

TOWN OF SHELDON WATER SYSTEM

WATER RATES, CHARGES, RULES AND REGULATIONS

Pursuant to the authority granted by Title 24 of the Vermont Statutes Annotated, Charter 89 Section 3313, the Water Commissioners for the Town of Sheldon hereby established the following water rates, charges, rules and regulations:

1. WATER RATES:

Until further modification, a quarterly service charge per ERU of \$95.00 up to 9,000 gals, plus additional 1 cent per gal over 9,000 gals. per quarter. (ERU” means **E**quivalent **R**esidential **U**nit)

2. CHARGES:

- a) **Connection Fee:** If an owner of the property desires a connection to the Water System, the owner shall file a Town Water Ratepayer’s Application and Agreement with the Town Clerk of the Town of Sheldon. Upon the receipt of an application, the Water Commissioners shall determine whether it is economically feasible to furnish water to the owner and whether the capacity of the Town’s water system is sufficient to supply the needs of its existing ratepayers and not economically feasible to furnish water to such owner or that the capacity of the Town water system is exhausted by the needs of its existing ratepayers, then the application will be rejected. If the application is approved, prior to connection to the Water System the owner will pay a one-time connection fee of One Thousand Five Hundred dollars (\$1,500.00) per connection. Thereafter, a meter will be installed at the expense of the Town, which the meter shall at all times remain the property of the Town. The Town shall have right to enter upon the owner’s property for the purpose of installing, reading, repairing or replacing said meter at reasonable intervals and at reasonable hours.
- b) **Damage Fee:** If a meter is damaged for any reason other than the Town’s action or inaction, the ratepayer shall pay for the replacement cost of the meter, including the labor of the Town’s employees.
- c) **Disconnection Fee:** If a ratepayer fails to tender payment for a valid bill or charge within 30 days of the due date printed on the bill, service to the ratepayer may be disconnected. The Town shall not disconnect service to a ratepayer unless notice of disconnection has been provided previously to the ratepayer. The notice shall be sent certified mail, return receipt requested, within 40 days from the date of the bill, at least 14 days prior to the proposed date of disconnect, and no more than 20 days prior to the proposed date of disconnect. A copy of the notice shall also be sent to the street address of the rate payer. Disconnection **shall not** be permitted if:
 1. The delinquent bill or charge, or aggregate delinquent bills and charges do not exceed \$15.00.
 2. The delinquency is due solely to a disputed portion of a charge which is the subject of an appeal. An appeal must be taken in accordance with the terms of the Town of Sheldon Water Ordinance.
 3. The delinquency is due to a failure to pay a deposit, line extension, special assessment, special construction charge, or other nonrecurring charge.
 4. The disconnection would represent an immediate and serious hazard to the health of the ratepayer or resident within the ratepayer’s household, as set forth in a physician’s certificate which is on file with the municipality. Notice by telephone or otherwise that such certificate will be forthcoming will have the effect of receipt, providing the certificate is in fact received within seven days. The certificate is valid for the lessor of 30 days or the duration of the hazard.

5. The ratepayer has not been given an opportunity to enter into a reasonable agreement to pay the delinquent bill or, having made such agreement, has abided by its terms.

SPECIAL CHARGES: Section 5151 of Title 24, Vermont Statutes Annotated, the statute provides that we shall charge a reconnection fee for restoration of service if your service has been disconnected for nonpayment. These fees are as follows:

Reconnection - \$25.00 – during normal working hours

\$37.50 – overtime hours

Interest accrued according to 32 VSA 5136(a)

If payment has already been sent, we recommend that you contact our office to make certain that payment is recorded on your account. Payment by mail does not constitute payment until received by us.

If you have a question concerning this bill or if you want to seek an agreement with us to pay the balance due in partial payments over a period of time, you should contact this office as soon as possible after receipt of notice. In the event an agreement is entered into, failure to abide by the terms of agreement can lead to disconnection without further notice. If disconnection would result in an immediate and serious health hazard to you or to a resident within your household, disconnection will be postponed upon presentation of a duly licensed physician's certificate.

Kimberlee Dufresne – Credit Supervisor

APPEALS: If you cannot reach agreement as to payment of this bill with the credit supervisor whose name appears above, you may appeal to:

Gregory Stebbins, Chair
Sheldon Board of Water Commissioners
P.O. Box 66 or 1640 Main St.
Sheldon, VT 05483
802-933-2524

An appeal cannot be taken unless you first attempt to settle with the credit supervisor.

You may appeal only as to the proper amount of your bill or the correctness of application of the rules and regulations. You may not appeal as to the level or design of the rates themselves. No charge shall be made for the appeal. However, undisputed portions of the charges giving, the rise to this notice must be paid before the disconnection date given above.

