

ROSLYN WATER DISTRICT



ORDINANCE 2010

BOARD OF COMMISSIONERS

A. Jack Russo

William K. Costigan

Michael J. Kosinski

SUPERINTENDENT

Richard J. Passariello

TABLE OF CONTENTS

The following are the Ordinances, Rules and Regulations established pursuant to law by the Board of Water Commissioners of the Roslyn Water District, Roslyn , Nassau County, New York, and are considered a part of any contract with any party taking and using water furnished by ths District

GENERAL INFORMATION FOR WATER CONSUMERS	2
SECTION 1 APPLICATIONS FOR SERVICES	5
SECTION 2 DEPOSITS	5
SECTION 3 INSTALLATION OF SERVICES	6
SECTION 4 INSTALLATIONS OF METERS	15
SECTION 5 PAYMENT FOR WATER SERVICE	16
SECTION 6 GENERAL RULES	17
SECTION 7 RENTS, RATES, AND MINIMUM CHARGES	19
SECTION 8 EXTENSION OF MAINS BUILDERS AND DEVELOPERS	20
SECTION 9 FIRE SPRINKLER AND STANDPIPES	21
SECTION 10 CONTROL OF BACKFLOW CROSS-CONNECTION	22
SECTION 11 DEFINITIONS	27
SECTION 12 APPLICABLE SECTIONS OF THE PENAL LAW OF THE STATE OF NEW YORK	31
SECTION 13 EFFECTIVE DATE	33

ORDINANCES, RULES AND REGULATIONS OF THE ROSLYN WATER DISTRICT

Dear Customer,

These ordinances reflect some of our experience as water purveyors since 1910 to this community. We have endeavored to cover almost every subject or question that may arise in Water Management for our 5770 customers. Many of the provisions are aimed at the maintenance of the quality and safety of our water supply.

Please keep this booklet of ordinances for future ready reference. We welcome your inquiries at our Business Office at 24 West Shore Road in Roslyn or, call us at (516) 621-7770

GENERAL INFORMATION FOR WATER CONSUMERS

1. The Roslyn Water District includes a large territory located in the town of North Hempstead. The District area includes all of the Villages of Roslyn, Roslyn Estates, East Hills, and portions of Roslyn Heights, Roslyn Harbor, Flower Hill, North Hills, Greenvale, Albertson, Glenwood Landing, Village of Old Westbury and Port Washington. The District derives its general jurisdictional authority from Town Law of the State of New York and applicable provisions of the Civil Divisions Act of Nassau County.
2. The Ordinances, Rules and Regulations of the District are a part of the contract for water supply and should be read carefully and kept for future reference.
3. All installation, repairs and additions to the public water supply system must be performed by licensed plumbers or contractors duly bonded in favor of the District.
4. All meter readers, inspectors or agents employed by the District are to be given access to the water supply and plumbing on any premises during reasonable hours, shall carry proper identification and will not enter premises unless an adult 18 years or older is present. If you have any doubt as to their identity, they should be required to identify your meter number. In addition, you may call the District office for further identification. Telephone number 621-7770
5. All installations, repairs and additions or alterations of the consumers water system must be performed by a plumber licensed by the Town of

North Hempstead.

6. The owner(s) of real property are liable for the rents and water charges on such property, as set forth in the water bill, whether it is occupied by the owner(s) or a tenant. All rents and charges shall become a lien upon the property in the event that they are not paid promptly.

7. Bills for water rents will be mailed quarterly or monthly as determined by the District depending on the classification of customer, but the District does not guarantee the delivery of bills. Any customer finding a statement error is requested to report the error before paying bill, so that it may be reviewed for correction. At the discretion of the District no refund for overcharges resulting from billing errors will be made unless the error is brought to the attention of the District at the time of payment. Any customer finding an overcharge or undercharge in the billing statement is requested to report the error before paying the bill so that it may be corrected. The customer accedes the correctness of the bill by making payment.

8. When property is conveyed, notice of such conveyance, with the name and address of the party to whom the property is conveyed shall be sent to the District so that the changes of ownership may be noted on the records of the District within seven (7) days of the conveyance. All reasonable expenses incurred by the District to ascertain the record owner of the property shall be charged against the current owner.

9. The District shall not be liable for damages or loss and shall not be responsible for discontinuance of service or changes of pressure within any water system, for freezing of mains or water supply systems, or the leakage occurring therein.

10. Consumers and property owners are advised not to build fences or to plant shrubbery or to place any other obstructions directly above any water main or water service line located on their property. In the event that repairs are required the damages and cost of removal of such fences, plants, shrubbery or other obstructions shall be borne by the property owner.

11. The District has the right to shut off water in the event of a leak from water service or sprinkler system that we determine is causing a flooding or an icy condition, that is hazardous to another property without being liable of any conditions, damages or loss resulting from shutoff.

12. The service line and appurtenances are the property of the property owner and shall be maintained at their own cost and expense. In the event that the property owner fails to repair a leaky service the District may, after

notice to the property owner, turn off such service or cause the repair to be made at the cost and expense of the property owner.

13. It is the intention of the District to notify consumers when practical that the water mains in their area are to be turned off. In any event, the District shall not be liable for any loss or damage that may be caused by such turning off of the water.

14. The District will appreciate and invites information or advice of any condition which requires the attention of the District or its employees, or of any suggestion which might tend to improve the service. All regular meetings of the Board of Commissioners are open to the public.

15. Sprinkling may be done only between the hours of 4:00 p.m. and 10:00 a.m. and only on odd number calendar days for those premises with odd number addresses and on even calendar days for those premises with an even number address. For those premises without a number address, sprinkling is allowed only on even numbered calendar days. Duration of sprinkling on any specified day shall not total more than three (3) hours for any one day.

16. No person shall open or interfere with the fire hydrants or draw water therefrom without permission from the District or in case of fire by the Chiefs of the Fire Departments or their assistants. Any such violation shall institute a misdemeanor punishable in accordance with the New York State Penal Law.

17. It is the policy of the Board of Commissioners to conserve water pursuant to the requirements of the law, and also to include any and all regulations set forth by the United States Environmental Protection Agency, New York State Health Department, New York State Department of Environmental Conservation, Nassau County Department of Health or any agency having jurisdiction over the District. To fulfill this policy the Board urges all consumers/residents to conserve water whenever and wherever possible and to comply with the District's Water Conservation Ordinances appearing herein.

18. The following are the Ordinances, Rules and Regulations established pursuant to law by the Board of Water Commissioners of the Roslyn Water District, Roslyn, P.O. Box 326, 11576, Nassau County, New York and are deemed to be a part of any contract with any customer taking water furnished by the District.

