



## **ORDINANCES**

of the  
Hicksville  
Water District

The Towns of  
Oyster Bay  
and  
Hempstead  
Nassau County, New York

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December 13, 2005  
Amended  
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Board of Commissioners of  
the Hicksville Water District

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Chairman  
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Treasurer  
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Secretary

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**TABLE OF CONTENTS**

| <b>Subject</b>  | <b>Page</b> |
|---|-------------|
| <b>INTRODUCTION</b>   | <b>1</b>    |
| <b>GENERAL INFORMATION FOR WATER CONSUMERS</b>                            | <b>3</b>    |
| <b>ARTICLE I – DEFINITIONS</b>  | <b>4</b>    |
| Section 1.1 Short Title   | 4           |
| Section 1.2 Definitions   | 4           |
| <b>ARTICLE II - APPLICATION FOR WATER SERVICE</b>                         | <b>4</b>    |
| Section 2.1 Applications and Acceptance                                   | 4           |
| Section 2.2 Fees, Deposits and Installation Charges to be Paid in Advance | 5           |
| Section 2.3 Applicants Arrearages to be Paid                              | 5           |
| Section 2.4 Temporary or Extraordinary Service Permits                    | 5           |
| <b>ARTICLE III – BILLING</b>  | <b>5</b>    |
| Section 3.1 Bills Payable at the District Office                          | 5           |
| Section 3.2 New Service Pro-Rate  | 5           |
| Section 3.3 Discontinued Service Not Pro-Rated                            | 5           |
| Section 3.4 Final Water Bills   | 6           |
| Section 3.5 Bills to be Rendered and Paid Quarter-Annually                | 6           |
| Section 3.6 Penalties for Non-Payment and Arrearages                      | 6           |
| Section 3.7 Miscellaneous Charges   | 6           |
| <b>ARTICLE IV - DEPOSITS, FEES, RATES AND MINIMUM CHARGES</b>             | <b>6</b>    |
| Section 4.1 Schedule of Rates   | 6           |
| Section 4.2 Minimum Rates   | 6           |
| Section 4.3 Rates Outside of District                                     | 6           |
| Section 4.4 After Normal Hours Calls                                      | 7           |
| Section 4.5 Inspections of Meter Installations                            | 7           |
| Section 4.6 Restoration of Discontinued Service                           | 7           |
| Section 4.7 Service Charge for Private Fire Protection                    | 7           |
| Section 4.8 Application for Special Hydrant Use Permit                    | 7           |
| Section 4.9 Hydrant Fees  | 8           |
| Section 4.10 Hydrant Metering   | 8           |
| Section 4.11 Report of Hydrant Damage or Misuse                           | 8           |
| Section 4.12 Clear Zone around Hydrants                                   | 8           |
| Section 4.13 Hydrant Flow Tests   | 8           |
| Section 4.14 Jetting and Puddling Prohibited                              | 9           |
| Section 4.15 Ponding Prohibited   | 9           |
| Section 4.16 Cancellation of Permits                                      | 9           |
| Section 4.17 Fees-Testing and Repairing of Meters                         | 9           |
| Section 4.18 New Water Services   | 10          |
| Section 4.19 Discontinuance of Water Service                              | 11          |

| <b>Subject</b>  | <b>Page</b> |
|---|-------------|
| <b>ARTICLE V – INSTALLATIONS</b>  | <b>11</b>   |
| Section 5.1 Water not to be Sub-Metered                                 | 11          |
| Section 5.2 Water to be Metered   | 11          |
| Section 5.3 Tapping   | 11          |
| Section 5.4 Plumbers, Permits, Bonds and Fees                           | 12          |
| Section 5.5 Approved Plumbers   | 12          |
| Section 5.6 Inspection of New Installations and Extensions              | 13          |
| Section 5.7 Backfilling Excavations                                     | 13          |
| Section 5.8 Notice of Completion  | 13          |
| Section 5.9 Removal of Defective Installations                          | 13          |
| Section 5.10 Access to Meters   | 13          |
| Section 5.11 Repair and Replacement of Meters                           | 13          |
| Section 5.12 Entry Upon Premises  | 14          |
| Section 5.13 Setting of Meters  | 14          |
| Section 5.14 Service Pipes  | 14          |
| Section 5.15 Curb Stops   | 14          |
| Section 5.16 Consumers Pipes  | 14          |
| Section 5.17 Leakages   | 15          |
| Section 5.18 Approved Contractors                                       | 15          |
| Section 5.19 Repair of Service Lines                                    | 15          |
| Section 5.20 Permanent Service Pipes                                    | 16          |
| Section 5.21 Dead Ends Prohibited                                       | 16          |
| Section 5.22 Abandoned or Discontinued Services to be shut off          | 16          |
| Section 5.23 Underground Lawn Sprinkler System                          | 17          |
| Section 5.24 Requirements for New Underground Sprinkler Systems         | 17          |
| Section 5.25 Sprinkling Days  | 18          |
| Section 5.26 Change of Sprinkling Times                                 | 19          |
| Section 5.27 Required Water Recycling System for Water Cooled Equipment | 19          |
| Section 5.28 Conversion of Existing Systems                             | 19          |
| Section 5.29 Required Backflow Preventer                                | 19          |
| Section 5.30 Private (Undedicated) Streets                              | 19          |
| Section 5.31 Water for Building Purposes                                | 19          |
| Section 5.31 Car and Fleet Vehicle Washes                               | 20          |
| <b>ARTICLE VI - CONTROL OF BACKFLOW AND CROSS CONNECTIONS</b>           | <b>20</b>   |
| Section 6.1 Statement of Policy   | 20          |
| Section 6.2 Statutory Authority   | 20          |
| Section 6.3 Responsibility of the District                              | 20          |
| Section 6.4 Inspection  | 21          |
| Section 6.5 Right of Entry  | 21          |
| Section 6.6 Multiple Dwellings and Commercial and Industrial Buildings  | 21          |
| Section 6.7 Definitions   | 21          |
| Section 6.8 Cross Connections   | 22          |
| Section 6.9 Interconnections  | 23          |
| Section 6.10 District Required Backflow Devices                         | 23          |
| Section 6.11 Approvals, Procedures and Installation of Backflow Devices | 23          |
| Section 6.12 Technical Requirements                                     | 24          |
| Section 6.13 Violations and Penalties                                   | 25          |

| <b>Subject</b>  | <b>Page</b> |
|---|-------------|
| <b>ARTICLE VII - MAINS, HYDRANTS AND FACILITIES</b>                               | <b>25</b>   |
| Section 7.1 Relocation of Hydrant   | 25          |
| Section 7.2 Location of Mains   | 25          |
| Section 7.3 Use of Hydrants   | 26          |
| Section 7.4 Owner's Responsibility  | 26          |
| Section 7.5 Penalties   | 26          |
| Section 7.6 Damage to Mains, Service Line and Appurtenances                       | 26          |
| Section 7.7 Emergency Curtailment of Use-Penalty for Failure or Refusal to Comply | 27          |
| Section 7.8 Air Conditioning Systems  | 27          |
| Section 7.9 Liability for Damages   | 27          |
| <b>NASSAU COUNTY CIVIL DIVISION ACT</b>   | <b>27</b>   |
| <b>ARTICLE VIII - AMENDMENTS AND EFFECTIVE DATE</b>                               | <b>28</b>   |
| Section 8.1 Amendments  | 28          |
| Section 8.2 Revocation of Previous Ordinances                                     | 28          |
| Section 8.3 Effective Date  | 28          |

## **ORDINANCES OF THE HICKSVILLE WATER DISTRICT**

### **Introduction**

The Hicksville Water District comprises an area of 7.9 square miles in the Towns of Oyster Bay and Hempstead. Water Service is provided to homes and businesses in Hicksville, Bethpage, East Meadow, Jericho, Levittown, Syosset and Westbury.

As a result of a taxpayer's petition, the Hicksville Water District was established by the Town Board of the Town of Oyster Bay on August 30, 1921 to take over the district service area formally operated by the former Nassau Water Company from 1902-1920.

Today, the District provides an authorized capacity of 27,800,000 gallons per day from fourteen existing deep wells with depths varying from 428 to 693 feet below grade. After treatment, water is stored in five storage tanks with a total capacity of 7,250,000 gallons assuring that an adequate supply of water at sufficient pressure is available for fire fighting purposes in addition to consumption. More than 183 miles of underground water mains transport this vital commodity from storage to 48,000 consumers and 1628 fire hydrants in the District.

