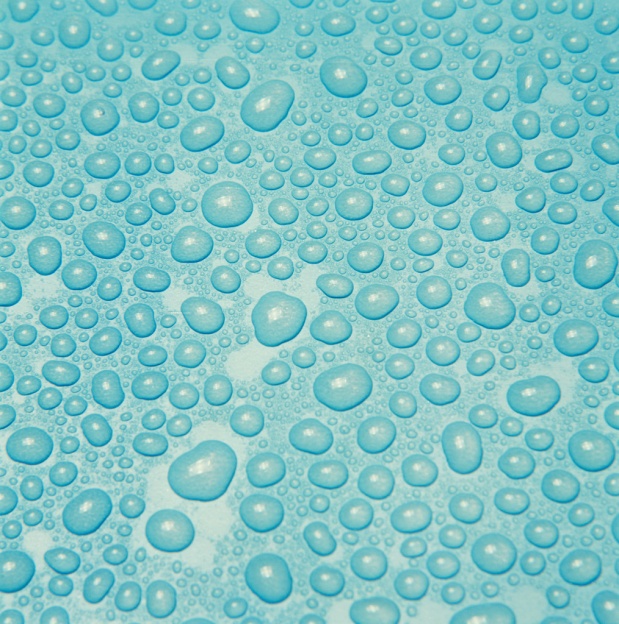


**Water Department**

**Regulations**



April 30, 2019

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# Definitions

The term “Water Department” refers generally to the persons charged with the operation and maintenance of the municipal water supply system of the Village of Candor. It includes, as the context may require, the Board of Trustees of the Village of Candor, any committee of said Board vested with the oversight of said system, the Chief of Public Works, and any employees charged with responsibilities for the operation of the system, including, but not limited to, any billing clerk and meter reader.

The “Chief” means the “Chief of Public Works of the Village of Candor” or any other person charged by the Board of Trustees with the general supervision and oversight of the water system.