ORDINANCES ROSLYN WATER DISTRICT

The provisions of this ordinance shall apply to all persons using water from the Roslyn Water District water system and regardless of whether or not such person using water shall have a contract in his own name for water service with the District.

SECTION 1 APPLICATIONS FOR SERVICE

1.1 All applications for the use of water in the Roslyn Water District (hereinafter referred to as the " District ") must be made in writing on a form provided by the District. On acceptance by the District the application shall constitute a contract between the District and the applicant obligating the applicant to pay the District its established rates and to comply with all rules, regulations, restrictions and ordinances.

1.2 Applications of contractors, builders and others for temporary service may be accepted, written permits may be issued and temporary water service may be supplied providing it does not interfere with use of water for general purposes. Use of water from any hydrant shall be strictly in accordance with section 6.2 of these Ordinances. Customers granted temporary service shall reimburse the District for its expense in connection with providing the necessary temporary service connection and a deposit specified by the District may be required.

1.3 No agreement will be entered into by the District with an applicant for water service until all charges due from the applicant for water or services at any premises now or heretofore owned or occupied by the applicant which are in arrears shall have been paid.

SECTION 2 DEPOSITS

2.1 As security for payment of bills, the District may require of any applicant or any customer to whom it may be supplying water, a deposit approximately equal to two times the estimated average annual bill. In case the billing period is changed and/or the estimate of the amount of the bill is found substantially incorrect, an adjustment shall be made in the deposit to suit the condition. Deposits of applicants will be payable at the time of

and of customers upon demand.

2.2 When service is discontinued and final bills are paid or when the customer has established satisfactory credit in the judgement of the District, the deposit will be refunded to the depositor.

SECTION 3 INSTALLATION OF SERVICES

3.1 INSTALLATION AND REQUIREMENTS. No person shall make any attachment with the mains of the District at any time. All work performed on mains or tapping thereof to be done by the District or its contractor. Repairs, additions to, or alterations of service water lines must be made by a plumber licensed by the Town of North Hempstead.

A separate service line shall be required for each dwelling or building as specified under Section 3 – Paragraph 6 of these ordinances. In case of multiple occupancy the size and number of separate service lines required shall be at the sole discretion of the District.

Any existing consumer in violation of these requirements may be notified on thirty (30) days written notice from the District to conform to this ordinance.

3.2 MAIN TAPPING . No Person, Corporation, Partnership or Contractor will be permitted to tap the mains or distribution lines, or make or interfere with any connection of the District. All tapping up to 2 inches must be performed by the District. All installation charges are to be paid for at the office of the District and no taps are to be made before applications are duly executed. The District must be notified 48 hours in advance of needed tap. No tap shall be made after 2:30 P.M.

Charges shall include the following materials and services which shall be furnished by the District, for one inch taps only.

1. Water Meter, Meter Pits, Pit Cover and Ring, Meter Setter with Double Check Valve and setting of meter thereof, minimum size of a one inch meter.
2. Extension service box and rod.
3. Corporation stop.
4. Curb stop.
5. Tap and inspection of facilities.

Charges shall include the following materials and services which shall be furnished by the District for 1.5 inch and 2 inch taps.

1. Water meter
2. Road box
3. Corporation stop, Tapping saddle
4. Tap and inspection of facilities
5. Curb Stop

Services larger than one inch shall be installed in meter pits or other location approved by the Board of Commissioners in accordance with the specifications and regulations of the District. Meter pits shall be constructed of concrete block or poured concrete with a reinforced concrete roof and a approved pit cover and shall house the meter, by-pass, valves, test tee and approved backflow prevention device. Meters over 2 inch shall be provided with Sediment Trap.

No taps will be made on newly installed water mains until a sample of the water has been submitted to the District's approved laboratory and a report is received that said water is potable and free from bacteria.

3.3 PUBLIC SAFETY Whenever any street or public grounds shall be opened for the purpose of making a connection with the mains or for laying any water lines or fixtures, public safety and convenience shall be duly regarded, and the street or public place shall be restored to its original condition as soon as possible. Whenever a trench is opened, bridges for the safety and convenience of the public shall be provided, and if left open at night such excavations and bridges shall be guarded with barricades, and lights shall be displayed to warn and protect the public.

3.4 OWNERSHIP All service line and service connections, shall be approved by the District, and shall be installed at the expense of an applicant from the corporation in the main. A curb stop valve the same size as the service line, must be installed on each water service and be complete with curb box and cover. Curb valves must have a full round way for straight through water flow. Each curb stop from 1-inch to 2-inch shall be of the inverted key type up to 2-inch and must conform to American Water Works Association standards. The curb stop shall be located between the curb and sidewalk in the grass area. If no grass area exists, it shall be located in the sidewalk at a location closet to the curb. All services larger than 2-inch shall have a gate valve of type approved by the District. This curb stop may be used by the customer for turning on or shutting off the water supply but is generally for the exclusive use of the District. All shut off valves are the responsibility of the property owner.

The service line connections from the District main to the premises shall at all times remain the sole property of the applicant or successor in interest in whom title thereto shall vest. All service lines installed shall not have sweat joints, lead goose necks, or galvanized connections. The use of lead is prohibited in any part of the water service.

3.5 MAINTENANCE AND REPLACEMENT The customer shall maintain and protect the service line and all appurtenances thereto (beginning at the corporation cock in the street) from freezing or any other possible damage, and make all necessary repairs. The "Consumers Water System" must be maintained and kept in good repair at their own expense, including the meter pit and all appurtenances therein. Failure of a consumer to repair the aforesaid service line within 7 days of notification from the District, or sooner, if deemed a health or safety hazard, the water service will be turned off at the curb stop.

In the event of a leak in any service line causing a loss of unmetered water, the water will be shut off (at the discretion of the District) and it will not be turned on again until the owners shall have either made the necessary repairs by the owner's plumber, under the supervision of the District, or has consented that the District or a Contractor designated by the District make the repairs and has agreed to reimburse the District in the amount of the labor and material involved in this repair, including the estimated cost of unmetered water and cost of road repair. This section shall also apply where the District is unable to contact the owner and proceeds to make the necessary repair.

3.6 INSTALLATION OF WATER SUPPLY OR WATER SERVICE LINE:

1. **All Services Up To 2 Inch In Size:** Shall be of seamless type, U.S. Government Specifications K copper. The minimum sized new Water service allowed shall be 1" inch. All services larger than 2 inch in diameter shall be cement lined cast or ductile iron pipe. No asbestos lining will be allowed. The District reserves the right in all cases to stipulate the size and type of service lines to be used.

