

**TITLE 13  
PUBLIC SERVICES**

*(Effective July 1, 2023)*

**Chapter 13.05  
WATER SYSTEM**

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**13.05.010 Definitions.**

The following words and phrases shall have the following meaning when used in this Chapter and in the water department rules and regulations.

*Curb stop* – A shut-off valve installed on a service pipe. On a service line that directly connects a customer's premises to the water department's main, the curb stop is located at or near the line between the customer's property and the town's property.

*Customer* – A person, business, association, or governmental or quasi-governmental entity to which the water system supplies water.

*Director* – The director of the Richmond water department or the independent contractor retained to operate the department.

*Hotbox* – An above-grade, heated structure easily accessible to water department employees that houses a shut-off valve, a meter, and a backflow-prevention device.

*Meter* – A device for measuring the quantity of water used by a customer in order to determine the charges to the customer.

*Owner* – The owner of record of real property or a building or portion of a building to which water is supplied.

*Premises* – A building, group of buildings, portion of a building, or parcel of land that has a water service connection.

*Service pipe* – The pipe that connects the water main to the customer's premises.

*Private street* – A thoroughfare not owned by the town or the state in which a water main is installed.

*Water department* – The Richmond water department.

*Water main* – The primary water pipe that transports water from the source to water service pipes.

*Water system* – The water distribution system operated by the Richmond water department, including the mains, service connections, storage tanks, and pumping facilities.  
(Ord. dated 12-6-11; Ord. dated 6-6-17; Ord. dated 5-1-18; Ord. dated 2-5-19)

### **13.05.020 Administration of water system.**

A. The water system shall be operated as an enterprise system. The finance department shall deposit all water system revenue into a segregated water system fund and shall make all expenditures from the same fund.

B. The finance department shall maintain the following funds or reserves within the water system fund:

1. A revenue stabilization fund to ensure operating funds are available during periods when water use declines. The fund shall accumulate an amount equal to no more than 10% of the system's annual operating expenses.
2. A capital improvement fund.
3. Operating and debt service reserves.

C. All water provided to the town of Richmond shall be charged at the rates applicable to other customers.

(Ord. dated 12-6-11; Ord. dated 5-16-23)

### **13.05.030 Water department's responsibilities.**

A. The water department will exercise reasonable diligence in providing a continuous and adequate supply of potable water to its customers. The water department shall not be responsible for any personal injury or property damage or loss of revenue resulting from failure to supply potable water or water pressure.

B. The water department shall have the right at all times to stop water service temporarily without notice for repairs or system extensions. If the water department determines that an interruption of service is necessary, the water department shall make a reasonable effort to notify customers in advance and to estimate how long the service will be interrupted. No customer shall be entitled to damages or a refund of any payment for any stoppage of water supply.

C. The water department shall not be responsible for damage to any boiler installed on direct pressure, or damage caused by any boiler installed on direct pressure.

(Ord. dated 12-6-11; Ord. dated 6-6-17)

**13.05.040 Customer’s responsibilities.**

A. All water supplied, including temporary water connections but excluding water provided for fire suppression systems and hydrants, shall be metered. Invoices for water shall be issued quarterly; provided, however, that the finance director shall have the authority to issue more frequent invoices to customers with meters 1 or more inches in diameter. Payment shall be due 30 days from the date of the invoice. Interest of 1% per month shall accrue on unpaid balances. Failure to receive an invoice does not relieve a customer of the responsibility to pay for water and services.

B. Payment for work performed or services provided by the water department shall be due 30 days from the date of the invoice. Interest of 1% per month shall accrue on unpaid balances.

C. All fees and charges for water and services shall be a lien on the real property in the same manner that municipal taxes are a lien on the property, and shall be collected in the same manner that overdue municipal taxes are collected.

D. Customers shall immediately notify the water department of a change in mailing address. Failure to receive an invoice sent to a previous address does not relieve the customer of the obligation to pay the invoice.

E. Property owners who sell the property, or lessees who move, shall notify the water department at least 5 working days before the conveyance or transfer to obtain a final meter reading and account closing statement for payment. Any outstanding charges against the account shall remain collectable. Property owners shall be liable for payment of all charges incurred during the property owner’s ownership and until the water department receives notice of the transfer of the property ownership.

