



Town of Blades
OFFICE OF MAYOR & COUNCIL
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**AN ORDINANCE REGULATING WATER SERVICE WITHIN THE TOWN OF
BLADES AND PROVIDING PENALTIES FOR VIOLATING THEREOF;**

BE IT ORDAINED by the Town Council of the Town of Blades in council met, in the manner following to wit:

Section1. All Dwelling Units and any other properties with improvements that are required to have municipal water service located within the corporate limits of the Town of Blades shall be connected to the Town of Blades municipal water supply and equipped with a standard use water meter, furnished by the Town of Blades, said water meter to be capable of handling the water requirements for the Dwelling Unit or improved property (hereinafter referred to a “Consuming Unit”). The meter type shall be determined solely by the Town of Blades. The Town, in its sole discretion, shall determine whether the water meter shall be a standard type for use by a residential homeowner or an industrial type for use by a business or commercial property owner. Where a Consuming Unit has more than one use (such as a rental apartment on the second floor of a commercial building or store) or where a property contains more than one Dwelling Unit (such as two or more rental units on a property), individual water meters shall be required for each Dwelling Unit/Consuming Unit and for each business or commercial property. The property owner shall pay an initial connect charge that is to be determined and updated by the Blades Town Council. The connect charge will include but not be limited to, the permit and tapping fee, the required pipe saddle, the approved water meter with pit housing, and the use of the tapping tool. In addition to the connect charge, an Impact Fee will be assessed in an amount to be determined and updated by the Blades Town Council. These charges shall apply to each individual water connection and must be paid and an installation permit obtained prior to connection. All related work and installation must be done by a plumber licensed and certified by the State of Delaware and under the supervision of and/or in the presence of a Town of Blades maintenance technician. The installation must be scheduled with the technician for a mutually

agreeable time. There shall be no use of existing home water wells to supply potable water and said well line systems shall not be cross connected with plumbing that would allow home well water to back siphon into the Town's water supply. Each and every Dwelling Unit, each and every Consuming Unit (residential, business or commercial) where there are one or more users or more than one rental unit, each and every Dwelling Unit that are rental units, each and every newly constructed Dwelling Unit/Consuming Unit shall pay the required fees and be connected to the Town of Blades municipal water system. If a property owner(s) does not comply with the Town of Blades municipal water connection/hook up requirements then written notice will be sent by the Town of Blades to the property owner(s) giving the property owner(s) sixty (60) days from the date the notice was mailed to connect/hook up to the municipal water system. Failure to connect/hook up to the municipal water system within sixty (60) days from the date the notice letter is mailed, may result in a fine of Twenty Five Dollars and No Cents (\$25.00) per day until said Dwelling Unit/Consuming Unit complies with the connection/hook up requirements.

Section 2. No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public water main or appurtenance thereof without first obtaining a permit from the Town of Blades,

Section 3. An application for a permit to install and connect a water service pipe to the Public Water Service shall be made by a plumber, licensed by the State of Delaware, who will install or supervise the installation of the water service pipe. The application shall be made on forms provided by the Town and shall be supplemented by any plans, specifications, or other information considered pertinent in the judgement of the Town Administrator. The application shall be signed by the licensed plumber and the owner of the building having the water service pipe connected thereto. If approved, the application will be signed by the Town Administrator or his authorized agent and will constitute a permit.

Section 4. An application for a permit shall be made to increase the size of an existing service. The cost of increasing the size of service shall be borne entirely by the applicant.

Section 5. A separate and independent water service (and meter pit) shall be provided by the owner for every Consuming Unit.

Section 6. Use of water shall be confined to the premises named on the permit. No customer shall supply another with water nor shall he use it for any other purpose not listed on the permit application.

Section 7. Any such dwelling, building, or property as classified in this Ordinance may be supplied by two (2) or more water meters, each of which for billing by the Town shall be considered as being One (1) customer account.

Section 8. All costs and expenses incident to the installation and connection of the water service pipe shall be borne by the owner. The owners shall indemnify The Town of Blades from any loss or damage that may directly or indirectly be occasioned by the installation of the water service pipe.

Section 9. The customer's water supply system shall be designed, installed, and maintained in a manner that will prevent the contamination of the water supply. No new wells, for potable or non-potable water, may be drilled in the Town of Blades without the written authorization from the town.

A. With regards to Blades Water Ordinance 411, it is hereby recognized that privately owned water wells at parcel number 1.32-1.12-027.00 and parcel number 1.32-1.12-063.00 are allowed to remain as a part of the conditions of the water ordinance. Regarding any other existing wells in town that were put in prior to Water Ordinance 411, they too cannot be enlarged or redeveloped once they fail to produce water. They too must be capped and/or abandoned. Furthermore, any existing, privately owned wells in town, actively producing or not, must be capped and/or abandoned upon the sale or transfer of said property. This eliminates any false representation of the well as being a condition of said sale.

