



BANGOR WATER DISTRICT

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TERMS AND CONDITIONS

The following terms and conditions made by the Bangor Water District and approved by the Maine Public Utilities Commission constitute a contract between the customer and the utility. Any failure to comply with these rules and regulations, or requirements referenced herein, may be cause for refusal or discontinuance of service.

The customer is further referred to the District's

- * Rights and Responsibilities as a Residential Customer
- * Water conservation program
- * Cross-Connection Control program
- * Material specifications
- * Construction/technical specifications

For areas not specifically addressed by this document or by reference, the Maine State Plumbing Code is considered the minimum requirement.

The District is further governed by the regulations of the Maine Public Utilities Commission, and by "Rules Related to Drinking Water" administered by the Maine Dept. of Human Services, Bureau of Health, Division of Health Engineering Drinking Water Program.

1. DEFINITIONS

The word "utility," BWD, or "District" refers to the Bangor Water District.

The word "customer" means any person, firm, corporation, or governmental division which has applied for and is granted service, or who is responsible for payment of the service.

The words "water main" means a water pipe owned, operated, and maintained by the utility, which is used to transmit or distribute water but is not a water service pipe.

The words "service pipe" mean the pipe running from the main to the premises of the customer.

The "MPUC" refers to the Maine Public Utilities Commission.

“Regular business hours are defined as hours during which the District’s business office at 614 State Street is open to the public to transact business. Currently, these hours are 7:00 a.m. –3:30 p.m. Monday – Friday (excluding holidays).

2. APPLICATION OF SERVICE

Application: Application for service shall be made by the customer through the District office, 614 State Street, Bangor. The application requires written authorization and receipt of the establishment fee.

3. BILLING FOR DOMESTIC SERVICE AND FIRE PROTECTION

Billing: Customers are billed based on metered consumption or as otherwise provided in accordance with the District’s rates on file with the MPUC.

Billing period: The District bills its customers on a quarterly basis, with exceptions at the discretion of the District. Domestic service is billed in arrears; flat rate billing and fire service are billed in advance.

Billing Adjustments: Adjustments to water bills may be made as determined by Chapter 62 of the MPUC regulations, the District’s Office and Administration Policy regarding billing adjustments, and the District Board of Trustees’ Abatement of Water Bills policy.

4. CREDIT AND COLLECTION PROCEDURES

Procedures are based upon Chapter 810 (residential), Chapter 860 (non-residential), and Chapter 870 (Late Payment Charges and Interest Rates) of the MPUC regulations.

Late Payment Charges: Beginning not less than 90 days after approval of these Terms and Conditions, the District will charge interest within the guidelines of Chapter 870 of the MPUC regulations for bills remaining unpaid after the due date. The Board of Trustees will annually set the interest rate to be assessed.

Deposits: The District may charge deposits in accordance with the MPUC regulations and BWD’s deposit policy. The interest rate paid on deposits will be in accordance with Chapter 870 of the Commission’s rules and regulations.

5. DISCONNECTION OF LEASED OR RENTED RESIDENTIAL PROPERTY

Disconnection of single meter, multi-unit residential dwellings: Service will be terminated in accordance with Chapter 810, and the District may exercise its lien rights in accordance with 35A MRSA 6111 to collect a past due water bill, including a charge of \$300 covering lien notification, preparation, filing and processing in addition to the past due amount and collection fee. If service is disconnected, the District may require installation of separate shut-off valves and meters for each dwelling unit at the landlord's expense prior to re-establishing service.

6. RESTORATION OF SERVICE

During regular business hours, the District will charge a reconnection fee of \$45.00 to restore water service if the service was disconnected for: non-payment of bills; violation of these Terms and Conditions; fraudulent use of water; dangerous conditions; violation of Commission rules; or upon customer request if the disconnection is for more than five business days. Reconnection of service outside of regular business hours is at the District's discretion, and is charged to the customer at \$40.00 per hour with a minimum two-hour charge.

7. CHARGE FOR ESTABLISHMENT OF SERVICE

The District charges \$22.00 at the time of application to establish water service during regular business hours. The District charges \$40.00 per hour with a minimum charge of two hours if service is established after regular business hours.

8. COLLECTION TRIP FEE

If District personnel must visit a customer to disconnect for non-payment and, in lieu of actual disconnection, the customer pays or makes a payment arrangement, the District will charge the greater of \$10.00 or the maximum collection fee allowed by the MPUC regulations.

