The following Terms and Conditions made by the Alfred Water District and filed with the Maine Public Utilities Commission constitutes a contract between the Customer and the Utility. The Customer agrees to adhere to these Terms and Conditions and to take water only for purposes stated in the application and at the established rates.

DEFINITIONS

The word “Commission” refers to the Maine Public Utilities Commission.

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

The word "Main" means a water pipe, owned, operated and maintained by the Utility, which is used to transmit or distribute water up to the curb stop.

The term “Curb Stop” refers to the water service shut off valve usually located in the piping near the curb (between the water main and the building).

The term "Customer Service Pipe" refers to the pipe from the curb stop to the premises of the Customer.

The word "Utility" refers to the Alfred Water District.

The phrase “Seasonal Customer” refers to a person who regularly takes water service for a portion of the year and regularly vacates the premises for at least three consecutive months per 12-month period. They are subject to regular quarterly minimum and excess usage charges. Charges for partial quarter will be prorated by the number of months being served.

1. APPLICATION FOR SERVICE Pursuant to Chapter 620 of the Commission’s Rules and Regulations, the owner or the owner’s agent, or the occupant of the establishment to be served may apply for service on forms provided by the Utility.  If seasonal rental property, only the property owner may be an applicant for service.  Any tenant may become a Customer if the tenant assumes responsibility for future service under the conditions set forth in Title 35-A MRSA §706(2), Chapter 660, Sec. 10(I)(2) of the Commission’s Rules and Regulations, and under Section 11 below.  If a new service connection or other work on the establishment is required, the owner must authorize the Utility to enter the premises to do the necessary work. If the requesting party takes no action to install a water service or have a meter installed after one year following a signed service application is accepted, the application shall be voided and reapplication will be required.

2. SEASONAL CUSTOMER A seasonal Customer will be subject to the rules and charges of seasonal rates in effect. A seasonal customer will be billed for a minimum of three months of each year. All seasonal customers will be subject to a disconnect/reconnect $80.00 service charge for that season. The fee will be rendered immediately at the beginning of the service period. Fees will be waived for non-profit entities.

A seasonal customer who has not reconnected the meter for twelve months or more will no longer be a seasonal customer and will have the account closed. The Utility’s acceptance of a reapplication will be conditional on a written commitment to pay billing for a minimum of three months each year and having the meter reinstalled each year. If the premises are to be vacant in the months of December through March, the meter and backflow MUST be removed by a District employee.

Seasonal customers must contact the Utility Superintendent at least 24 hours in advance of requesting water service being turned on or off.

At the end of the season, a bill will be prepared and any balances owed will be due immediately and payable within 30 days.

3. BILLING PROCEDURES Annual metered rate charges are normally billed quarterly. The Utility does reserve the right to render bills monthly if it so desires.

Minimum meter charges for annual metered service shall be billed quarterly in advance and water used in excess of the minimum will be billed in arrears at the end of the billing quarter.

Seasonal minimum meter charges will be billed and due immediately after the meter is set for the season. Bills for water used in excess of the minimum amount will be billed immediately after the final reading for the season. The Utility reserves the right to render bills quarterly for excess water used by seasonal Customers.

Public and private fire protection charges shall be due in advance, each year, on a quarterly basis.

All bills shall be payable at the office of the Utility or at any designated collection station. Failure of the Customer to receive his/her bill does not relieve him/her of the obligation of its payment nor for the consequences of non-payment.

4. CREDIT AND COLLECTION PROCEDURES All credit and collection procedures for both residential and nonresidential Customers will be based upon Chapter 660 and Chapter 870 of the Commission’s Rules and Regulations. The Utility may demand a deposit from a Customer as permitted by Chapter 660.  Pursuant to Chapter 870, the interest rate on Customer deposits shall be the rate set from time to time by the Commission.

The District will enforce its lien rights in accordance with 35-A M.R.S.A, §6111-A, and §6414-A to collect a past due water bill.