The Board of Commissioners, in conjunction with its management team and water district staff, is continuously upgrading our facilities to ensure delivery of drinking water which either meets or exceeds all Federal, State and Local standards. Water conservation programs have also been established by the Board to preserve our precious underground water supply for future generations.

The Board and all of the District's personnel consistently strive to serve the community fairly, courteously and equitably. Although subject to change, these Ordinances become official on their effective date of adoption by the Board.

The following pages cite the lawful Ordinances of the Hicksville Water District which are necessary to preserve the health and welfare of all consumers and to provide for the successful and economical operation of the District.

### **THE BOARD OF COMMISSIONERS**

## **General Information for Water Consumers – Rules and Regulations**

1. The Rules and Regulations of the Board of Water Commissioners and the Ordinances are part of the contract for water supply; therefore, you should read them carefully and preserve them for reference.
2. All installations, repairs and additions to the water supply system must be performed by a duly licensed plumber in New York, and the Town of Oyster Bay or Hempstead depending upon property location. A list of licensed plumbers is available at the Town of Oyster Bay or Hempstead, New York.
3. All meter readers and inspectors employed by the District are to be given immediate access to the water supply system on any premises. All meter readers and inspectors will carry with them proper identification; however, 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 at (516) 931-0184 for further identification.
4. All residential consumers maintain ownership of their water service lines from the water main to the consumer's structure in its entirety except as specifically stated within the Ordinances and/or Rules and Regulations of the Hicksville Water District.
5. All commercial consumers maintain ownership of their water and fire service lines from the water main to the consumer's structure in its entirety except as specifically stated within the Ordinances and/or Rules and Regulations of the Hicksville Water District. See Article V, Section 5.11.1 for further clarification regarding leaks
5. The owners of real property are liable for the rents and water charges for all water in any manner consumed thereon. These rents and charges become a lien upon the property in the event that they are not paid promptly.
6. It is the policy of the Water District to protect the public water system by containing potential contamination within the premises of the user. Consumers are required to follow the applicable provisions of Chapter I, Title 10, New York State Sanitary Code, Part 5, Drinking Water Supplied, 5-1.31, Cross Connection Control which requires that a supplier of water shall protect the public water system in accordance with acceptable procedures by containing potential contamination within the premises of the user. For more detailed information please see Article VI of these Ordinances in the following manner.
7. The District assumes no responsibility for the freezing of mains or water supply systems or for leakages occurring therein nor will it assume any liability for damages resulting therefrom.
8. All consumers are asked to promptly notify in writing the office of the Hicksville Water District of any change of ownership or address to which bills are to be sent.

9. All new accounts and charges to existing accounts shall be subject to fees as required by the Board of Commissioners.

10. Except at the discretion of the Board of Commissioners, no refund for overcharges resulting from errors in billing will be made unless the error is called to the attention of the District at the time of payment.

11. In regards to penalties, the District cannot waive any penalty once placed on an account pursuant to Article VIII, Section 1 of the NY Constitution that states that it is an impermissible gift of public funds.

12. Consumers and property owners are requested not to build fences or to plant shrubbery or to place any other obstructions 18" of either side directly above any water service lines or meter pit located on their property.

13. The Board of Commissioners will hold its regular public meeting at 4 Dean Street, Hicksville, New York every second and fourth Tuesday of the month at 5:00 pm (unless noted otherwise) and will hold in addition thereto such other executive meetings as may be required and deemed necessary by the Board.

14. The District assumes no responsibility or liability for damages or injury that may result from changes of pressure within the water system.

15. Suggestions for the improvement of the facilities or other service of the District are welcome.

16. If the plumbing systems within your premises (or in case of the service line from the water main to the consumer's structure in its entirety) is in proper condition no damage should occur from turning the water off or on in the mains without notice and the Water District is not liable for any damage caused thereby.

17. Established rates, service charges, penalties, etc., are on file at the District Office and are available upon request or can be viewed on the District website at [www.hicksvillewater.org](http://www.hicksvillewater.org).

## **ARTICLE I - DEFINITIONS**

### **Section 1.1 *Short Title***

These ordinances shall be known and may be cited as the "**ORDINANCES OF THE HICKSVILLE WATER DISTRICT.**"

### **Section 1.2 *Definitions***

The word "*District*" whenever used within these Ordinances shall refer to the HICKSVILLE WATER DISTRICT, Towns of Oyster Bay and Hempstead.

The word "*Board*" or "*Board of Commissioners*" whenever used within these Ordinances shall refer to the Board of Commissioners of The Hicksville Water District, Towns of Oyster Bay and Hempstead, a joint municipal water district, or their duly authorized representatives.

The word "*consumer*" shall refer to the owner of real property being serviced by the Hicksville Water District.

The words "consumer water service line" or "water service line" or "service line" or "water service pipe" or "service pipe" shall refer to the pipe running from the corporation stop, wet cut or cut-in in the District distribution main thence to the plumbing systems of the consumer.

The words "non-residential or commercial service" shall mean water service to business, factory, industrial, government, not for profit and institutional property.

## **ARTICLE II - APPLICATION FOR WATER SERVICE**

### **Section 2.1 *Applications and Acceptance***

No person or corporation will be permitted to use the water of the District for any purpose without having first obtained permission from the Board of Water Commissioners or duly authorized representative, based on written application. Application for the introduction of water to any premises, or for the extension of any pipe for the conveyance of such water, shall be made upon an application furnished for the purpose, signed by the owner of the property, or his agent. Expenses attending the introduction of water to any premises must be paid by the applicant, at the time of making application or when amount is determined by the Board. Applicants for water service must present proof satisfactory to the Board of Water Commissioners of ownership of the property and furnish a correct property description at the time application is made.

No water shall be used for any other purpose other than that represented in the application.



**Section 2.2 Fees, Deposits and Installation Charges to be Paid in Advance**

Applications or contracts for the use or installation of water or water facilities of the District shall not be acted upon, approved or accepted by the Board of Commissioners until and unless the full amount of all fees, deposits and installation charges, as the same shall from time to time be fixed by the Board of Commissioners for the use of such water or water facilities, shall have been paid to the District.

**Section 2.3 Applicants Arrearages to be Paid**

No application for the use or installation of water or of the facilities of the Hicksville Water District will be approved nor will any permit or license be granted, nor will any contract or agreement be entered into with any person until all charges or arrearages due from such persons, owners of the subject premises, and prior owners of the subject premises to the Water District shall have been paid. The applicant shall be responsible to pay all charges and arrearages due.

**Section 2.4 Temporary or Extraordinary Service Permits**

Applications for temporary service or for service of an extraordinary nature will be accepted at the discretion of the Board of Water Commissioners. Written applications will be accepted, and temporary or extraordinary water service will be supplied provided it does not interfere with the use of water for line protection and for general purposes. Applicants requiring temporary or extraordinary water service shall reimburse the District for all expenses incurred by the District in connection with providing the said temporary or extraordinary service.

**ARTICLE III - BILLING**

**Section 3.1 Bills Payable at District Office**

The owners of real property are liable for the rents and water charges for all water in any manner consumed. All bills for water or water facilities used, or services performed by the District shall be paid to the District at its business office, 4 Dean Street, Hicksville, N. Y., Town of Oyster Bay, Nassau County, New York. All checks, in payment of bills shall be received subject to collection. Checks returned by bank uncollected shall be subject to an administrative fee.

**Section 3.2 New Service Pro-Rated**

All bills are payable in accordance with the terms of the applicable service classification. For new service installed at any time during the billing period, the greater of the minimum charge or the actual water usage charge shall be applied for that billing cycle.

**Section 3.3 Discontinued Service Not Pro-Rated**

No allowance will be made upon discontinuance of service for the unexpired portion of any quarter-year period. Any consumers wishing to discontinue the use of water shall give written notice thereof to the District at least ten days prior to the expiration of the current quarter-year period. In the event that he shall fail to give such notice, he shall be liable for the full charges of all ensuing periods until such notice shall be given and the service discontinued.