9. TERMS OF PAYMENT FOR DOMESTIC AND FIRE SERVICE BILLS

All bills are due and payable upon presentation, and are considered past due 30 days from the postmark. Payments may be made at the District's office, or through designated collection points or options listed on the bill. Failure of the customer to receive a bill or disconnection notice does not relieve him/her of the obligation of its payment nor from the consequences of non-payment.

The District does not accept any written conditions stated on a check or other negotiable instrument unless such conditions are specified in a separate written agreement signed by an authorized BWD representative.

10. CHARGE FOR RETURNED CHECKS

In accordance with BWD's policy on returned checks, the District charges for any check returned by the bank. The charge is the maximum allowed by the Maine Public Utilities Commission or the amount the bank charges the District, not to exceed \$15.00. The District will furnish the customer with proof of any bank charges in excess of \$5.00 if requested.

11. UNAUTHORIZED USE OF WATER

Use of water is confined to the premises named in the service application. Unauthorized use of water is considered theft of services.

Authorized Use of Hydrants: Fire hydrants may not be used for any purpose other than to extinguish fires unless prior permission is given by the District. In any case, fire hydrants may not be opened by any person other than an agent of the utility, a duly authorized representative of the municipality, the owner, or as authorized by the District.

12. MAINTENANCE OF PLUMBING

A customer must maintain the plumbing and fixtures within his/her premises in good repair and protect them from freezing. The meter will be located in a warm, clean, dry, and accessible area such that it can be serviced and read during normal business hours. The customer is responsible for all labor, overhead, material and equipment costs associated with repairing damaged or frozen water meters. Painting of meters or remote reader units constitutes damage.

13. NO TAMPERING WITH UTILITY PROPERTY

There shall be no tampering with or operating District property--including but not limited to hydrants, standpipes, valves (main line), service line valves or meters/remote readers--without the consent of the District.

14. ACCESS TO PREMISES

An employee of the District, having displayed a valid District identification card with photo, will have free access during regular business hours to all premises supplied with water to permit reading of the water meter, inspection of the plumbing system, installation, inspection, repair or removal of meter, and inspection of cross-connection prevention.

15. LIABILITY

The District will only be liable for any damages arising from claims to the extent liability is provided in the Maine Tort Claims Act, as set forth in Title 14, Chapter 741 of the Maine Revised Statutes Annotated. The utility makes no representations or warranties about the suitability of the water for any particular purpose.

16. SERVICE INTERRUPTION

The District will provide notice of any planned shut-off to affected customers at least 24 hours in advance of the interruption of service. The District will give notice of any unplanned shut-off when practicable. If a customer requests, the District will make a pro rata reduction in the customer's minimum bill if service is interrupted for longer than 48 hours and the interruption is not the customer's fault.

17. METERING

Installation: A customer may have a water meter installed after signing for the meter at the District's office, or on receipt of written request and establishment fee, and by making an appointment to be present as necessary.

Meter Location: Meters shall be set within two feet of the point of entry into the building, and in accordance with the District's approved metering policy. Meters once set may be relocated, with the District's approval, at the expense of the customer.

Meter size: The District will determine the size and number of the meters to be installed (both temporary and permanent) based on technical requirements and its metering policy.

Separate shut-offs: Except as provided in Chapter 810, each unit of a multi-unit structure will have its own meter unless a variance is granted. The District requires separate shut-offs in acceptable locations always accessible to the District before tenants are allowed to sign.

Mobile homes: Meters for mobile homes will be installed inside the unit.

Pit meters: Meters in pits are allowed only with District permission and in accordance with the requirements of the Maine Drinking Water Program.

Location of reader: Remote readers will be installed in a protected outside area accessible at all times. The owner is responsible for the care of and any damage to the remote reader.

18. METER TESTING

The District's meter cycling program requires that all meters sized 5/8-inch through two-inch be tested at least once during a fifteen-year service period. For meters sized three inches and larger, the District will test its water meters according to the schedule and standards in Chapter 620. Upon customer request, the District will test the customer's water meter in the presence of the customer or representative, at no charge unless the customer requests more than one test in 18 months. If the customer requests a test more frequently, the District will require the customer to pay a deposit equivalent to the appropriate charge listed below to cover the cost of the test. If a meter tested at the customer's request does not conform to MPUC standards, the customer's deposit will be refunded and the District will adjust the customer's bill according to the provisions of Chapter 620. If the meter conforms to the standards, the District will retain the customer's deposit and may continue to use the meter at the customer's premises.

