall levy the same as a tax against the property liable.
- D. When collected, the moneys, less the penalties, shall be deposited to the credit of the Water District, and the penalties shall be transferred to the reserve fund by the Supervisor to the credit of the District.
- E. The penalties here mentioned shall include any penalties on the water rents, plus any penalties arising after such water rents become taxes.
- F. Unpaid water rents which have become taxes shall be paid to the Water District by the Town within 10 days after the annual tax lien sale.

### **§ 336-340. Partial payment prohibited.**

The payment of water rents must include all arrears and charges to date. No payment will be received which leaves a previous charge unpaid.

### **§ 336-341. Manner of collection enforcement.**

Water rates are a lien on the property. The Water District may enforce the collection of water rents by cutting off the supply of water when any bill is two months or more in arrears. Consumers and property owners having unpaid items at the expiration of 60 days from date of billing shall be notified by the Receiver of Taxes, by registered mail sent to the last known address, that, if charges are not paid within five days after mailing such notice, the water will be shut off without further notice. At the expiration of the five-day period, the Receiver of Taxes shall furnish the District a complete list of the delinquent accounts, and the District shall forthwith shut off the water service, keeping a permanent written record of the date service was discontinued, in each instance, together with a meter reading at the time of shutoff.

### **§ 336-342. Charges responsibility of owner of leased premises.**

All water rents are the responsibility of the owner of the premises when such premises are leased by one or more tenants.

### **§ 336-343 . Billing dates.**

Water bills become due quarterly on March 1, June 1, September 1 and December 1. The water rates are levied from the registration of the meter taken a few weeks before the first day of each period.

### **§ 336-344. Obtaining of bills; partial payments not accepted.**

Bills can be obtained at the Town Hall after the first five days of each period. The Receiver of Taxes will send out bills as an accommodation to the consumer, but the

delivery of such bills to the proper party is not guaranteed. If the consumer does not get a bill on or before the fifth day of the period, he should call at the office. Partial payments of water bills will not be accepted.

**§ 336-345 . Cross-connection control.**

The requirements of Article III of this chapter, entitled "Cross-Connection Control," which safeguard potable water supplies by preventing backflow into public water systems, shall apply to all properties located within Water District No. 8.

**§ 336-346 . Title.**

This article shall be known and cited as the "Town of North Castle Water District No. 8 Ordinance."

**§ 336-347. Final water meter reading fee.**

Upon request for final meter readings or upon the transfer of title to any property which is subject to water service, the owner shall pay a final meter reading fee in such amount as set forth in the Master Fee Schedule.

**Section 2. Amend Article IX in Chapter 336 as follows:**

**ARTICLE IX  
Water District No. 9**

**§ 336-348. Rules and regulations established; compliance required of all users.**

The following rules and regulations of the North Castle Water District No. 9, established by the North Castle Town Board, are hereby made a part of any and all agreements with each party taking and using water furnished by said district. Every consumer or taker of water from said water district system shall be in all respects bound and shall be considered to have assented to the rules, regulations, requirements and schedule of water rents of said North Castle Water District No. 8 as a condition precedent to the rights to service from said water system.

**§ 336-349. Promulgation of additional rules and regulations.**

The Town Board reserves the right to make such changes in the rules and regulations and schedule of water rates as it may, from time to time, deem desirable.

**§ 336-350. Application required; acceptance of rules and regulations.**

No person or corporation shall be allowed to use the water of said District for any purpose whatever without first making application therefor, signed by the owner of the property or by an agent holding legal authorization to sign for the owner, and receiving a written permit from the Board, except as hereinafter provided, and acceptance of such permit signifies assent to all the rules, regulations and schedule of water rates of said North Castle Water District No. 9.

**§ 336-351 . Water for building construction.**

Persons desiring the use of the District's water for building construction shall make application for such service. Water for building construction will be charged for at a flat rate, depending on the type and size of building; the minimum charge for any building shall be in such amount as set forth in the Master Fee Schedule. The District reserves the right to regulate the purpose for which the water may be used during construction and may, at its option, require the water to be metered and the fee for such water paid for at the rate then in force.

**§ 336-352. Meters required; charge.**

**D.** No water shall be obtained from the mains of the District for any purpose, except properly

authorized construction, except through a metered service. When meters are furnished for temporary service, a fee paid in such amount as set forth in the Master Fee Schedule will be required by the Board for each meter.