# Section I. Service Connections

1. The Village of Candor will own the responsibility of the providing service from the water main to the shut-off valve, maintaining it and all costs associated with it. The property owner will own the responsibility from the shut-off to the dwelling and all costs associated with it. The shut-off valve shall be located within the Village right-of-way whenever possible. The Chief of Public Works shall make the final decision as to where shut-off valves shall be located.
2. The owner of the property into which water is introduced by a service pipe will be required to maintain in perfect order and repair at his own expense said service pipe and its fixtures and appurtenances, including all fixtures therein provided for delivering or supplying water for any purpose. And in case said service and fixtures are not so kept in perfect repair, the Chief of Public Works or other Village employee may shut off the supply of water there without notice or may make necessary repairs, and the expense incurred shall be a lien against the property.
3. All supply lines from the public mains to the meter on any premises shall be type-K soft copper tubing, or the equivalent, with bronze compression fittings, Ford brand, or the equivalent. Lines larger than two inches will be ductile iron.
4. All service lines will be laid with a minimum of four-foot cover wherever the depth of the water main permits. Lines will not be covered until inspected by the Chief of Public Works, or a representative of his, and found to be satisfactory.
5. The Board of Trustees may serve a written notice, either personally or by mail, as provided in Section 21-2100 of the Village Law, upon the persons mentioned herein or may cause a notice to be published in the official newspaper of the Village, requiring the owners or occupants of any and all property fronting or abutting on any street or portion thereof in or upon which any public water main or distributing pipe is about to be laid or is being laid or has been laid by said Board to make and lay connection pipes to and from the water mains or distributing pipes in said street or any portion thereof in front of or upon each separate piece of property and, where directed by said Board, within such time and in such manner and under such inspection as said Board shall prescribe, and whenever any such owner or occupant shall have made default in making such connections with said water mains or distributing pipes opposite the lands and premises owned or occupied by him or whenever such owner or occupant shall have made default in repairing supply pipes connecting with mains opposite or upon the land and premises owned or occupied by him as directed in and required by said notice, therefore, in the manner and within the time specified, said Board shall have power and authority to so make, extend, and complete the same, and the actual expense thereof, including all labor done and materials used in doing and completing the same, shall be assessed by the Trustees of the Village upon each separate piece of property opposite or upon which the same shall be done and completed and shall be a lien or liens on said premises and lots of land, respectively, and shall be included in the annual tax levy for the fiscal year beginning the following June 1, and when so collected, the amount thereof shall be paid into the Water Fund of the Village. Nothing herein contained shall be construed to prevent the financing, in whole or in part, pursuant to the Local Finance law, of any expense incurred by the Village pursuant to this section.
6. Water will not be supplied to two or more buildings fronting on the same street from a single service line.
7. A service line, when abandoned for reasons of installing a larger service or for any other reason, will be shut off at the main corporation valve by the Water Department, and all costs of same shall be charged to the property owner.
8. All supply lines, connections, and fittings from the street or right-of-way line to and including the water main on the premises served must be made with the consent of, and subject to, the supervision of the Chief of Public Works. The installations thereof shall be made by and at the expense of the owner of the premises to be served.
9. For an original installation of such service connections, no service charge shall be made to the Village residents; however, installation of such service connections outside the Village limits shall be charged $250.00 from the shut-off to the residence, payable in advance by the owner of the premises to be served. This may be changed by the Board of Trustees provided that it shall be uniform to all owners while in effect.
10. Whenever service pipes or connections are in such condition as to cause excessive waste of water, the Water Department may direct the owner of the premises serviced to repair or replace same. Failure to do so within a period specified by the Water Department, or within a reasonable time if no period is specified, shall be grounds for the discontinuance of water service.
11. A charge of $20.00 will be made for turning on water service, but this charge will not apply in the case of original installation of water service, or in a case where the water has been turned off for the purpose of making repairs or improvements to the water system of the owner of the premises.
12. The property owner shall be fully responsible for thawing any service pipes that become frozen from the shut-off valve to the dwelling. If the service pipes become frozen from the shut-off valve to the water main, the Water Department may endeavor to thaw the pipes at no charge to the customer once per winter season if the Water Department determines that the freezing of the pipe generated from water main. A winter season shall be considered to extend from October 1 to April 1. The Water Department is not obligated to thaw a frozen pipe and is not liable for any action in attempting to thaw the service, including any defect in the water service prior to or resulting from the freezing. In the event that the service cannot be thawed by the Water Department in a reasonable amount of time, the customer shall be responsible for thawing the pipes. The Water Department will not attempt to thaw a frozen service more than once per winter season.  
      
    After the Water Department thaws a pipe, it shall be the responsibility of the property owner to leave water flowing to prevent the pipes from refreezing. The water bill will be adjusted to compensate for this by using an average of the last four quarterly billings. If the Village is not notified of water left running, the bill will not be adjusted.
13. Whenever (a) the owner of a premises informs the Chief of Public Works that a water service is no longer required at the premises, or (b) that no water service has been used for a period of at least one year and it appears to the satisfaction of the Chief of Public Works that future use of such service in unlikely, the service may be turned off at the corporation stop.
14. No person or persons except the Chief of Public Works or employees of the Water Department shall open or close any valve or gate in the street mains or molest or interfere with the same in any manner whatsoever. No person or persons shall open, interfere with, or draw water from any fire hydrant in the Village water system without a permit, except that hydrants may be opened by or on order of any member of a fire department in case of fire. Whenever a hydrant has been opened and used, notification of such fact shall be promptly given to the Chief of Public Works.