**Section 3.4 Final Water Bills**

“Final Water Bills” will be issued to the seller of a home, or a vacating tenant with 48 hours notice. Any home/business that requires a backflow device must have it installed (if they do not have one) and tested (for that calendar year), prior to the final bill being issued. The **New York State Department of Health test forms** must be delivered to the District. The seller must also provide the District with the buyer’s name. Tenants must provide the name/address of the owner of the premises.

**Section 3.5 Bills to be Rendered and Paid Quarter-Annually**

Meters will be read quarter-annually and consumers will be billed quarter-annually. No bills will be rendered or payment accepted for less than the minimum charge. There will be no more than three (3) consecutive estimated readings per year. There will be a charge in accordance with the latest fee scheduled adopted by the Board of Commissioners for any consumer requiring more than three (3) consecutive estimated readings in a calendar year.

**Section 3.6 Penalties for Non-Payment and Arrearages**

All bills are due and payable when rendered. A penalty of 10 per cent (%) of the amount due to all unpaid water and service charges which are in arrears for thirty days or longer will be applied. If such water and service charges are not paid within sixty days from the due date the water supply may be cut off and discontinued. Such water supply shall not be resumed or turned on until all charges and penalties are paid and an additional service charge in accordance with the latest fee scheduled adopted by the Board of Commissioners shall have been paid. All water and service charges and penalties applied by the District shall be a lien upon the real property in connection with which such water or service were used.

**Section 3.7 Miscellaneous Charges**

The Board will establish a schedule of charges on file with the District, for miscellaneous services and costs incurred during the ordinary course of business including, but not limited to, final meter readings, testing of meters, returned checks, no-access charge , administrative fees and miscellaneous equipment materials charges.

**ARTICLE IV - DEPOSITS, FEES, RATES AND MINIMUM CHARGES**

**Section 4.1 Schedule of Rates**

All water metered in the District will be charged at a rate per thousand gallons to yield the required revenue.

**Section 4.2 Minimum Rates**

The minimum rate for regular service shall be as established by the District. All bills due are payable within 30 days. A copy of the current rates is available at the District office.

**Section 4.3 Rates Outside of District**

The Board may establish a different or other rate for any water or service furnished outside the geographical limits of the Hicksville Water District.

**Section 4.4 After Normal Hours Calls**

The field forces normal workweek shall be from 7:30 A.M. to 3:45 P.M., Monday through Friday, excluding holidays. Any service calls including "Turn On", "Shut Off", or "Meter Reading", that are answered at other than these hours shall be charged to the consumer at an hourly rate in accordance with the latest fee scheduled adopted by the Board of Commissioners, portal to portal, The Board of Commissioners shall have the discretion to waive or reduce the additional fees if it determines that such action is in the best interests of the District.

**Section 4.5 Inspections of Meter Installations**

Upon a request of a consumer, developer, plumber or contractor, two inspections of the site of an installation of a water meter pit and appurtenances will be made without charge. Subsequent requests to re-inspect the same installation will be made at a charge to the person or persons requesting the reinspection fee in accordance with the latest fee scheduled adopted by the Board of Commissioners per re-inspection. The Board of Commissioners shall have the discretion to waive or reduce the additional fees if it determines that such action is in the best interests of the District.

**Section 4.6 Restoration of Discontinued Service**

Whenever it shall become necessary for the District to turn off or to turn on the water supply for any reason or at the request of any consumer, a minimum service charge in accordance with the latest fee scheduled adopted by the Board of Commissioners for turning off or turning on shall be made, except that no service charge shall be made for inspecting or testing of meters reported and found to be not functioning.

**Section 4.7 Service Charge for Private Fire Protection**

Whenever a fire sprinkler system shall be installed in any structure within the limits of the District, the owner of such premises, shall pay to the District for the privilege of maintaining such sprinkler system and for the supply of water thereto charges in accordance with the following schedule:

Fire Sprinkler Service Charges: The annual rate for fire, sprinkler charges shall be on a per inch diameter basis of service main in accordance with the latest fee scheduled adopted by the Board of Commissioners.

The owner shall be responsible to supply the District with written confirmation or certification that the local town and the Nassau County Fire Marshal's Office has approved the installation and operation of the fire sprinkler system.

**Section 4.8 Application for Special Hydrant Use Permit**

To insure compliance with Board of Health regulations, any person applying for permission to use a District hydrant must file an application with the District and obtain a permit. The District prior to the issuance of the permit must inspect all vehicles for which a permit is requested. Upon compliance with this section and the rules and regulations

of the District, a permit will be issued and it shall be displayed at the site by the contractor, person or entity issued the permit by the District. All applications for permits shall be accompanied by the applicant's New York State Department of Environmental Conservation license and registration number. The cost of a special use hydrant permit will be in accordance with the latest fee scheduled adopted by the Board of Commissioners. Use of hydrants will be limited to those hydrants indicated on the special use permit. A fine in accordance with the latest fee scheduled adopted by the Board of Commissioners—will be imposed for any illegal use of water without the required permits for each and every day that such violation occurs and continues. Town, County, State or any other municipalities, will have specific hydrants, in each section of town, that will be permissible to use. District must be notified when they are being used. Additional fees will be charged for permitted hydrant use in accordance with provisions of Sections 4.8.2, 4.8.3, 4.9, and 4.13.

#### **Section 4.9 Hydrant Fees**

The rate for hydrant rental on private property is in accordance with the latest fee scheduled adopted by the Board of Commissioners. Hydrant must conform to District specification. Hydro storz rental is in accordance with the latest fee scheduled adopted by the Board of Commissioners.

#### **Section 4.10 Hydrant Metering**

The District shall determine the necessity for the attachment of a meter to the hydrant, and this shall be affixed thereto by an authorized employee of the District. The person or entity issued the permit shall pay for the water used based upon the water rates set by the Board of Commissioners and on file at the District office.

#### **Section 4.11 Reporting of Hydrant Damage or Misuse**

No person shall open or interfere with any fire hydrant or draw water there from without the consent and approval of the Board, except that a Chief of the Fire Department or his authorized representatives may open or direct the opening of any fire hydrant in the event of a fire or for fire drill tournament purposes. Whenever a hydrant has been used, the Fire Department shall promptly notify the District, within 24 hours of that fact. Any person or firm causing damage to a hydrant shall be responsible to pay to the District the cost incurred by the District to repair or replace the hydrant. Such charges shall not apply to Fire Department operations.

#### **Section 4.12 Three Foot "Clear Zone" Radius around Hydrants**

A three foot (3') "clear zone" radius must be maintained around hydrants in which no obstacles shall be placed.

#### **Section 4.13 Hydrant Flow Tests**

Any person or corporation requesting a flow test on any hydrant for the purpose of determining the static and residual pressures shall first petition the District Superintendent in writing. Said request shall set forth the location to be tested and a proposed date, time and reason therefore pursuant to District policy. The hydrant shall be opened and closed solely by District personnel or its authorized agents. The actual flow test itself will be conducted by the applicant at his own expense with the applicant's

own gauges. A non-refundable fees are set forth of as per the current District schedule of charges will be charged by the District, for administration of the application and services provided.

Owners/tenants of private hydrants must perform an annual inspection and flow test on any hydrant for the purpose of determining condition, static and residual pressures to ensure hydrant is in operable condition pursuant to Nassau County Law (Local Law No. 24-2009) for residential structures and the New York State Fire Code (§507.5.3) for all other structures. Results of said inspection shall be provided to the district no later than August 31 of each year. The actual flow test and inspection itself shall be conducted by the applicant, at his or her own expense, with the applicant's own gauges. Failure to provide the district with a copy of the inspection and flow test will incur a penalty. It is the responsibility of the property owner/tenant to perform this annual requirement no later than August 31 of each year. If the test/inspection documentation is not received, the District shall notify the owner, or authorized agent of the owner, of the building or premises with a written notice of violation of this ordinance. Upon failure of the owner to have the test/inspection performed within 30 days of such notice, any person violating this ordinance shall be liable to a penalty in accordance with the latest fee scheduled adopted by the Board of Commissioners per day for each and every day that a violation is committed or continues on suit by the Board of Water Commissioners to recover the same, and a consumer may also have their supply of water terminated until such penalty is paid.

**Section 4.14 *Jetting and Puddling Prohibited***

Use of water in connection with jetting or puddling during construction or backfilling operations is prohibited.

**Section 4.15 *Ponding Prohibited***

Use of the District water supply in creation or maintenance of a man-made pond is prohibited.