Amendment proposed by Councilman Joseph M. McCabe. Upon successful passing of said amendment, owners of all private water wells will be sent a copy of the ordinance. Amendment to Water Ordinance #411; Passed by a motion of Council on September 8th, 2003 at the regular monthly Town Council Meeting.

Section 10. No water for potable or non-potable use may be piped in above or below ground into the Town of Blades from a source outside of the Blades' town limits, or projected into the town in any manner without written authorization from the Town of Blades.

Section 11. The connection of the water service pipe to the water meter and the size, alignment materials of construction of the water service pipe, and the methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling the trench, shall all conform to the requirements of the Water Service Pipe Connections Code of the Town of Blades.

Section 12. The owner shall make all connections to the water mains, furnish and install the water service lines from the water main to and including the curb stop and box, which shall be placed in the ten (10) foot easement and not in the driveway or sidewalk/walkway.

A. The owner shall be responsible for ensuring the water service pipe is installed in accordance to the Water Service Pipe Connection Code for the Town of Blades.

B. The owner will be responsible for the water lines from the building(s) connecting to the water meter pit. The property of the town is the water lines from the water main to where the service line enters the meter pit.

Section 13. The applicant for the water service pipe permit shall notify the Town when the water service pipe is ready for inspection and connection to the public main. The connection shall be made under the supervision of the Town of Blades authorized representative.

Section 14. All excavations for water service pipe installation shall be adequately guarded with barricades and lights at night so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Town.

Section 15. All water meters shall be supplied by the Town and kept in repair, except the owner of the building served shall be responsible for any damage caused by negligence of the owner or tenant. The Town shall determine in each case of damage, the cause and cost of replacement or repair.

Section 16. No meter or bypass valve shall be disconnected from the pipes, moved, disturbed, or seal broken by any person except an authorized employee of the Town.

Section 17. The customer shall notify the town office of any injury to or cessation of registration of a meter as soon as it comes to his knowledge.

Section 18. Water service may be disconnected, upon notice to the owner, his authorized agent, or occupant, for any of the following causes:

- (a) Use of water for any purpose other than that described on the permit application.
- (b) For willful waste of water through faulty pipes, fixtures or otherwise.
- (c) For tampering with or damaging any service pipes, meters, seals, or any other property of the Town.

- (d) Refusal of reasonable access to property for purpose of inspections and maintenance and for failure to make provisions to afford the Town access to the meter.
- (e) For making, or refusing to sever, any cross connections between a pipe or fixture carrying water furnished by the Town and a pipe or fixture carrying water from any other source.
- (f) For the non-payment of water service, charges, and/or penalties.
- (g) For extending water pipes to other buildings without obtaining a proper permit.
- (h) Failure to correct piping and fixtures in a water distribution system that could allow contamination of the water source.
- (i) For violation of any regulation governing water service.

Section 19. Water service may temporarily be shut off by the Town for any of the following reasons:

- (a) Making alterations, repairs or inspections of water mains or pipes.
- (b) In case of emergency such as fire or contamination.
- (c) Removing water meter for repair or testing.

Section 20. When the Town discontinues water service for any reason, it does so without liability to such owner or occupant as may own or occupy the building to which such connection is made.

Section 21. No customer shall be entitled to recover for damages, or to have any portion of the water charges refunded, for any stoppage of water service.

Section 22. Public fire hydrants are installed and supplied with water for the purpose of combating fires. Fire hydrant use is restricted to fire companies/departments and those authorized by the Town.

Section 23. It shall be unlawful for any person to:

- (a) Take water from a public fire hydrant except for the purpose of combating fire except with the approval of the Town.
- (b) Place or allow to be placed, any vehicle, object or material within fifteen (15) feet of any fire hydrant which obstructs or restricts access to said fire hydrant.
- (c) Any violation in this section may result in a fine not less than \$500.00, nor more than \$2000.00 plus damages.

Section 24. Temporary use of water may be supplied through a public fire hydrant for uses other than extinguishing fires by application for a use permit to the Town and payment of charges that may be stipulated if the application is approved by the Town. The applicant shall be responsible for any damage occasioned by the use of the fire hydrant or other appurtenance.

Section 25. The Town does not assume any liability to parties receiving water service as an insurer of property or person and the Town does not guarantee any special service, pressure, capacity or facility other than is permitted by the ordinary and changing operating conditions of the Town as the same exists from day to day. The Town shall be free and exempt from any claims for injury to any persons or property by reason of fire, water, and failure to supply water pressure or capacity.

Section 26. Any person desiring a private water supply from the Town for the purpose of extinguishing fire, or desiring to make alterations on an existing private fire service, shall first make application to the Town and obtain approval of the private fire service and a permit to install or alter same.

Section 27. All costs pertaining to the installation of a private fire service, including but not limited to tapping the public water main and piping to the property line, shall be borne by the applicant.

Section 28. A private service line shall be required for on premises fire hydrants, automatic sprinklers or other fire service devices located inside a building or buildings and such private service line is to be used exclusively for fire service.

Section 29. It shall be unlawful to use fire hydrants, automatic sprinklers, or other fire service appliance installed on a premises, building or buildings for any purpose other than for the extinguishment of fires.