# Section II. Water Meters

1. Whenever a new installation of water service is made, the Water Department shall furnish and install at its own expense,a suitable meter for the measurement of the quantity of water consumed on the premises to be served, except that where changes in the piping are necessary in order to make such installation, the expense of such changes shall be borne by the property owner. Such meter shall remain the property of the Water Department and shall be under its exclusive control. If, however, a water meter larger than 3/4” capacity is required, such meter shall be supplied by the owner, and shall remain his property.
2. The Water Department shall, at its own expense, repair and at its discretion, may replace all water meters owned by the Department, except that where a meter has been damaged through misuse or neglect, the expense of such repair or replacement shall be a fee of $25.00 per installation, plus the cost of the meter or reader, and shall be charged to the property owner. If the meter is privately owned and is found to be defective or damaged, it shall be the duty of the owner to repair or replace the same as required by the Water Department. Failure to repair or replace the same shall be grounds for discontinuance of water service.
3. The location of meters will be determined by the Chief of Public Works.
4. Meter heights will not be more than four feet above the floor level and not less than two feet above the floor level.
5. Meter size will be determined by the Chief of Public works.
6. Meters will be set with the water inlet and outlet in a horizontal position.
7. All water meters, whether owned by the Water Department or by the owner of the premises served, shall be installed as nearly as possible to the point where the service pipes enter the premises, and in a place easily accessible for reading and inspection. When necessary, the Water Department may relocate meters to conform to these requirements and the expense of such relocation shall be charged to the property owner.
8. The Water Department may, at any reasonable time, enter upon the premises served for the purpose of reading, inspecting, testing, repairing, replacing, or relocating the water meter. No one, except a person authorized by the Water Department, shall, at any time or in any manner, interfere or tamper with such a meter, whether owned by the Water Department or by the property owner.
9. Meters will be tested by the Water Department upon the application of the consumer and upon payment of a fee of $10.00. If the meter tests not more than 3% fast on full or half flow, the payment shall be forfeited to the Water Department; but if the meter tests more than 3% fast, a proportionate allowance will be made on all bills not more than six months old, and the fee shall be returned to the consumer.
10. Whenever a meter is to be installed in a mobile or modular home, a metering pit that contains the meter and all required piping will be required, and the expense of such metering pit, plumbing, and any cost associated with installation, shall be charged to the property owner.
11. Where any meter is damaged by freezing, backwash, or hot water or for any case through neglect or act of the consumer, the cost of repairing such meter so damaged shall be a charge upon the property owner where the meter is located.
12. In case of fire or an alarm of fire, or when necessary in making repairs or in making additions to the water works system, the Water Department reserves the right to shut off the water from the whole or any portion of the water works system, as it deems necessary, and to keep it shut off for such length of time as may be necessary.

# Section III. Rates and Collections

1. All rates and charges provided in this section shall be charged to the owner of the premises served, whether owner-occupied, occupied in whole or in part by a tenant or tenants, or in whole or in part by the owner of a mobile or modular home located on the premises.  
     
   The owner of the premises may, at his or her discretion, provide written consent on a form acceptable to the Village allowing the Village to send a copy of the water bill and/or other Water Department notices to the tenant(s) of the property, in addition to the property owner. If the property owner provides such written consent, the water bill and/or other notices shall be sent to both the property owner and the tenant. Under no circumstances shall such written consent relieve or otherwise diminish the property owner from complete and sole responsibility for payment of water bills, penalties or other charges, and compliance with the Water Department Regulations.
2. The charges for water consumed bi-monthly shall be as follows:

$37.60 **minimum flat** rate to each Village of Candor residential water customer

$39.48 **minimum flat** rate to each Village of Candor non-residential water customer

$45.13 **minimum flat** rate to each Village of Candor outside corporate limits residential water customer

$51.89 **minimum flat** rate to each Village of Candor outside corporate limits non-residential water customer

1. Water consumption rates **in excess of minimum usage**:

***Inside Village Residential Rates***

Village of Candor residential rates in excess of 500 cubic feet  
(consumption of water for 501-4,999 cubic feet):

$37.60 + (.038 x use, minus 500)

Village of Candor residential rates in excess of 5,000 cubic feet (consumption of water over 5,000 cubic feet):

$215.05 + (.023 x use, minus 5,000)

***Inside Village Non-Residential Rates***

Village of Candor non-residential rates in excess of 500 cubic feet (consumption of water for 501-4,999 cubic feet):

$39.48 + (.039 x use, minus 500)

Village of Candor non-residential rates in excess of 5,000 cubic feet (consumption of water over 5,000 cubic feet):

$225.81 + (.025 x use, minus 5,000)