2. **All Water Service Lines:** Shall be buried to a depth so as to have a minimum cover of 4.5 feet measured to street grade. Separate taps shall require a minimum street opening of six (6) square feet and shall be dug to a depth 6-inches below the water main. Road openings for wet cuts shall be made five by seven (5x7) feet. No Water District Personnel shall perform work in an opening that the District Superintendent or a District Supervisor deems to be hazardous.

3. **New or Replacement Taps :** On a 6-inch to 10-inch water main shall not exceed 2 inch, unless otherwise permitted by the District in writing. All other service connections shall be made by wet cut.
4. **Separate Taps And Service :** There shall be a separate water service for each premises. No water service shall be siamesed or otherwise connected to any other building or premises. Each separate store or place of business in one (1) building shall have a separate tap and water service.
5. **Multiple Occupancy:** Any building or premises having or designed to have multiple occupancy, be it industrial, business or residential or any combination of recognized uses, must have meter service for each occupant, unless otherwise permitted by the District in writing.
6. **Location:** No water service pipe may be laid within twenty- four (24) inches of any gas pipe or within ten (10) feet of any cesspool drain or sewer pipe or any pipe connected thereto. No drainage into a water pipe trench is permitted .No water service pipe or valve shall be installed in a driveway. Final decision for the placement of proposed water line is at the discretion of the District.
7. **Application For Water Supply:** A District application for water supply must be filled out by the owner in advance of work by the plumber for any new installation, service replacement, additions, repairs or alterations and shall include the owners name, address, section, block, lot, signature and date.
8. **Backflow Prevention Device:** All new services, shall be required to have an approved backflow prevention device. Application for approval of all backflow prevention devices shall be presented for approval by the District on New York State Department of Health form DOH 347, New York State Department of Health Application for Approval of Backflow Prevention Devices.
9. **Service Line Replacement:** A new 1 inch service or 3/4 inch service replacement, the copper tubing shall be laid in one continuous length between the main to the curb stop and curb stop to the meter pit and from the meter pit to the building. A coupling will be allowed ONLY when the service line is over 100 feet. No joints between these points shall be permitted.
10. **Slab Construction:** Any building constructed on a slab on grade with no basement, cellar or crawl space where the water service extends more

than 4 inches inside the outside wall facing the street, the service shall be encased in a sleeve at least 1/2 inch larger than said service. The sleeve may be of black steel pipe or polyvinyl.

11. **Street Opening Permit:** Plumbers must submit a copy of a Street Opening Permit to the District in advance of start of work.

12. **Inspections:** All service mains between the street main and the building shall be inspected by the District before the trench is closed. The trench shall be dug at right angles from the street to the building and run in a straight line from the street main to the building.

Whenever it shall be found that any other than the approved water service mains have been installed, the water shall be cut off and shall not be restored until the proper service main is installed, approved and all costs for restorations are paid. No further permits will be issued to the violator until all the violations have been corrected.

No plumber shall work on any service line without first notifying, the District in advance of the commencement of work.

13. **Meter Pits:** The meter pit for a 1 inch service line shall be placed upon not less than three (3) bricks at the bottom to prevent settling and the meter pit cover at the top of the pit shall be installed at finished grade and left at finished grade when the grading is completed. It is the responsibility of the plumber to install the meter pit and to protect it during construction, to leave it at finished grade when the construction and grading are fully completed before the installation is accepted by the Roslyn Water District.

3.7 SERVICE CONNECTION SPECIFICATIONS AND RULES: In the event the use of any water service line is discontinued for any reason, it shall be cut off immediately at the street main or a point designated by the District at the owner's cost and expense. All work shall be done under the supervision of District personnel. In the event that a water service line is discontinued and not cut off by the owner, a minimum charge for water service shall continue until a disconnection has been made and inspected by the District. The connection, tap or taps of any service line which may be disconnected by reason of replacement, repair, demolition or other cause shall be disconnected at the main at the owner's expense.

Whenever a consumer of the District shall seek to replace the water service line to its property or increase the size thereof, application must be made to the District and the work performed in the same manner as for a new installation, by a duly licensed bonded plumber. Replacement of water

service line, shall conform to the requirements of the regulations by Nassau County Department of Health in existence at the time of said replacement and in accordance with the District's specifications.

A discontinued or non-use service line not cut off by the owner shall be done by the District or contractor designated by the District on ten (10) days notice to the owner and the cost shall be added to next water bill or reported to the Town of North Hempstead for addition to the next tax bill.

3.8 No water shall be introduced into any pipe or system of the District for any reason or purpose nor shall water be introduced into private pipe lines upon any premises until and unless the portion of the service line from the main to the meter pit and the meter pit shall have been inspected and approved prior to backfilling, by a authorized employee of the District, the service line has been flushed, and where directed by the Superintendent, pressure tested, disinfected with chlorine solution, refushed and a water sample taken and analyzed for bacteriological content in a laboratory approved by the District. Satisfactory results must be obtained before the service will be approved.

3.9 Whenever a service installation has been made in any manner other than that approved by the District, the meter may be removed and the service discontinued. Service shall not be resumed until the installation is properly made and approved, and all expenses, charges and deposits shall have been paid by the consumer or owner of the premises. A minimum charge for water service will continue until the installation is properly made.

3.10 Any quantity of water discharged if from the street side of the meter resulting from broken meter and / or a leaking or broken service pipe, shall be estimated by the District and the cost shall be added to the next bill and subject to the same penalties as provided for in Section 5.5 of this ordinance.

3.11 WATER USE RESTRICTIONS In the event of a emergency affecting normal water service, the District may require customers to restrict all water use for such non-essential purposes as may be determined by the District.

3.12 UNDERGROUND SPRINKLER SYSTEMS

3.12A PERMITS

1. Owners of existing underground sprinkler systems installed prior to the enactment of this ordinance whether automatic or manually operated, shall obtain a permit for those systems by filing an application with the Water

District. Existing systems must be made to conform to all provisions as herein provided. Applications for permits for existing systems and compliance with all provisions herein must be completed within one (1) year of the effective date of this ordinance.

2. A permit shall be obtained from the District prior to the installation of any new underground lawn sprinkler system or the alteration of an addition to an existing underground lawn sprinkler system. A permit application and plans of the sprinkler system shall be filed with the District. The plan accompanying the application shall be drawn to a scale not smaller than 1 inch equals 40 feet, and shall show the name of property owner, tax lot, section and block, boundary lines of the property, layout of the system, number of sprinkler zones, make and model of timer clock controller, make and model of soil moisture sensor or rain sensor, maximum sprinkler flow, source of the water supply, size of the supply line and the location of the water meter and backflow prevention device. After review of the application and plans for compliance with this ordinance, a permit for installation of the system may be issued.

