Ordinance No. 36

AN ORDINANCE REGULATING THE USE OF PUBLIC AND PRIVATE WATER FACILITIES, THE INSTALLATION AND CONNECTION OF SERVICE LINES, WATER TAPS AND WATER METERS AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF.

BE IT ORDAINED AND ENACTED BY THE TOWN COUNCIL OF THE TOWN OF WYOMING:

ARTICLE I

Definitions

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

(A) The Authority shall mean the Camden-Wyoming Sewer and Water Authority, a corporation of the State of Delaware, formed by the towns of Camden and Wyoming pursuant to the provisions of Chapter 14, Title 16 of the Delaware Code, as amended.

(B) Customer shall mean any person supplied with water by the Authority.

(C) Person shall mean any individual, firm, company, association, society, corporation, or group.

(D) Service line shall mean a water line connected to the water main for the purposes of serving a customer.

(E) Superintendent shall mean the Superintendent of the Authority, or his authorized deputy, agent, or representative.

(F) Town shall mean the Town of Wyoming.

(G) Water main shall mean any public water line other than a service line.

(H) Water meter shall mean a meter of the magnetic drive with hermetically sealed registers, positive displacement, mutating disc type for cold water, and shall be new units, such as Trident, as manufactured by Neptune Water Company, 312 James Street, Tallassee, Alabama 36078 or an equal approved by the Authority.

(I) Water tap shall mean the connection of a service line to a water main.

posted 2/29/84

accepted & adopted 3/9/84

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This is the ordinance I told you about

ARTICLE II

Salable Dwelling To Have Separate Water Facilities; Use Of Public Water Required

(A) Each dwelling, which is capable of being offered for sale, shall have its own separate water facilities.

(B) The owner of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated within the Town of Wyoming and abutting on any street, alley, or ri ht-of-way in which there is now located or may in the future be located a public water main of the Authority, is hereby required at his expense to install suitable water facilities therein, and to connect such facilities directly with the proper public water main in accordance with this ordinance, within ninety (90) days after date of official notice by the Authority to do so, provided that said public water main is within one hundred (100) feet (30.5 meters) of the property line.

ARTICLE III

Opening And Closing Valves And Curbstops

It shall be unlawful for any unauthorized person to open or close any curbstop or valve on the public water mains or service lines.

ARTICLE IV

Customer To Maintain Connections, Service Lines, Etc.; Repair Of Leaks; Liablity Of Authority Or Town For Leaks

(A) All connections, service lines from the curb to the water meter, and spigots, fixtures and other attachments furnished by the customer or on his property shall be maintained by him in good order and condition and free from leaks. Leaks in the service line from the curb stop into the building shall be repaired immediately.

(B) The Authority or the Town shall in no event be responsible for maintaining any portion of the service line owned by the customer; or for damage done by water escaping therefrom.

ARTICLE V

Limitation On Sprinkling, Etc.

When an emergency to the water supply is determined to exist by the Authority, all water users shall limit or stop sprinkling streets, grass or other vegetation, or the washing of motor vehicles as directed by the Authority.

ARTICLE VI

Swimming Pools

The filling of private swimming pools shall be accomplished only through the metered supply that serves the property. Fire hydrants shall not be used for this purpose.

ARTICLE VII

Private Wells

(A) It shall be unlawful, and a nuisance, for any person to dig, drill or otherwise excavate any well more than one hundred and fifty (150) feet below the surface of the ground within the Town without the permission of the Authority given by resolution. No permission shall be given for a well on any property where a potable water supply is available.

(B) Shallow wells may be drilled into and water withdrawn from the unconfined aquifers within the limits of the Town subject to the following:

(1) All wells shall required a permit from the state department of natural resources or ohter regulatory agency and the approval of the Authority setting forth construction details, design yield, and withdrawal rates.

(2) All wells must have the approval of the state board of health or other similar regulatory agency for their intended use.

(3) A detailed plan showing well location, well construction, piping plan and connection details shall be submitted with the application.

(4) All wells shall be metered by an approved device and daily pumping records maintained.

(5) All water derived form shallow wells shall be used only for boiler makeup, cooling water use, and underground irrigation systems.

(6) Any revisions, changes or deviations from the original permit must be in the same manner as the original permit.

(7) There shall be no interconnection with any public water supply nor shall the shallow well be used as a potable water supply for human consumption.

(8) Private irrigation systems shall be completely underground with no connections or outlets that could be used for human consumption. Irrigation shall be by sprinkler heads.

(C) Th lawful use of a shallow well at the effective date of this ordinance may be continued although such use does not conform to subsection (B) of this Article. Such shallow wells may not be enlarged, extended, reconstructed or structurally altered except in compliance with this Article.