Section 30. The quantity of water recorded by the meter shall be conclusive on both the customer and the Town except when the meter has been found to be registering inaccurately or has ceased to register. In either case, the meter shall be promptly repaired or replaced by the Town and the quantity of water consumed shall be estimated by an average of previous readings of the meter when in good working order during as many as two recorded periods of same period in previous years but in no case less than the minimum charge as voted on my majority vote at a regularly scheduled council meeting.

Section 31. In case of a disputed account involving the accuracy of a meter, such meter shall be tested at the request of the customer in conformity with the provisions of the Town Water Regulations. In the event that the meter so tested is found to have an error in registration in excess of Five percent (5%) slow or fast, the bills shall be adjusted accordingly as provided in the aforesaid rules.

Section 32. When meters are removed after installation, at the request of the customer for testings the following rules shall apply: the Town shall upon a written request of a customer, and if he so desired, in his presence or that of his authorized representative, make a test of the accuracy of his meter. When a customer desires, either personally or through a representative, to witness the testing of a meter he may require a meter to be sealed in his presence before removal, which seal shall not be broken until the test is made in his presence. If the meter so tested shall be found to be accurate within the limits herein specified, the cost for removing, testing and replacing the meter will be paid by the customer requesting such test, but if not so found then the cost thereof shall be borne by the Town.

Section 33. GEOTHERMAL HEATING SYSTEMS

Only vertical loop closed systems will be allowed in the Town of Blades. No horizontal, pond, or open loop systems permitted. *First Reading: Feb 12, 2007; Second Reading: March 12, 2007; Third Reading: April 9, 2007* Amendment 13, was approved by Blades Council on April 9, 2007.

Section 35. Rates:

A. The rate schedule will be set as follows: A minimum charge based on a minimum gallon usage. A rate will then be set for anything over the minimum gallons used based on every 1000 gallons used over the minimum. All charges, minimum gallons, and billing cycles are approved by result of majority vote of a quorum of the Town of Blades Town Council at a regularly scheduled meeting of council with a resolution.

B. Commercial users: A commercial rate schedule may be used after the applicant has applied for and met commercial user qualifications. A commercial user is a user that meets the qualifications set forth in the commercial rate schedule. The commercial rate is based on a schedule approved by result of majority vote of a quorum of the Town of Blades Town Council at a regularly scheduled meeting of council with a resolution.

C. Penalties: A penalty rate schedule will be set by result of majority vote of a quorum of the Town of Blades Town Council at a regularly scheduled meeting of council with a resolution.

Section 35. Billing:

A. Meters will be read every one (1) month per calendar year. If found to be not operating, the use for that month will be determined by taking the mean average of water use for the previous three (3) months. For new residents (less than 30 days), the minimum will be charged. Said minimum is subject to change as a result of a majority vote of a quorum of the Blades Town Council.

B. Water service shall not be furnished to any person other than the legal owner of the property or Dwelling Unit or Consuming Unit. Unless otherwise approved by the water commissioner, with written consent from the property owner(s), all billing will be sent to, and be the responsibility of, the property owner(s) whether or not said property owner(s) occupies, rents, leases or uses the property, Dwelling Unit/Consuming Unit.

C. Billing statements for water service shall be submitted to the property owner(s) every one (1) month during each calendar year. Payment will be due within thirty (30) days of the billing date. After thirty (30) days, the maximum late charge allowed by law shall be applied on a daily basis to the balance owed. If payment in full is not received within forty-five (45) days after the date of the billing, a water disconnect warning may be placed on the door at the subject property or Dwelling Unit. After sixty (60) days, if payment in full has not been received by the town, water service to that property or Dwelling Unit may be disconnected and may not be reconnected until the water bill is paid in full. If disconnected, a fifty dollar (\$50.00) reconnect charge will also be applied and it too must be paid in full prior to reconnection.

D. All delinquent water charges shall be computed and collected pursuant to the Charter of the Town of Blades.

E. All unpaid bills relating to the water system will be placed as a lien against said property along with all late charges and penalties relating thereto.

Section 36. Pools: On each and every property, Dwelling Unit or Consuming Unit, where there is a swimming pool with a capacity greater than 5000 gallons, a pool permit shall be required prior to installation. Any property, Dwelling Unit or Consuming Unit with unpaid/overdue water bill shall not be granted a permit.

PASSED AND ADOPTED, at a Public Meeting of the Town Council, Town of Blades, Sussex County, Delaware, held on the 8th day of OCTOBER, 2012 and shall become effective upon its adoption by majority of the members elected to the Council.



Mayor

10-8-12

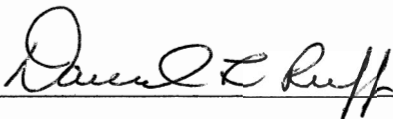
Date

Attest: 

Town Administrator

10-08-2012


Date











First Reading 8.13.2012
Second Reading 9.10.2012
Third & Final Reading 10.08.2012