5. DISCONNECTION OF LEASED OR RENTED PROPERTY Before disconnecting a leased or rented single-meter, multi-unit residential property, the Utility shall:

1. Comply with the notice requirements in Chapter 660 of the Commission’s Rules and Regulations; and
2. Assess, against the landlord, a collection fee of $80.00 in addition to any applicable reconnection fee set forth in Section [6] of these Terms and Conditions; and
3. At the Utility’s option, the Utility may separately meter or cause to be separately metered each dwelling unit within the property at the landlord's expense; and
4. Apply any existing deposit to the current account balance; and
5. File a lien authorized by Title 35-A M.R.S.A. §6111-A, and §6414-A; and

6. RESTORATION OF SERVICE The Utility will charge a Customer a connection fee to restore services at the Customer’s premises if service was disconnected for non-payment of bills, violation of these Terms and Conditions, fraudulent use of water, dangerous conditions (such as violation of code), violation of Commission rules or at the Customer’s request.

The connection charge is $40.00 for each resumption of service made during the normal business hours of 7 a.m. to 5 p.m., Monday through Friday. The charge during other than normal business hours is $80.00.

7. DISCONNECTION OF SERVICE AT CUSTOMER’S REQUEST The Utility will charge $40.00 during the normal business hours of 7 a.m. to 5 p.m., Monday through Friday. The charge during other than normal business hours is $80.00. Only Alfred Water District employees are allowed to remove meters, backflow preventers or other Utility equipment. Note: licensed plumbers shall be permitted to install a backflow preventer ONLY with permission from the Utility. The Customer is required to inform the District when an authorized non-employee of the District connects or disconnects the service. There is a charge of $20.00 to the Customer when an authorized non-employee of the District provides the service.

8. COLLECTION TRIP FEE If Utility personnel visit the Customer’s premises to disconnect service for non-payment and in lieu of actual disconnection the Customer pays or makes a payment arrangement for the entire past due balance, the Utility will charge a collection fee of $25.00 or the Utility’s reconnection charge, whichever is less.

9. TERMS OF PAYMENT All bills are due and payable upon presentation. A late payment charge may be made on any unpaid balance outstanding after 30 days from the postmark of any bill. The late payment charge will be the maximum amount allowed under Chapter 870 of the Commission’s Rules. Payments may be made at the office of the Utility or at any designated collection station. Failure of the Customer to receive his/her bill does not relieve him/her of the obligation of its payment nor from the consequences of non-payment.

10. CHARGE FOR RETURNED CHECKS The Utility will charge the Customer’s account for any check returned by the bank for reason of non-payment. The charge is the greater of $5.00 per check or the amount the bank charges the Utility, not to exceed $15.00. The Utility will furnish the Customer with proof of any bank charges in excess of $5.00.

11. UNAUTHORIZED USE OF WATER No Customer shall supply water to another, nor use it for any purposes not mentioned in his/her application without prior Utility approval. No Customer or his/her agent shall obtain water from any hydrant or other fixture of the Utility without prior approval. No Customer or his/her agent shall bypass any meter, nor restore service without Utility authorization, nor unreasonably interfere with Utility service nor otherwise take action to prevent the proper metering of water consumed by the Customer. In the event of the discovery of such unauthorized use of water, the Customer shall be immediately disconnected, pursuant to Chapter 660. In addition, the Utility shall be entitled to bill and recover from the customer or responsible person the cost of the estimated amount of water consumed, based on the Utility’s approved rates, plus interest a than annual rate of 5%. Where the unauthorized use of water has occurred, the Utility may also assess the Customer or responsible person a fee of $40.00 per hour with a minimum of one hour, for each service visit to the Customer’s premises necessary to investigate and address the unauthorized use of water, including removing the meter bypass, taking measures to prevent further diversion of water, and verifying that corrective measures have been taken and maintained. For service visits that occur during other than normal business hours, the fee will be $80.00 per hour with a minimum one and one-half hour charge. In no case shall the total of such hourly fees exceed $100.00 In addition, pursuant to Title 35-A MRSA §2706 as amended or replaced, the Customer or person responsible for the unauthorized use may be liable in a civil action to the Utility for all other reasonable costs to the Utility, including attorney’s fees, costs of undertaking and completing the investigation resulting in the determination of liability, and for a civil penalty not to exceed twenty five hundred dollars ($2,500.00), due and payable to the Utility for each violation.