3. A New York State Department of Health form DOH-347 application and separate plot plan shall be submitted for the approval of the installation of the backflow prevention device and approved by the District prior to the installation of the system.

4. An inspection of the completed existing or installed system must be made by the District prior to issuance of the final certificate to operate. A final certificate to operate the existing system or newly installed system must be obtained from the District.

3.12B SPRINKLER SYSTEM REQUIREMENTS

All automatic underground irrigation systems shall comply with the following:

1. The source of water supply for the sprinkler system may be from a connection made directly to the water main in the street or from a connection made to the house or building service line at a point after the water meter pit if a meter pit exists or after the water meter where it is located in the house or building. The District assumes no responsibility for water pressure on the premises when the supply to the sprinkler system is connected to the house or building service line.

2. Sprinkler heads shall be placed so that there will be minimal overlap areas under irrigation from adjacent sprinkler heads. Special sprinkler heads

3. All new underground sprinkler systems shall be provided with a timer clock controller which shall automatically operate the sprinkler system. This device shall be programmed to permit flow only during the days and hours permitted under the District's Water Rules and Regulations. The automatic ON-OFF time –controlled irrigation system is to remain OFF during the period between the permissible irrigation days and times as regulated by the District.

4. All existing underground sprinkler systems shall be retrofitted with the timer clock controllers meeting the requirements of this ordinance within the period time stated for compliance.

5. Only timer clock controllers which have as a minimum the following equipped features shall be required in connection with any new or retrofitted underground sprinkler system:

- (a) An adjustable clock monitor for starting the watering cycle at any hour of the day or night,
- (b) A calendar program which allows automatic water cycles on any day, odd or even,
- (c) A sequence timer with variable time adjustment of a minimum of 15 minute increments. Timing shall be independently variable for each sprinkler zone,
- (d) An override switch which can be set to prevent the automatic watering cycle from starting when watering is not required due to rain and/or adequate moisture in the soil, and
- (e) Operational settings and programming of the clock controller shall be readily accessible on the face of the controller,

6. Each irrigation system shall be equipped with a device, to automatically turn the irrigation system OFF when it rains during the irrigation periods and when it has rained prior to the irrigation period and/or when the soil moisture conditions are adequate for plant growth without further addition of water.

7. Each underground sprinkler system shall be equipped with a double check valve backflow preventor.

a. The Backflow Prevention Device shall be approved by the New York State Department of Health as listed in the most current issue of the Technical Reference, Item PWS 14 entitled, "Approved Backflow

Prevention Assemblies” published by the New York State Health Department Center of Environmental Health. The device is to be installed in a safe and accessible location for inspection and testing.

b. A backflow device shall be installed directly after the meter. If the meter is in a pit, then the device should be installed in the meter pit. If the installer cannot put the DCV in the meter pit, the reason must be submitted in writing. The device may go inside the home only upon District and Nassau County Health Department approval.

c. Retroactive to the enactment of this ordinance, an approved backflow prevention device shall be retrofitted in a location approved by the District for premises with existing automatic ON-OFF time controlled underground sprinkler systems and/or other irrigation systems controlled by automatic ON-OFF time controlled devices.

d. Prior to installation, a New York State Health Department application (DOH-347) shall be presented for approval by the District. After installation the owner will be required to furnish a copy of the New York State Health department form (DOH-1013) showing the device has been tested. The completed installation of the lawn sprinkler backflow device and rain sensor must be inspected by the Roslyn Water District.

8. No work is to be performed on installation of either the irrigation system or the Backflow Prevention Assembly until the plans for the irrigation system and Backflow Prevention Assembly have been received and approved in writing, by the District or their duly authorized representatives.

3.12C SPRINKLER DAYS AND HOURS

Sprinkling may be done only between the hours of 4:00 p.m. and 10:00 a.m. and only on odd number calendar days for those premises with odd number addresses and on even calendar days for those premises with an even number address. For those premises without a number address, sprinkling is allowed only on even numbered calendar days.

Duration of sprinkling on any specified day shall not total more than three (3) hours for any one day.

3.12D CHANGE OF SPRINKLING TIMES

Nothing herein contained is intended to prohibit the Board of Commissioners from changing or otherwise limiting sprinkler times in case of emergency or

to meet demands for water for other purposes as the Board may deem necessary subject to conditions prescribed by the Board of Commissioners.

3.12E VIOLATIONS AND PENALTIES

1. Notifications of Violation

A sprinkler system which has been installed in a violation of one or more of the terms and conditions of this ordinance, shall subject the owner/user or authorized agent of the owner of the building or premises to fines and penalties as set forth herein.

A violation of one or more of the conditions or terms of this ordinance involving the manner in which the sprinkler system has been installed, by the owner/user or authorized agent of the owner of the building or premises at which the sprinkler system has been installed shall be notified of such violations by certified mail, return receipt requested. A reasonable time shall be specified in the notice, not exceeding 30 days, within which the owner, or person so notified, shall have the opportunity to cause such violation to be removed or fully corrected. Upon the failure to have the violation removed or fully corrected within the time period specified in the notification, the District may take appropriate actions to invoke the enforcement measures and penalties as provided for and set forth herein.

Owners/users or authorized agents of the owner of a building or premises found violating the designated day and or time of day on which sprinkling is permitted as stated in this ordinance shall be subject to the enforcement and penalty provisions set forth in this ordinance without prior notification by certified mail of such violation.

3.13 AIR CONDITIONING AND REFRIGERATION

No air conditioning or refrigeration equipment using water as a coolant may be installed in the District.

SECTION 4 INSTALLATIONS OF METERS

4.1 A single meter shall be required for each separate service line to a premise. The users of water shall not tamper with the meter.

4.2 An applicant must purchase a new or replacement meter from the District and all installation fees shall be paid to the District as described in

Section 3.2.

4.3 Sub-metering shall not be permitted

4.4 Meters larger than two inches (2) shall be compounded meters and shall be set at or near the property line or in a place designated by the District and all expenses in connection with its proper housing, including bypass for testing shall be borne by the customer.

4.5 All meters and meter connections shall not be interfered with in any respect. In the event of damage or inoperability the District will repair the meter and if necessary replacing it with another meter. The costs shall be borne by the customer.

4.6 The District reserves the right to remove, test and repair any meter at any time.

4.7 Meters shall be protected from damage and freezing by the consumer. In the event the meter is damaged by freezing or external cause, the District will replace the meter with the costs of repairs or replacement borne by the consumer.

4.8 There shall be a service charge for each and every special meter reading requested by the consumers and/or their attorneys or representatives.

SECTION 5 PAYMENT FOR WATER SERVICE

5.1 All bills shall be paid in accordance with the terms of the applicable service classification. For new services installed at any time during the billing period the minimum charge and the amount of water allowed thereunder will be pro-rated according to the number of days remaining to complete the billing period after the service has been made available.