**Section 4.16 *Cancellation of Permits***

The District reserves the right to cancel any permission or permit granted without refund at any time when the distribution system of the District is being damaged water is being wasted, or any provisions of these Ordinances, Rules and Regulations are being violated by the Permit holder, or when a public emergency requires cessation of hydrant usage.

**Section 4.17 *Fees-Testing and Repairing of Meters***

The District reserves the right to test any meter at any time. At the written request of the owner upon payment of a charge as established by the Board of Commissioners, the water meter will be tested. In the event that the meter is found to be within the legal limits of registration as referenced in the American Water Works Association (AWWA) Manual M6, Water Meters- Selection, Installation, Testing and Maintenance, latest revision, the payment shall be forfeited as a testing charge. If the meter is found to be over-registering, the deposit shall be returned and an adjusted bill shall be rendered for the last billing period.

Any meter, no matter the size, that is damaged through no fault of the District, is the responsibility of the Owner and shall be replaced/repared at the Owner's expense. On services over 2", the meters are the sole responsibility of the owner. Meters over 2" will not be tested or repaired by the District, but must be factory tested and repaired at the expense of the owner, and a certificate of such factory testing supplied to the Hicksville Water District."

"Any oversized meter pit/vault must meet OSHA confined space safety regulations and have Bilco type doors (or equivalent) installed."

#### **Section 4.18 New Water Services**

A charge shall be made for each premises into which water shall be introduced for permanent consumption. The most recent list of charges is on file with the District. This charge shall include but not be limited to the following materials and services, which shall be furnished by the District:

- (a) Water Meter, Meter Transceiver Unit (MXU).
- (b) Copper meter setter, complete with setter, expansion connection, angle valve and double check valve.
- (c) Extension service (curb) box and rod
- (d) Curb stop
- (e) Corporation
- (f) Tap and initial inspection of facilities
- (g) Hicksville Water District Administration Fee

Items (a) Through (e) and the service line shall be installed by the applicant or property owner at his own expense. Taps larger than 2-inches will be performed by a Water District approved water main contractor at the expense of the applicant or property owner.

When an outside meter installation is permitted, the District will supply at the expense of the consumer, a meter pit and cast iron rim and cover for meter sizes through one inch. For services larger than 1", specifications are available at the Water District office.

Residential – An approved reduced pressure zone (RPZ) backflow prevention device or a double-check valve (DCV) backflow device, as determined by the Board of Commissioners, or authorized representative, shall be installed directly after the meter, as required by the District on all new water supply connections supplying water to any residential premises. The device shall be tested yearly, by a New York State Certified tester.

Commercial, industrial or other non-residential structure connected to the potable water system of the Hicksville Water District shall have an RPZ backflow prevention device. The device shall be tested yearly, by a New York State Certified tester.

**Section 4.19 Discontinuance of Water Service**

The District reserves the right to discontinue water service to any premises served for reasons considered detrimental to the best interests of the District. Reasons for discontinuance of service shall include but not be limited to: using water for purposes or in quantities other than that which is approved by the Board or for a purpose prohibited by District ordinances, Rules and Regulations; wasting water; tampering with the water service line on the District side of the meter, tampering with the meter or remote reading device; non-payment of water bills; cross-connection in the plumbing system within the premises that is considered by the Board to be hazardous to the safety of the water supply or objectionable to the safety of the water supply, refusal by the owner to permit access to the premises by District personnel for inspection of the plumbing system and appurtenances and to read the water meter or inability of District personnel to gain access to the premises for inspection and to read meters; failure to correct outstanding violations issued by the District; failure to promptly repair leaking service lines.

**ARTICLE V – INSTALLATIONS**

**Section 5.1 Water not to be Sub-Metered**

No more than one premises or building shall be supplied through any single tap, nor may any District water be sub-metered. In all installations, separate and distinct stop cocks and meters shall be provided for each building or premises.

**Section 5.2 Water to be Metered**

Except as otherwise provided herein, all water service shall be rendered and supplied through meters of a make and type approved and furnished by the Hicksville Water District.

**Section 5.3 Tapping**

No Contractor or Plumber or any other person shall tap mains or distributing points or pipes of the Hicksville Water District: all tapping of mains or distributing points must be done by the employees or duly authorized agents of the Hicksville Water District. The corporation cock at the main and its installation is included in the tapping cost, which varies depending upon size. Contact the District office for costs. The tapping charges are payable in advance on application for service at the rates filed at the District's office. Tapping will not be done on Sundays or Saturdays or after 2:30 P.M. on any normal workday, and will be done only after twenty-four (24) hours notice and as soon thereafter as the District schedule permits and after excavation is completed by others.

No person shall make any attachment with the pipes of the Water District nor make any repairs, additions to or alterations to the service water pipes, from the point beginning at the street main and terminating at the meter unless and until notification be given to the District and unless the person engaged to do the work is a plumber bonded in favor of the Hicksville Water District as hereinafter provided.

#### **Section 5.4 Plumbers, Permits, Bonds and Fees**

No plumber or general contractor will be allowed to make any attachment to or alteration in any service pipe supplying water to any consumer, nor, to open the street for the introduction of service pipe, without a permit from the proper Highway Authorities and from the Board of Water Commissioners. Before receiving a permit in compliance with this section, the plumber must in each case deposit with the Water District in accordance with the latest fee scheduled adopted by the Board of Commissioners

Said deposit, will be returned to the plumber when his work is approved by the District, in accordance with its ordinances.

The Superintendent of the Hicksville Water District shall be the sole judge of whether or not such installation is made pursuant to the Rules, Regulation and Ordinances of the Hicksville Water District. In the case of meters, meter pits or service line installations, no approval shall be given until such time as the final lawn grade has been established. If corrections are to be made, the personnel of the plumber doing the original installation must make them. In the event that corrections are required to be made, by the personnel of the Hicksville Water District, the deposit shall be forfeited and paid over to the general funds of the Hicksville Water District.

#### **Section 5.5 Approved Plumbers**

Every plumber attaching pipes or appurtenances to the service pipes, meters or other connections of the Hicksville Water District, shall apply to the Hicksville Water District for approval as an approved plumber. Approved plumbers shall be required to be licensed by either the Town of Oyster Bay or the Town Hempstead according to the area in which the work is being performed and shall supply evidence of such licensing upon their application for approval, and they shall on application execute and file with the Board of Water Commissioners a bond in the sum that is in accordance with the latest schedule adopted by the Board of Commissioners, to be approved by the Board, conditioned that they comply with the Ordinances, Rules and Regulations of the Board of Water Commissioners, pay any and all damages that may ensue from failure to comply with such Ordinances, Rules and Regulations, and indemnify the Water District and the Board of Water Commissioners against any and all claims for or on account of the work performed under any permit issued, that they will indemnify and save harmless the District and the Board of Water Commissioners from any claims resulting from any accident or by reason of any opening in any street, road, lane or other place in said District, made by him or those in his employ, for the purpose of putting down or inserting or removing any service pipe or pipes, or for any object or purpose whatever. Pavement over every such opening must be repaired and restored to such a condition as required by the Highway Authorities. In addition, such plumbers and contractors shall supply proof of insurance coverage naming the District as an additional insured with regard to such work. Insurance requirements for contractors and plumbers will be on file at the District Office. A list of Plumbers and Contractors who are bonded in accordance with this section, will be found at the office of the Board of Water Commissioners.



**Section 5.6 Inspection of New Installations and Extensions**

No water shall be introduced into private pipelines upon any premises until and unless the same shall have been inspected and approved and until the meter shall have been officially sealed by the District.

**Section 5.7 Backfilling Excavations**

Under no circumstances will any excavation containing water mains, appurtenances of facilities belonging to the District, be backfilled or covered until and unless such water mains, appurtenances or facilities have been inspected by a duly authorized employee or officer of the District.

**Section 5.8 Notice of Completion**

The consumer, applicant or owner shall file within the District a written report of the completion of all attachments, connections, alterations and extensions of water pipe lines and appurtenances within twenty-four hours after such completion, specifying the nature, location and type of attachment, connection, alteration or extension.

**Section 5.9 Removal of Defective Installations**

When it is determined that 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. Water shall not again be introduced into the premises until the service installation is properly made and approved by the District and all expenses, charges and deposits have been paid by the consumer or owner of the premises.