Replacement/Repair of damaged meters: The charge for the repair of meters damaged due to improper care by the customer is :

<u>Size</u>	<u>During business hours</u>	<u>After hours</u>
5/8 – 1"	\$65.00	\$110
1 1/2 – 2"	\$60.00 plus invoice for replacement	\$100 plus invoice for replacement
3" and up	\$95.00 plus invoice for replacement	\$180 plus invoice for replacement

Meters sized 1 1/2 inches and larger must be replaced when damaged.

Charge for testing meters at customer's request: During business hours, a charge of \$55.00 will be made for testing meters size 5/8" to two inch; for testing meters three inches and larger, the charge will be \$95.00. During non-business hours, a charge of \$40.00 per hour with a two-hour minimum will apply.

19. SUBMETERING

Meters for showing subdivision of water use must be furnished, installed, read, and maintained at the customer's own expense.

20. ISOLATION VALVE

The District requires that the service pipe will be equipped with water isolation valves located near the service entrance on both sides of the meter. These valves are installed, owned, and maintained by the owner. The service pipe is to be equipped with adapters (supplied by the owner) compatible with the meter couplings (supplied by the District). These adapters are installed, owned and maintained by the owner.

21. CROSS CONNECTIONS

All customers--both new and existing—will comply with all provisions of the District's approved cross-connection control program regarding installation, inspection, maintenance, and testing of approved backflow prevention devices. All requirements of the District's cross-connection control program must be met before water service will be supplied to new accounts.

If a customer fails or refuses to break or properly protect the cross connection within a time limit specified by the utility, the utility may disconnect the service per its approved program.

22. WATER PRESSURE

Inadequate water pressure: In services where the normal operation pressure could be expected to fall below twenty (20) pounds per square inch, a "Limited Service Contract," as approved by the MPUC is required. Whenever water pressure at any fixture in a maximum flow condition after allowing for friction, elevation and other pressures, is less than fifteen (15) pounds per square inch, a pressure pump or other means which will provide said fifteen (15) pounds pressure shall be installed. Services utilizing a booster pump or other means to provide fifteen (15) pounds pressure or greater shall be equipped with an approved double check valve assembly located between the isolation valve and the water meter, unless a variance is requested.

Excessive water pressure: When water pressure is in excess of eighty (80) pounds per square inch, an approved type of pressure regulator preceded by an adequate strainer shall be installed and the pressure reduced to eighty (80) pounds per square inch or less. The pressure reducing valve shall be located between the isolation valve and the water meter unless a variance is granted.

A customer may not install or use any device which will affect the District's pressure or water quality without prior utility permission. If permission is granted, the District may require the customer to confine or reduce such fluctuations to limits determined by the District. Failure to comply will result in termination of service in accordance with Chapter 810 or Chapter 860 of the Maine Public Utilities Commission.

23. SAFEGUARDING DIRECT PRESSURE WATER DEVICES AND SYSTEMS SUPPLIED BY AUTOMATIC FEED VALVES

Safeguarding direct pressure devices: Customers must install vacuum, temperature, and pressure relief valves or cutouts to prevent damage to a direct pressure water device or secondary system supplied by an automatic feed valve, should a reduction occur in the water main pressure. The District is not liable for damage resulting from lack of or failure of these devices.

24. UTILITY JOBBING

“Utility jobbing” means unregulated utility services, including but not limited to construction and laboratory services.

A customer must complete a written application before a utility will provide unregulated utility service

Applicants are required to provide, in advance, sufficient funds as provided in a written estimate by the District to cover the anticipated District expense. The District will return excess funding within 30 days of project completion; costs in excess of the estimate will be billed to the customer and must be paid within 30 days.

Work performed in support of unregulated utility service outside regular business hours will be charged at overtime rates.

New service installation: The District is responsible for performing the tap into its water main. The customer is responsible for providing the corporation to complete the tap, and for installation of the service line from the tap into the premises to be served, including the curb stop. Installations must meet District specifications.

A "Request for Water Service - Municipal Authorization" must be completed and signed by the authorized municipal officials before the District will supply service to new services.

District ownership: The District shall own and maintain the service pipe including the curb stop within the limits of the public way. Applicants for new services will be required to pay the cost of installing this section of pipe.

Customer ownership: The owner shall, at his/her own expense, install, own and maintain the portion of the service pipe between the edge of the public way and the water meter. To avoid potential problems regarding the location of the service pipe, the owner is requested to consult with the District prior to the installation or renewal of their service pipe.