F. If the customer is a lessee, the owner of the property and the lessee are jointly and severally liable for payment for water and services.

G. Each customer shall allow a representative of the water department access to the premises at reasonable hours to examine service pipes and fixtures, to install or replace a meter, to determine the adequacy of the backflow or cross-connection prevention devices in use, to observe the manner of water use, and for any other reason related to the provision of water service.

H. Every metered service connection shall be equipped with a meter that can be read using a radio frequency reading system.

(Ord. dated 12-6-11; Ord. dated 6-6-17; Ord. dated 5-16-23)

**13.05.050 Restrictions on water use.**

A. If water supplies are inadequate because of weather conditions, the water department has the authority to declare a water emergency and to require water conservation measures including but not limited to prohibition of water use for watering non-agricultural gardens and lawns, washing motor vehicles, and filling swimming pools. Before such a restriction takes effect, the water

department shall notify customers of the reason for the restriction, the nature of the restriction, and the date it will go into effect.

B. During a water shortage, the water department will equitably apportion the available water among its customers, taking into account public health and safety considerations.

C. Irrigation systems operated by agricultural operations as defined in R.I. Gen. Laws § 2-23-4(a) for commercial crops in fields or greenhouses and irrigation systems for golf courses shall not be connected to the water system.

D. Air conditioning systems that use water from the water system shall be equipped with water conservation devices or water recapture devices.  
(Ord. dated 12-6-11)

**13.05.060 Backflow and cross-connection prevention.**

A. Each customer is responsible for preventing backflow of water or other fluids from sources other than the approved water source that could contaminate or pollute the public water system.

B. The type of backflow prevention device required by the state building code, supplemental building code 3 (plumbing code) shall be installed at every new building connected to the water system by a certified backflow prevention device inspector or tester at the customer's expense. The water department shall have the authority to require installation of a device other than the one required by the code.

C. Each customer shall be responsible for maintaining backflow prevention devices at his or her premises in working condition, and shall repair or replace malfunctioning devices.

D. Installation of a by-pass device around any backflow prevention device is prohibited unless a backflow prevention device of the same type is installed on the by-pass. If the customer's water supply cannot be shut down for testing of the backflow prevention device, the customer must install, at the customer's expense, another backflow prevention device of the same type on a by-pass to enable testing and repair to take place.

E. If property served by the water system has a well, the customer shall ensure that the well is not cross-connected to the water system. An air gap shall be maintained between the well and the water system.

F. Air conditioning systems that use water from the water system shall be equipped with a check valve to prevent entry of used water into the water system's water main.

G. If the water department determines that a cross-contamination hazard exists, the customer shall correct the hazard within the time required by the water department's written notice. Low-level hazards shall be corrected within 45 days and moderate-level or high-level hazards shall be corrected within 10 days. The water department shall have the authority to grant extensions to these correction periods.

H. The building official shall notify the water department of every plumbing permit application.

I. Each temporary water service connection shall be fitted with a shut-off valve and a backflow prevention device.

J. Cross-connection prevention devices are required in every commercial building, industrial building, or residential building containing four or more dwelling units. The equipment shall be installed by a certified backflow prevention device inspector or tester hired by the customer at the customer's expense. Inspection of the installed equipment shall be by an employee or agent of the water system at the customer's expense.

(Ord. dated 12-6-11; Ord. dated 6-6-17; Ord. dated 5-1-18; Ord. dated 5-16-23)

**13.05.070 New water service connections.**

A. New water service connections shall be made only after certification in writing by the director of the water department that the water supply is adequate to serve the new connection. The water department shall have the right to refuse to authorize a new service connection if the director determines that the main is inadequate to provide service due to its size or location or the proposed water demand would adversely affect service to other customers. The determination of the capacity of the system shall be based on USGS scientific investigations report 2007-5133 ("Simulation of groundwater flow and areas contributing recharge to production wells in contrasting glacial valley fill settings in Rhode Island").