12. MAINTENANCE OF PLUMBING A Customer must maintain the plumbing and fixtures within his/her own premises in good repair and protect them from freezing or from heat damage. If damage does occur, the Customer is liable for any expenses incurred plus the cost of the water lost.

13. NO TAMPERING WITH UTILITY PROPERTY No person may tamper with Utility property. No valve, shutoff, hydrant, standpipe or other equipment, which is the property of the Utility, will be opened or closed or otherwise operated by other than persons authorized by the Utility.

14. ACCESS TO PREMISES Employees of the Utility having proper identification shall have access to all premises supplied with water, at all reasonable hours to permit the inspection of plumbing and fixtures, to set, remove or read meters, to ascertain the amount of water used and manner of use, inspection of cross-connection prevention and to enforce these Terms and Conditions.

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

16. SERVICE INTERRUPTION The Utility will provide notice of any planned shut-off to affected Customers at least twenty-four hours in advance of the interruption of service. The Utility will give notice of any unplanned shut-off when practicable. If a Customer requests, the Utility will make a pro rata reduction in the Customer’s minimum bill if service is interrupted for longer than forty-eight hours and the interruption is not the Customer’s fault.

17. METERING Except as provided in Chapter 620 of the Commission’s Rules where there is more than one occupant of a building supplied with water, the Utility may require the owner to arrange the plumbing to permit separate connections with shutoffs and meters in locations acceptable to the Utility, for each place of business or abode.

A new meter pit is NOT allowed. The meter must be located out of the ground in a safe, accessible location and protected from freezing.

18. METER TESTING The Utility will test its water meters according to the schedule and standards in Chapter 620 of the Commission’s Rules. Upon Customer request, the Utility will test the Customer’s water meter in the presence of the Customer or representative, at no charge unless the Customer requests more than one test in an 18-month period. If the Customer requests a test more frequently, the Utility may require the Customer to pay a deposit to cover the cost of the test. If a meter tested at the Customer’s request does not conform to standards, the Customer’s deposit will be refunded and the Utility will adjust the Customer’s bill according to the provisions of Chapter 620. If the meter conforms to standards, the Utility may keep the Customer’s deposit and continue to use the meter at the Customer’s premises.

19. SUBMETERING Additional or auxiliary meters for showing subdivision of water use must be furnished, installed, read and Maintained at the Customer’s own expense.

20. STOP VALVE Every service must be provided with an operable stop valve located inside the building near the service entrance, easily accessible, and protected from freezing. All plumbing must be installed to prevent back-syphonage and to permit draining whenever necessary.

21. CROSS CONNECTIONS No cross connection between the public water supply system and any other supply will be allowed unless properly protected in accordance with the directives and rules of the State Bureau of Health, and no new cross connection may be installed without the approval of the Bureau and the Utility. In addition, no connection capable of causing back flow between the public water supply system and any plumbing fixture, device or appliance, or between any waste outlet or pipe having direct connection to waste drains will be permitted. If the owner of such a connection fails or refuses to break or properly protect the connection within a time limit specified by the Utility, the Utility may disconnect the service according to Chapter 620 of the Commission’s Rules. The Utility’s cross connection rules are on file at the Utility office.

22. FLUCTUATION OF PRESSURES BY CUSTOMER’S APPARATUS A Customer may not install or use any device which will affect the Utility’s pressure or water quality without prior Utility permission.

23. SAFEGUARDING DIRECT PRESSURE WATER DEVICES AND SYSTEMS SUPPLIED BY AUTOMATIC FEED VALVES Customers must install vacuum, temperature and pressure relief valves or cutouts to prevent damage to a direct pressure water device or secondary system supplied by an automatic feed valve.