**Section 5.10 Access to Meters**

All meters shall be set in an accessible manner in a place approved by the Board and shall not be obstructed in any manner that will interfere with the prompt reading, repairing, testing or inspecting thereof.

**Section 5.11 Repair and Replacement of Meters**

Meters shall not be tampered with or disturbed by any unauthorized persons. In the event that any meter fails to register or otherwise becomes out of order, the consumer shall notify the District immediately. All repair or replacement of residential meters will be made by an authorized employee or agent of the District and the cost thereof will be charged to the consumer at rates as established by the Board of Commissioners.

All repair or replacement of non-residential meters will be made by a duly licensed plumber in New York, and the Town of Oyster Bay or Town of Hempstead depending upon property location and the cost thereof will be borne by the consumer as well as any District charges as established by the Board of Commissioners.

All meters that in the opinion of the Board have become unsuitable for further use shall be replaced by another meter at the expense of the consumer.

Where in the opinion of the Board, any meter that has been made inaccessible or has been obstructed in any manner; or where repair, maintenance or replacement of a

meter has been refused or access denied by any owner or person in possession of the premises where such meter is located, then the Water District may deem same abandoned and promptly install a new meter outside the subject premises and immediately charge all expenses of same to the consumer.

#### **Section 5.12 *Entry Upon Premises***

The Board of Commissioners, its authorized employees and agents are authorized to come upon the premises of the consumer at all times for the purpose of reading, inspecting, repairing, maintaining, removing, or testing the water facilities, meters and appurtenances through which water of the District is supplied.

#### **Section 5.13 *Setting of Meters***

Meters shall be set with the inlet and the outlet in a horizontal place with register on top.

#### **Section 5.14 *Service Pipes***

Service pipes must be laid at least four feet six inches (4'-6") and water mains 6 inches in diameter or larger must be laid at least four feet (4') below the surface of the ground and Ten feet (10') from cesspools, drainage structures or disposal vault. In no case will any water pipe be allowed to be laid in any sewer, gas, electric, telephone or drain trench, nor will any drainage into a water pipe trench be permitted. In addition, a minimum of ten foot (10') horizontal and 18 inches vertical clearance for crossings is required. Pipes may not be laid in driveways or walkways.

In the event that a change in ground elevation shall leave any service pipe inadequately buried or result in a curb box, meter pit or other appurtenance of the water facilities being projected above the ground or being covered with earth, the consumer shall at his own expense have such service pipe, curb box, or meter pit raised or lowered as the case may be as to conform with all of the requirements of the District, this work to be performed by authorized persons only.

#### **Section 5.15 *Curb Stops***

No plumber shall leave the curb stops at sidewalk open nor allow the water to run on the premises after making any new connection with the street mains, or after making any new extension or attachment in unoccupied premises. In cases where the work is a simple extension or additional attachments on the consumer's side of the meter and in places where the water is then in use, the plumber may leave the water on. In cases of new connections the Superintendent will, on notification that the work is complete, cause the same to be inspected and if found satisfactory, will turn on the water.

#### **Section 5.16 *Consumers' Pipes***

Consumers must keep their own water pipes and fixtures in good repair and protected from frost at their own expense. The homeowner shall insure that the service line shall not have any "stray current" due to improper electrical grounds. Should replacement or repairs be required thereto in the judgment of the District Superintendent, he shall notify the consumer in writing, either by mail addressed to the premises or in person, of the repairs required, which notice shall fix a period within which the repairs shall be made.

The length of time fixed in said notice shall be such time as in the judgment of the Superintendent of the District shall meet the urgency of the situation and his judgment thereon shall be final. Should the consumer fail to make the required repairs in a manner satisfactory to the Superintendent within the time fixed by such notice, the Water District may order the repairs made and the cost thereof shall be considered an unpaid water charge and shall become a lien against the property in the same manner as any unpaid water bill.

Consumers must provide a valve of approved type properly located inside of the wall of the building and have pipes so arranged that the water may be drained from them whenever necessary. No outlet from which water can be taken between the meter and the mains will be permitted. No red or white lead will be permitted to be used by plumbers on joints between the meter and the main. When a service has been discontinued and the structure it served has been abandoned or demolished, the pipe shall be shut off at the corporation cock after due notice from the District, and upon default in so doing, the District will have it done at the expense of the property owner.

### **Section 5.17 Leakages**

a) All leaks in any line or appurtenance through which District water is supplied and owned by the consumer, shall be repaired immediately, by the consumer at his or her own cost and expense. Repairs shall be made by authorized plumbers in accordance with these ordinances, and the rules and regulations of the District.

b) In the event that any leak shall not be promptly reported to the District and repaired in accordance herewith, the District upon fifteen (15) days written notice to the consumer sent to the billing address, the District shall have the right to cut off the water supply to the premises, subject to a charge in accordance with the latest fee schedule adopted by the Board of Commissioners to shut off the water, and a charge in accordance with the latest fee schedule adopted by the Board of Commissioners to restore service.

c) In the event the District elects to make an emergency repair to a consumer's water service, the cost of such repair shall be billed and charged to the account of the consumer. Non-payment of such account shall be treated in the same manner as unpaid water charges. Cost will vary depending upon supply cost and labor cost.

### **Section 5.18 Approved Contractors**

All service mains over 2" must be run to the property line by an approved Hicksville Water District Contractor and installed in accordance with the District Specifications. The District Specifications shall apply up to the meter.

### **Section 5.19 Repair of Service Lines**

The Hicksville Water District will undertake the care of residential services to a single family dwelling from the main to curb side of the curb stop, upon condition that the consumer, in whose behalf the work undertaken by the Hicksville Water District, executes a release saving the Hicksville Water District harmless by way of repair or replacement. In the event the homeowner or property owner refuses to accord such relief, then, and in that event, the District may proceed with the work and render a

charge for services, or may elect to refuse repair, maintain, or replace the existing service line.

Non-residential water service line repairs and maintenance is the responsibility of the property owner. Repairs shall be performed by a water main contractor approved by the District. In the event that the property owner refuses to make the necessary repairs in a timely manner, the District may proceed with the work and render a charge for services.

### **Section 5.20 Permanent Service Pipes**

Permanent service pipes shall be as follows: All one (1) or two (2) inch service lines shall be Type "K" copper from the main to the curb stop. From the curb stop to near the building wall, the services must be Type "K" copper. All services of four (4) inch diameter or greater shall be ductile.

All service pipes shall be connected to the mains in conformity with the plans therefore on file at the District's office. Plumbers, or others installing "K" copper services for up to two (2") in diameter between the main and the curb stop shall install a continuous piece of copper; joints of any kind shall not be permitted between the main and the curb stop. All new service pipes to be sleeved must conform to Highway Specifications (i.e. State, County and Town). The District will reserve the option as to sleeving replacement service lines.

In the event that a new tap in the street main is substituted for an original tap, the old tap must be turned off at the main at the same time, and an inspection made by the District before backfilling. Any expense involved in connection with the discontinuance of an old tap must be paid by the Owner of the service connection, prior to the demolition of the building.

Each service pipe shall have a curb cock of the inverted key type between the property line and the curb line and be provided with an iron curb box and cover, except that in the case of a connection in excess of two inches (2") a gate valve of the kind as approved the Water District in accordance with the standards of the American Water Works Association (AWWA), shall be used; all to be paid for by the property owner.. Curb box covers shall be set flush with the ground. No service pipe or control valve shall be installed in a driveway or walkway. All pipes and connections between the main and the meter must be inspected and tested by the Superintendent or his Representative before the trench is closed. The plumber shall furnish a record of each service connection at the time of the final inspection.

### **Section 5.21 Dead Ends Prohibited**

All water mains shall be constructed and installed in such a manner as to permit a free flow of water through them at all times. The use of "dead end" lines is prohibited.

### **Section 5.22 Abandoned or Discontinued Services to be shut Off**

Demolition shall mean to pull, tear down or destroy a structure or structures suitable for residential, commercial, business or industrial purposes. At no time will a disconnection

letter be issued to any consumer until the water service is disconnected by the owner or his contractor at the main and inspected by a representative of the District. The cost will be borne by the property owner or his agents or contractors requesting the letter of certification.

Whenever an owner, demolition contractor, or other person, abandons a main or service, such owner, demolition contractor, or other person, shall uncover the corporation cock at the connection of the service to the District main and shall notify the Water District at least 24 hours prior that such service or main is to be abandoned. The shut off at the main shall be performed by District employees. The entire cost of uncovering the connection to the District main shall be borne by the owner, contractor or other person abandoning the service or main.