5.2 Meters will be read and billed monthly or quarterly at the discretion of the District.

5.3 The quantity recorded by the meter shall be deemed to be the amount of water passing through the meter, which amount shall be conclusive on both the customer and the District, except when the meter has been found to be registering inaccurately, or has ceased to register. In such cases, the quantity may be determined by the average registration of the new meter, whichever method is fairly representative, in the District's opinion, of

conditions existing during the period in question.

5.4 Any customer finding an overcharge or undercharge in the billing statement is requested to report the error before paying the bill so that it may be corrected. The customer accedes the correctness of the bill by making payment.

5.5 Bills for water will be rendered every three (3) months or monthly as the case may be. All bills shall be paid within forty five (45) days after the date thereof. A (10%) per cent penalty will be charged on all bills not paid in forty five (45) days after the date thereof. If the bill is not paid in forty five (45) days from the date thereof, the penalty and all costs in connection with the same shall become a lien against the property.

5.6 A statement showing the unpaid water charges payable to the District shall be filed annually with the Town of North Hempstead, with a brief description of the property upon which the water was used, the names of the persons or corporations liable to pay for the same and the amount chargeable to each, for the purpose of having such sums levied as a tax against the property liable.

5.7 Owners of premises whereon water is used will be held responsible for the water usage of their tenants, and the same shall be regarded a lien upon the property to which the water is supplied.

SECTION 6 GENERAL RULES

6.1 Water service may be discontinued by the District for any one of the following reasons:

- (a) For use of water other than as represented in customer's application or through branch connections on the street side of the meter or place reserved therefore , or
- (b) For willful waste of the use of water through improper plumbing, pipes, or by any other means , or
- (c) For tampering with any service line seal or meter, or
- (d) For non-payment of bills for water or services rendered by the District in accordance with its rules and regulations, or

- e. For cross-connecting pipes carrying water supplied by the District with any other source of supply or with any apparatus which may endanger the quality of the District's water supply, or
- f. For refusal to grant reasonable access to the property for the purpose of reading, repairing, testing or removing meters or inspecting water piping and other fixtures, or
- g. For violation of any rules, regulations, restrictions or ordinances , or
- h. For failure to repair leaky service line after two (2) days written notice.

6.2 No person shall open or interfere with the fire hydrants or draw water therefrom without permission from the District or in case of fire by the Chiefs of the Fire Departments or their assistants. Any such violation shall institute a misdemeanor punishable in accordance with the New York State Penal Law.

6.3 In the interest of public health, the District will not permit its mains or service lines to be connected in any way to any piping, tank, vat or other apparatus which contains liquids, chemicals, or of any matter which may flow back into the District's service lines or mains and consequently endanger water supply.

6.4 Upon receipt of an application for a new service or for the reinstatement of an existing service, the District will assume that the piping and fixtures which the service will supply are in proper order to receive same, and the District shall not be liable in any event for any accident, breaks, leakage or failure to supply arising in any such connection.

6.5 Any person who damages a street hydrant shall be liable for the actual damages sustained to the hydrant as well as the loss of water wasted before the hydrant can be shut off.

6.6 The District undertakes to use reasonable care and diligence to provide a constant supply of water at a reasonable pressure to customers, but reserves the right, at any time, without notice, to shut off the water in its mains for purposes of making repairs or extensions, or for other purposes. The District shall not be liable for a deficiency or failure in the supply of water or the pressure thereof for any cause whatsoever, nor for any damage thereby, or by the bursting or leaking of any main or service line or any attachment to the District's property. All customers having boilers upon their premises which depend upon the pressure in the District's pipes to keep them supplied are

cautioned against danger of collapse and all such damage shall be borne by the customer.

6.7 Thawing of a frozen service line shall be done at the expense of the customer. To avoid a recurrence of freezing, the District may order an examination of the customer's service line or main and if the same is not at least a depth of 4.5 feet measured to street grade as required, the District reserves the right to require it to be so relocated before service is resumed

6.8 The District will upon request of any person, firm or corporation, attempt to locate an existing water main for the purpose of making an excavation. In granting such request, the District assumes no obligation or liability in connection therewith due to inability to locate such main or to incorrectly locate such mains and the applicant, by making such requests expressly assumes all responsibility for his agent or employees in the event of such inability to so locate the main or to incorrectly locate the main. The same shall apply for locating the consumers owned service lines.

6.9 Jetting of trenches through use of District water is prohibited.

SECTION 7 RENTS, RATES, AND MINIMUM CHARGES

7.1 Bills for water used or services performed by the District may be paid to the District at its business office.

7.2 Water rents, rates and all charges for various purposes are posted in the District Office.

7.3 No bill will be rendered or payment accepted for less than the minimum charge for each month or quarter.

7.4 Private Fire Protection Service: Charges for fire protection service will be established by the District, based on the size of the fire line and number of siamese connections. Fire service lines may not be used for any other purpose. Should a fire occur, or a test of the system cause the check to trip and the by-pass meter to register, the customer must notify the District within forty-eight (48) hours.

Failure to comply with this regulation is full justification for the District to cut off all fire service to the building and to notify the Fire Rating Organization of such action.

The rate to be charged for each external Siamese Connection, payable in advance, shall be determined by the District.

7.5 The District reserves the right to specify the materials used and method of installation for customers who may elect to establish service for fire protection on a non-metered basis as provided under Section 3, paragraph 1. The customer will buy from the District and install at its expense a proper meter if such service is elected and installed as provided under Section 4, Paragraph 4.

The customer shall buy from the District a detector meter of the type and size required by the District. The detector meter will be required only on fire lines that are not metered.

7.6 Water for contractors, builders and other temporary purposes (Section 1.2) will be billed from \$100.00 upward for such use, according to the estimated amount of water to be used. The willful waste of water under temporary permits shall constitute a misdemeanor and in addition the District may cancel such permit and stop the supply of water.

SECTION 8 EXTENSION OF MAINS BUILDERS AND DEVELOPERS

8.1 The following procedure shall be followed by owners of developments within the District who propose to have water mains installed.

8.2 The owner or its engineer shall furnish the District Engineer of the Roslyn Water District with four (4) prints of the proposed overall development plan on which the District Engineer will indicate the required size of water mains, location thereof and appurtenances. After this plan has been approved by the District, one copy will be filed with the District.

8.3 The owner shall furnish the District Engineer with three (3) copies of the approved filed map, on which will be indicated the water mains locations and appurtenances. In addition, the owner shall furnish the District Engineer with one (1) copy of the street grading and drainage plan.