B. The water department shall be responsible for tapping the main and installing the water department's service pipe and associated equipment from the main to the customer's property line, unless the director has approved installation of the water department's service pipe and associated equipment by the developer or the property owner's contractor. If the water department or its contractor taps the main and installs the water department's service pipe and associated equipment, the developer or property owner shall pay the actual cost of the work plus a 10% administrative surcharge. If the developer's contractor or the property owner's contractor will tap the main and installs the water department's service pipe, plans and specifications for the work shall be submitted to the water department at least 30 days in advance. An employee or agent of the water department shall inspect the work at the developer's or property owner's expense. Within 60 days of the date installation is complete, the property owner, developer, or contractor shall provide the water department with an "as-built" graphic showing the location of the water department's service pipe. The graphic may be on paper or in digital form and need not be drawn by an engineer.

C. The developer or property owner shall be responsible for installing the service pipe from the curb stop to the premises. The work shall be done by a licensed contractor in conformity with the water department's technical regulations. Plans and specifications shall be submitted to the water department at least 30 days in advance. An employee or agent of the water department shall inspect the work at the customer's expense. Maintenance and repair of the customer's service pipe is the customer's responsibility. Within 60 days of the date installation is complete, the property owner, developer, or contractor shall provide the water department with an "as-built"

graphic showing the location of the service pipe and curb stop on the property. The graphic may be on paper or in digital form and need not be drawn by an engineer.

D. Meters shall be installed and removed or replaced by an employee or agent of the water department. The water department shall install the first meter without cost to the customer. The water department shall install additional meters on the same service pipe at the expense of the customer. The customer shall pay the charges in section 13.05.140 of this Chapter.

E. When a building is connected to the water system for the first time, the developer or property owner shall pay the connection fee in section 13.050.140 of this Chapter. The fee is a contribution to the cost of capital improvements to the water system and is based on the diameter of the pipe that enters the building.

(Ord. dated 12-6-11; Ord. dated 6-6-17; Ord. dated 5-1-18; Ord. dated 2-5-19; Ord. dated 5-16-23)

### **13.05.080 Water main extensions.**

A. Extensions to the water main shall be permitted only after certification in writing by the director of the water department that the water supply is adequate to serve the additional area. The determination of the capacity of the aquifer to provide a sufficient quantity of water and sufficient water pressure for fire protection shall be based on USGS scientific investigations report 2007-5133 (“Simulation of groundwater flow and areas contributing recharge to production wells in contrasting glacial valley fill settings in Rhode Island”).

B. Main extensions shall be constructed and installed in conformity with the water department’s technical regulations. Plans and specifications shall be submitted to the water department at least 30 days in advance.

C. When a main extension is constructed on private property, the water department shall have the authority to require the owner or developer to install a master meter above grade at the point where the main enters private property. The work shall be done by a licensed contractor in conformity with the water department's technical regulations. An employee or agent of the water department shall inspect the installation at the developer’s expense. Plans and specifications for the installation shall be submitted to the water department at least 30 days in advance.

D. All construction and installation of mains shall be performed by licensed contractors at the developer’s expense. If a main extension is constructed in a public street, an employee or agent of the water department shall inspect the installation at the developer’s expense. Inspection of a main extension that will be privately owned and maintained is not required unless there is no meter or hotbox at the junction of the public and private portions of the main.

E. The developer or contractor shall provide the water department with a complete set of “as-built” plans signed and stamped by a professional engineer registered in Rhode Island within 60 days of the date construction is complete. “As-built” plans are required for all mains on public property. “As-built” plans are required for mains on private property if no master meter or hotbox is installed at the junction of the public and private portions of the main. Specifications for “as-built” plans are in the department’s technical regulations.

F. If an easement from the town is required to install a main, the easement must be reviewed by the town solicitor and approved by the town council before the developer records the easement in the land evidence records.

G. A main installed in a public street shall become the property of the water department when installation is complete and approved by an employee or agent of the water department.

H. A main installed in a private street shall be owned and maintained by the owner of the private street unless a document is recorded in the land evidence records establishing a different ownership and maintenance arrangement.