***Outside Village Residential Rates***

Outside Village of Candor residential rates in excess of 500 cubic feet (consumption of water for 501-4,999 cubic feet):

$45.13 + (.044 x use, minus 500)

Outside Village of Candor residential rates in excess of 5,000 cubic feet (consumption of water over 5,000 cubic feet):

$260.65 + (.028 x use, minus 5,000)

***Outside Village Non-Residential Rates***

Outside Village of Candor non-residential rates in excess of 500 cubic feet (consumption of water for 501-4,999 cubic feet):

$51.89 + (.052 x use, minus 500)

Outside Village of Candor non-residential rates in excess of 5,000 cubic feet (consumption of water over 5,000 cubic feet):

$304.83 + (.034 x use, minus 5000)

The foregoing charges are 20% more for water service rendered outside the corporate limits of the Village of Candor ($45.13 flat rate minimum).

**BULK WATER RATES** for non-water customers shall be charged $50.00 per thousand gallons (133.69 cubic feet) of water on an individually approved basis only. A minimum of 1,000 gallons (133.69 cubic feet) shall be billed. Bulk water rates for water customers shall be charged at the above rate, less 10%, on an individually approved basis only for the special purpose of filling swimming pools, etc. from the Village hydrants. All filling activities shall be monitored by the Village of Candor Chief of Public Works or his designee.

1. The Board of Trustees may, from time to time, increase or reduce such fees by resolution.
2. All water meters shall be read by the Water Department within the first week following the bi-monthly period in which water was consumed, and the Department shall thereupon promptly render a bill for such water consumption. Such bills shall be due and payable thirty days from the date of the bill.
3. Bi-monthly billings shall begin on the first day of February, the first day of April, the first day of June, the first day of August, the first day of October, and the first day of December in each year. Failure to pay any such bill by the forty-fourth day following the rendition of the bill shall be sufficient cause for the discontinuance of water service.
4. If the water at any service is shut off for non-payment of water bills or charges, there will be a charge of $75.00 to turn the water on, which charge shall be in addition to the full payment of unpaid water bills, penalties, or other charges. Water will be turned on only during the Public Works Department’s normal working hours (Monday through Friday, 7:00 am - 3:00 pm).  
     
   If the water at any service is eligible for shut-off for non-payment of water bills or charges, but the Water Department, after attempt, cannot complete the shut-off due to inability to access the shut-off valve, multiple properties connected to a service, or for any other reason, there will be a charge of $75.00, which charge shall be in addition to the full payment of unpaid water bills, penalties, or other charges.
5. Whenever a bill for water service shall remain unpaid for a period in excess of thirty days from the date of the bill, there shall be added thereto a penalty equal to 18% of the amount thereof for the first month following such thirty-day period, and a further penalty equal to 1% of the amount thereof for each additional month or portion of a month that such bill remains unpaid.
6. Should the Water Department be unable to read a meter at the time of its regular call for such purpose, a bill shall be rendered to the consumer based on his consumption during the last recorded bi-monthly period, and the difference between such estimated consumption be the same, more or less, and the actual consumption at the time of the next bi-monthly reading.
7. The Water Department shall certify to the Village Treasurer prior to the 15th day of May each year, the amounts of all water bills remaining unpaid for service rendered prior to the 1st day of April, immediately preceding, with identification of the real property where such service was rendered, and also all charges for installation of water service, thawing service, installation, repair, or relocation of water meters, chargeable to the owner of the premises under the provisions of Section II hereof, which have remained unpaid for a period of thirty days after rendition of a bill thereof, and the amounts   
   thereof shall be included in the annual tax levy for the fiscal year beginning the following June 1st and shall become a lien on said real property in the manner provided by the Village Law.
8. In any case where a meter fails to register the water used, the consumer shall be required to pay for such bi-monthly billing periods at least as much as the cost of the amount consumed at the premises averaged from the prior three bi-monthly billings.
9. Any person committing an offense against any provision in this handbook shall, upon conviction thereof, be guilty of a violation pursuant to the Penal Law of the State of New York, punishable by a fine not exceeding two hundred fifty dollars ($250.00) or by imprisonment for a term not exceeding fifteen (15) days, or by both such fine and imprisonment.