### ***Section 5.23 Underground Lawn Sprinkler Systems***

No consumer of the Hicksville Water District shall build, construct, or maintain an automatic or manual lawn sprinkler service unless such consumer first applies to the Hicksville Water District for permission to erect, maintain, or install such automatic sprinkling services. Any existing lawn sprinkler system which does not conform to the requirements of this Ordinance shall be removed or discontinued until such time as the system is corrected and approved by the District.

All combined services shall be in accordance with the District drawing showing minimum requirements for types of equipment for a combined service. All separate services shall be installed in accordance with the District drawings and regulations.

All Underground sprinkler systems must have a double check device (directly after the meter) and a rain sensor or equivalent device. Residents will have the DCV device tested annually in accordance with the schedule established by the District. A charge in accordance with the latest fee schedule adopted by the Board of Commissioners will be posted to any consumer's account if the District has to test the device, due to lack of compliance on the consumer's part.

### ***Section 5.24 Requirements for New Underground Sprinkler Systems***

1. All new underground lawn sprinkler systems shall be equipped with a programmable time clock controller for control of the sprinkler system valves, a rain or a soil moisture sensor capable of interrupting the operation of the sprinkler system when watering, as determined by the sensor, is required, and a separate curb stop control valve on the water supply line to the sprinkler system.

2. Rain sensors shall be of a type capable of detecting a minimum of one-eighth (1/8") inch of automatically interrupt and prevent the sprinkler system from operating. It shall further be capable of allowing the rainfall to evaporate and when sufficient evaporation has occurred, to automatically reset and allow continuation of normal sprinkling.

3. Approved moisture sensors shall be interfaced with the programmable time clock controller or the electrically operated sprinkler control valves, and shall prohibit sprinkling when the matric potential of the soil measured by the sensor is below the preset pressure selected for the soil in which it is used.

4. Time clock controllers shall be an EPA WaterSense labeled automatic adjustable calendar-type clock timer device, with capability to skip days, and capable of programming odd or even irrigation days, shall be installed and programmed to automatically operate and allow irrigation water use at the premises only during the days and hours permitted under the District's Water Conservation Program's latest notice. The automatic ON-OFF time controlled irrigation system is to remain OFF during the period between the permissible irrigation days and times. The clock or timing device should also run properly with the 31-day months. Time clock controllers shall have the following minimum features:

- a. An adjustable clock monitor for starting the water cycle at any hour of the day or night.
- b. A calendar program, which allows automatic water cycles on any day, odd or even day or every third day on a repeating basis.
- c. A sequence timer with variable time adjustment of a minimum of five {5} minute increments. Timing shall be independently variable for each sprinkler zone.
- d. Override features, which are activated by the rain or soil moisture sensor to prevent the automatic watering cycle from starting when watering is not required.
- e. Operational settings and programming of the time clock controller shall be readily accessible on the face of the controller or smart device or computer interface application.
- f. All systems shall be electrically wired directly to the power source. By-pass switches of any type are prohibited.

5. The water service line supplying any underground sprinkler system shall be provided with an approved backflow prevention device approved and installed in accordance with the requirements of the Nassau County Department of Health. The device shall be tested prior May 31<sup>st</sup> of each calendar year, and the proper paperwork sent into the District to be kept on file.

6. The source of water supply for any new underground sprinkler system shall be either by a separate metered service line connection made to a water main of the Hicksville Water District or by a connection to the existing water service line to the premises. If the source is from the water service line to the premises, the connection must be made to the line after the water meter and shall be provided with a separate curb stop control valve meeting Hicksville Water District standards.

### **Section 5.25 *Sprinkling Days***

1. No person shall water, hose, sprinkle or otherwise irrigate any outdoor lawn, field, garden, hedge or shrub between the hours of 10:00am and 4:00pm. Sprinkling is permitted during other hours of the day on permitted days as set forth below. Sprinkling is prohibited between November 1<sup>st</sup> and April 1<sup>st</sup>.

2. Sprinkling is authorized on odd numbered calendar days for those premises with an odd number address 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 number calendar days.
3. No sprinkling, watering or irrigation is permitted during periods of rainfall.
4. The use of a hose, sprinkler or irrigation system, which directs a spray, or flow of water onto the sidewalk or roadway, is hereby prohibited.
5. All hoses shall be equipped with a shut-off nozzle that is automatically self-closing, and necessitates hand pressure on the valve to permit the flow of water.
6. These restrictions also apply to and control private wells.

**Section 5.26 *Change of Sprinkling Times***

Nothing herein contained is intended to prohibit the Board of Commissioners from changing or otherwise limiting sprinkling times in cases 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.

**Section 5.27 *Required Water Recycling System for Water Cooled Equipment***

All water cooled equipment installed in the District and connected directly or indirectly with the water system of the District, whether for comfort air conditioning, industrial cooling, refrigeration, processing or other purpose is prohibited except if such equipment is provided with a water recycling system such that District water is used only for the initial filling of the installation and make-up water required by evaporation or flushing.

**Section 5.28 *Conversion of Existing Systems***

All existing water-cooled equipment shall be converted to an air-operative system or equipped with a water-recycling system.

**Section 5.29 *Required Backflow Devices***

The water supply line from the District to all premises having water-cooled equipment shall be provided with a reduced pressure zone backflow device, which must be tested annually in accordance with the schedule established by the District.

**Section 5.30 *Private (Undedicated) Streets***

The maintenance of service lines on all private or undedicated streets shall be the sole responsibility of the street owner(s), unless an easement has been granted to the Board.

**Section 5.31 *Water for Building Purposes***

Persons desiring to use District water for building purposes will be required to make an application to the Board of Water Commissioners or duly authorized representative, and

upon receiving such permit will be required to pay in advance for the water to be consumed, an amount to be fixed by the Board according to size and character of the structure to be erected. All building water to be metered, meter to be purchased from the District, meter to be read weekly and billed monthly. (If water is willfully wasted the Board will cancel such permit and stop the supply of water).

### **Section 5.32 *Car and Fleet Vehicle Washes***

All car and fleet vehicle wash establishments must be equipped with recirculating facilities as specified by the County of Nassau.

## **ARTICLE VI - CONTROL OF BACKFLOW AND CROSS-CONNECTIONS**

### **Section 6.1 *Statement of Policy***

It is the policy of the Water District to protect the public water system by containing potential contamination within the premises of the user. Consumers are required to follow the applicable provisions of the New York State Sanitary Code, as well as the requirements set forth in the New York State Department of Health Cross Connection Control Handbook and all applicable federal, state and local regulatory requirements.

### **Section 6.2 *Statutory Authority***

Chapter I, Title 10, New York State Sanitary Code, Part 5, Drinking Water Supplied, 5-1.31, Cross Connection Control requires that a supplier of water shall protect the public water system in accordance with acceptable procedures by containing potential contamination within the premises of the user in the following manner:

- a) By requiring an acceptable air gap, double check valve assembly, reduced pressure zone device or equivalent protective device acceptable and consistent with the degree of hazard posed by the premises served by the connection.
- b) By requiring the users of such connections to submit plans for the installation of protective devices to the supplier of water and the Nassau County Department of Health for approval; and
- c) By assuring that all protective devices installed be tested at least annually.

### **Section 6.3 *Responsibility of the District***

The Board of Commissioners, Superintendent or their designated agent shall inspect plumbing systems in every building or premises in the District as frequently as in their judgment may be necessary to ensure that such plumbing systems has been installed in such a manner as to prevent the possibility of pollution of the water supply of the District by the plumbing systems. The Board of Commissioners shall notify or cause to be notified in writing the owner or authorized agent of the owner of any such building or premises, to correct, within a reasonable time set by the Board of Commissioners, any plumbing systems installed or existing contrary to or in violation of the rules and regulations and which in their judgment, may, therefore, permit the pollution of the District's water supply, or otherwise adversely affect the public health.

The Board of Commissioners, or their designated agent, shall have the right of entry into any building, during reasonable hours, for the purpose of making inspection of the plumbing systems installed in such building or premises provided that with respect to the inspection of any single family dwelling, consent to such inspection shall first be obtained from a person of suitable age and discretion therein or in control thereof. This Section is particularly applicable to lawn sprinklers, air conditioning, refrigeration, and aspirating equipment installations.