I. If mains or other water lines on private property are privately owned, the owner shall convey to the town an easement that:

1. Gives the water department and its employees and agents the right to enter on to the premises to maintain and repair the water main in the event that the owner fails or refuses to repair or maintain it, and
2. Gives the water department the right to recover the cost of the maintenance and repair from the owner, and
3. Makes the unpaid cost of such maintenance and repair a lien on the real property.

The easement must be approved by the town solicitor before the developer records it in the land evidence records.

J. If water lines on private property are owned by the water department, the owner shall convey an easement to the water department granting access for maintenance and repair.

K. The department shall have the right to require a service connection in any structure located on or abutting a water main or water line.

(Ord. dated 12-6-11; Ord. dated 6-6-17; Ord. dated 5-1-18; Ord. dated 2-5-19; Ord. dated 12-17-19; Ord. dated 5-16-23)

### **13.05.090 New water service accounts.**

A. All applications for water service shall be made to the finance department on a form provided for that purpose. The customer or his or her authorized agent shall sign the application form. The water department's approval of an application shall constitute a binding agreement between the customer and the water system that obligates the customer to pay all applicable rates and charges.

B. When a new water service connection is required for new construction, the builder shall submit an application for new water service to the building official with the building permit application. The building official shall not issue a building permit for a building that requires a new water service connection until the water service application has been submitted. If the

application for new water service was submitted in the builder's name, the builder shall be responsible for transferring the account to the owner or occupant of the building.  
(Ord. dated 5-1-18)

C. The finance department shall have the authority to require a deposit against future charges if a customer is not able to establish credit to the satisfaction of the finance director.  
(Ord. dated 12-6-11)

**13.05.100 Disconnection of water service.**

A. A customer who wishes to temporarily disconnect water service shall notify the water department at least 5 business days before the date the water service will be disconnected. The disconnection shall be done by an employee or agent of the water department at the customer's expense.

B. The water department shall have the authority to disconnect service to a customer whose account is in arrears. Such disconnection shall take place in conformity with the *Regulations Governing Disconnection of Water Service for Accounts in Arrears* adopted by the town council on March 16, 2010, as amended.

C. Water service may be disconnected without notice to the customer for the following reasons:

1. If the water department determines that an immediate hazard exists to the public health and safety.
2. If the customer uses equipment in a manner that adversely affects the water system equipment or the department's service to other customers.
3. If the water department has evidence that the customer is obtaining water service by fraudulent means, is diverting water for an unauthorized use, or is obtaining water that is not properly metered.
4. If the department has notified a customer in writing that a cross-contamination hazard exists and the customer has not corrected the condition within the time specified in the notice.
5. If the water department has notified a customer in writing that an appropriate cross-contamination device must be installed, and the customer has not installed such a device within the time required by the notice.

D. Water service may be disconnected with at least 7 days written notice to the customer for the following reasons:

1. If the customer tampers with equipment owned by the water department.
2. If the customer fails to provide equipment, permits, or certificates specified by the department as a condition of obtaining water service, or if such equipment, permits, or certificates are withdrawn or expire.
3. If the customer fails to provide access, a protected location, or any other condition required by the water department for installation of a meter.



4. If the customer is allowing water to be wasted or is allowing leakage to occur.  
(Ord. dated 12-6-11; Ord. dated 6-6-17; Ord. dated 5-16-23)

**13.05.110 Fire protection.**

A. An application for a new water service connection is required for each fire suppression system and for each fire hydrant that will be installed in a private street right of way or on private property. The building official shall not issue a plumbing or mechanical permit for a hydrant or for a fire suppression system until a water service application has been submitted. If the application was submitted in the builder's name, the builder shall be responsible for transferring the account to the owner or occupant of the property or the building.  
(Ord. dated 5-1-18)

B. Neither a water service connection to a fire suppression system nor a water service connection to a hydrant shall be metered. The customer shall pay the annual capacity charge specified in Section 13.05.140 of this Chapter.

C. Water for fire protection shall be provided by a separate connection. The size of the connection for a fire suppression system shall be determined by the deputy fire marshal for the fire district in which the property is located.

D. Connections for fire protection shall be installed in conformity with the water department's technical regulations by the customer's contractor at the customer's expense. The water department shall inspect the installation. The director of the water department may require plans and specifications to be submitted for approval in advance.