Disconnection shall occur only between the hours of 8:00 a.m. and 2:00 p.m. on the date specified on the notice or within the same hours during the four succeeding business days. (Monday, Tuesday, Wednesday and Thursday). Upon disconnection, a disconnection fee of \$25.00 shall be added to the bill. The individual making the disconnection shall immediately inform a responsible adult on the premises that service has been disconnected, but if there is no responsible adult present, the individual shall leave on the premises in a conspicuous and secure place a notification that service has been disconnected and what action the ratepayer must take to have the service reconnected.

d) **Reconnection Fee:** If a ratepayer's service has been disconnected due to non-payment of the bill, the ratepayer shall pay to the Town \$25.00 for reconnection during the normal hours (Monday through Friday, 8 a.m. to 4 p.m.) or \$37.50 for reconnection at any other time. Reconnection shall occur with 24 hours from the cause for disconnection shall be done so as to avoid overtime charges.

3. LIABILITY FOR CHARGES: LIENS:

When a ratepayer is not the owner of the premises (for example, a tenant), the owner of the premises shall also be liable for the payment of the water rates and all charges attributable to said ratepayer. The water rates and charges shall be a lien upon the real estate of the owner in the same manner and to the same effect as taxes are liens on real estate under 32 VSA 5061.

4. RULES AND REGULATIONS:

- a. In the event that the total water supply shall be insufficient to the needs of the ratepayers, the Water Commissioners may allocate the water available among the various ratepayers on such basis as the Water Commissioners deem equitable, and the Water Commissioners may also prescribe a schedule for watering lawns and gardens, washing automobiles, and conducting other activities for which water is required. If at any time the total water supply shall be insufficient to meet all of the needs of all of the ratepayers, the Water Commissioners shall attempt to satisfy ordinary household needs: second water for livestock: third ordinary commercial needs: and then and only water for lawns, gardens and automobiles.
- b. Use of water is confined to the premise's names in the contract. No ratepayer shall supply water to another not entitled to the use of water, nor shall the ratepayer use the water for any purpose not mentioned in the ratepayer's application.
- c. No person shall obtain water from any hydrant or other fixture of the Town without the use of a hydrant meter or without previous consent of the Water Commissioners.
- d. Ornamental fountains, stationary, sprinklers, swimming pools and irrigation systems will be supplied with water by special agreement.
- e. All lateral piping from the water main curb stop shall belong to the ratepayer. Accordingly, all lateral piping material and labor necessary to install, repair, and replace lateral piping from the Town water main curb stop to ratepayer's structure shall be solely at the ratepayer's expense. However, the type and quality of pipe to be furnished by the ratepayer shall be approved by the Water Department Chief Operator. Furthermore, before any excavation is filled, ratepayer shall notify the Town Clerk, and the work shall be inspected by the Chief Operator before filling. No structure other than lawn or driveway shall be placed over lateral piping or within six feet from the center of the lateral piping.
- f. All leaks in any lateral piping shall be immediately repaired by the ratepayer owning the lateral piping. Upon failure to make immediate repair, the Water Commissioners or the Chief Operator may direct the immediate disconnection of water if the failure to repair threatens to cause immediate and serious harm to ratepayer's property or to adjoining property, without notice to the ratepayer, but the Water Commissioners shall attempt to give appropriate notice, including oral notice to the ratepayer, and an opportunity to be heard as soon as reasonably possible for an immediate reconnection.
- g. The Town shall have the right to inspect the lateral from the Town's main to the ratepayer's structure at any time.
- h. The Town shall in no event be responsible for maintaining any lateral piping owned by ratepayer or for damages done by water escaping therefrom. The ratepayer shall indemnify and hold the Town harmless from any damages sustained by the ratepayer and others persons due to such escapes.
- i. The ratepayer shall use due care to make sure that the meter is protected from freezing or another casualty.
- j. If by reason of shortage or failure of water supply or by reason or repairs, extensions, or connections or by any other reason beyond the control of the Town it becomes necessary to shut off water in a water main, the Town will not be responsible for any damages occurred by such shut-off. Notice of shut-off will be given when practicable, but nothing in this rule shall be construed as requiring the giving of notice in an emergency situation.
- k. The Town makes no warranties or guarantees regarding quantity or quality of water furnished.
- l. The Town will not be responsible for damage caused by dirty water which may occur by cleaning pipes, pumps, treatment facilities, standpipes, or the opening and closing of gates or hydrants.

5. AMENDMENTS:

These Water Rates, Charges, Rules and Regulations may be repealed, amended or modified by a vote of the majority or the Water Commissioners present and voting at any regular or special meeting of the Water Commissioners.

These Water Rates, Charges, Rules and Regulations are hereby adopted by the Water Commissioners on this 6th day of March, 2017.

Water Commissioners, Town of Sheldon

Gregory Stebbins, Chair

Stephen Dodd

Mark Churchill

Revised 4/1/17