ARTICLE VIII

Service Lines

(A) The property owner shall furnish, install and maintain the water service line from the curb box to the property. All service lines must have an approved valve installed on each side of the meter.

(B) The Authority will make all connections to its water main, furnish, install and maintain all service lines from the main to and including curbstop and box, which will be placed inside the curbline. This subsection shall not apply to developments constructed under the subdivision regulations.

(C) No water service line shall be laid in the same trench with gas pipe drain or sewer pipe or any other, or within three (3) feet of any open excavation or vault.

(D) A water service line from the main to the curb shall not supply more than one property or customer.

ARTICLE IX

Taps

(A) It shall be unlawful for any person to tap or to have tapped any public water main without a permit from the Authority.

(B) A person desiring the permit required by the provisions of this Article shall apply to the Superintendent upon a form provided by the Superintendent stating the premises for which the tap is desired and the number of outlets contemplated on the premises.

(C) The charge for making a water tap and installing a service line to and including the curb-box, shall be in accordance with a schedule set by the Authority.

(D) The Authority shall make all connections to its mains, furnish, install and maintain all service lines from the main to and including the curbstop and box in accordance with the permit issued pursuant to this Article.

ARTICLE X

Meters

(A) Effecitve April 1, 1984, each service line from the curbstop to a property shall be metered. The Authority shall have the right to determine the size and type of meter.

(B) Water meters shall be set at a convenient point, approved by the Superintendent, so as to control the entire supply. Meters shall be in an open space so that the meter is at all times accessible for reading and repair and shall never be placed behind appliances, heating equipment or other fixtures hindering free access thereto. Where it is not practical to place a meter within a building, a brick or concrete pit, with a suitable iron cover, or other approved meter box, shall be built inside the property line of the customer. The size and dimension of the pit or box shall be approved by the Authority and give adequate access to the meter and permit its installation and removal. A water meter shall be installed in a position and location to be approved by the Superintendent.

(C) Meters will be maintained by the Authority so far as ordinary wear and tear are concerned; but damage due to freezing, hot water or external causes due to the negligence of the customer, shall be paid for by the customer. The customer shall notify the Authority of injury to or malfunction of the water meter, as soon as it comes to his knowledge.

(D) No customer shall unreasonably fail or refuse to cooperate with the Authority, its agents, or contractors in the installation of any water meter, water tap, or service line.

ARTICLE XI

Fire Hydrants

(A) It shall be unlawful for any person, except members of a fire department when engaged in the performance of their duties or any person in the event of an emergency endangering life or property, to open or to use any public fire hydrant without a permit from the Superintendent.

(B) No person, except authorized personnel of the Authority, shall take water from any public fire hydrant, except for fire purposes or for the use of the Camden and Wyoming Volunteer Fire Company, Inc. in case of fire, and no public fire hydrant shall be used for sprinkling streets, flushing sewers, or for any other purposes except with the approval of the Superintendent.

(C) If the Superintendent authorizes the use of a fire hydrant pursuant to this Article, the person using it shall pay a charge levied by the Superintendent sufficient to cover all the expenses incurred by the Authority from that use. If any Authority equipment is to be used in opening the hydrant, the Superintendent may require a deposit to assure its return.

(D) An fire hydrant installed by a customer on private property shall be in accordance with Authority specifications.

ARTICLE XII

Protection From Damage

No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is a part of the facilities for collecting, pumping, treating, transporting or storage of public water.

ARTICLE XIII

Powers And Authority Of Inspectors

(A) The superintendent and other duly authorized employees of the Authority (town) bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing of water facilities consistent with good engineering practice to determine condition or to determine if any violations of this ordinance exist.

ARTICLE XIV

Penalties And Hearing Board

(A) Any person violating the provisions of Articles III, V, VI, XI or XII shall be deemed guilty of a misdemeanor and upon conviction shall be fined not more than fifty dollars ($50.00).

(B) Any person found to be violating any provision of this ordinance except Articles III, V, VI, or XI shall be served by the Authoirty (town) with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

(C) Any person who shall continue any violation beyond the time limit provided for section (B) of this Article shall be guilty of a misdemeanor, and on conviction thereof shall be fined in the amount not exceeding fifty ($50.00) dollars for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.

(D) Any person violating any of the provisions of this ordinance shall become liable to the Authority (town) for any expense, loss, or damage occasioned the Authority (town) by reason of such violation.

ARTICLE XV

Validity

(A) All ordinances or parts of ordinances in conflict herewith are hereby repeated.

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

ARTICLE XVI

Ordinance In Force

(A) This ordinance shall be in full force and effect from and after its passage as provided by law.

(B) Passed and adopted by the Council of the Town of Wyoming, State of Delaware on the _____ day of _____, A.D. 1984.

(SEAL)

_____
Secretary