E. The owner of a hydrant in a private street right of way or on private property shall be responsible for maintenance of the hydrant.  
(Ord. dated 12-6-11; Ord. dated 6-6-17; Ord. dated 5-1-18; Ord. dated 2-5-19)

**13.05.120 Prohibited activities.**

A. No person or persons shall cause a physical connection to be made between the water system and any other water supply for any purpose.

B. No customer shall provide water to another person, whether or not for resale, without the written approval of the water department.

C. No person shall connect a pump to the water main or to a service pipe for the purpose of increasing water pressure without the written approval of the water department. Such a pump must be equipped with an approved check valve on the discharge and a low pressure cutoff on the suction.

D. No person shall insert any object, material or substance that may cause damage or pollution into any water pipe or main that is part of the water system, discontinue the flow of water in any pipe or main, tap into any main or service pipe, or tamper with or alter any service pipe, or tamper, remove, or install any meter without the permission of the water department.

E. No person shall enter or remain on any water department premises used for the storage or distribution of water or for the storage of materials or equipment without the permission of the water department.

F. No person other than authorized fire company personnel shall open, close, or tamper with a hydrant or a hydrant valve without the written permission of the water department. No person shall obstruct access to a fire hydrant.

G. Repair of all damage to water mains, service pipes, hydrants, or other parts of the water system that occurs during any construction shall be the responsibility of the person for whom the construction is being done. Repairs shall be satisfactory to the water department.  
(Ord. dated 12-6-11; Ord. dated 6-6-17)

**13.05.130 Penalties**

A. Any person who intentionally damages any part of the water system, intentionally tampers with a meter, obtains water fraudulently, intentionally installs a device intended to bypass a meter, or willfully wastes water shall be guilty of a misdemeanor and shall be subject to imprisonment for one year or less, or a fine of not more than \$1,000. Each day of violation shall be a separate offense.

B. Any person who knowingly makes attachments to, or disposes on, the facilities or the rights-of-way of the water system shall be subject to a fine of not more than \$250 per incident. Each day of violation shall be a separate offense.

C. Any person who violates any other provision of this Chapter shall be subject to a fine of not more than \$500, or imprisonment not to exceed 30 days, or both.

D. In cases involving property damage or personal injury, the court may require the defendant to pay restitution in an amount up to \$2,500, and may require the defendant to perform community restitution to a town agency for not more than 10 days for each offense.  
(Ord. dated 12-6-11; Ord. dated 5-16-23)

**13.05.140 Rates, fees, charges, and surcharges.**

**A. Water rates.** The rates below shall apply to all water sold except water supplied to Hopkinton, which shall be invoiced according to the Agreement between the towns of Richmond and Hopkinton dated 2 July 1991, as amended. Effective April 1, 2019, the price of water shall be:

Number of gallons consumed	Price per gallon
1 to 30,000	\$0.0050
30,001 or more	\$0.0060

**B. Water quality surcharge.** A water quality protection charge of \$0.0292 per one hundred gallons of water shall be added to each sale. Customers 65 years of age and older purchasing water for household use shall be exempt from payment of this fee. Eligible customers may apply for the exemption by submitting proof of age to the finance department.

**C. Annual service charge.** Effective July 1, 2023, the following annual service charge shall be billed to each account. The service charge defrays expenses including billing, meter reading, and collections. One-quarter of the annual charge is included in each quarterly water bill.

Diameter of meter	Service charge
5/8 inch	\$148
1 inch	\$460
1½ inches	\$700
2 inches	\$1,040
3 inches	\$1,300
4 inches	\$1,620
5 inches	\$2,040
6 inches	\$2,550
8 inches or larger	\$3,200

(Ord. dated 12-6-11; Ord. dated 2-5-19; Ord. dated 5-16-23)

**REFERENCE**

R.I. Gen. Laws § 46-15.3-5.

**D. Fire protection service charges.** Effective July 1, 2023, the following annual charge shall be billed for each fire protection service. One-quarter of the annual charge is included in each quarterly bill.