8.4 When the owner is ready to have water mains installed the District Engineer will prepare a plan for the same together with specifications, bidding sheet, and other requirements. The District Engineer will prepare the advertisement for bids and at the specified time, the bids will be opened and the contract awarded conditionally upon the owner complying with the provisions of section 8.5 within fourteen (14) days after bids are opened.

8.5 The owner shall deposit a check with the District equal to the amount of the bid, plus twenty (20%) percent to cover necessary legal, engineering and contingent expenses and the owner will enter into a contract with the District for the execution of the work.

8.6 The water mains shall be installed under the supervision of the District Engineer and the District's Superintendent and upon completion, the District Engineer will prepare an estimate of the completed work. This amount, plus engineering and legal fees will be paid by the District from moneys deposited by the owner.

8.7 Prior to the District undertaking a water system installed in any development, the developer shall transfer right, title, interest and ownership to the District for the nominal consideration of one dollar (\$1.00) before the District will undertake to operate and repair and before any refunds or amounts deposited are to be made. The District shall be furnished satisfactory proof that either the street in which the water mains are laid have been dedicated and accepted by proper public authority or instruments granting easements to the District in form to be recorded in Nassau County Clerk's office with a satisfactory Title Company certificate showing same to be executed by all owners and mortgages or other lienors, and that all valve boxes have been located and placed at the levels approved by the District.

8.8 PENALTIES AND FINES. The District shall enforce the provisions of this ordinance by the authorization granted pursuant to the Nassau County Civil Division Act by the imposition of a fine in an amount not exceeding two hundred fifty dollars (\$250.00) for each violation, and may also maintain an action in a court competent jurisdiction to compel compliance therewith or may make application to restrain by temporary or permanent injunction, restraining order or other equitable relief the violation of such ordinances, rules and regulations

SECTION 9

FIRE SPRINKLER AND STANDPIPES

9.1 A property owner wishing to install a Fire Sprinkler or Standpipe system shall first make application to the District and present a plot plan, showing the location of the building section, lot and block showing where the fire sprinkler or standpipe system is to be located in the building, location of Siamese (fire department connection) before any work will be allowed to commence.

9.2 On any new Fire Sprinkler or Standpipe systems, the annual fee shall be paid in advance and pro rated for the amount according to the rate schedule on file at the District Office. Thereafter, an annual fee shall be charged for each year and must be paid within forty five (45) days after billing by the District. Failure to pay this annual fee may result in the termination of service by the District.

9.3 All new services are to be flushed and sterilized in accordance with Health Department standards as amended. New services are to be pressure tested in the presence of the District at 150 PSI for 30 minutes with no leakage.

9.4 A Double Check Detector Assembly backflow prevention device shall be installed on all new fire sprinkler systems as minimum backflow protection.

9.5 The District reserves the right to specify the materials used and method of installation for such customers who elect to establish service for fire protection on a non-metered basis as under Section 3, Paragraph 1. The customer will further buy from the District and install at his expense a proper meter if such service is elected and installed as under Section 4, Paragraph 4.

The customer shall purchase from the District a detector meter of the type and size required by the District. The detector meter will be required only on fire lines that are not metered.

SECTION 10 CONTROL OF BACKFLOW AND CROSS-CONNECTIONS

10.1 AUTHORITY

1. Responsibility of the Board of Commissioners

The District shall in accordance with Nassau County Department of Health Local Public Health Ordinance Article VI Section 15 Cross Connection Control cause a routine inspection of all premises served, which are not already provided with approved backflow prevention devices. Such inspections shall be conducted at an interval of no longer than one (1) year for non-residential services and five (5) years for residential services. For the purpose of this ordinance, a residence used in part for business purposes shall be considered to be non-residential. Within thirty (30) days after determining that a premises requires a backflow prevention device, the owner of said premises shall be so notified and be required to install and

maintain an approved double check valve (DCV) or reduced pressure zone (RPZ) device as appropriate in accordance with the requirements of this ordinance.

2. Inspection

The District or their designated agent, shall have the right of entry into any premises during reasonable hours for the purpose of making an evaluation of the premises provided that with respect to such inspection of any dwelling consent to such inspection shall first be obtained from an adult 18 years or older.

3. Multiple Dwellings and Commercial and Industrial Building

The District, or its designated agent may require the owner of any multiple dwelling, commercial or industrial building to designate a qualified person to be in charge of the water supply for that building.

Statutory Authority

Consumers are required to comply with the following statutes: concerning backflow and cross connections,

- (a) Public Health Law 225, New York State Sanitary Code, Part 5; and
- (b) Nassau County Department of Health Local Public Health Ordinance Article VI

10.2 GENERAL (TECHNICAL) REQUIREMENTS

1. General. To protect it's water quality, the District's system is designed, installed and maintained in such a manner as to prevent contamination from non potable liquids, solids or gases, from being introduced into the potable supply through cross-connection control by the method of containment.

2. Water Supply Connections. An approved reduced pressure zone (RPZ) backflow prevention device or a double check valve (DCV) backflow device, as determined by the District, shall be installed on all new water supply connections supplying water to any residential premise, any industrial, commercial or other non-residential structure connected to the potable water system of the District. In addition to the above, an approved backflow prevention device as determined by the District shall be installed on any existing water supply connection supplying water to: a) an irrigation

system; b) a premise with a solar heating system; c) an industrial, commercial or other non-residential structure which is connected to the potable water system of the District and which is determined to be in need of a device.

3. Cross Connections between the consumer's water system in premises served by the District which are rated aesthetically objectionable and/or hazardous are prohibited except where an approved backflow prevention device has been installed to prevent contamination of the potable water system by containment. The District shall determine the degree of hazard posed by the service connection to the premises and shall determine the type of backflow prevention device that is required to be installed.

4. Non-Public Water Supply cross-connections between a non-public water supply (i.e. private well) and the potable water supply of the District shall not be made unless specifically approved, in advance of installation by the District and the New York State Department of Health.

5. Approval of Backflow Prevention Devices. Before any device for the prevention of backflow or backsiphonage by containment is installed, the consumer shall obtain approval for the installation from the District and from the Nassau County Department of Health. Approval procedure shall be detailed upon application to the District.

a) The applicant must file with the District an application on New York State Health Department form DOH-347, together with Plans and Specifications, prepared and signed by a New York State Licensed Professional Engineer or Registered Architect for the installation of the proposed backflow prevention device. Copies of Form DOH-347, Typical Plans, where appropriate, and Specifications for the installation of backflow devices, and a list of devices acceptable to the New York State Department of Health for containment control are available from the Water District.

b) After review and approval of the application for installation of a containment device, the consumer shall have the backflow prevention device installed by his licensed plumber in accordance with the plans and specifications. Certification that the device was installed in accordance with the approved plan shall be made to the District by the installer and where required by the design engineer or registered architect.

c) The customer's licensed plumber, after completion of work, shall make the initial inspection of the device in accordance with the manufacturer's instructions and will submit a report of the test to the New York State Health Department and to the Board, within 30 days of testing of the device. The

Board's representative will inspect the final installation for compliance with the Plans and Specifications and submit results of the inspection to the New York State Health Department.