# Section IV. Water Service Outside Corporate Limits

1. With the approval of the Board of Trustees, the Water Department may furnish water service to premises located outside the corporate limits of the Village, upon such terms and conditions as it may prescribe, except that the rates for water consumed shall be governed by the provisions of Section III, Subdivision 2, hereof.
2. All provisions of these regulations shall apply to the owner and occupants of premises outside such corporate limits, except Section III, Subdivision 8.
3. A 20% levy shall be applied to all water customer billings outside the corporate Village limits.
4. Where a meter is installed outside of the corporate limits of the Village, the consumer shall pay an installation charge of an amount equal to the prevailing cost of a new meter to the Village, and the new meter so installed shall remain the property of the Village of Candor Water Department.

# Section V. Disconnection Notices

1. All delinquent water customers shall receive a Disconnection Notice indicating the amount of their outstanding water rents, including any penalties or other associated fees, and the date the outstanding balance must be paid to avoid disconnection of water service. The Disconnection Notice will also include the date the water service will be disconnected should full remittance not be made to the Candor Water Department, as well as the Water Commissioner’s home phone number to contact in any extenuating circumstances.
2. All delinquent water accounts shall have water service disconnected if payment in full is not made to the Candor Water Department by the notated date in the Disconnection Notice, or previous arrangements have been made through the Candor Water Commissioner, and the Water Billing Clerk, and the Water Operator have been notified of such approved arrangements.
3. Disconnection Notices shall be mailed on any day following the due date of the water bill, and the disconnection date shall be established to be one week following the date of the mailing. For example, if a water bill was due on November 1, the Disconnection Notice would be mailed the following week (e.g., November 5) and the disconnect day would be one week later, November 12.

# Section VI. Cross-Connections

Cross-connections will not be permitted between lines supplied with Village water and any other source of water supply, such as cisterns, wells, reservoirs or storage tanks.

# Section VII. Cross-Connection Control

1. Purpose: the purpose of this section is to safeguard potable water supplies by preventing backflow into public water systems.  
     
   It is recognized that there are varying degrees of cross-contamination hazard to the public water system and the degree of protection required should be commensurate with the degree of hazard.  
     
   This section shall comply with all the requirements of the New York State Sanitary Code 5-1.31.
2. Definitions: as used in this section, the following terms shall have the meanings indicated:  
     
   AIR GAP SEPARATION - A physical break between a supply pipe and a receiving vessel. The “air gap” shall be at least double the diameter of the supply pipe, measured vertically about the top rim of the vessel, and in no case less than one inch.  
     
   APPROVED CHECK VALVE - A check valve that seats readily and completely. It must be carefully machined to have free-moving parts and assured water tightness. The face of the closure element and valve seat must be bronze composition or other non-corrodible material which will seat tightly under all prevailing conditions of field use. Pins and bushings shall be of bronze or other non-corrodible, non-sticking material, machined for easy, dependable operation. The closure element, e.g., clapper, shall be internally weighted or otherwise internally equipped to promote rapid and positive closure in all sizes where this feature is obtainable.  
     
   APPROVED DOUBLE CHECK-VALVE ASSEMBLY - An assembly of at least two independently acting check valves, including tightly closing shut-off valves on each side of the check-valve assembly, and suitable leak-detector drains, plus connections available for testing the water tightness of each check valve. This device must be approved as a complete assembly.  
     
   APPROVED REDUCED-PRESSURE-PRINCIPLE BACK FLOW PREVENTION DEVICE - A device incorporating two or more check valves and an automatically operating differential relief valve located between the two check and two shut-off valves and equipped with necessary appurtenances for testing. The device shall operate to maintain the pressure in the zone between the two check valves less than the pressure on the public water supply side of the device. At cessation of normal flow, the pressure between check valves shall be less than the supply pressure. In the case of leakage of either check valve, the differential relief valve shall operate to maintain this reduced pressure by discharging to the atmosphere. When the inlet pressure is two pounds per square inch or less, the relief valve shall open to the atmosphere, thereby providing an air gap in the device. To be approved, these devices must be readily accessible for maintenance and testing and installed in a location where no part of the valve will be submerged. The enclosure must be self-draining so that the large amount of water which the relief valve may vent will be disposed of reliably without submergence of the relief valve. This device must also be approved as a complete assembly.  
     