- E. To cover the cost of a water meter replacement, the District shall require a quarterly meter charge in such amount as set forth in the Master Fee Schedule. These quarterly charges cover the cost of periodic district meter replacements. The fees do not cover costs of replacements due to negligence of the owner.
- F. This meter charge will be reflected on the quarterly water bill, March 1, June 1, September 1 and December 1, annually.

#### **§ 336-353. Use of water from hydrants.**

No person or persons shall be permitted to take water from the fire hydrants to sprinkle any streets or portions of the streets or for any purpose without having obtained a permit from the district, which permit shall be good only for the time named therein.

#### **§ 336-354. Penalties for offenses.**

Except as otherwise provided herein, any person committing an offense against any provision of this article shall be guilty of a violation punishable by a fine not exceeding \$1,000 or by imprisonment for a term not exceeding 15 days, or by both such fine and imprisonment. The continuation of an offense against the provisions of this article shall constitute, for each day the offense is continued, a separate and distinct offense hereunder.

#### **§ 336-355. Noncompliance to result in discontinuance of service.**

In case of the violation of any of the rules, the District may shut off the supply upon 24 hours' notice, and water shall not be turned on again until the rules are complied with and all unpaid charges are paid, together with additional charges in such amount as set forth in the Master Fee Schedule for turning off the water and for turning on the water.

#### **§ 336-356. Method of service of notice.**

Service of any notice, authorized or directed by or on behalf of the Board, may be served upon the owner or consumer personally or by posting the same in a prominent place at the premises where water is supplied or by sending the same by mail to such party at the last address furnished to the District or Receiver of Taxes.

#### **§ 336-357 . Procedure for having service discontinued.**

Written notice must be given by the owner to the District at 15 Business Park Drive, Armonk, New York, that the use of water is to be discontinued, and it shall be turned off at the curb when the property is temporarily vacated, if requested by the owner. The meter may be removed. A charge in such amount as set forth in the Master Fee Schedule will be made for turning off the water. The owner will be responsible for the use of water up to the time such notice is filed with the District, and a written request must be filed to have the water turned on again, for which service a charge in such amount as set forth in the Master Fee Schedule shall be made.

#### **§ 336-358. Application for tapping and connections.**

All applications for tapping and making connections with the mains or water pipes of the District or any pipes privately owned or supplied by the District must be made to the District by the owner of the property or by his authorized agent. Said owner or his agent filing a written authority from the owner must pay in advance the charges made for tapping in such amount as set forth in the Master Fee Schedule. All applications must be accompanied by a site plan drawing showing the exact location and specifications of the proposed service line and meter. Said site plan must be approved by the District prior to the commencement of any work.

### **§ 336-359 . Persons to perform work.**

Tapping and making connections to mains or water pipes of the District, or privately owned mains supplied by the District with water, must in all cases be done by employees of the Water District. All other work of connecting premises with water must be done by a plumber.

### **§ 336-360 . Unauthorized connections.**

If connections are made on any private line before the meter by other than water district employees, without the permission of the Board or District, it shall be sufficient cause for shutting off the water without notice.

### **§ 336-361. Separate tap and service for each building.**

Except with the written permission of the District, a separate tap and service shall be installed for each building located on a street in which there is a district water main, and no consumer will be allowed to supply water to other persons or premises.

### **§ 336-362. Location of tap.**

The tap shall be inserted on the upper quarter of the pipe facing the premises, bringing the line of the tap at an angle of 45° from the vertical plane. If subsurface conditions prohibit placing the tap in this position, it shall, if practicable, be placed at a point further down on the pipe, but not below the horizontal plane. The tap may be placed at or near the top of the pipe if no other location is practicable.

### **§ 336-363. Spacing of taps.**

All one-inch taps shall be spaced at a minimum distance of 18 inches apart. All one-and-one-half- inch and two-inch taps shall be spaced at a minimum distance of 24 inches apart. No tap shall be inserted within 24 inches of the face of the hubs, special castings, hydrant branches or dead ends.

### **§ 336-364. Charges for taps and connections.**

A fee shall be charged in connection with tap and connection applications and other actions of the Town described in or contemplated by this article in such amounts as set forth in the Master Fee Schedule. The charge shall include furnishing, delivering and inserting the tap.

### **§ 336-365. Excavation of trenches; connection.**

After the owner or representative has filed an application for water service and paid the necessary charges, the necessary trenches for the service pipe will be excavated by the owner. All trenches for service pipes shall be at least four feet in depth and at right angles to the curbline, unless special permission is granted by the District for a variation. When the trench is ready, the District, on proper notice of the fact, will proceed to make the tap, insert the corporation cock and make the necessary connections between the corporation cock and curb stop, including the curb stop. The service pipe from curb stop to meter shall be Type K copper, of a make approved by the District, and shall be placed by the plumber, but no trench shall be backfilled until after the completed service pipe had been inspected and passed by the District. As backfilling proceeds, the curb cock shall be covered by an extension service box, which will be supplied by the District. This curb box shall be set by the plumber with the top flush with the ground.