1. The annual capacity charge for each hydrant on private property shall be \$860.
2. The annual capacity charge for a fire suppression system shall be:

<b>Diameter of supply pipe</b>	<b>Charge</b>
1 inch	\$144
1½ inches and larger	\$260
2 inches and larger	\$400
3 inches and larger	\$640
4 inches and larger	\$860
5 inches and larger	\$1,080
6 inches and larger	\$1,300

**E. Other charges.**

1. When the water department takes a final meter reading and issues a final invoice, the customer shall pay a service charge of \$25.
2. A service charge of \$50 per hour or portion of an hour shall be billed to disconnect or reconnect water service if the customer has requested the disconnection or reconnection or the customer has failed to pay for water or services.
3. When the water department installs or replaces a water meter or other equipment, the customer shall pay the actual cost of the equipment plus an installation charge of \$50 per hour or portion of an hour.
4. A service charge of \$50 per hour or portion of an hour shall be billed when the water department inspects backflow or cross-connection equipment at a customer's premises.
5. Inspection of construction and installation of a water main extension or a service pipe by an employee or agent of the water department shall be billed at \$50 per hour or portion of an hour.
6. A fee of \$50 per hour or portion of an hour shall be billed for reading individual sub-meters.
7. A customer whose check is returned for insufficient funds shall be charged a returned check fee of \$25.

**F. Connection fee.**

1. When the water department first provides water to a building, the developer or property owner shall pay a connection fee to contribute to capitalization of the water system. The fee is based on the diameter of the service pipe that enters the building. The fee shall be paid for every building being connected to the water system for the first time, regardless

of whether the service pipe connects directly to a main, to a line, or to a pipe, and regardless of the ownership of the main, line or pipe. No connection fee shall be charged for a hydrant or a fire suppression system.

<b>Diameter of service pipe</b>	<b>Fee</b>
1 inch and larger	\$1,500
2 inches and larger	\$2,500
3 inches and larger	\$3,500
4 inches and larger	\$4,000
5 inches and larger	\$5,500
6 inches and larger	\$6,500
7 inches and larger	\$7,500
8 inches and larger	\$8,500
9 inches and larger	\$9,500
10 inches and larger	\$10,500

2. When a connection is made between a public main in a public street and a private main on private property, the developer or property owner shall pay a the connection fee above to contribute to capitalization of the water system. The fee is based on the diameter of the private main at the connection point.
3. The town council has the authority to allow the owner of a single-family residence to pay a connection fee in installments if the town council finds that payment of the entire fee at the time of connection to the water system would be a financial hardship for the property owner. In such a case, the fee shall be payable over ten years, interest-free, in equal installments due and payable with the customer’s quarterly water invoice. The fee shall constitute a lien on the real property until paid in full.

**G. Temporary debt service charge.** In addition to the connection fee in subsection F. above, each customer east of 38 Kingstown Rd., including those on Meadowbrook Rd., Springbrook Rd., Whispering Pines Dr., Pinehaven Dr., and Deerfield Dr., shall pay the following debt service charges until the debt for construction of the water main extension is retired in full. The debt service charge is based on the amount of water consumed in one quarter and is included in the quarterly water bill.

<b>Water consumed</b>	<b>Debt service charge</b>
Up to 7,500 gallons	50% of meter charge
7,501 to 15,000 gallons	75% of meter charge
15,001 to 22,500 gallons	125% of meter charge
22,501 to 37,500 gallons	175% of meter charge
37,501 or more gallons	200% of meter charge

(Ord. dated 12-6-11; Ord. dated 6-6-17; Ord. dated 5-1-18; Ord. dated 2-5-19; Ord. dated 5-16-23)

**REFERENCES**

Charter Art. 5 § 2.D; R.I. Gen. Laws §§ 2-23-4(a), 11-35-6, 11-35-7, 11-35-20, 11-35-28, title 45, chapter 39.1 of the general laws, title 46, chapters 13, 15.3, 15.6, 15.8 of the general laws; R.I. Gen. Laws §§ 39-15-12, 46-13-22; *R.I. Dept. of Health Rules and Regulations Pertaining to Drinking Water*; Code ch. 2.26.