24. UTILITY JOBBING A Customer must complete a written application before a Utility will provide unregulated Utility service. The Customer must pay a deposit equal to the Utility’s written estimate. The Utility will return any excess deposit upon completion. If the final cost exceeds the deposit, the Customer must pay the additional amount upon completion.

Any jobbing work done by the Utility shall be at the rate of $50.00 per hour plus parts and applicable taxes.

25. WINTER CONSTRUCTION No new service or extension of Mains will be installed for the convenience of a Customer during winter conditions which increase the cost of the work for the Utility unless the Customer assumes all extra expense over ordinary construction costs.

Customers are responsible for keeping pipes and Utility equipment from freezing. Equipment damaged by freezing will be repaired or replaced at the customer’s expense.

26. JOINT USE OF SERVICE PIPE TRENCH Water Service Pipes will not be placed in the same trench with other Utility facilities. A horizontal separation of ten feet will be provided. Where extenuating, unusual or special circumstances are encountered, a lesser separation of joint use of trench may be allowed if all parties agree provided that the installation complies with all applicable laws, rules and regulations.

27. PUBLIC FIRE PROTECTION Public fire protection includes the sprinkler system at the Town Fire Station, since none of the town fire equipment would be available unless the station is useful. Fire hydrants may not be used for any purpose other than to extinguish fires unless prior permission is given by the Utility.

28. FIRE HYDRANTS Fire Hydrants must not be opened by any person other than an agent of the Utility or a duly authorized representative of the municipality. Refer to Item 13 in this Terms and Conditions document for consequences for unauthorized use or tampering.

29. PRIVATE FIRE PROTECTION Customers requiring private fire protection must contact the Utility to determine the availability of fire service at their location. Fire service, if available, will be installed at the Customer’s expense within the bounds of the public way or right of way. A hydrant installed in the public right of way becomes part of the public fire protection system.

A private fire hydrant, outside of the public right of way, must be maintained in service after it is put in use, except for necessary maintenance, which will be performed at the Utility’s expanse. The fire service line, after installation, will be owned and maintained in the public way or right of way by the Utility. Ready-to-serve charges for fire services are billed quarterly. The Utility does not guarantee any quantity of water or pressure available through a fire protection service. The owner of the service shall determine, from time to time, the adequacy of supply through the fire service by conducting tests of his private system. Timely notice must be given to the Utility so a representative of the Utility can be present to observe the test.

When water is disconnected for non-payment at a property with a sprinkler system installed:

1. The Utility will follow current PUC standards for non-payment, and
2. The Utility will notify the Fire Chief of Alfred, and
3. The owner of the property will indemnify, defend and hold harmless the Alfred Water District and its trustees and employees from and against any and all demands, claims, and damages to persons or property, losses and liabilities, including reasonable attorney's fees, arising out of or caused by disconnection of water service to a sprinkler system for non-payment.

30. CUSTOMER SERVICE CONSTRUCTION Customers will pay for all costs associated with the installation of service lines. Only a contractor approved by the Utility will excavate and install service lines. Any materials provided by the Utility will be paid for in advance by the customer. A licensed operator, from the Utility will be present during the installation and the required testing of the service line (labor of the operator will be billed to the customer). The operator will inspect and approve all materials installed for quality and compatibility with the currently used Utility materials, at the rate of $40.00 per hour during the normal business hours of 7 a.m. to 5 p.m., Monday through Friday. The hourly charge during other than normal business hours is $80.00.

31. UTILITY USE OF CUSTOMER’S METERED WATER The cost of customer’s metered water used for utility purposes will be abated by the Superintendent or Trustees.

32. WATER SUPPLY DURING POWER OUTAGES The Utility has decided to provide an additional benefit to the residents of Alfred (outside the District). When their private water supply is disrupted by a power outage, the Utility will supply water free of charge. The Alfred Fire Department agrees to manage this use.

33. MAIN EXTENSIONS Alfred Water District does not participate in the cost of main extensions or in the cost of new customers’ meters pursuant to 35-A M.R.S.A. §6106.