   APPROVED WATER SUPPLY - The Village of Candor water supply or any water supply approved by the New York State Department of Health.  
     
   AUXILIARY WATER SUPPLY - Any water supply on or available to the premises other than the approved water supply.  
     
   BAROMETRIC LOOP - A loop of pipe rising approximately thirty-five feet, at its topmost point, above the highest fixture it supplies.  
     
   CERTIFIED BACK FLOW PREVENTION DEVICE TESTER - A person who presents proof of satisfactory completion of a training course for tests of back flow prevention devices which has been approved by the New York State Department of Health.  
     
   CROSS-CONNECTION - Any unprotected connection between any part of a water system used or intended to supply water for drinking purposes or any source or system containing water or a substance that is not or cannot be approved as equally safe, wholesome and potable for human consumption.  
     
   VACUUM BREAKER, NON-PRESSURE TYPE - A vacuum breaker which is designed so as not to be subjected to static line pressure.  
     
   WATER SUPERVISOR - the consumer or a person on the premises charged with the responsibility of complete knowledge and understanding of the water supply piping within the premises and for maintaining the consumer’s water system free from cross-connections and other sanitary defects, as required by regulations and laws.
3. Protection of the public water system at service connections.  
   1. Where protection is required.  
      1. Each service connection from the Village of Candor water system for supplying water to premises having an auxiliary water supply, shall be protected against back flow of water from the premises into the Village of Candor water system, unless the auxiliary water supply is approved by the Village of Candor and is satisfactory to the public health agency having jurisdiction as to quality and safety.
      2. Each service connection from the Village of Candor water system for supplying water to premises on which any substance is handled under pressure in such fashion as to permit entry into the Village system shall be protected against back flow of the water from the premises into the Village system. This shall include the handling of process waters and waters originating from the public water supply system which may have been subject to deterioration in sanitary, aesthetic or chemical quality.
      3. Each service connection from the Village of Candor water system for supplying water to premises on which a substance of unusually toxic concentration or danger to health is handled in liquid form, even though it is not under pressure, shall be protected against entry into the public system. Examples are factories using cyanide and hospitals or health care facilities.
      4. Each service connection from the Village of Candor water system for supplying water to premises in which there is installed a fire protection system or a permanently installed lawn sprinkling system shall be protected.
      5. Back flow prevention devices shall be installed on each service connection to any premises that has internal cross-connection unless such cross-connections are abated to the satisfaction of the Village.
      6. It shall be the responsibility of the water user and owner of the premises to provide and maintain these protective devices, and each one must be of a type acceptable to the New York State Health Department.
   2. Type of protection: the protective device required shall depend on the degree of hazard as tabulated below.  
      1. At the service connection to any premises where there is an auxiliary water supply handled in a separate piping system with no known cross-connection, the Village of Candor water supply shall be protected by an approved double check-valve assembly.
      2. At the service connection on any premises on which there is an auxiliary water supply where cross-connections are known to exist which cannot be presently eliminated, the Village of Candor water supply system shall be protected by an air gap separation or an approved reduced-pressure-principle back flow prevention device.
      3. At the service connection to any premises on which a substance that would be objectionable but not necessarily hazardous to health if introduced into the Village of Candor water supply shall be protected by an approved double check-valve assembly.
      4. At the service connection to any premises on which a substance of unusual toxic concentration or danger to health is or may be handled, but not under pressure, the Village of Candor water supply shall be protected by an air gap separation or an approved reduced-pressure-principle back flow prevention device. This device shall be located as close as practicable to the water meter, and all piping between the water meter and receiving tanks shall be entirely visible.
      5. At the service connection to any premises on which any material dangerous to health or toxic substance in toxic concentration is or may be handled under pressure, the Village of Candor water supply shall be protected by an air gap separation. The air gap shall be located as close as practicable to the water meter, and all piping between the water meter and receiving tanks shall be entirely visible. If these conditions cannot be reasonably met, the Village of Candor water   
           