6. Booster Pumping Systems. No booster pumping system shall be installed and connected to the potable water system of the District unless such system has been registered with the District and has been provided with a low pressure cut-off control device. The low-pressure cut-off control shall be such that it will prevent the operation of the booster pump should the pressure on the suction side of the pump be 20-pounds per square inch or lower. The owner of the premises in which the booster pump is located is required to have the pressure cut-off control tested annually by a licensed plumber and submit evidence in writing on a form provided by the district, to the District that the device is in proper working order.

7. Requirements for installation of Physical Connection for Containment Control Device

<u>Conditions</u>	Control Devices	
	<u>RPZ</u>	<u>DCV</u>
Any physical connection which may be subject to backpressure, or backsiphonage involving:		
(a) hazardous substances *	X	
(b) aesthetically objectionable substances **	X	X

RPZ = reduced pressure zone device approved by the New York State Health Department.

DCV = double check valve assembly approved by the New York State Health Department.

* A hazardous substance includes sewage, chemicals or other noxious substances which, if introduced into the public water supply system, may endanger the health of the consumer.

** An aesthetically objectionable substance would not endanger the health of the consumer but would be deemed a nuisance if introduced into the public water supply system.

The District shall determine what type of containment control device is required.

10.3 MAINTENANCE REQUIREMENTS

1. General Requirements

It shall be the responsibility of building and premise owners to perform required testing and to maintain all backflow prevention devices within their building or on their premises in good working order and to make no piping or other arrangements for the purpose of by-passing the backflow devices.

2. Testing and Repair of Backflow Prevention Devices

Containment control devices, installed for the purpose of containment of specific potential contamination to the consumer's premises, shall be tested annually. Testing shall be conducted by a New York State Department of Health Certified Backflow Prevention Device Tester. Each device shall bear an inspection certification tag indicating date of inspection and the names and addresses of person or persons conducting the inspection. A copy of New York State Department of Health Form DOH-1013 (9/91) shall be submitted by the consumer to the New York State Health Department, Nassau County Health Department and to the District within 30 days of conducting the test. Any device which fails a test shall be repaired and retested within 30 days.

10.4 VIOLATIONS AND PENALTIES

1. Notification of Violation

The District shall notify the owner or the authorized agent of the owner of the building or premises in which there is found a violation of these rules and regulations under this Ordinance. The District shall set a reasonable time for the owner to have the violation removed or corrected. Upon failure of the owner to have the violation corrected by the end of the specified time interval, the District may, if in its judgement an imminent health hazard exists cause the water service to the building or premises to be terminated and/or recommend such additional fines or penalties to be invoked as herein may be provided.

2. Fines

The owner or authorized agent of the owner responsible for the maintenance of the plumbing systems and use of water on the premises or in the buildings thereon who knowingly permits a violation of any of the provisions of the foregoing ordinance to remain uncorrected after the expiration of time set by

the District shall be subject to and required to pay a fine of not in excess of \$250 for each violation and each day of failure to comply within the specified time with paragraph 1 shall constitute a separate daily violation and violation will be subject to the same daily penalty.

SECTION 11

DEFINITIONS

When used in this article, unless otherwise indicated, the following word or words shall have the following meanings:

1. **Aesthetically Objectionable Facility** is one in which substances which, if introduced into the public water supply system, could be a nuisance to other water consumers but would not adversely affect human health. Examples, but not limited to are such substances as: foodgrade dyes, hot water, stagnant water from fire lines, in which no chemical additives are used .
2. **Air Gap Separation** means 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 the receptacle. The differential distance shall be at least double the diameter (D) of the supply pipe. In no case shall the air gap be less than one inch.
3. **Approved Backflow Prevention Device** is an air gap, reduced pressure zone device or double check valve assembly, approved by the New York State Department of Health, to confine existing or potential contamination within a customer's facility. These devices or assemblies must be acceptable for containment control in accordance with New York State Public Water Supply Guide, Cross Connection Control, as published and amended by the New York State Department of Health.
4. **Authorized Agent or Representative of the District:** Includes the Board of Commissioners and their duly authorized agents, including the employees of the District
5. **Authorized Person:** Refers to an agent of the District or a licensed plumber bonded and insured in favor of the District.
6. **Backflow** means a flow condition, induced by a differential in pressure, that causes the flow of water or other liquids and/or gases from any source into the distribution pipe of a public water supply.

7. **Backpressure** means the resulting backflow of contamination polluted or otherwise unacceptable quality water from a plumbing fixture or other customer source (s) into a public water supply system due to a greater pressure within the customer's water system.
8. **Backsiphonage** means the backflow of contaminated or polluted water, or water of questionable quality from a plumbing fixture or other customer source(s) into a public water supply system main due to a temporary negative or sub-atmospheric pressure within the public water supply system.
9. **Board** shall mean the Board of Commissioners of the Roslyn Water District, Town of North Hempstead, County of Nassau, State of New York or their duly authorized representatives.
10. **Contamination** means the presence in water of any foreign substance that alters its quality, potability or imposes a possible health hazard.
11. **Certified Backflow Prevention Tester** is a person having completed the required training course and holding a current certification issued by the New York State Department of Health.
12. **Consent to Inspect:** Upon making application to the District for water, all persons and corporations simultaneously grant consent to all Commissioners, agents or employees of the District to enter upon any property owned or leased by the applicant for the purposes of installing, inspecting, repairing or removing any or all meters, valves or pipes of the water supply system located thereon, to read meters, and to inspect or test the plumbing facilities on such property and the manner in which the water or services of the District are being used.
13. **Consumer** means a water user serviced by the District
14. **Consumer/Customer:** The words "consumer" or "customer" means the owner or tenant or the agent of either who uses the District's water or utilizes its services.
15. **Consumer Water System** means the piping used to convey water supplied by a public water supply system. The consumer's water system begins at the corporation in the District main and extends to the consumer's premises.
16. **Containment** means prevention of backflow or backsiphonage of existing or potential contamination to the public water system by limiting the

existing or potential contamination to the premises of the user by installation of backflow prevention device, on the customer's water service line at a location immediately adjacent to the meter and/or before any connections are made to the service line for supply to the customer's water supply.