### **§ 336-366. Specifications for service pipes; maintenance**

No service pipe leading from curb box to the meter shall be less than one inch in diameter or less than four feet under the ground, unless special permission is granted by the District for a shallower depth. All service pipes between the curb box and meter shall be maintained in good condition by the property owner. Should a leak develop, it shall

be repaired immediately. In the event of the failure of the owner to repair such leak, the water district may shut off the service at the curb box and keep it off until repairs are made. Whenever any service is so cut off, a charge in such amount as set forth in the Master Fee Schedule shall be made for reopening the same.

**§ 336-367. Connections to service pipe between main and meter prohibited.**

No connections of any kind shall be made to the service pipe between the main and the meter.

**§ 336-368. Abandoned services.**

All abandoned services shall be shut off at the main, and the expense of opening the street and doing the work shall be borne by the owner of the premises.

**§ 336-369. Installation of curb boxes and access covers.**

In cases where the curb boxes and access covers are set into the flagging or pavement of the sidewalk, the stones are to be neatly and accurately cut and the top of the boxes are to be set even with the surface of the pavement or flagging and, in all other cases, flush with the surface of the sidewalk.

**§ 336-370. Necessary permits required for all excavations.**

Attention of owners is called to the fact that, whenever street openings are to be made in connection with service pipes, the necessary permits for such openings must be obtained from the proper officials at the owner's expense.

**§ 336-371. Curb stops placed deeper than certain depth.**

Whenever the curb stop has been placed deeper than six feet, a stationary rod which comes up to the ordinary depths of the cocks must be put on, the top of this rod to be formed like the top of the curb stop, and the rod to work in a guide immediately below its top or handle.

**§ 336-372. Service pipe specifications.**

All copper service pipes shall be of Type K and shall have an excess of three feet of pipe formed into a goose neck at the connections to the tap and laid to the right hand, facing the tap.

**§ 336-373. Backfilling.**

After a tap has been inserted and service pipe installed, the backfill around the main and the service shall be of clean earth, free from stone or cinders, and carefully tamped under and around the main and service. The remainder of the backfill shall be free from stones larger than six inches in diameter and shall be satisfactorily compacted either by tamping or flushing, or both. The service pipe shall not be laid within six inches of any other subsurface structure, conduit or pipe, unless subsurface conditions make it impossible to do otherwise.

**§ 336-374. Testing of new installations or repairs.**

Each new service or repair to a service shall be subjected by the plumber, in the presence of the District, to a water test under the main pressure for a period of 10 minutes. All pipes and appurtenances shall remain uncovered for the duration of the test and shall show no signs of leakage.

**§ 336-375. Diameter of service pipes.**

The minimum diameter of a service pipe shall be one inch, and the service pipe shall not be less than the diameter of the tap controlling it.

### **§ 336-376. Furnishing of meters; ownerships; charges.**

Meters will be furnished by and remain the property of the Water District. A fee shall be charged in connection with the water meter in such amounts as set forth in the Master Fee Schedule.

### **§ 336-377. Location of meters.**

Meters must be set by the Water Department, in a horizontal position, not more than three feet from the point where the service enters the building. In the instances where the distance of service line from street line to building exceeds 100 feet, the owner shall cause a meter box to be installed, under the direction of the Department, within 10 feet of the street line. A suitable valve shall be installed on the inlet side of the meter and a double check valve, Watts No. 8 or equivalent as approved by the District, on the outlet side of the meter where necessary. Attention of the property owner is called to the fact that, in some instances, it will be necessary to install relief valves on the plumbing system on the inlet side of the meter within the building. The meter must be kept accessible at all times. The employees and agents of the Water District may enter the premises of the consumer at any reasonable time to examine the pipes and fixtures, the quantity of water used and the manner of its use. For the purpose of this article, the hours from 8:00 a.m. to 6:00 p.m. shall be considered reasonable.

### **§ 336-378 . Testing of meter at consumer's request.**

Should the consumer feel that the meter is not registering properly, he shall file a complaint with the District, whereupon the meter will be removed and tested by the Water Department. If it is found to register against the consumer by more than 2%, there will be no charge for removing, repairing and resetting the meter. If, however, the meter is not found to register against the consumer by more than 2%, a minimum charge in such amount as set forth in the Master Fee Schedule will be made for the test.