#### **Section 6.4 Inspection**

The District shall cause a routine inspection of all premises served which are not already provided with the 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 multiple dwelling and a residence used in part for business purposes shall be considered to be non-residential. Once it has been determined that a premises requires a backflow prevention device, the owner of said premises shall be notified and required to install and maintain an approved double check valve (DCV), reduced pressure zone (RPZ) device or equivalent protective device as appropriate in accordance with the requirements of this ordinance.

#### **Section 6.5 Right of Entry**

The District, or their authorized 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 the inspection of any single family dwelling under this Article consent to such inspection shall first be obtained from a person of suitable age and discretion therein, or in control thereof.

#### **Section 6.6 Multiple Dwellings and Commercial and Industrial Buildings**

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

#### **Section 6.7 Definitions**

When used in this Article, unless otherwise indicated, the following words shall have the following meanings:

- **APPROVED BACKFLOW PREVENTION DEVICE** is an air gap, reduced pressure zone device, double check valve assembly or equivalent protective device, as applicable and approved by the New York State Department of Health, to contain existing or potential contamination within a customer's facility.
- **AESTHETICALLY OBJECTIONABLE FACILITY** is one in which substances are present which, if introduced into the public water supply system, could be a nuisance to other water customers, but would not adversely affect human health. Typical examples of such substances are: food grade dyes, hot water, stagnant water from fire lines in which no chemical additives are used, etc.
- **AIR GAP** 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 inside diameter of the supply pipe. In no case shall the air gap be less than one (1") inch.
- **BACKFLOW** means a flow condition, induced by a differential in pressure that causes the flow of water or other liquids and/or gases into the distribution pipes of a public water supply from any source other than the intended source.
- **BACKPRESSURE** means the resulting backflow of 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.
- **BACKSIPHONAGE** means the backflow of water 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.

- **CERTIFIED BACKFLOW PREVENTION DEVICE TESTER** is a person having completed the required training course and holding a current certification issued by the New York State Department of Health.
- **CONTAINMENT** means cross-connection control that isolates the consumer's entire facility from the public water system so as to provide the protection necessary to prevent contamination of the public water supply in the event of backflow from the consumer's facility.
- **CROSS-CONNECTION** means a physical connection through which a water supply could be contaminated.
- **DEGREE OF HAZARD** means whether a facility is rated as hazardous, aesthetically objectionable or non-hazardous.
- **DOUBLE-CHECK VALVE (DCV) ASSEMBLY** means two single independently acting check valves, including tightly closing shutoff valves located at each end of the assembly and suitable connections for testing the water tightness of each valve.
- **HAZARDOUS FACILITY** is one in which substances may be present which, if introduced into the public water system, would or may endanger or have an adverse effect on the health of other water customers. Typical examples are laboratories, sewage treatment plants, hospitals, and mortuaries.
- **INTERCONNECTION** is a joining of two independently operated public water distribution systems.
- **LOCAL HEALTH DEPARTMENT ENGINEER** is the Nassau County Health Department Engineer.
- **NON-HAZARDOUS FACILITY** is one, which does not require the installation of an acceptable backflow prevention device.
- **OUTLET** is the open end of the water supply pipe through which the water is discharged.
- **POTABLE WATER** is that which complies with the drinking water quality provisions of the State Sanitary Code, Part 5, Drinking Water Supplies.
- **PRESSURE VACUUM BREAKER (PVB)** are devices that conform to ASSE 1020 or CSA B64.1.2 and are designed for installation under continuous pressure conditions when the critical level is installed at the required height. PVBs shall not be installed in locations where spillage could cause damage to the structure.
- **REDUCED PRESSURE ZONE (RPZ) DEVICE** means a minimum of two (2) independently acting check valves, together with an automatically operated pressure differential relief valve located between the two (2) check valves. During normal flow and at the cessation of normal flow, the pressure between these two (2) 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.
- **INDIVIDUAL WATER SUPPLY** means any water source or system other than the District supply, which may be available in the building or on the premises.

### **Section 6.8 Cross Connections**

Cross-connections between the customer'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 system. 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. In each instance where a condition, device or practice has a potential for a cross connection with the water supply, an approved air gap, reduced pressure zone device, a double check valve assembly or equivalent protective device must be installed commensurate with the degree of hazard encountered.

Individual Water Supply Cross-connections between an individual water supply (i.e. private well) and the potable water supply of the District shall not be made unless specifically approved by the Board of Commissioners and the New York State Department of Health.

### **Section 6.9 Interconnections**

Interconnections are prohibited except for emergency interconnections with other public water purveyors.

### **Section 6.10 District Required Backflow Devices**

- a) All new residential services must be equipped with, at the very least, an approved double check valve assembly (DCVA).
- b) All non-residential services must be equipped with an approved reduced pressure zone (RPZ) device.
- c) All fire service and by-pass lines must be equipped with an approved detector check / DCVA. However if the internal fire protection system utilizes hazardous chemicals then a reduce pressure detector assembly (RPDA) device is required.
- d) Where underground sprinkler systems employ chemicals, an approved RPZ device shall be required.
- e) Services with a private well that is interconnected or has the potential to be interconnected with the public water supply must be equipped with an approved RPZ device.
- f) All underground sprinkler systems and swimming pools with direct fill capability must have installed a minimum of a DCVA. Pressure vacuum breakers installed on existing systems will be evaluated on a case by case for compliance with provisions of the New York State Sanitary Code. This applies only to single family homes.
- g) All wet-pipe systems utilizing antifreeze, corrosion control additives or any other foreign substance, or which are located near an alternative source of supply (canals, ponds, etc.) shall be equipped with an approved RPZ device.

### **Section 6.11 Approvals, Procedures and Installation of Backflow Devices**

Applications and instructions for the installation of backflow devices are available at the District. Applications are subject to review and approval by the District. The fee associated with the District's review can be found on the "Hicksville Water District Fees and Charges" schedule located on our website at [www.hicksvillewater.org](http://www.hicksvillewater.org). If a device is installed on a 2" or larger service line, a separate application must be made to the Nassau County Department of Health for their approval. The Nassau County Department of Health also charges for their review of plans in accordance with their latest fee schedule.

In order to insure full containment, backflow devices must be installed immediately after the water meter. No connections shall be made between the meter and the backflow device. All installations shall be made by a duly licensed plumber of the Town of Oyster Bay or Town of Hempstead based on property location.

A New York State certified tester must test Backflow devices at least once a year. Records of such tests must be filed with the District as required by New York State law. The approval procedure is as follows:

**a. For Devices Less Than 2”:** The applicant must file with the District an application on the current New York State Health Department form, together with plans and specifications for the installation of the proposed backflow prevention device. Copies of the form, typical plans previously approved by the Nassau County Department of Health, and specifications for the installation of the backflow devices, as well as a list of devices acceptable to the New York State Department of Health for containment control are available from the District.

**b. For Devices 2” and Larger:** A separate application must be made to the Nassau County Department of Health and a copy filed with the District. After approval is obtained from the Department of Health, the customer shall have the backflow prevention device installed 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. At the completion of the installation, and within forty-five (45) days, the device shall be tested by a Certified Backflow Prevention Device Tester. A report of the results of the test shall be submitted to the District within thirty (30) days of the test.

## **Section 6.12 TECHNICAL REQUIREMENTS**

### **a) New Water Supply Connections**

1. Residential services connected to the potable water system shall have an approved reduced pressure zone (RPZ) backflow prevention device or double-check valve (DCV). Devices shall be installed in an appropriate meter pit or other approved location on all new water supply connections supplying water to any residential premises. This applies only to single family homes.

2. Non-residential services connected to the potable water system of the District shall have an RPZ backflow prevention device.

### **b) Existing Water Supply Connections**

Retroactive hereto, an approved backflow prevention device shall be retrofitted in an appropriate meter pit or location as approved by the District for all existing water supply systems or services, which include but are not limited to:

1. An irrigation system;
2. A private well that is interconnected or has the potential to be interconnected with the public water supply;
3. A solar heating system; and
4. Any system rated aesthetically objectionable and/or hazardous by the Nassau County Department of Health or the District. The same retrofit requirements apply to all industrial, commercial and other nonresidential structures.