17. Corporation is a valve used to tap directly into a District main for the purpose of making a direct connection to the consumer's owned water service line.

18. Cross Connection means a physical connection through which a water supply could be contaminated.

19. Degree of Hazard means whether a facility is rated by the District as Hazardous, Aesthetically Objectionable or Non- Hazardous .

20. District: The word "District" wherever used in the within ordinances shall refer to the Roslyn Water District, Town of North Hempstead, County of Nassau, State of New York, and the Commissioners and employees of said District vested with the authority and responsibility for enactment and enforcement of this ordinance. The District Office is located at 24 West Shore Rd., Roslyn , New York.

21. Double Check Valve (DCV) means a assembly of two single independently acting check valves including tightly closing shutoff valves located at each end of the assembly and with suitable connections for testing the watertightness of each check valve.

22. Drain is any pipe, which carries wastewater or waterborne wastes in a building drainage system.

23. Engineer: Refers to the authorized professional engineer appointed by the District .

24. Flood Level Rim: The edge of the receptacle from which water overflows

25. Hazardous Facility is one in which any substance, if introduced into the public water system, would or may endanger or have an adverse effect on the health of other water customers. Such as, but not limited to laboratories, sewage treatment plants, hospitals and mortuaries.

26. Inlet: The open end of the water supply pipe through which the water is discharged into the plumbing fixture.

- 27. Interconnection** is a joining of two independently operated public water supply distribution systems.
- 28. Local Health Department Engineer** is the County Health Department engineer having jurisdiction in the District.
- 29. Non-Hazardous Facility** is one which does not require the installation of an backflow prevention device.
- 30. Outlet :** The open end of the water supply pipe through which the water is discharged.
- 31. Owner:** means the owner in fee, or its duly authorized agent, successors or assigns
- 32. Person:** Shall mean all users of water from the public supply, including natural persons, partnerships, corporations, associations, clubs, societies, or any other form of organization. Whenever used with respect to penalty, the term "person" as applied to partnership or associations, shall mean the partners or members thereof, and as applied to corporation, the officers thereof.
- 33. Plumbing Control** is prevention and elimination of cross-connections within the customer's water system by enforcement of building or plumbing codes.
- 34. Plumbing Fixtures** are installed receptacles, devices or appliances supplied with water or which receive or discharge liquids or liquid-borne wastes.
- 35. Plumbing System** includes the water supply and distribution pipes, plumbing fixtures and traps; soil, waste and vent pipes, building drains and building sewers including their respective connections, devices and appurtenances within the property lines of the premises and water treatment or water using equipment.
- 36. Potable Water:** water which complies with the drinking water quality provisions of the State Sanitary Code, Part 5, Drinking Water Supplies.
- 37. Reduced Pressure Zone (RPZ) Device** means a minimum of two independently acting check valves together with an automatically operated pressure differential relief valve located between the two check valves. During normal flow and at the cessation of normal flow, the pressure between these two checks shall be less than upstream (supply) pressure. In

case of leakage of either check valve, the differential relief valve, by discharging to the atmosphere, shall operate to maintain the pressure between the checks at less than the supply pressure. The unit must include tightly closing shutoff valves located at each end of the device and each device shall be fitted with properly located test cocks.

38. Revocation of Permits: The District reserves its rights under law to revoke any permits, certificates of water availability or other permissions granted at any time the Board determines the system of the District is being damaged, its integrity endangered, its water wasted or its rules and regulations violated in any other way.

39. Superintendent: shall mean the Water Superintendent of the Roslyn Water District or other officer or agent as the Board of Commissioners shall duly authorize to act in enforcement of these regulations.

40. Supplementary Supply: Any water source or system other than the Roslyn Water District supply which may be available in the building or on the premises.

41. Vacuum: Any pressure less than that exerted by the atmosphere

SECTION 12

APPLICABLE SECTIONS OF THE PENAL LAW OF THE STATE OF NEW YORK

Section 145.15 CRIMINAL TAMPERING IN THE SECOND DEGREE

A person is guilty of criminal tampering in the second degree when, having no right to do so nor any reasonable ground to believe that he has such right, he tampers or makes connection with property of a gas, electric, sewer, steam or waterworks corporation, telephone or telegraph corporation, common carrier, or public utility operated by a municipality or district except that in any prosecution under section, it is an affirmative defense that the defendant did not engage in such conduct for a larcenous or otherwise unlawful or wrongful purpose.

Criminal tampering in the second degree is a Class A misdemeanor.

Section 165.15 THEFT OF SERVICES

A person is guilty of theft of services when:

6. With intent to avoid payment by himself or another person for a prospective or already rendered service the charge or compensation for which is measured by a meter or other mechanical device, he tampers with such device or with other equipment related thereto, or in any manner attempts to prevent the meter or device from performing its measuring function, without the consent of the supplier of the service. In any prosecution under this subdivision, proof that a meter or related equipment has been tampered with or otherwise intentionally prevented from performing its measuring function without the consent of the supplier of the service shall be presumptive evidence that the person to whom the service is at the time being furnished by or through such meter or related equipment has, with intent to avoid payment by himself or another person for a prospective or already rendered service, created or caused to be created with reference to such meter or related equipment, the condition so existing. A person who tampers with such a device or equipment without the consent of the supplier or the service is presumed to do so with intent to avoid, or to enable another to avoid, payment for the service involved, or

7. A person who knowingly accepts or receives the use and benefit of service, including gas, steam or electricity service, which should pass through a meter but has been diverted therefrom, or which has been prevented from being correctly registered by a meter provided therefore, or which has been diverted from the pipes, wires or conductors of the supplier thereof. In any prosecution under this subdivision, proof that service has been intentionally diverted from passing through a meter or has been intentionally prevented from being correctly registered by a meter provided therefor, or has been intentionally diverted from the pipes, wires or conductors of the supplier thereof, shall be presumptive evidence that the person who accepts or receives the use and benefit of such service has done so with knowledge of the condition so existing, or

8. With intent to obtain, without the consent of the supplier thereof, gas, electricity, water, steam or telephone service, a person tampers with any equipment designed to supply or to prevent the supply of such service either to the community in general or to particular premises.

Theft of services is a Class A misdemeanor

SECTION 13
EFFECTIVE DATE

These Ordinances, Rules and Regulations of the Roslyn Water District, duly adopted by the Board of Water Commissioners of the District on the 30th day of October 2001, shall become and be effective then ten (10) days after publication of their adoption pursuant to the Town Law of the State of New York and applicable provisions of the Nassau County Civil Divisions Act.

A Jack Russo, Chairman
William A. Trottier, Treasurer
Michael J. Kosinski, Secretary

BOARD OF WATER COMMISSIONERS
ROSLYN WATER DISTRICT