         supply shall be protected with an approved reduced-pressure-principle back flow prevention device, provided that the alternative is acceptable to the Village.
      6. At the service connection to any premises in which a fire protection system is installed, the Village water supply shall be protected based on the water source and arrangement of supplies in accordance with the following classification:  
         1. Class 1: Direct connections from public water mains only; no pumps, tanks or reservoirs; no physical connections from auxiliary water supplies; no antifreeze or other additives of any kind; and all sprinkling drains discharging to the atmosphere, dry wells or other safe outlets. Protection: single check-valve assembly if not already installed in the system.
         2. Class 2: Same as Class 1, except that a booster pump may be installed in the connections from the street mains. Protection: single check-valve assembly if not already installed in the system.
         3. Class 3: Direct connection from public water supply main, plus one or more of the following: elevated storage tanks; fire pumps taking suction from above-ground covered reservoirs or tanks; and pressure tanks. Protection: approved double check-valve.
         4. Class 4: Directly supplied from public mains similar to Classes 1 and 2 and with an auxiliary water supply or available to the premises; or an auxiliary supply may be located within one thousand seven hundred feet of the pumper connection. Protection: approved air gap or reduced-pressure-principle back flow prevention device.
         5. Class 5: Directly supplied from the public main and interconnected with auxiliary supplies, such as pumps taking suction from reservoirs exposed to contamination or creeks and ponds; driven wells; mills or other industrial water systems; or where antifreeze or other additives are used. Protection: approved air gap or reduced-pressure-principle back flow prevention device.
      7. Lawn sprinkling systems. At the service connection to any permanently installed lawn sprinkling system, the Village water supply shall be protected by an approved double check-valve assembly. If the lawn sprinkling system handles liquid fertilizers or other chemicals, the Village water supply shall be protected by an approved reduced-pressure-principle back flow prevention device.
   3. Design and inspection of protective devices.  
      1. The design of the installation of an acceptable back flow prevention device must be prepared in accordance with New York State laws and regulations. The design  
         must be approved by the Village of Candor and all agencies required by the applicable New York State and Village of Candor laws and ordinances.
      2. The customer’s water system shall be open for inspection at all reasonable times to authorized representatives of the Village of Candor.
      3. It shall be the duty of the water user on any premises on account of which back flow prevention devices are installed to have competent inspections made at least once a year, or more often as required by the Village in those instances where successive inspections indicate repeated failure. These devices shall be repaired, overhauled or replaced at the expense of the water user whenever they are found to be defective. These tests shall be performed by a certified back flow prevention device tester, and all test results will be provided to the Village of Candor within seventy-two hours after the test is made.
      4. Records of such tests, repairs and overhaul shall also be kept and made available to the Village and the local health department upon request for at least ten years.
   4. Recourse for non-compliance.  
      1. No water service connection to any premises shall be installed or maintained by the Village of Candor unless the water supply is protected as required by state regulations and this section.
      2. Service of water to any premises may be discontinued by the Village if a back flow prevention device required by this section is not installed, tested, and maintained; if any defect is found in an installed back flow prevention device; if it is found that a back flow prevention device has been removed or bypassed; or if unprotected cross-connections exist on the premises, and service will not be restored until such conditions or defects are corrected.
   5. Emergency Shut-Off  
        
      In case of fire or an alarm of fire, or when necessary in making repairs or in making additions to the water works system, the Board of Trustees reserves the right to have the Chief of Public Works or a designee of the Water Department shut off the water from the whole or any portion of the water works system, as it deems necessary, and to keep it shut off for such length of time as may be necessary.

# Penalties for Offenses

Any person committing an offense against any provision of this chapter shall, upon conviction thereof, be guilty of a violation pursuant to the Penal Law of the State of New York, punishable by a fine not exceeding two hundred fifty dollars ($250.00) or by imprisonment for a term not exceeding fifteen (15) days, or by both such fine and imprisonment.