### **c) Maintenance Requirements**

1. General Requirements: It shall be the responsibility of the building and premises 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 bypassing the backflow devices. The owner at his sole cost and expense is responsible for complying with the New York State and Nassau County Department of Health's Rules and Regulations for control of backflow and cross-connections.

2. Testing and Repair of Backflow Prevention Devices : Non-Residential will have their devices tested annually in accordance with the schedule established by the District. Residences will have their devices tested annually in accordance with the schedule established by the District. A charge of in accordance with the latest fee scheduled adopted by the Board of Commissioners will be put on any account that the District has to test due to lack of compliance on the owner's part.

A New York State Department of Health Certified Backflow Prevention Device Tester shall conduct testing. Each backflow device tested shall bear an inspection certificate tag indicating the date of the latest test and the name and address of the Certified Tester who conducted the test. The owner or tester shall file a report of the test on the appropriate Department of Health form with the District within thirty (30) days of conducting the test. Any device, which fails a test, shall be repaired and retested within thirty (30) days.

### **Section 6.13 *Violations and Penalties***

1. Notification of Violation: The District shall notify the owner, or authorized agent of the owner, of the building or premises in which there is found a violation of this ordinance, of such violation. 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 defect corrected by the end of the specified time interval the District may, if in their judgment 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. Penalties: The owner or authorized agent of the owner responsible for the maintenance of the plumbing systems in the building who knowingly permits a violation to remain uncorrected after the expiration of time set by the District shall, upon conviction thereof by the court, be required to pay a fine as per the current District schedule of charges, for each violation. Each day of failure to comply with the requirements of the ordinance, after the specified time interval, shall constitute a separate violation.

## **ARTICLE VII - MAINS, HYDRANTS AND FACILITIES**

### **Section 7.1 *Relocation of Hydrant***

Any person or corporation requesting the relocation of a hydrant, must first petition the Board of Water Commissioners by letter giving them the location and reason for relocating. After the Board of Water Commissioners or their representative has become familiar with the condition, the petitioner will be so notified. The cost of such relocation will be estimated and the amount paid to the Hicksville Water District before such work shall be done.

### **Section 7.2 *Location of Mains***

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 for a water tap. In granting such request, the District assumes no obligation or liability in connection therewith due to inability to locate such main and the applicant by making such request, expressly assumes all responsibility to his agent or employee in the event of such inability to so locate the main.

### **Section 7.3 Use of Hydrants**

No person shall open or interfere with the fire hydrants or draw water there from without permission from the Board of Water Commissioners, except to fight fires or at fire drills, tournaments or approved use by the District. Special hydrant use permits may be granted at the District office. The cost of using a hydrant , plus the refundable deposit for the rental of a hydro storz cap will be in accordance with the latest fee scheduled adopted by the Board of Commissioners. For those who need the Hydrant permit in effect for the entire year, the fee will be in accordance with the latest fee scheduled adopted by the Board of Commissioners . A fine in accordance with the latest fee scheduled adopted by the Board of Commissioners will be imposed for any illegal use of water, for each and every day that the violation occurs and continues without the proper permits. Municipal entities must use hydrants as designated by the District.

### **Section 7.4 Owners Responsibility**

Owners of premises whereon water is used will be held responsible for the water charges of their tenants and the water charges shall be a lien upon the property for the use of which the water is supplied. Whenever it shall be found that any other than the pipes approved by the Water Commissioners have been laid, the connection shall be removed and the water cut off. Such connection shall not again be made until the proper pipe is laid and all expenses and damages paid by the owner of the property.

The Board of Water Commissioners and its agents are authorized to enter upon any premises at any time for the purpose of inspecting or shutting off the curb cock or gate valve, and for the inspection, repair and reading of water meters, and the application for water.

### **Section 7.5 Penalties**

Any person violating these ordinances or any section thereof shall be liable to a penalty fine as per the current District schedule of charges per day for each and every day that a violation is committed or continues on suit by the Board of Water Commissioners to recover the same, and a consumer shall also have their supply of water cut off until such penalty is paid. Each day that a violation continues shall be deemed a new and distinct violation of these ordinances.

### **Section 7.6 Damage to Mains, Service Line and Appurtenances**

Any contractor, plumber, municipality or public utility laying or installing appurtenances of any kind along any road or highway within the boundaries of the Hicksville Water District, causing damage to any service lines or mains or appurtenances belonging to said District, must, at their own expense, repair the same under the supervision of the District's Engineer or other authorized designee or employee. Any service being so damaged or ruptured during or as a result of the above mentioned work must be replaced with new pipe between any two (2) nearest shut off points.

**Section 7.7 Emergency Curtailment of Use-Penalty for Failure or Refusal to Comply**

In the event of an emergency or whenever, in the opinion of the Board of Commissioners, the water pressure or the supply of water shall be reduced or is likely to be reduced so that the general welfare, health or safety is affected or is likely to be affected, the Commissioners may order and direct such curtailment of the use of water or facilities of the District as they may deem necessary. Notice of such order or direction curtailing the use of water may, be given personally, by any officer or employee of the District, or by mail. Publication of such order or direction in the official newspaper of the District on one occasion shall be deemed due notice to all consumers of the District.

In the event that any consumer shall fail or refuse to comply with such order or direction after any of the, notices heretofore provided shall have been given, he shall be subject to a civil penalty, as per the current District schedule of charges per day for each and every day that a violation is committed or continues, payable to the District, and the water supply furnished to any such violating consumer may be discontinued until such penalty, together with all other charges, fees and deposits, shall be paid. Each day that a violation continues shall be deemed a new and distinct violation of these ordinances.

**Section 7.8 Air Conditioning Systems**

Unless an applicant receives a special permit, no air conditioning system shall be connected to the District Water system unless it is the re-circulatory type. District water shall be used only for the initial filling of the installation, makeup required for evaporation, or flushing purposes. Any special permit will require recharged water via a system and to a depth required by the District. All air conditioning installations requiring the use of water shall require a permit from the District.

**Section 7.9 Liability for Damages**

The District, its officers and/or employees assume no responsibility for any damages, injuries or leakage that may result from a decrease or increase in pressure or a discontinuance of the water supply, and said supply may be cut off, discontinued or pressure increased or decreased at any time without notice to the Consumer.

**NASSAU COUNTY CIVIL DIVISION ACT  
WATER COMMISSIONER  
CHAPTER 220**

Approved June 15, 1981, effective September 1, 1981 An Act to amend the Nassau County civil divisions act, in relation to the powers and duties of Water Commissioners in Nassau County The People of the State of New York, represented in Senate and Assembly, do enact as follows:

*Section 1.* Section 225.4 of chapter two hundred seventy three of the laws of nineteen hundred thirty-nine, constituting the Nassau County civil divisions act, is amended by adding a new sub-division (h) to read as follows:

(h) May from time to time adopt ordinances, rules and regulations

(1) relating to the operation of the water district and the use of water therein, including but not limited to the regulation of cross connections, the operation, manner of construction, alteration, removal and inspection of the water mains, lateral mains and water service mains, the plumbing system in all existing and proposed buildings and structures, the manner in which connections shall be made to the water mains, lateral mains and water service mains, the type of materials to be used therefore, and (2) prohibiting any construction, alteration or use of any materials, which do not comply with such ordinances, rules and regulations.

The Board of Commissioners may enforce the provisions of the ordinances, rules and regulations by the imposition of a fine in an amount not exceeding two hundred fifty dollars for each violation, and may also maintain an action in a court of 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 2.* This act shall take effect on the first day of September next succeeding the date on which it shall have become a law.

## **ARTICLE VIII - AMENDMENTS AND EFFECTIVE DATE**

### **Section 8.1 Amendments**

The right to change or amend these ordinances at any time in a manner provided by law.

### **Section 8.2 Revocation of Previous Ordinances**

All ordinances, rules, and regulations, resolutions, orders and direction heretofore issued by the Board of Commissioners are hereby revoked, cancelled and annulled insofar as they shall be inconsistent with any of the written ordinances.

### **Section 8.3 Effective Date**

The foregoing ordinances of the Hicksville Water District duly adopted by the Board of Commissioners of the District on the 13<sup>th</sup> day of December 2022, are effective and in force from the moment of their adoption.

**Hicksville Water District  
Board of Commissioners**

**Nicholas J. Brigandi - Chairman  
William E. Schuckmann -Treasurer  
Karl M. Schweitzer - Secretary**