### **§ 336-379. Fixing of charges when meter is inaccurate.**

Should the meter get out of order and not register properly or stop, the Water District may, at its option, fix the charge against the consumer by the average consumption rate as shown by a correct meter on the service or according to the consumption during a previously corresponding period.

### **§ 336-380. Maintenance of meters.**

It shall be the duty of the property owner to protect the property of the District from harm. Should a meter become frozen or otherwise damaged, it shall be repaired by the Water District at the expense of the owner in such amount as set forth in the Master Fee Schedule.

### **§ 336-381. Number of meters.**

No more than one meter will be furnished for each service. Where more than one meter to a tap is desired, the owner may obtain it by paying the charge for the use of the extra meter as set forth in the Master Fee Schedule.

### **§ 336-382. Removal or interference with meter prohibited; penalty.**

All persons are hereby forbidden to interfere with or remove a water meter from any service after it has been attached, under a penalty of \$50 for each offense.

### **§ 336-383. Meter-reading transmitters.**

Meter-reading transmitters placed on or within the building for the purpose of meter reading by the District will remain the property of the Water District. It shall be the duty of the property owner to protect the property of the District from harm. Should a transmitter be removed, lost or otherwise damaged, it shall be replaced by the Water District at the expense of the owner in such amount as set forth in the Master Fee Schedule.

**§ 336-384. Premises where water may be obtained from more than one service.**

In any premises where water may be obtained through more than one metered service, the District reserves the right to shut off and seal any service.

**§ 336-385. Seals.**

No seal placed by the District for the protection of any meter, valve, fitting or other water connection shall be tampered with or defaced. It shall not be broken except on written authorization from the District. Where the seal is broken, the District reserves the right to order the meter removed for testing, in such amount as set forth in the Master Fee Schedule.

**§ 336-386. Turning service on or off.**

The water shall only be turned on and off by an employee of the Water District, unless in case of emergency, when immediate notice must be given to the Water District. Violation of this rule shall be sufficient cause for shutting off the supply of water.

**§ 336-387. District not liable for damages.**

North Castle Water District No. 9 shall not be liable for any damages which may result to consumers' pipes, appliances, etc., from the shutting off or breaking of water mains or service pipe for any purpose whatever, whether previous notice has been given or not.

**§ 336-388. Devices required on boilers.**

In cases where boilers are supplied with water, a suitable valve or other device must be applied to prevent collapse or explosion in case the water is shut off in the street mains. No deductions from water bills will be made for periods when the service is shut off.

**§ 336-389. District not liable for failure to supply water; right to control supply.**

North Castle Water District No. 9 shall not be held liable for any damage sustained by reason of its failure to supply water to any consumer at any time or for any cause and reserves the right to control the amount of water supplied in the event that the supply becomes short for any reason. It especially reserves the right at any time it is considered necessary to prohibit the use of water for sprinkling of lawns or gardens or any other such purpose.

**§ 336-390. Service not guaranteed; responsibility for certain repairs.**

The Water District does not guarantee service from the curb box to house or through any piping, valves or connections therein. Faulty service or inadequate supply is frequently due to corroding or stopping of these pipes and fixture. Any necessary changes in piping, valves or connections to increase the water supply or efficiency must be made by the owner at his own expense.

**§ 336-391. Facilities controlled by District.**

The Water District reserves to itself the control of all taps, mains, curb boxes and meters. It also reserves the right, whenever it deems it proper or whenever there is a violation of the rules and regulations, to take charge of and control the curb stop and service pipes. The District will not be accountable for any breaks or obstructions caused by frost or otherwise or from any damage arising by leakage from service pipes, fixtures or pipes owned by individuals.

**§ 336-392. Responsibility for maintenance.**

The owner must keep the service pipes and fixtures in good repair, at his own risk and expense, and prevent all unnecessary waste of water, and all water consumers shall be liable for all such repairs as shall be deemed necessary to prevent water waste. Upon failure to comply with this rule, the Board may turn off the water and not turn it on again

until all repairs are made by the owner and charges for turning off and on the water collected as set forth in the Master Fee Schedule.

**§ 336-393. Water rates.**

- C. Water rates shall be set forth in the Master Fee Schedule.
- D. All eligible and qualified senior citizens shall be entitled to a fifty-percent discount on water bills received by them for actual water usage only. This water rate discount shall be limited to the minimum rate. In order for a senior citizen to be eligible and to qualify for this water rate discount, such senior citizen must be registered on the Town's age-exempt list and must be eligible for actually receiving real property tax exemption pursuant to § 467 of the Real Property Tax Law of the State of New York.