Laboratory tests: The charge for individual water tests performed in the laboratory at the request of a customer will be \$15.50. Total coliform, E-coli, HPC, pH, fluoride, and turbidity are all considered individual tests.

Flow tests: For flow tests of an individual hydrant or sprinkler system, the charge is \$60.00. For each additional hydrant or sprinkler system at the same site, the charge will be \$15.00.

Bulk Water Sales: At customer request and in compliance with the District's policy for meters set on hydrants, the District may provide a meter and backflow preventer for temporary bulk water from a hydrant for a construction site, or for filling a swimming pool, holding tank, or other large container.

25. WINTER CONSTRUCTION

No new service or extension of mains will be installed for the convenience of a customer during winter conditions which increase the cost of the work for the District unless the customer assumes all extra expense over ordinary construction costs.

26. SERVICE PIPE

Customers are referred to the District's Construction/Technical Specifications regarding joint use of service pipe trench.

Separate service: Unless otherwise approved, each dwelling unit will have its own service and curb stop (shut off) in accordance with the District's construction specifications.

Valve box location: Valve boxes for water mains and services shall be at least five feet from all structures and at least two feet from all shrubs and trees.

Service pipe: Service pipe installed underground must be Type K copper. Service pipe installed above ground or inside a building must be Type K or L copper; this copper must extend to at least two feet beyond the water meter. The owner's service pipe is to be located such that the water meter can be installed within two feet of the point of entry of the building served as measured along the water pipe. No unmetered connections are allowed before the water meter.

Inspection: The District shall inspect all underground service installations including renewals prior to backfilling. The District shall be given advance notice such that inspection may be performed during regular business hours. Work performed outside of regular business hours requires advance approval; this work will be considered utility jobbing, and will be billed to the customer. Approval of such installation by the District does not constitute a guarantee by the District as to the sufficiency of the materials or workmanship.

27. FLAT RATE DOMESTIC SERVICE BILLING

All customers billed on flat rates will be charged for all fixtures, whether used or not. If a hot and cold water faucet supply the same fixture, only one faucet will be charged. No water will be furnished for less than the first faucet rate. No customer supplied with water on flat rates may install any additional fixtures or alter any previously installed fixtures without first giving written notice to the District.

Customers on flat rates must prevent all unnecessary waste of water. Water will not be supplied on flat rates for any continuous flow device. The District will decide what constitutes waste or improper use and will restrict usage when necessary.

28. PRIVATE FIRE PROTECTION

Customers requiring private fire protection must contact the District to determine the availability of fire service at their location. Fire service, if available, will be installed at the customer's expenses within the bounds of the public way or right-of-way. The fire service line, after installation, will be owned and maintained in the public right-of-way by the District. The District does not guarantee any quantity of water or pressure available through a fire protection system. The owner of the service shall determine, from time to time, the adequacy of the supply through the first service by conducting tests of the private system. Timely notice must be given to the District so a representative of the District can be present to observe the test.

Customers wishing to cancel fire service protection must notify the District in advance and in writing, and must have permission in writing from the appropriate fire department official. Physical shut-off of the fire service and/or private hydrant(s) will not be made by the District until the prescribed notice has been made.

29. VARIANCES

Requests for a variance to these Terms and Conditions must be by a customer through a written request to the District.

30. AVAILABILITY

Availability: A minimum notice of two business days is required to turn on a service or set a water meter, unless the service has been disconnected for non-payment. A minimum notice of five business days is required to discontinue service, and the customer is responsible for service until the appropriate notice has been made. These services are available during regular business hours, and someone must be on the premises if entry by District personnel is required.

Emergency Service: Emergency service of a limited nature is provided during non-business hours when—in the opinion of the District—public health or safety is at risk. Work performed for a customer will be billed to the customer, payable within 30 days.

31. VISIT TO PREMISES

A visit to the premises by District personnel to establish, maintain, or terminate service may be required. Service personnel will not enter the premises nor restore water service to the premises unless accompanied by the customer or a representative thereof.

32. WATER CONSERVATION

When necessary to conserve the water supply, the District may restrict or prohibit water use for both flat rate and metered customers.

33. FROZEN SERVICES

When the District is requested by a customer to thaw a frozen service pipe and it cannot be determined whether it was frozen on the District's portion of the pipe or the customer's portion, one-half of the cost of thawing the pipe shall be borne by the District per MPUC regulations.