**§ 336-394. Charges for consumers outside District.**

The charge for water to consumers outside of North Castle Water District No. 9 will be fixed by the Water District.

**§ 336-395. Payment procedure; charges for nonpayment; collection procedure.**

- G. All water rents are payable to the Receiver of Taxes and are to be deposited by the Receiver to the credit of the Water District in a bank designated by the Town Board. By the 10th of each month, the Receiver of Taxes will give the Supervisor an itemized statement showing the various items making up the deposits of the preceding month.
- H. Unpaid water rents in arrears for over 30 days shall be subject to a penalty of 5% of the amount due, if paid within 60 days of the date due, and if paid thereafter, shall be subject to a penalty of 10% of the amount due.
- I. If the water rent or charge, plus any penalties which may have accrued thereon, remains unpaid as of the close of business on October 31 of each year as shown by the statement of the Receiver of Taxes made to the Supervisor, the Supervisor shall transmit such statement to the County Legislators of the County, which shall levy the same as a tax against the property liable.
- J. When collected, the moneys, less the penalties, shall be deposited to the credit of the Water District, and the penalties shall be transferred to the reserve fund by the Supervisor to the credit of the District.
- K. The penalties here mentioned shall include any penalties on the water rents, plus any penalties arising after such water rents become taxes.
- L. Unpaid water rents which have become taxes shall be paid to the Water District by the Town within 10 days after the annual tax lien sale.

**§ 336-396. Partial payment prohibited.**

The payment of water rents must include all arrears and charges to date. No payment will be received which leaves a previous charge unpaid.

**§ 336-397. Manner of collection enforcement.**

Water rates are a lien on the property. The Water District may enforce the collection of water rents by cutting off the supply of water when any bill is two months or more in arrears. Consumers and property owners having unpaid items at the expiration of 60 days from date of billing shall be notified by the Receiver of Taxes, by registered mail sent to the last known address, that, if charges are not paid within five days after mailing such notice, the water will be shut off without further notice. At the expiration of the five-day period, the Receiver of Taxes shall furnish the District a complete list of the delinquent accounts, and the District shall forthwith shut off the water service, keeping a permanent written record of the date service was discontinued, in each instance, together with a meter reading at the time of shutoff.

**§ 336-398. Charges responsibility of owner of leased premises.**

All water rents are the responsibility of the owner of the premises when such premises are leased by one or more tenants.

**§ 336-399. Billing dates.**

Water bills become due quarterly on March 1, June 1, September 1 and December 1. The water rates are levied from the registration of the meter taken a few weeks before the first day of each period.

**§ 336-400. Obtaining of bills; partial payments not accepted.**

Bills can be obtained at the Town Hall after the first five days of each period. The Receiver of Taxes will send out bills as an accommodation to the consumer, but the delivery of such bills to the proper party is not guaranteed. If the consumer does not get a bill on or before the fifth day of the period, he should call at the office. Partial payments of water bills will not be accepted.

**§ 336-401. Cross-connection control.**

The requirements of Article III of this chapter, entitled "Cross-Connection Control," which safeguard potable water supplies by preventing backflow into public water systems, shall apply to all properties located within Water District No. 9.

**§ 336-402. Title.**

This article shall be known and cited as the "Town of North Castle Water District No. 9 Ordinance."

**§ 336-403. Final water meter reading fee.**

Upon request for final meter readings or upon the transfer of title to any property which is subject to water service, the owner shall pay a final meter reading fee in such amount as set forth in the Master Fee Schedule.

**Section 3. Create n new Article X in Chapter 336 as follows:**

**§ 336-404. Collection of hydrant fees.**

In Water District Nos. 1, 2, 4, 5 and 8, the collection of hydrant fees shall be charged as set forth in the Master Fee Schedule via quarterly billings to customers.

**Section 4. Conflicting Standards.**

Where the requirements of this Local Law impose a different restriction or requirement than imposed by other sections of the Code of the Town of North Castle, the Town Law of the State of New York or other applicable rules or regulations, the requirements of this Local Law shall prevail.

**Section 5. Severability.**

The invalidity of any word, section, clause, paragraph, sentence, part or provision of this local law shall not affect the validity of any other part of this local law that can be given effect without such invalid part or parts.

**Section 6. Effective Date.**

This Local Law shall take effect immediately upon its adoption and filing with the Secretary of State.